

**Ethnic Cleansing of Georgians Resulted from Russian
Invasion and Occupation since August 8, 2008**

Georgia

Ministry of Justice

Introduction

Since the start of the Russia's invasion and occupation of Georgia, international community has witnessed unprecedented ethnic cleansing of Georgians in the villages of South Ossetia, in the adjacent villages of the Gori and Kareli Districts, as well as in Kodori Gorge/Upper Abkhazia.

The Civil Registry Agency of the Ministry of Justice of Georgia by 3 September has registered 125,810 internally displaced persons forced to leave their homes by Russian attacks and bombings, which were followed by widespread looting, deliberate destruction of civilian property, harassment of civilian ethnic Georgian populations in South Ossetia, in adjacent regions, and in Upper Abkhazia.¹ The number of IDPs has been increasing due to the ongoing persecution of ethnic Georgians on the Russian controlled territories. Added to the approximately 300,000 IDPs resulting from the conflicts of the 1990s the total number of ethnic Georgians expelled from their homes amounts to approx. 10 per cent of the total population of Georgia; About 42,000 people in Gali district (Abkhazia, Georgia) and few thousands of Georgians in Akhgori remain under imminent threat of ethnic cleansing.

Before August 2008, the central government of Georgia controlled 21 villages with Georgian population in the so-called "South Ossetia" conflict zone. According to Department of Statistics, the estimated number of population in Tighvi (Frone valley), Kurta (Didi Liakhvi Valley) and Eredvi (Patara Liakhvi valley) municipalities was 14 500 as of 1 of January 2008. The Civil Registry Agency registered 13 260 IDPs from these municipalities by 3rd of September, meaning that absolute majority of Georgians were forced out from their houses.

There were an estimated 1 900 inhabitants in Ajara municipality (Upper Abkhazia) by 1st of January 2008 according to Department of Statistics. The Civil Registry Agency registered 1 218 IDPs from these municipality by 3 September.

The policy of ethnic cleansing orchestrated by the Russian military, acting in concert with separatist militias, now threatens tens of thousands of ethnic Georgians in Gali district of Abkhazia, villages near the districts of Gori and Akhgori. These territories are currently under Russian control.

¹ <http://hrw.org/english/docs/2008/08/13/georgi19607.htm> (Annex 3)

Such policies, combined with the August 26 recognition of the separatist regimes by the Russian Federation, now make it impossible for ethnic Georgians to exercise their right to return to their homes.

Ethnic Cleansing of Georgians in South Ossetia

The Russian army and Ossetian separatist militia deliberately targeted the civilian populations of Georgian villages in the Didi Liakhvi valley, the Patara Liakhvi valley and the Frone valley in South Ossetia.

Human Rights Watch, Amnesty International, and eyewitnesses report mass destruction of Georgian villages in South Ossetia and nearby regions. The policy of destruction and looting civilian property has transformed formerly ethnic Georgian areas into ghost towns.² Satellite images provided by UNOSAT clearly demonstrate the damage inflicted upon several Georgian villages around the city of Tskhinvali.³

The execution of ethnic Georgian men and women has been reported by international organizations, international media, as well as eyewitnesses, including ones rescued from the notorious hostage camp in Tskhinvali.

Numbers of cases of rape also have been reported (one female victim, a 22-year-old ethnic Georgian, testified of being raped by four militaries while being held in the Tskhinvali hostage camp);

Elderly villagers who were physically unable to flee the ethnic cleansing have been captured in large numbers and held as hostages (later handed over in exchange for prisoners of war).

Houses owned by ethnic Georgians have been looted and burnt down, following a policy of ethnic cleansing of Georgians that has been “proudly” acknowledged by the separatist leader of South Ossetia, Eduard Kokoity; he declared that the goal of the ethnic cleansing is to purge Georgian enclaves in South Ossetia so as not to allow ethnic Georgians to return to their homes.⁴

² Photos, Human Rights Watch. http://www.hrw.org/photos/2008/georgia_galleries/ (Annex 1)

³ <http://unosat.web.cern.ch/unosat/> (Annex 2)

⁴ Interview with the South Ossetian Separatist leader Eduard Kokoity with Russian newspaper “Kommersant” from 15.08.08; No144, and Interview with the Speaker of South Ossetia Separatist parliament Znaur Gasiev with newspaper “Komsomolskaia Pravda” from 22.08.08. <http://www.kommersant.ru/doc.aspx?fromsearch=ef093ba1-b275-41da-8576-5d73596075da&docsid=1011783> and <http://kp.ru/daily/24150/366813> (Annex 4)

As Human Rights Watch observed, deliberate attempts by the Russian government to exaggerate the number of people killed in the South Ossetia conflict also provoked revenge attacks on Georgian villagers in South Ossetia.⁵ Chairman of the Supreme Council of South Ossetia Z. Gassiev declared: “Georgians will no more return here – we burned all their houses in the enclaves”.

Ethnic Cleansing of Georgians outside of the South Ossetia Conflict Zone

After Russian and Ossetian troops destroyed Georgian villages within the conflict zone, expelling and killing ethnic Georgians, they extended these brutal activities to nearby Georgian villages in the Gori and Kareli districts; these areas, which were away of the conflict zone, have now been deemed by Russia as being in a so-called “security/buffer zone.”

On 16 August, Russian army detachments entered Akhagori district, which was part of the “South Ossetia Autonomous Republic” in Soviet times and where Georgian and Ossetians were living in peace. Russian occupying forces threatened local population of expulsion if they did not accept Russian citizenship and reject their Georgian citizenship. As a result, ethnic Georgians have fled Akhagori district; many of them are now in Gori IDP camps. Harassment and discrimination of few remaining ethnic Georgians continues in Akhagori district up to date.

Ethnic Cleansing of Georgians in Abkhazia/Kodori Gorge

Approximately 42,000 ethnic Georgians in the Gali district of Abkhazia are harassed and threatened to expulsion. They have been deprived of the right to receive education in their native language for many years. Reports received from residents of Gali—which is now isolated from the rest of Georgia due to the closure of the administrative border at the Enguri Bridge—suggest that they are being harassed, attacked, and threatened of expulsion if they do not accept Russian passports.

⁵ <http://www.guardian.co.uk/world/2008/aug/14/georgia.russia1> (Annex 14)

There were an estimated 1,900 inhabitants in Ajara municipality (Upper Abkhazia) by 1st of January 2008 according to Department of Statistics. The Civil Registry Agency registered 1,218 IDPs from these municipality by 3 September.

Ethnic Cleansing of Georgians Reported by International Organizations

Numerous international organizations and NGOs have been continuously reporting the ongoing grave human rights violations. The two reports of Human Rights Watch speak about the large-scale systematic attacks on the civilian population of Georgian ethnicity, namely that its researchers had:

“witnessed terrifying scenes of destruction in four villages that used to be populated exclusively by ethnic Georgians. According to the few remaining local residents, South Ossetian militias that were moving along the road looted the Georgian villages and set them on fire...”⁶

The second report concerning the role of Russia with regard to those ‘terrifying scenes’ says that although ‘Russia is obliged to ensure the safety and well being of civilians in the areas under its *de facto* control ... civilians are clearly not being protected’.⁷

The United Nations High Commissioner for Refugees ‘expressed concern over reports of new forcible displacement caused by marauding militias north of the Georgian town of Gori near the boundary line with the breakaway region of South Ossetia’.⁸ According to UNHCR this group of newly displaced persons consisted of:

‘elderly people who had remained in their homes throughout the conflict, but had now been forced to flee by armed groups. The newly displaced said that some had been beaten, harassed and robbed, and that three persons had reportedly been killed. The marauders were reportedly operating in the so called buffer zone established along the boundary line with South Ossetia.’⁹

⁶ Human Rights Watch, ‘Georgian Villages in South Ossetia Burnt, Looted’, 13 August 2008. (Annex 3)

⁷ Human Rights Watch, ‘EU: Protect Civilians in Gori District, Security of Civilians Should Be Central to Summit Discussions on Russia’, 28 August 2008. (Annex 5)

⁸ UNHCR, ‘Reports of lawlessness creating new forcible displacement in Georgia’, 26 August 2008. (Annex 6)

⁹ *Ibid.* UNHCR, ‘Reports of lawlessness creating new forcible displacement in Georgia’, 26 August 2008. (Annex 6)

Speaking in his capacity as OSCE Chairman, the Foreign Minister of Finland, Alexander Stubb, stated that in Gori district he had personally witnessed how 'Russian emergency troops brought in two lorries full of elderly people' from 'southern Ossetia who had been torn away from their homes'.¹⁰ His conclusion was unambiguous: they 'are clearly trying to empty southern Ossetia of Georgians'.¹¹

The numerous statements by witnesses also speak of the ethnic based violence mainly aiming to eradicate the presence of the population of ethnic Georgian origin in the occupied territories. As it may be summarized from these statements given by the witnesses from the different locations within the occupied territories, an alternative offered to the ethnic Georgians was clear and very simple: Either to be killed or to leave their homes. They furthermore, indicate the systematic character of looting and burning the houses where from the people were forced to leave. The satellite images attached to this paper also evidence the massive destruction of the Georgian villages.

The policy of ethnic cleansing was also affirmed by the so-called 'President' of the *de facto* authority in South Ossetia, Eduard Kokoity, who in his interview of 15 August 2008 given to the Russian publication Kommersant, on the question '[w]ill Georgian civilians be allowed to return?' gave the following answer: 'We do not intend to let anybody in here anymore.'¹²

The *Economist* quoted also a South Ossetian intelligence officer as follows: '*We burned these houses. We want to make sure that they [the Georgians] can't come back, because if they do come back, this will be a Georgian enclave again and this should not happen.*'¹³

Representatives of U.S.-based Human Rights Watch and Russian group Memorial reported that: "*Neither South Ossetia's local government nor the Russian army are providing adequate security for citizens in the breakaway territory after last month's Russia-Georgia war.*"¹⁴

¹⁰ BBC News, 'South Ossetia emptied of Georgians', 25 August 2008. (Annex 14)

¹¹ *Ibid.* BBC News, 'South Ossetia emptied of Georgians', 25 August 2008. (Annex 14)

¹² Republic of South Ossetia New Agency, press conference conducted in the International Press Centre of Tskhinvali, 26 August 2008. (Annex 4)

¹³ *The Economist*, 'A Caucasian journal', 22 August 2008. (Annex 14)

¹⁴ See REUTERS, "Looting, fires rage in South Ossetia: rights groups", Thu Sep 11, 2008(Annex 14)

Ongoing Threats of Violence for the Further Implementation of the Policy of Total Ethnic Cleansing

Violence against ethnic Georgians continues and on Sunday September 21, a Georgian police officer was shot dead and two others were wounded near the *de facto* border with breakaway Abkhazia, the third such incident since the Georgia-Russia war in August.¹⁵

Considering the policy of the ethnic purification in the occupied territories Amnesty International reported that '[t]hose who remained in South Ossetia and in parts of western Georgia where fighting has taken place . . . remain vulnerable to ethnically motivated attacks'.¹⁶

The very survival of thousands of ethnic Georgians has become precarious as a result of a campaign of sustained and violent discrimination being waged against them. The executors of this ongoing campaign are Russian soldiers and separatist militias under their control. There is furthermore no sign that the Russian Federation and the *de facto* separatist authorities in South Ossetia and Abkhazia intend to cease this campaign before its objective has been achieved. That objective is the creation of two territories that are cleansed of ethnic Georgians and placed under the authority of separatists controlled by the Russian Federation.

The statements of the victims give further proofs of the ongoing threats of violence. Alyosha Beguluri, who brought his family to the central city of Gori from their mostly ethnic Georgian village in South Ossetia after the war, said he had returned to the village, Koshki, on Friday to check on his home. After dark, Beguluri said, five or six camouflage-clad Ossetians with Kalashnikovs came into his yard and took him away, along with four other ethnic Georgians. He said the Ossetians beat them with their rifle butts and kicked them while leading them to a deserted area. "Then they made us lie down on the ground, again beat us, and poured kerosene over us," he said. "I thought it would be better if they shot us than if they set us on fire," Beguluri said. He said the gunmen told them their village would be torched and the remaining ethnic Georgians driven away or worse. But after keeping them on the ground at gunpoint for 10 or 15 minutes, cursing them, Beguluri said the gunmen told them to stand up one by one and run away. "We got up of course and ran, in different directions, all of us scared." He said he hid in an orchard overnight and took a bus to Gori on Saturday.¹⁷

¹⁵ See, REUTERS, "Georgian police officer shot dead near rebel region", Sun Sep 21, 2008. (Annex 14)

¹⁶ Amnesty International, 'Continuing Concern for Civilians After Hostilities in Georgia', 22 August 2006. (Annex 7)

¹⁷ See AP, "Georgian claims he was beaten in ethnic attack", September 14, 2008. (Annex 14)

Russia's Control over the *de facto* Separatist Authorities in South Ossetia and Abkhazia

Although the fact of Russia's control over the *de facto* separatist authorities of two Georgian regions does no longer appear as matter of doubt, in relation to the recent events, it still shall be observed that key *de facto* government officials of those authorities are either current or former Russian military or intelligence officers, are in the employ of the Russian Federation and remain under its direct control. Indeed many of them are concurrently employed by its military and intelligence services, and they control the paramilitary forces that the United Nations High Commissioner for Refugees has referred to as 'marauding militias'.¹⁸

The statements of the victims give further proofs of the direct implementation of the policy of ethnic cleansing by the Russian troops. Jimsher Babutsadze, a 59 years old inhabitant of the Achebeli village, testified that upon the Russian's arrival to the village on 10 August 2008, to following conversation took place: "The Russian soldiers then told us, '[i]f you are Georgian and want to survive, run away from here' because we would die if we didn't leave. He said 'You see what is happening here. Do you want to die?'". Ana Datashvili, a 73-year-old resident of the village of Tamarasheni, testifies that 'Russian soldiers returned to the village, together with Cossacks and Chechens and other North Caucasus bandits' and 'began looting and burning Georgian houses on a massive scale'. She recounts a 'Russian soldier' who:

'started yelling in a loud voice with me but I could not understand what he was saying since I don't know Russian. Afterwards an Ossetian explained to me in Georgian that the Russian soldier had ordered me to leave the house since they were going to burn it down. I asked them why they [were] doing this, since we were relatives. I explained that I was half Ossetian and that my mother was Ossetian. Despite my explanation, they told me that I was Georgian and had no place with them. They said that Georgians will never live on this land anymore'.

To quote further from her statement, '[t]he Russian soldier forced me by physical abuse to leave the house', whereupon, she recounts, an Ossetian soldier 'threw an object resembling a bomb on the first floor of my house, setting the house ablaze'.

There are a huge number of statements by other witnesses containing the testimony of a similar nature.

¹⁸ UNHCR, 'Reports of lawlessness creating new forcible displacement in Georgia', 26 August 2008. (Annex 6)

International Litigation Initiated by Georgia against Russian Federation

The International Court of Justice

Georgia strongly believes that there is a dispute with the Russian Federation that should be resolved in accordance with international law. Therefore, on 12 August, 2008, Georgia instituted proceedings before the International Court of Justice (ICJ) against the Russian Federation under the International Convention on the Elimination of All Forms of Racial Discrimination. Georgia requests the ICJ to establish that the Russian Federation, through its State organs, State agents, and other persons and entities exercising governmental authority, and through the South Ossetian and Abkhaz separatist forces and other agents acting on the instructions of, and under the direction and control of the Russian Federation, is responsible for serious violations of its fundamental obligations under the Convention, including Articles 2, 3, 4, 5 and 6. These violations under the Convention were committed during three distinct phases of Russia's interventions in South Ossetia and Abkhazia in the period from 1990 to August 2008.

On 13 August 2008 Georgia availed itself to the right provided under the Rules of Court requested provisional measures to be indicated to the Russian Federation in order to stop the ongoing discrimination of ethnic Georgians in the territories under Russian control.

The European Court of Human Rights

On 11 August 2008, while Russian forces were heading to the Capital, Georgia applied to the European Court of Human Rights with a request for interim to the effect that the Russian Government should refrain from taking any measures which may threaten the life or state of health of the civilian population and to allow the Georgian emergency forces to carry out all the necessary measures in order to provide assistance to the remaining injured civilian population and soldiers via humanitarian corridor.

On 12 August 2008 the President of the Court, acting as President of Chamber, decided to apply Rule 39 of the Rules of Court (interim measures) considering that the current situation gives rise to a real and continuing risk of serious violations of the Convention. The interim measures were prolonged already twice by the Court on 26 August and 16 September respectively.

The Ministry of Justice is working on the inter-state Application that will be submitted to the European Court of Human Rights in due course.

Annexes

Annex 1 Human Rights Watch, *Human Rights News*. Photos. 2008. Georgia, galleries

Annex 2 Maps

Annex 3 Human Rights Watch, *Human Rights News*, "Georgian Villages in South Ossetia Burnt, Looted"(August 13, 2008)

Annex 4 Republic of South Ossetia State News Agency, *Press Conference Conducted in the International Press Centre of Tskhinvali* (August 26, 2008) [excerpts with Russian text]

Annex 5 Human Rights Watch, *Human Rights News*, "EU:Protect Civilians in Gori District". Security of Civilians Should Be Central to Summit Discussions on Russia (August 28, 2008)

Annex 6 United Nations High Commissioner for Refugees, *UNHCR Press Release*, "Reports of lawlessness creating new forcible displacement in Georgia"(August 26, 2008)

Annex 7 Amnesty International, *Amnesty International News and Updates*, "On the Ground in Georgia" (August 22, 2008)

Annex 8 Human Rights Watch, *Human Rights News*, "Georgia: Civilians Killed by Russian Cluster Bomb "Duds", More attacked confirmed; Unexploded Ordnance Threatens Many"(August 21, 2008)

Annex 9 Human Rights Watch, *Human Rights News*, "Georgia: International Groups Should Send Missions. Investigate Violations and Protect Civilians"(August 18, 2008)

Annex 10 Amnesty International, *Amnesty International News and Updates*, "Continuing Concern for Civilians After Hostilities in Georgia" (August 22, 2008)

Annex 11 International Committee of the Red Cross, *ICRC Feature*, "Georgia: uncertainty about the future haunts the displaced"(August 17, 2008)

Annex 12 International Committee of the Red Cross, *ICRC operational Updates* "Georgia/Russian Federation: humanitarian operations in South Ossetia and Gori continues to expand"(August 25, 2008)

Annex 13 Georgian Ministry of Foreign Affairs, *Russian Officials in Georgia*. Separatist Governments (updated)

Annex 14 Foreign Media on Ethnic Cleansing of Georgians in conflict zone

HUMAN RIGHTS WATCH

GEORGIAN VILLAGES IN SOUTH OSSETIA BURNT, LOOTED

(Java, August 13, 2008) – Human Rights Watch researchers in South Ossetia on August 12, 2008, saw ethnic Georgian villages still burning from fires set by South Ossetian militias, witnessed looting by the militias, and learned firsthand of the plight of ethnic Ossetian villagers who had fled Georgian soldiers during the Georgian-Russian conflict over the breakaway region of South Ossetia.

In South Ossetia, Human Rights Watch researchers traveling on the evening of August 12 on the road from the town of Java to Tskhinvali, the capital of South Ossetia, witnessed terrifying scenes of destruction in four villages that used to be populated exclusively by ethnic Georgians. According to the few remaining local residents, South Ossetian militias that were moving along the road looted the Georgian villages and set them on fire. Human Rights Watch saw numerous vehicles carrying South Ossetian militia members, as well as Russian military transports moving in the direction of Tskhinvali.

Numerous houses in the villages of Kekhvi, Kvemo Achabeti (Nizhnie Achaveti in Russian), Zemo Achabeti (Verkhnie Achaveti in Russian), and Tamarasheni had been burnt down over the last day – Human Rights Watch researchers saw the smoldering remnants of the houses and household items. The villages were virtually deserted, with the exception of a few elderly and incapacitated people who stayed behind either because they were unable to flee or because they were trying to save their belongings and cattle.

“The remaining residents of these destroyed ethnic Georgian villages are facing desperate conditions, with no means of survival, no help, no protection, and nowhere to go,” said Tanya Lokshina at Human Rights Watch.

In the village of Kvemo Achabeti, Human Rights Watch researchers spoke to an elderly man who was desperately trying to rescue his smoldering house using two half-empty buckets of dirty water brought from a spring. He told Human Rights Watch that the vast majority of the residents, including his family, fled the village when active fighting between Georgian forces and South Ossetian militias broke out on August 8, but he decided to stay to look after the cattle. He said members of the South Ossetian militia came to his house on August 11, and tried to take away some household items. When he protested, they set the house on fire and left. The man said he had no food or drinking water; his hands were burned and hair was singed – apparently as he was unsuccessfully trying to extinguish the fire – and he appeared to be in a state of shock. He said that there were about five to ten elderly and sick people left in the village, all in a similar desperate condition, and many of the houses were burned.

In the village of Kekhvi, many houses were set on fire between 6.30 pm and 7.30 pm on

August 12 – they were ablaze as Human Rights Watch researchers moved along the road. Two elderly women from Kekhvi were weeping as they told Human Rights Watch about what happened in the village. One of them explained that the members of South Ossetian militias passed by the village and stopped at her house and “threw something” that set it on fire. She did not manage to rescue anything from the house and at the time of the interview could not even enter the house as it was still burning. She had no money on her and did not know if she could survive in this situation.

Human Rights Watch researchers also saw armed Ossetian militia members in camouflage fatigues taking household items – furniture, television sets, heaters, suitcases, carpets, and blankets – out of houses in the village of Kvemo Achabeti, and loading them into their trucks. Explaining the looters’ actions, an Ossetian man told Human Rights Watch, “Of course, they are entitled to take things from Georgians now – because they lost their own property in Tskhinvali and other places.”

A representative of the local administration in the town of Java told Human Rights Watch that the authorities had arrested two men who were looting the ethnic Georgian villages, but was adamant that they were not members of the South Ossetian militias. His colleague, however, said, “Isn’t that what they [Georgians] have been doing to us? These old people shouldn’t be complaining – they should be happy they weren’t killed.”

International humanitarian law applicable to the fighting between South Ossetian militias and Georgian forces prohibits attacks on civilian property, as well as looting or pillaging. Individuals, including commanders, participating in the deliberate or reckless destruction or looting of civilian property are responsible for war crimes. International humanitarian law also prohibits “acts or threats of violence the primary purpose of which is to spread terror among the civilian population.”

Russian Minister of Internal Affairs Rashid Nurgaliev said there would be “decisive and tough” measures taken against looters.

“The Russian government should be held to this promise to punish looters but much more needs to be done to ensure that all sides protect civilians,” said Holly Cartner, Europe and Central Asia director at Human Rights Watch.

Human Rights Watch researchers also interviewed South Ossetian women displaced from the Leningori district of South Ossetia. The women, from the mountain villages of Tsinachari, Monasteri, Zakori, Tsubeni and Tsair, told Human Rights Watch that they had fled with children and elderly people when Georgian military personnel entered their villages on the night of August 7/8.

The displaced persons spent several days in the woods with brief respites in neighboring villages before being picked up by South Ossetian militia and transported to the town of Java. This group of approximately 100 people was accommodated in the Java school building for the night and was due to be moved by buses to North Ossetia in Russia on August 13.

A woman from Tsinachari told Human Rights Watch,

The Georgians came to the village at around two o'clock in the morning. They told us not to be afraid and said that if our men wouldn't shoot, they wouldn't shoot either. They shot in the air – probably trying to frighten us. They entered the houses, checked identification documents, even took away the passports from some of our neighbors. They also looked for young guys and for the men. Though all our males were already gone by then – they joined the militia and hid themselves in the woods. The Georgians were also looking for firearms but our men had taken their weapons with them, so there was nothing much to find. We were very scared and could not stay in the village while the Georgians were there, so we also fled into the woods. For the first night, we just walked non-stop.

A woman from Tsair, who fled with her two small children, said that her husband and brother were both in the militia, and told Human Rights Watch that the Georgian soldiers stole whatever money she kept at the house. They also took away the rifle that the men in the family had left behind as well as the passports of the residents, all of whom have citizenship in the Russian Federation.

Another woman from Tsinachari told Human Rights Watch that on August 8, a group she was with was stopped in the woods by the Georgian military. According to the woman, the soldiers said, "Tell your men not to open fire. If they don't shoot we aren't going to shoot either."

During the time they spent in the woods the fleeing civilians were provided with food and assistance by the members of South Ossetian militia, mostly their own relatives. When the militia finally drove them to Java, the women said a wounded man was transported along with them. He was a member of the South Ossetia militia who they were told had been seized by Georgian soldiers in the mountains, beaten up and released. He suffered several broken ribs from the beating.

From: <http://hrw.org/english/docs/2008/08/13/georgi19607.htm>

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INTERVIEW OF KOMMERSANT WITH EDUARD KOKOITY, President of the unrecognized republic of South Ossetia – 15.08.08

Eduard Kokoity

“We have in fact flattened everything there”

Translation of the extract:

While visiting Moscow yesterday together with the Abkhazian leader Sergey Bagapsh, the President of the self-proclaimed (unrecognized) republic of South Ossetia, Eduard Kokoyti told the journalist Aleksandr Babuev about the fate that expects Georgian villages in the conflict zone.

J: After Tskhinvali and Ossetian villages have been re-taken, the hostilities were conducted already in Georgian enclaves. What is going on there now?

Kokoyti: Nothing, everything has been destroyed, the boundaries of South Ossetia has been defined.

J: It has been claimed that there were cases of looting in Georgian villages.

Kokoyti: Yes, there were cases of looting, but it is the consequence of any war, any aggression. We are strictly suppressing such acts.

J: As I understand, these villages have already been cleansed.

Kokoyti: Yes, meaning civilian population had been evacuated before. There was nobody there, except for Georgian forces. As for the civilians still remaining at some places, in contrast to Georgian forces we provided a corridor and gave civilian population the possibility to leave. I want to assure you once again that in fact, there was almost nobody in those enclaves. They have evacuated everybody well in advance.....Georgians were seriously preparing for the aggression. They evacuated people and so called alternative government (pro-Georgian Temporary Administration of South Ossetia led by D. Sanakoev – *Kommersant*.)

J: So to say, Georgian enclaves are in fact destroyed, are not they?

Kokoyti: We could not allow to be attacked from those villages, shooting our backs and ridicule our people.

J: Will Georgian civilians be allowed to return?

Kokoyti: We do not intend to let anybody in here anymore. More than 18 000 Ossetian refugees from Georgia are currently in North Ossetia. They are to be returned to South Ossetia.

www.kommersant.ru/doc.aspx?fromsearch=ef093ba1-b275-41da-8576-5d73596075da&docsid=1011783

<http://www.hideu.info/index.php?q=d3d3LmtvbW1lcnNhbnQucnUvZG9jLmFzcHg%2FZnJvbXNlYXJjaD1ZjA5M2lhMS1iMjc1LTOxZGEtODU3Ni01ZDczNTk2MDc1ZGEmZG9jc2lkPTEwMTE3ODM%3D&hl=3e8>

Эдуард Кокойты: мы там практически выровняли все



Газета «Коммерсантъ» № 144(3961) от 15.08.2008



Прибывший вчера в Москву вместе с абхазским лидером Сергеем Багапшем президент непризнанной республики Южная Осетия ЭДУАРД КОКОЙТЫ рассказал корреспонденту "Ъ" АЛЕКСАНДРУ Ъ-ГАБУЕВУ, какая судьба ждет грузинские села в зоне конфликта.

— Как была организована оборона Цхинвали? Почему за несколько недель до начала операции в руки грузин почти без сопротивления перешли ключевые высоты вроде Сарабукской?

— Я бы так не сказал. Под контролем грузин высоты оказались в ходе операции, которую они проводили. Присские высоты до последнего, до прихода российских войск оставались в руках осетин. Как только пошли уличные бои в Цхинвали, ребята перегруппировались. У нас был свой план обороны города, и в соответствии с этим планом агрессор уничтожился.

— Российские войска ведь не очень быстро подошли?

— Я горжусь защитниками Цхинвали, солдатами и офицерами министерства обороны Южной Осетии, которые выдержали этот натиск и не сдали свою столицу врагу.

— После освобождения Цхинвали и осетинских сел боевые действия перенеслись в грузинские анклав. Что там сейчас?

— Да ничего. Мы там практически выровняли все. Установили границу Южной Осетии.

— Говорят, в грузинских селах были случаи мародерства...

— Да, случаи мародерства были, но это последствия любой войны, любой агрессии. Мы все эти факты жестко пресекаем.

— Я так понимаю, там всех уже зачистили?

— Да. То есть оттуда мирных жителей вывезли, там никого не было, кроме грузинских войск. А что касается мирных граждан, то в тех местах, где они еще оставались, мы, в отличие от войск Грузии, предоставили коридор и дали возможность мирному населению выйти. Но еще раз хочу вас заверить, что в этих анклавах фактически никого не было. Они заблаговременно всех вывезли — у нас были перехваты. Ведь грузинская сторона к агрессии серьезно готовилась. Они вывозили оттуда людей, они вывезли свое так называемое альтернативное правительство (прогрузинская временная администрация Южной Осетии во главе с Дмитрием Санакоевым.— "Ъ").

— То есть грузинские анклавы фактически уничтожены?

— А что, надо допустить, чтобы нас оттуда обстреливали? Опять стреляли нам в спину и издевались над нашим народом?

— Грузинских мирных жителей туда обратно пустят?

— Мы не намерены туда больше кого-то запускать. Более 18 тыс. осетинских беженцев из Грузии сейчас находятся в Северной Осетии. Нам их нужно возвращать в Южную Осетию.

Human Rights Watch

EU: Protect Civilians in Gori District

Security of Civilians Should Be Central to Summit Discussions on Russia

(Tbilisi, August 28, 2008) – The European Union should act to protect Georgian civilians from continued attacks by Ossetian militias and opportunistic violence, Human Rights Watch said today. Human Rights Watch called on the European Union to use its unprecedented summit on Russia on September 1 to make a plan for ensuring protection for civilians in Georgia.

Russian forces started withdrawing from the Gori district around August 22, but they continue to have checkpoints in the area. Human Rights Watch researchers documented a disturbing pattern of violence against civilians, including abductions, looting, and beatings taking place beyond these checkpoints, particularly in areas bordering South Ossetia.

“Georgian villages in the border areas have become a no man’s land, with civilians at the mercy of Ossetian militias and armed criminals,” said Rachel Denber, Europe and Central Asia deputy director at Human Rights Watch. “Europe’s relationship with Russia has seldom been more difficult than today, but this issue cannot wait for a political solution to the conflict. Addressing this situation should be a top priority for the EU at next week’s summit.”

Human Rights Watch reiterated its call on the EU to deploy a robust European Security and Defense Policy (ESDP) [mission](#) consisting of police and security forces to ensure protection of civilians and the return of displaced persons to their homes. Human Rights Watch also called on the EU to initiate discussion of an international peacekeeping mission to Georgia.

Russia’s recognition on August 26 of the territories of South Ossetia and Abkhazia has caused a crisis in EU-Russian relations.

After Russian military forces moved out of the Gori district, Georgian police were allowed to move in, but not beyond Russian forces’ checkpoint at the village of Variani, about eight kilometers north of Gori. As the Georgian police are not allowed in, and Russian forces do not go on patrols beyond the checkpoint, there is no one providing security in the northern Gori district.

“Russia is obligated to ensure the safety and well-being of civilians in the areas under its de-facto control, but civilians are clearly not being protected,” said Denber. “This is why the European Union should urgently agree on an international presence to ensure

security.”

Between August 22 and 27, Human Rights Watch spoke with people from five villages in areas under effective Russian control, all of whom were victims of or witnesses to violence by Ossetian militias. For example, on August 24, at around 5 p.m., Ossetian militias abducted five men from the village of Tirdznisi. The wife of one of the five, 52-year-old Jumber Tetunashvili, told Human Rights Watch that her husband had managed to call her and said he was in detention in Tskhinvali.

On August 24, four armed Ossetians came to the village of Koshki, where they looted houses and severely beat at least four civilians. One of the victims, “Vano,” told Human Rights Watch:

“I stood in the street with three neighbors. They approached us, shooting in the air, and said ‘You weren’t happy with a peaceful life – now we’re going to show you!’ They asked for money, but what kind of money do we have?! Then they started beating us with the butts of their guns. One neighbor had his collar bone broken as a result of the beating. He was taken to the hospital. They hit me and another neighbor in the face, on the ribs and in the kidney area. Then they went to the next door house and looted it. I saw them take away a fridge, clothes and other things. They loaded the loot on to a cart and forced me at gunpoint to push it.”

When Human Rights Watch interviewed “Vano” and his neighbor, the two men were visibly in pain, and were transported to the hospital shortly thereafter.

On August 26 and 27, numerous residents fled the villages of Meghvrekisi and Nikozi. People who fled Meghvrekisi told Human Rights Watch that on the morning of August 26, three armed Ossetians in camouflage fatigues came to the village, searching for young men. When they realized that young males had fled the village, they physically assaulted three villagers – two women and a man.

Villagers fleeing Meghvrekisi and Nikozi also said that over the past couple of days, Ossetian militias had been looting and burning houses, forcing most civilians to leave.

On August 26, when Human Rights Watch researchers visited the village of Pkhvenisi, three kilometers south of Nikozi and Meghvrekisi, local residents complained that nobody had been providing security in the village, and said they were afraid that the looters would move on to their village.

Just 30 minutes later, the villagers called Human Rights Watch and reported that four armed Ossetians held them at gunpoint and stole their tractor.

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Reports of lawlessness creating new forcible displacement in Georgia

Tuesday, 26 August 2008

GENEVA – The UN refugee agency has called on all parties to the conflict over South Ossetia to make their best efforts to contain further outbreaks of lawlessness which could contribute to additional displacement. In this context, UNHCR on Tuesday expressed concern over reports of new forcible displacement caused by marauding militias north of the Georgian town of Gori near the boundary line with the breakaway region of South Ossetia.

Up to 400 displaced people gathered in Gori's main square during the day after being forced to flee their villages. According to individual accounts from displaced people reaching UNHCR in Gori, several of the displaced had fled fighting in the region earlier this month and had just gone back to their farms and villages over the weekend. Others included elderly people who had remained in their homes throughout the conflict, but had now been forced to flee by armed groups. The newly displaced said that some had been

beaten, harassed and robbed, and that three persons had reportedly been killed. The marauders were reportedly operating in the so-called buffer zone established along the boundary line with South Ossetia.

UNHCR staff in Gori were assisting local authorities in erecting a small tented camp on the edge of the town so the displaced would have a place to stay Tuesday night.

Following three weeks of emergency relief operations, UNHCR's work in Georgia is now entering a new, post-emergency phase, giving greater emphasis to its protection mandate and the search for durable solutions. This is all the more complex as the situation on the ground is very dynamic and unpredictable with the continuing movement of people. UNHCR teams will continue to closely monitor the numbers and the character of any new, potential displacement in the region.

At its height earlier this month, the crisis generated more than 158,000 displaced – 128,000 within Georgia and some 30,000 who fled to the Russian Federation. Prior to the latest crisis UNHCR has been working on behalf of some 220,000 previously displaced people in Georgia, in addition to its mandated tasks on behalf of refugees, returnees, asylum

CONTINUING CONCERN FOR CIVILIANS AFTER HOSTILITIES IN GEORGIA

[HTTP://WWW.AMNESTY.ORG/EN/NEWS-AND-UPDATES/NEWS/CONTINUING-CONCERN-FOR-CIVILIANS-AFTER-HOSTILITIES-IN-GEORGIA-20080822](http://www.amnesty.org/en/news-and-updates/news/continuing-concern-for-civilians-after-hostilities-in-georgia-20080822)

22 August 2008

Following the 16 August ceasefire agreement between Georgia and Russia, Amnesty International has called on all parties to the conflict to protect displaced civilians and refugees who fled during the hostilities, as well as those who remained in the areas where hostilities have taken place.

The organization has also called on all parties to ensure that humanitarian assistance reaches all victims of the conflict, whether in Georgia or in Russia, and to ensure that all who fled the hostilities can be guaranteed a safe and lasting return to their homes.

Those who fled to other parts of Georgia and to North Ossetia, Russia, are in continued need of humanitarian assistance. Those who remained in South Ossetia and in parts of western Georgia where fighting has taken place, are also in need of humanitarian assistance. They also remain vulnerable to ethnically motivated attacks.

On August 19, the United Nations High Commissioner for Refugees (UNHCR) estimated the number of people displaced by the hostilities at more than 158,700. Some 98,000 people were displaced in Georgia proper. This included most of the population of the city of Gori and surrounding villages in western Georgia.

Displaced people in Georgia are living in municipal buildings, such as schools, as well as in camps in and around Tbilisi, the capital. Conditions in these centres vary greatly.

Aid organizations reported difficulties in accessing civilians who remained in the conflict areas. The first UN humanitarian convoy was only able to enter the city of Gori on 17 August.

Russian officials in North Ossetia indicate that some 30,000 people who fled South Ossetia are still in the Russian Federation, mainly in North Ossetia. Russian aid teams have reported that humanitarian assistance was needed in Tskhinvali, the capital of South Ossetia, because of the destruction of the infrastructure and of the local hospital. However, the Russian authorities only allowed the International Committee of the Red Cross (ICRC) access to the region on 20 August. ICRC President Jakob Kellenberger, said that there were "indications that there are important needs in the region that still have to be addressed".

Apparent indiscriminate attacks against civilians must be investigated

Amnesty International is concerned that some of the bombardments both in South Ossetia and in parts of Georgia proper during the conflict may have amounted to indiscriminate or direct attacks on civilians, which constitute war crimes. There is still a lack of precise numbers of civilians killed during the conflict. On 20 August, Russian authorities reported that 133 South Ossetian civilians had been killed, and on 21 August Georgian authorities reported that 69 Georgian citizens, who were civilians, had been killed during the conflict.

Amnesty International calls on all parties to the conflict to carry out prompt, thorough, impartial and independent investigations into allegations of violations of international humanitarian and human rights law and to bring the perpetrators to justice.

Possible ethnic targeting

Civilians in Georgia and the Russian Federation remain vulnerable to ethnically motivated attacks. Irregular armed groups, reported to have formed in and around the region of South Ossetia, have carried out human rights abuses.

Houses in ethnic Georgian villages in South Ossetia have been burned and looted and there have been reports of civilians killed. Looting and burning of houses also took place in the Gori region of western Georgia.

Amnesty International has called on all parties to the conflict to provide protection to civilians who may be subjected to inter-ethnic reprisals.

The organization has also called on all sides to initiate prompt, thorough, impartial and independent investigations into all allegations of abuses on the basis of ethnic identity and to bring the perpetrators to justice.

Background

On 12 August, Georgia and Russia agreed to a provisional French-brokered ceasefire, pending further negotiations. This followed five days of military hostilities in the disputed regions of South Ossetia and Abkhazia, as well as within Georgia proper.

The ceasefire agreement was signed by the presidents of Georgia and Russia on the 15 and 16 of August respectively. However, it wasn't until 20 August that Russia began to withdraw its troops from Georgia, stating that all troops would be withdrawn back to positions set out in the agreement.

It remains unclear how many prisoners of war are held by either side, although the first exchange of prisoners took place on 19 August.

HUMAN RIGHTS WATCH

Georgia: Civilians Killed by Russian Cluster Bomb ‘Duds’¹⁹

More Attacks Confirmed; Unexploded Ordnance Threatens Many

(Tbilisi, August 21, 2008) – Georgian and Russian authorities should take urgent measures to protect the civilian population in Georgian villages from unexploded ordnance left by Russian attacks, Human Rights Watch said today. Human Rights Watch researchers documented additional Russian cluster munitions attacks during the conflict in Georgia, refuting Russia’s earlier denials that it used the weapon.

Human Rights Watch researchers saw and photographed unexploded submunitions from cluster munitions in and around the villages of Shindisi, in the Gori district of Georgia. Residents from Shindisi and the nearby Pkhvenisi village told Human Rights Watch researchers there are hundreds of unexploded submunitions in the area. Submunition “duds” are highly dangerous and can explode if picked up or otherwise disturbed.

“Many people have died because of Russia’s use of cluster munitions in Georgia, even as Moscow denied it had used this barbaric weapon,” said Marc Garlasco, senior military analyst at Human Rights Watch. “Many more people could be killed or wounded unless Russia allows professional demining organizations to enter at once to clean the affected areas.”

Witnesses told Human Rights Watch that on August 8, 2008, Russian air strikes on Georgian armored units located near Shindisi and Pkhvenisi were followed by extensive cluster munition strikes that killed at least one civilian and injured another in Shindisi. At least two more civilians were killed and five wounded in the following days when they handled unexploded submunitions, including an incident 10 days after the initial strikes. As of August 20, Shindisi and Pkhvenisi areas remain under Russian control.

Human Rights Watch called upon Russia to immediately stop using cluster munitions, weapons so dangerous to civilians that more than 100 nations have agreed to ban their use. Human Rights Watch also called on Russia to provide precise strike data on its cluster attacks in order to facilitate cleanup of areas contaminated by submunitions. Human Rights Watch called on Georgia to undertake an immediate risk education program for its population, including radio and television announcements about the dangers of submunitions.

¹⁹Available at: <http://www.hrw.org/english/docs/2008/08/20/georgi19660.htm>

In Shindisi, Human Rights Watch researchers saw unexploded dual purpose (anti-armor and antipersonnel) submunitions, commonly known as Dual-Purpose Improved Conventional Munition (DPICM) submunitions.

“Highly dangerous unexploded bomblets now litter farms, roads, and pathways in Shindisi and Pkhvenisi,” said Garlasco. “People remaining in these areas don’t realize the dangers these submunitions pose and are at serious risk of injury or death if they handle, or even approach, the bomblets.”

Human Rights Watch [first reported on Russian use of cluster munitions](#) in Georgia on August 15, after it identified strikes on Gori and Ruisi on August 12 that killed at least 11 civilians and injured dozens more. Russia subsequently denied any use of cluster munitions. Colonel General Anatoly Nogovitsyn, deputy head of the Russian General Staff, stated on August 15, “We did not use cluster bombs, and what’s more, there was absolutely no necessity to do so.”

Zura Tatrishvili, 62, showed Human Rights Watch researchers an unexploded submunition that he had picked up without realizing that just touching it could make it explode. “We were playing with them, as were the Georgian soldiers,” said Tatrishvili. “It was only when one of the bombs exploded after a soldier threw it that we understood that they were dangerous.” Even now, Tatrishvili continues to keep his livestock in a pen with unexploded submunitions, demonstrating the need for clearance as well as education.

During the attack on August 8 in Shindisi, Vano Gogidze, 45, was killed and his relative, Dato Gogidze, 39, was injured. Also in Shindisi, Ramaz Arabashvili, 40, was killed and four people were wounded when a submunition that they had gathered from a field exploded on August 10. On August 18, in Pkhvenisi, Veliko Bedianashvili, 70, died when a submunition exploded in his hand. “There are so many of these lying around. The fields are full of them,” said his son, Durmiskhan Bedianashvili.

Zviad Geladze, 38, showed Human Rights Watch researchers fields contaminated with submunitions. He estimated the submunitions covered an area extending at least one kilometer through his farm. The fields are full of produce ready to harvest. Because humanitarian agencies continue to lack access to much of the Gori region, fields like Geladze’s may provide residents of the region with their only food source.

Cluster munitions contain dozens or hundreds of smaller submunitions or bomblets and cause unacceptable humanitarian harm in two ways. First, their broad-area effect kills and injures civilians indiscriminately during strikes. Second, many submunitions do not explode, becoming de facto landmines that cause civilian casualties for months or years to come.

Under international humanitarian law, indiscriminate attacks including attacks in populated areas with weapons that cannot be targeted solely at military targets are prohibited. Russia has an obligation not only to cease any such attacks, but also to take all necessary measures now to ensure the safety of the civilian population in areas over which it exercises effective control.

Human Rights Watch called on Georgia, which is known to have cluster munitions in its stockpiles, to join the international move to ban the use of cluster munitions and to

publicly undertake not to use such weapons in this conflict. Human Rights Watch has also called on Russia to join the convention. Neither Russia nor Georgia was part of the Oslo Process launched in February 2007 to develop a new international treaty banning cluster munitions. In May 2008, [107 nations adopted the Convention on Cluster Munitions](#), which comprehensively bans the use, production, trade and stockpiling of the weapon. It will be open for signature in Oslo on December 3.

HUMAN RIGHTS WATCH

GEORGIA: INTERNATIONAL GROUPS SHOULD SEND MISSIONS

INVESTIGATE VIOLATIONS AND PROTECT CIVILIANS

(Tbilisi, August 18, 2008) – Mounting evidence that Russian and Georgian military used armed force unlawfully during the South Ossetian conflict highlights the need for international fact-finding missions in Georgia, Human Rights Watch said today. Ongoing militia attacks and a growing humanitarian crisis also indicate the urgent need for the deployment of a mission to enhance civilian protection.

At the start of the military conflict on August 7, 2008, Georgian military used indiscriminate and disproportionate force resulting in civilian deaths in South Ossetia. The Russian military has since used indiscriminate force in attacks in South Ossetia and in the Gori district, and has apparently targeted convoys of civilians attempting to flee the conflict zones. Ongoing looting, arson attacks, and abductions by militia are terrorizing the civilian population, forcing them to flee their homes and preventing displaced people from returning home.

“This conflict has been a disaster for civilians,” said Rachel Denber, Europe and Central Asia deputy director at Human Rights Watch. “An international security mission should be deployed to help protect civilians and create a safe environment for the displaced to return home. And international organizations should also send fact-finding missions to establish the facts, report on human rights, and urge the authorities to account for any crimes.”

Human Rights Watch called on the European Union, with the agreement of the parties, to deploy a robust European Security and Defense Policy (ESDP) mission consisting of police and security forces to ensure protection of civilians and the return of displaced persons to their homes.

Human Rights Watch noted that there are a number of options open to the international community in relation to fact-finding missions. As a first step, the chairman-in-office of the Organization for Security and Cooperation in Europe (OSCE) could send a special envoy to Georgia, including to South Ossetia, supported by a team of experts in international humanitarian law, to look at violations.

Human Rights Watch also called on the United Nations to send a team to assess options for a fact-finding mission, and called for consideration to be given to using the International Humanitarian Fact Finding Commission established under Article 90 of

Protocol I of the Geneva Conventions, to which both Georgia and Russia are party. Russia has already accepted the competence of the commission. This would be the first time that the commission would carry out an investigation in a conflict, and in line with the treaty provisions, it would have a mandate to investigate serious violations of International Humanitarian Law.

Attacks by Russian forces

In interviews with Georgians who fled South Ossetia and the Gori district following Russian forces' assault on the area, Human Rights Watch has documented the Russian military's use of indiscriminate force and its seemingly targeted attacks on civilians, including on civilian convoys. The deliberate use of force against civilians or civilian objects is a war crime. Human Rights Watch has also confirmed the Russian military's use of cluster bombs in two towns in Georgia (<http://www.hrw.org/english/docs/2008/08/14/georgi19625.htm>).

Attacks in South Ossetia

Slava Meranashvili, 32, from Kekhvi, an ethnic Georgian village in South Ossetia, north of the South Ossetian capital, Tskhinvali, told Human Rights Watch that his village was bombed by Russian jets several times. He told Human Rights Watch, "On August 9 or 10, massive bombing started and the village administration building and a hospital building were destroyed. Bombing took place day and night. It looked like they were targeting big buildings that could be housing the Georgian military."

Meranashvili's house was next to a school that was bombed, but he said that no Georgian forces were housed there or were present near his house. He also told Human Rights Watch: "During the bombing on August 9, my uncle's neighbor was killed. My uncle buried him in his backyard."

Meranashvili left Kekhvi on August 12, and described his flight: "We had to walk through the woods to Gori district villages and then our military helped us to evacuate. When we were walking through the woods, the bombing continued. I had to lie in swamps and crawl for hours. I was afraid to get up."

Human Rights Watch interviewed six civilians fleeing from different villages in South Ossetia in convoys of civilian cars on August 8. The convoys came under aerial bombardment, apparently by Russian military aircraft, near the village of Eredvi, along a road that bypasses Tskhinvali.

Witnesses traveling in one convoy of several dozen cars told Human Rights Watch that around 4 p.m., five Russian aircraft flew over the convoy, then returned and opened fire. Temo Kasradze from the village of Kemerti, who was fleeing with his grandson, described the attack: "There were five people in our car. Suddenly [there was an] explosion. Perhaps four or five cars were hit. ... I saw that people were injured and killed. There was blood." Three witnesses described seeing two sisters traveling in a white Niva car killed in the attack. According to the witnesses, there were no military objects, military personnel

or military vehicles on the road.

At around 7 p.m. on August 8, Tengiz Magaldadze, 41, also from Kemerti, was driving the same route in a minivan with 20 other people. Just after they had turned onto the main road in Eredvi, Magaldadze saw three explosions about 20-25 meters in front of the vehicle. Magaldadze did not remember hearing any aircraft, but, because there were three explosions shortly after each other, he concluded they had been fired from an airplane.

Also in the evening of August 8, Emzar Babutsidze traveled in a pickup truck with several other civilians on the bypass road in a convoy of three civilian cars. Less than two kilometers before a checkpoint manned by Russian forces, the pickup truck was hit by a shell, which killed the driver and the only woman in the car. Babutsidze believes the shell was fired from a BMP-2 infantry fighting vehicle. The passengers put the remains of the driver and the woman in the trunk of one car and took them to Gori hospital before driving on to Tbilisi.

Attacks in Gori district

As the Russian military advanced into the district and city of Gori, they launched attacks that killed civilians in their homes and as they were preparing to flee.

Vasiko Tevdorashvili, the administrator of Mereti, a village in Gori district, told Human Rights Watch that Russian aerial bombing of Mereti started on the morning of August 9. One woman, asleep in her home, died in the initial attack. As villagers started to assemble in one of the village neighborhoods in preparation for leaving, Russian aircraft again attacked, this time dropping five bombs in the neighborhood, instantly killing five people. Two later died of wounds sustained in the attack. Another witness stated that at least 10 civilians were wounded in the attack. One bomb completely destroyed two houses and seriously damaged several others.

Tevdorashvili described the aftermath: “There were many wounded. I had to decide who had better chances of survival and stuff them into the ambulance. We buried the dead in the yards and fled the village.” Tevdorashvili said there was no Georgian military base in the village and no Georgian military forces present at the time of the attack.

On August 11, Nunu Chlaidze, a schoolteacher, fled with her husband from Pkhvenesi village after Russian forces attacked military targets in and around the village earlier that day, causing collateral damage to civilian homes. She fled with her husband and neighbors, but turned back after seeing television news reports that civilians in the Gori district were not being attacked. But as they approached a Russian military roadblock near the village of Sakasheti, their car came under fire. She believes her husband was shot and lost control of the car, which then hit a Russian tank. Chlaidze was shot twice in the back, and Russian soldiers took her to a field hospital where she was treated. She ran away from the hospital. She has no information about the fate of her husband.

Attacks by Georgian forces in South Ossetia

Human Rights Watch continues to document Georgian forces' use of indiscriminate force during their assault on Tskhinvali and neighboring villages on August 7-8, causing numerous civilian casualties and extensive destruction.

"Any comprehensive investigation takes time, but we continue to gather information that points to indiscriminate attacks by Georgia's forces," Denber said.

Human Rights Watch interviews with more than 100 people in Tskhinvali and in the villages of Nizhni Gudjaver and Khetagurovo yielded a clearer picture of Georgian forces' indiscriminate use of Grad multiple rocket launchers and tank fire. In Tskhinvali, Human Rights Watch saw numerous severely damaged civilian objects, including a hospital, apartment buildings, houses, schools, kindergartens, shops, administrative buildings, and the university (<http://www.hrw.org/english/docs/2008/08/12/georgi19594.htm>).

Georgian forces started shelling close to midnight on August 7, and continued uninterrupted through the night. The hardest hit areas of Tskhinvali were the city's south, southeast, and central parts. When the first shells hit, many residents, including women, children and the elderly, rushed to their basements for shelter. They spent two days in their basements, emerging only on August 10, when the Russian military took full control of the city. Some were so frightened that they stayed in their basements until August 13.

The shelling of Tskhinvali caused civilian casualties. For example, a Grad rocket hit the home of Anisim Jagaev, 74, on Kulaeva Street. His daughter told Human Rights Watch: "During the shelling, a Grad rocket hit the house, setting the roof on fire. [My father] went outside to try to put out the flames, and at that moment another rocket hit. He was wounded in his thigh by a piece [of shrapnel]. Our mother dragged him to the basement and spent several hours trying to stop the bleeding – but she had nothing to bandage the wound with. He slowly bled to death in her arms."

According to Tskhinvali residents, when the Georgian ground offensive started on the morning of August 8, Ossetian militias in some neighborhoods took up defensive positions inside civilian apartment buildings, which drew fire from Georgian forces. The militias were armed with automatic weapons.

For example, local residents said that at around 3:30 p.m. on August 8, a Georgian tank opened fire at an apartment building on Tselinnikov Street, in the western part of Tskhinvali, after a group of Ossetian militias started withdrawing through the neighborhood. Six tank shells hit the building, destroying five apartments. Building residents told Human Rights Watch: "We all rushed to the basement, but an elderly man, some 80 years old, who lived on the fourth floor, didn't manage to make it to the basement in time. His apartment was hit by a shell and caught fire. When the attack was over, we went upstairs and saw that the old man burned to ashes. We ... buried [his] remains in the yard."

Neighborhood residents told Human Rights Watch that the attack did not result in any casualties among the militias, with whom they were all acquainted.

Ossetian militias were a legitimate military target. However, international humanitarian law imposes a duty on all parties to avoid or minimize harm to civilians and damage to civilian objects. In particular, where feasible, a belligerent party should not endanger civilians by having military targets, such as combatants, present in or near densely populated areas.

The Georgian military, however, were also obligated to take into account the risk to civilians of their attack, and not to conduct the attack if it was apparent that the civilian casualties would outweigh any likely military advantage they would gain.

Also on August 8, according to villagers, at least four civilians died in Khetagurovo, a village of about 750 residents southwest of Tskhinvali, as a result of attacks by Georgian forces. Human Rights Watch researchers saw several houses in the village that were hit by multiple Grad rockets and shells from mortars. Villagers told Human Rights Watch that an elderly woman died in a fire caused by a Grad rocket that hit her house.

After the shelling, Georgian infantry entered the village, spraying the gates and fences of homes with bullets, demanding that the militias surrender. According to witnesses, one of the stray bullets killed an elderly woman, Anastasia Jiueva, as she went to feed her chickens.

Villagers claimed that at that point no militias were in the village, as they had left before the shelling and were hiding in the woods.

At least some Georgian infantry were not aware that civilians remained in the village. One elderly man said that when infantrymen entered his yard, they were shocked to find him and his wife there. According to him, the serviceman said: "Have you been here the whole time, during the shelling and everything? We thought the civilians had all fled." None of the 15 villagers interviewed by Human Rights Watch complained about cruel or degrading treatment by Georgian servicemen, who searched the houses looking for remaining militias and arms.

Villagers remained concerned that there may be more casualties that they are not yet aware of. Madina, 30, told Human Rights Watch: "We are not sure who managed to flee and who died. The village is virtually deserted now. It will take time to find out the exact extent of the losses."

Related Material

[Georgian Villages in South Ossetia Burnt, Looted](#)

Press Release, August 13, 2008

[Georgia: Russian Cluster Bombs Kill Civilians](#)

Press Release, August 15, 2008

[Q & A: Violence in South Ossetia](#)

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[**Georgia/Russia: Use of Rocket Systems Can Harm Civilians**](#)

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[**Safe Corridor Urgently Needed for Civilians in Gori District**](#)

Press Release, August 13, 2008

ON THE GROUND IN GEORGIA²⁰

22 August 2008

This interview was conducted in Tbilisi, Georgia on 22 August 2008, with John Dalhuisen, one of Amnesty International's delegates, who is on a fact-finding mission there. Delegates have been in Georgia since 17 August.

The interview summarizes some of the findings of the fact-finding mission, based on testimonies of injured civilians and soldiers, as well as testimonies of displaced people who fled the fighting and are currently living in and around Tbilisi, Georgia.

What are the goals of the fact-finding mission by Amnesty International's delegation?

"The main goal of Amnesty International's delegation, currently in Georgia, is to collect personal testimonies to establish whether human rights violations have been committed in the course of the conflict in Georgia and whether they are still being committed. We aim to release a report documenting abuses on all sides following further research by Amnesty International in North Ossetia."

What are AI's major concerns regarding the human rights situation in Georgia?

"One of the most pressing concerns right now is the living conditions and treatment of refugees and internally displaced people. Many people in South Ossetia and Georgia have fled their homes and sought refuge elsewhere, mostly in and around Tbilisi; others have fled to North Ossetia. They need shelter, food, medication, documents and, most importantly, they need to be able to return to their homes in safety. In the meantime, a priority is that all people who have lost their homes and livelihood be provided with unimpeded access to humanitarian relief. Moreover, people who have not fled the areas in which the hostilities occurred – mainly in South Ossetia and western parts of Georgia – must also have access to humanitarian assistance.

"Amnesty International is also concerned by reports of indiscriminate and occasionally targeted bombings resulting in civilian casualties, including the use of cluster bombs. **There have also been reports of widespread looting and torching of houses allegedly by paramilitary Ossetians, who are also reported to have killed and abducted civilians and tortured Georgian soldiers they have taken captive.**

"Amnesty International is insisting on prompt, thorough, independent and impartial investigations into all

²⁰Available at: <http://www.amnesty.org/en/news-and-updates/news/on-the-ground-in-georgia-20080822>

alleged violations of international human rights and humanitarian law and standards."

How is the research done in practice?

"We are trying to identify eyewitnesses of events during which human rights violations could have been perpetrated. We go to hospitals and centres for internally displaced people (IDPs) and seek information from them about their experiences.

"In Georgia, we have also had contacts with senior government officials, humanitarian and human rights non-governmental organizations (NGOs) and international organizations.

"Amnesty International is also sending delegates to North Ossetia, in Russia, to collect testimonies from refugees who fled the Georgian military advance and to speak to Russian government officials."

What are the major obstacles and challenges in collecting information about the alleged human rights abuses?

"Here in Tbilisi, we are speaking to people who have been injured themselves, or witnessed others being killed or abducted. We are speaking to people who have fled bombings and who have seen their houses set on fire. These people are severely traumatized. Their lives have been seriously disrupted, they have lost all their possessions and their homes and do not know what the future holds for them.

"We have to be extremely careful when addressing them. Some of these victims of the conflict are reluctant to talk at all – remembering and reliving what had happened is too much for them. Others speak to us on condition of anonymity as they are afraid of reprisals against themselves or against relatives they have left behind. On the other hand, there are people who want to let the world know what has happened and why. In all these cases, we are speaking to victims of human rights violations."

What has been the reaction from the parties of the conflict towards Amnesty International's delegation? Have you had the opportunity to move freely in the conflict zone?

"So far we have been in Georgia only. The authorities here at all levels are assisting us in our work. We have not had the opportunity to visit the conflict zone as the access to this area is still severely restricted by the presence of Russian controls."

What is the current situation with the humanitarian aid getting through to civilians?

"There are about 150,000 IDPs and refugees from the present conflict in Georgia. About 30,000 people fled to North Ossetia and some to other parts of the Russian Federation.

"About 100,000 displaced people are living in and around the capital Tbilisi. We have witnessed the difficult

conditions they have to live in; most IDPs are housed in schools and kindergartens where they do not have proper beds or clothes or other necessities; though most centres have access to essential medication and sufficient food. Some IDPs are housed in run-down buildings – the worst conditions are in a former Soviet military people where 1,600 people are living in very bad conditions without running water and electricity. Others are being housed in camps near Tbilisi. We have seen also the assistance IDPs are receiving from the local community, the Georgian authorities and international agencies. People are bringing clothes and food, international and Georgian agencies are distributing food and medicine on a regular basis and are taking measures to improve the living conditions.

"The real problem has been with people who have been left behind in the areas where the hostilities took place. These people are at risk as humanitarian aid does not always manage to get through to them, though the looting and attacks on villages have decreased in the last few days and humanitarian aid is beginning to get through."

Has there been a single event during the mission that would have shocked you or surprised you? Can you describe it?

"Throughout the mission we have heard stories of human suffering. We have also heard some remarkable stories of human strength and perseverance and small acts of kindness or sacrifice.

"An elderly Russian woman told us how she had to flee her Georgian village after watching her house being torched by paramilitaries. Together with her paralyzed husband and three other elderly women, one of whom was 94, she travelled 40km on foot for four days over high mountains, she saw dead bodies of civilians being devoured by dogs and pigs, burnt villages and booby-trapped houses. She also saw Russian armed convoys and was fed by Russian soldiers. Towards the end, the woman and her co-travellers were picked up by a car carrying a priest and taken to Tbilisi.



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URL: <http://www.icrc.org/web/eng/siteeng0.nsf/html/georgia-feature-170808>

International Committee of the Red Cross

17-08-2008 Feature

Georgia: uncertainty about the future haunts the displaced

Since the start of the conflict in South Ossetia on 8th August, tens of thousands of people have fled from towns and villages all across Georgia. Many of them have made for the capital, Tbilisi, where they have found shelter in makeshift collective centres in schools, kindergartens and abandoned buildings. Now they wait for help from others, a situation they could never have imagined only a fortnight ago.

The expressions on the faces of the displaced say it all. Sitting in warm sunshine on the steps of the Plant Protection Institute whose offices have been given over to the homeless, neighbours and friends exchange horror stories of escape and loss. Their tales are hauntingly similar and speak of days sheltering in basements with little to eat or drink while the shelling lasted, then flight to the woods, and a long walk -- or, if they were lucky -- a ride into Tbilisi.

"There was an explosion in my garden five metres away from us," said Tsiuri, a widow, explaining the danger that prompted her to leave with her young children. "I saw two black tubes sticking out of the grass. Those were bombs. If they had fallen on my paved yard we would not have survived."

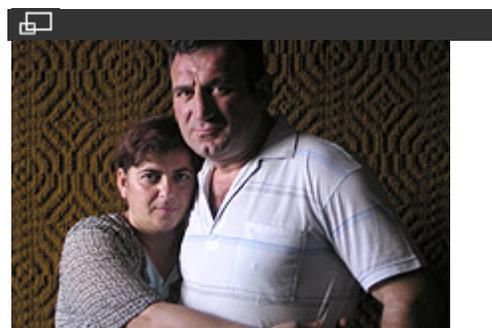
Seventy-three year old Misha was also keen to talk. Taking a rest from helping to unload blankets, soap, and other supplies being delivered by the International Committee of the Red Cross nearby he said "I stayed for days in the forest before feeling safe enough to find my way here. But I am strong," he went on proudly, straightening himself up to his full height. "I've never been ill in my life." It was a moment of pride amidst much despair.

"How can we stay here?" questioned 38-year-old Lali, the director of a kindergarten, who had fled



Friends and neighbours gather to share stories of escape and loss

©ICRC/J. Barry



Lali and her husband Paata are waiting for supplies

with her husband from a village near Gori. The room she was standing in was clean but almost bare, furnished with just a table and chairs. "My husband and I are being hosted by friends until we can get some supplies and something to sleep on." She looked angry, frustrated and tired. Softening a little she added, "the friends who have taken us in were themselves displaced by the fighting in the early nineties, and have never returned home. They have shown us respect and compassion. They have even given us their bed to sleep on and are sleeping on the floor."

The newly displaced have one constant refrain. Walking back from a handout of food, her arms full of bread, Lali spoke for them all. "We feel so ashamed at being here," she whispered. "We had good lives. We never thought we would be reduced to this."

One of the saddest facts about the collective centres where the displaced are now living is that it is not the first time they have sheltered the homeless. During conflicts in both South Ossetia and another breakaway region, Abkhazia, during the nineteen nineties thousands of people fled their homes and settled in the schools, hotels and empty or abandoned buildings in Tblisi that are hosting the newcomers today. Many of those earlier inmates are still there.

One such centre is in the ironically named 'Turbaza Vake', or 'Tourist Base' resort. Set amidst pine trees in a fashionable part of Tblisi it was a holidaymakers' haven in the past. Far from enjoying a vacation its present guests are living on the brink of an abyss.

Walking down a dim, dark, damp-smelling corridor in the Turbaza Vake were two women. "We have been here for 18 years," said one of them, a lady with sad blue eyes and a pink dress. She shrugged her shoulders and turned her head away. Beside her stood a pretty four-year-old girl for whom the dismal hotel has been her home since birth.

The ICRC is making daily distributions of household supplies to the centres, and aid is flowing in from other agencies, local charities and private donations. Volunteers from the Georgian Red Cross are among the hundreds of young people who are giving their time and energy to help organize the distributions. ICRC water engineers are helping to reconnect broken water supplies and installing toilets.

But it is not only the displaced who are in need. Equally worrying is the fact that in all the villages from which people have fled, there are others who could not leave because of sickness, disability or simply old age. With access for

so that they can move into their room.

© ICRC/J. Barry



Tsiuri with her son Shmagi in their room at the Collective Centre.

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- [More photos](#) - high resolution
- See also the [video](#)

humanitarian agencies blocked to rural areas because of poor security, their situation is becoming more precarious by the day.

ICRC tracing teams in the collective centres are gathering information from families who are separated from their loved ones. The lists are growing daily as more and more people come forward to give details about relatives left behind with whom contact has been lost. The kindergarten director, Lali, is looking for her brother-in-law. "We have heard nothing from him," she remarks. "I am afraid he has been killed."

Foremost in everyone's minds are questions about how long it may be before their upturned lives get back to normal. Old Misha is morose. "How do I know?" he asks. "Those from Abkhazia thought the same, and they have been here 18 years. "Who knows when this is going to end."



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URL: <http://www.icrc.org/web/eng/siteeng0.nsf/html/georgia-update-250808>

International Committee of the Red Cross

25-08-2008 Operational update

Georgia/Russian Federation: humanitarian operation in South Ossetia and Gori continues to expand

The ICRC has been present in South Ossetia for five days and a new convoy will soon arrive to meet humanitarian needs there. The organization has begun visiting detainees in South Ossetia and continues to expand the number of detention visits in other parts of Georgia. Tracing delegates are responding to an increasing number of requests from people who have lost contact with family members.

Georgia

Tskhinvali office

The ICRC has been present and working in South Ossetia for five days. The team of 20 delegates and national staff continue to evaluate needs and are expecting a new convoy of supplies on Tuesday 26 August.

Detainees

For the first time, the ICRC has been able to visit people detained in relation to the hostilities in South Ossetia. The ICRC carried out a visit to 89 civilians currently held in the South Ossetian city of Tskhinvali on 23 and 24 August. Gaining access to people detained or arrested in connection with the conflict has been a main priority for the ICRC since the beginning of the fighting.

During the prison visit in Tskhinvali, ICRC delegates were able to register the 89 detainees and assess their conditions of detention. The ICRC shared its observations directly with the relevant authorities. In agreement with the authorities, the detainees were able to call their relatives using ICRC mobile phones. Written Red Cross messages were also collected and will be distributed shortly to the detainees' family members, who have eagerly been waiting for news of their loved ones. In addition, the ICRC has provided the 89 detainees (along with around 10 other people whose detention is not related to the conflict) with blankets, clean clothes, soap and towels.

Medical materials, water and sanitation support to Tskhinvali's main hospital

This week, the ICRC is working to help improve the water and sanitation system at Tskhinvali's

main hospital, which was damaged during the fighting. The hospital is receiving support from the Russian Federation's emergency agency, Emercom. One of the biggest challenges facing the hospital at present is the need for sterile materials, since staff were unable to sterilize equipment and linens due to a lack of water and electricity during the fighting.

The ICRC is providing obstetric materials, including 500 delivery sets, for the hospital's maternity ward, as well as surgical clothes and operating theatre linens. In addition, the organization is assisting the hospital in safely disposing of medical waste. Last week, the ICRC was told by doctors that all 223 people who had been wounded in the conflict and taken to the hospital, had already been transferred to medical facilities in the Russian Federation.

Family ties / people unaccounted for

The ICRC's office in Tskhinvali continues to meet with around a dozen people per day, who have lost contact with their families or have no news of their loved ones. Some people are eager to send Red Cross messages to their loved ones outside South Ossetia, while others have had no contact with their relatives at all and are desperately trying to establish the whereabouts of their missing family members.

The ICRC remains ready to support the authorities in efforts to ensure that human remains are properly identified, and where possible help to bring them back to their families.

Gori office

The ICRC's office in Gori continues to expand. The team is now 17-people strong and includes specialists in the areas of water and habitat, health, economic security and a mine expert to assess the risk of unexploded ordnance.

Life seems to be getting back to normal in Gori, with shops opening and more people returning home. Of course, conditions are still very difficult for people whose homes were destroyed or who remain in shelter centres. More people – both young and old – can now be seen out on the streets of Gori.

Tbilisi delegation

People returning home

The atmosphere in Tbilisi is more relaxed this week, with substantial numbers of people leaving to go home. The authorities are organizing buses for them to return to their hometowns and villages, especially in and around Gori. It is expected that the needs in Gori will continue to grow among people who may not be able to gain access to their villages or who are finally able to travel from isolated villages to Gori.

Restoring family links

On 24 August, ICRC delegates helped reunite a nine-year-old little boy, who has both Georgian and American citizenship, with his relatives in Tbilisi and his mother, who flew in from the United States. She had contacted the American Red Cross asking for assistance in finding her son. An ICRC team was able to go to Imeretia to pick him up and bring him to the ICRC's Tbilisi delegation on Sunday night, where he was reunited with his mother.

The ICRC continues to help restore family links between separated family members in Georgia and respond to tracing requests from people who have lost contact with their relatives.

The ICRC stands ready in Georgia to facilitate the recovery, transfer and hand-over of mortal remains to families.

Detainees

On 24 August, the ICRC was able to visit to a dozen South Ossetian detainees being held in two places of detention in Georgia. The ICRC delegates were able to register the detainees and talk with them in private to assess their conditions of detention. The delegates then shared their observations directly with the relevant authorities. The ICRC also facilitated contacts between the detainees and their families through Red Cross messages and phone calls.

Health, food and non-food assistance

The ICRC continues to support hospitals with medicine and medical supplies. So far, the ICRC has helped displaced people at 45 collective shelter centres in Georgia. In Georgia, it has provided food and non-food items to over 2,700 households so far. (On average there are five people per household.)

Russian Federation / Northern Caucasus

Since the beginning of the crisis, the ICRC and the Russian Red Cross have provided essential household items, including blankets, clothes, diapers and soap to approximately 1,170 people in North Ossetia and Kabardino-Balkaria in the Russian Federation.

The ICRC has visited 11 collective centres in North Ossetia, housing people who were forced to flee their homes. Assistance, including war wounded kits, was also provided to five health centres. In addition, the ICRC is evaluating the needs of displaced people who are staying in private accommodation.

People returning home to South Ossetia

The ICRC continues to see a growing number of people leaving the Russian Federation to return to Tskhinvali and other parts of South Ossetia. Recent ICRC and Russian Red Cross visits to five collective centres in North Ossetia showed that the number of displaced people is decreasing on a daily basis and that some centres are closing.

Cooperation with National Societies

In accordance with the Seville Agreement and Supplementary Measures, the ICRC has been leading the Movement's humanitarian response to the armed conflict, in consultation and cooperation with National Societies of the affected countries, other National Societies and the International Federation.

The Georgian Red Cross Society (GRCS) has mobilized more than 1,000 volunteers across the country to bring emergency assistance to people displaced by the recent fighting. Over the past two weeks, Georgian Red Cross staff and volunteers have been delivering emergency relief and social assistance, as well as organizing blood donations, in affected districts. The GRCS has also been helping with assessments and local fundraising.

In the Russian Federation, the ICRC has been working with the North Ossetian and Kabardino-Balkar branches of the Russian Red Cross to bring emergency relief, including food, blankets, soap and cooking pots, to people displaced by the fighting in South Ossetia. Russian Red Cross staff and volunteers also helped register displaced persons and evaluate their needs at a dozen collective centres during joint assessments with the ICRC. The North Ossetian Red Cross has also been providing psychological and emotional support for the displaced, including games for children.

The Norwegian, Finnish, German and British Red Cross societies were either mobilised or contacted for deployment and/or stand-by of ERU as soon as the conflict broke out.

The Norwegian Red Cross sent 13 team members and a field hospital to Tbilisi just days after the

crisis started. Due to security issues and limited access to affected areas, the hospital has not yet been deployed, but the Norwegian team has provided valuable support to ICRC operations on various levels, including medical visits and economic security/assistance.

The Swiss Red Cross is supporting the ICRC in Georgia by trucking relief goods from Turkey to Georgia, including 10,000 mattresses.

A Turkish Red Crescent Society team was mobilised during the first week of the crisis. They have established a logistics centre in Batumi, in western Georgia, and have provided humanitarian relief materials to the Georgian Red Cross. The TRCS coordinates its support with Movement partners in Tbilisi.

In consultation with the ICRC and in support of the Georgian Red Cross, the Italian Red Cross has set up two soup kitchens at Tbilisi's biggest centres for the displaced, which can provide food for up to 5,000 people.

Russian Officials in Georgia Separatist Governments

Numerous high-ranking Russian officials as well as servicemen of Russian military, intelligence, and law-enforcement services—have served in senior roles in the separatists governments and military institutions run by the separatists in both South Ossetia and Abkhazia regions. This is a clear indication that Russia had become a party to the conflict long before it had invaded in Georgia. The list below provides the names of the Russian officials holding the most important position in the separatist governments.

Region of South Ossetia

1. Iuri Ionovich Morozov – Prime Minister of South Ossetia since 4 July 2005.

Biography



- Born in 1949 in Sterlitamak, Bashkortostan.
- In 1972 graduated from Ufa Oil Industry Institute.
- After graduating from university, worked as an electrician, head of a production unit and chairman of Komsomol committee.
- Later, was the head of Ufa oil-refining factory, deputy head of fiber production factory, general director of “Bashkortostan Holding, LLC.”
- Before his arrival to South Ossetia, worked as the executive director of “Kursk Energy Company.”

2. Mikhail Mairamovich Mindzaev – Minister of Internal Affairs of South Ossetia since 25 April 2005. Colonel of Russian Police (Militia). Lieutenant General in South Ossetia.

Biography

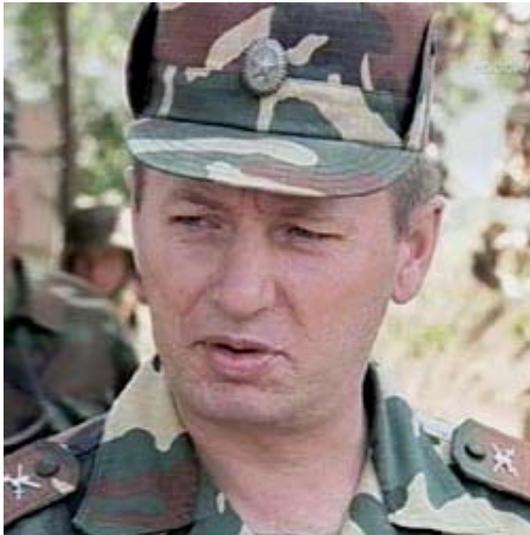


South Ossetia from July 2004 until December 2006. Colonel of Russian Army. Major General in South Ossetia.

- For many years served at the Ministry of Internal Affairs of the North Ossetian Autonomous Republic.
- Before being transferred to South Ossetia, was the deputy chief of staff of the North Ossetian Ministry of Internal Affairs.
- In 2004, commanded a special task force “Alpha” during the counter-terrorist operation in Beslan.

3. Anatoly Konstantinovich Barankevich – Secretary of Security Council of South Ossetia since 11 December 2006. Minister of Defence and Emergency Situations of

Biography



- Before being appointed in South Ossetia, worked as the deputy military commissioner of Stavropol Krai.

- Born in 1958 in Kaliningrad.
- Belarus by ethnic origin.
- In 1977 graduated from Usuriisk Military School.
- Later, graduated from Blagoveschensk Military School and Frunze Military Academy.
- Served at “Sputnik” military base in Murmansk, as well as at Soviet military bases in Germany and Hungary.
- Veteran of the Soviet War in Afghanistan and both Chechen Wars.
- For four years after 2001, served as the first deputy military commissioner of Chechnya.

4. Boris Mazhitovich Atoev – Chairman of State Security Committee (KGB) of South Ossetia since 9 November 2006. Major General in South Ossetia.

Biography



- For many years served at the Soviet KGB in Kabardino-Balkaria, Moscow and Afghanistan.
- While in Kabardino-Balkaria, worked at the KGB division in Sarmakovo.
- Organized subversive activities during the Soviet War in Afghanistan.
- After returning from Afghanistan, worked at the Federal Security Service (FSB) in Moscow.

5. Vasily Vasilevich Lunev - Minister of Defense of South Ossetia since 1 March 2008. Major General of Russian Army.

Biography



- Born in 1956.
 - Graduated from Moscow High Military Command School, Frunze Military Academy and General Staff Academy.
 - Served as the commander of ground troops and armored vehicles platoon at Chebarkul military base in Ural region.
 - In 2003-2004 was the deputy commander of army in Siberia.
 - Until December 2007 worked as a military advisor in Syria.
- On 26 December 2007, was appointed as the military commissioner of Perm Krai, where he served until being sent on a mission to South Ossetia.

6. Vladimir Kuzmich Kotoev (*pseudonym*, probably Umarov) - Head of Government Protection Service of South Ossetia.
7. Oleg Genadievich Chebotariov - Head of South Ossetian Border Guards.
8. Genadi Nikolaevich Emelianenko - Deputy Head of South Ossetian Border Guards.
9. Konstantin Genadievich Iatsenko - Chief of Staff of South Ossetian Border Guards.
10. Sergei Aleksandrovich Guznov - Assistant to Chairman of KGB of South Ossetia.

Region of Abkhazia

1. Lieutenant-General Anatoly Zaitsev - Chief of General Staff and First Deputy Defense Minister of Abkhazia
2. Pavlushko - Former Chief of the Russian Peacekeeping Forces Joint Staff, Colonel, has been appointed Deputy Defense Minister of Abkhazia

3. **Muzovatkin - Former Lieutenant-Colonel of PKF, a military instructor by the separatists; he was killed in the process of apprehending saboteurs in Kodori.**
4. **D. Markov - Chief of Air Defence Staff of Abkhazia.**
5. **A.Voinsky is Deputy Secretary of the National Security Council of Abkhazia, former Russian Naval Commander**
6. **V. Gaidukov- Deputy Interior Minister of Abkhazia.**
7. **Denis Ermichev, Deputy Head of the Division of International Military Cooperation of the Defense Ministry of Abkhazia.**
8. **V. Solovyov, Chief of Staff of the Service of Armament and Equipment of the Defense Ministry of Abkhazia.**
9. **Alexander Stranichkin, Vice Prime Minister of Abkhazia.**
10. **Vladimir Daurov, Deputy Minister of Agriculture**
11. **Olga Koltukova, Minister of Labor and Social Protection**
12. **Nikolay Zagrachev, Deputy Head of the Division of Geology, Geodesy and Cartography.**

Foreign Media on Ethnic Cleansing of Georgians in conflict zone

guardian.co.uk **Human Rights Watch: Russia inflating casualty figures**

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- [Tom Parfitt](#) in Vladikavkaz
 - [The Guardian](#),
 - Thursday August 14 2008
-

Deliberate attempts by the Russian government to exaggerate the number of people killed in the South Ossetia conflict are provoking revenge attacks on Georgian villagers in the republic, a human rights group claimed yesterday.

Anna Neistat of Human Rights Watch, who is leading a team investigating the damage in South Ossetia, told the Guardian that Russian estimates of 2,000 dead were "suspicious".

"Our findings so far do not in any way confirm the Russian statistics," she said. "On the contrary, they suggest the numbers are exaggerated."

Neistat said that HRW investigators had on Tuesday and Wednesday recorded cases of Ossetian fighters burning and looting Georgian villages north of the South Ossetian capital, Tskhinvali.

"The torching of houses in these villages is in some ways a result of the massive Russia propaganda machine which constantly repeats claims of genocide and exaggerates the casualties," she said. "That is then used to justify retribution."

Neistat said doctors at Tskhinvali hospital gave figures that 273 wounded had been treated there and 44 dead had been brought to the hospital. "By day five

of a conflict one expects that there is some kind of list of the dead and injured. But here there is no information. Nothing."

· This article was amended on Wednesday August 20 2008. This report originally misquoted Anna Neistat. We should have said that 44 dead people had been brought to the city hospital, not the morgue. This has been corrected.

BBC NEWS

25 August 2008

South Ossetia 'emptied of Georgians'

Russia is attempting to empty Georgia's breakaway province of South Ossetia of its ethnic Georgian population, the head of Europe's security body says.

Alexander Stubb, of the Organization for Security and Co-operation in Europe (OSCE), said he had witnessed elderly people being transported in lorries.

Last week, it was reported that Russian troops were evacuating Georgians whose homes had been destroyed.

Witnesses said many left willingly as they had little left in South Ossetia.

Mr Stubb, who was in the Georgian town of Gori last week, said OSCE observers were now in South Ossetia trying to clarify the situation.

"Russian emergency troops brought in two lorries full of elderly people," he told the BBC.

"[They were] elderly Georgians from southern Ossetia who had been torn away from their homes - basically sitting there on the street with all their belongings.

"[Russian troops] are clearly trying to empty southern Ossetia of Georgians, which I don't think goes by any of the books that we deal with in international relations."

Before the current crisis, about 30% of the breakaway region's population was ethnic Georgian.

Meanwhile, a Red Cross spokesman in the South Ossetian capital Tskhinvali said the authorities there were holding 89 Georgian civilians who were taken into custody to save them from being lynched after the initial Georgian attack on the town earlier this month.

He said the Moscow-backed authorities wanted to swap them for South Ossetians captured by Georgian troops.

22 August 2008

Russia first claimed that 2,000 people were killed as a result of what it calls Georgia's "genocide" in South Ossetia. HRW says these figures are wildly inflated (Tskhinvali's city hospital registered just 44 dead and 273 wounded). Now even the Russians are talking of only 133 civilian deaths. HRW also cannot confirm many other atrocities

ascribed by the Kremlin to the Georgians. Most residents in Tskhinvali who hid in basements tell identical stories of Georgian horrors, stoked by the Russian media, but few witnessed them at first hand. Although the Russian army is keen to show the damage inflicted by the Georgians, it is less keen for foreign journalists to see Georgian villages torched and looted by the South Ossetian militia and Russian irregulars.

Yet the evidence of ethnic cleansing of Georgians is obvious. In the neighbourhood of Tskhinvali, many Georgian villages have been burnt and most homes destroyed. "Forward to Tbilisi," says a sign in Russian painted on the gates of one ruin. As one South Ossetian intelligence officer told an HRW representative, "we burned these houses. We want to make sure that they [the Georgians] can't come back, because if they do come back, this will be a Georgian enclave again and this should not happen."..

Georgian claims he was beaten in ethnic attack

By STEVE GUTTERMAN, Associated Press Writer

An ethnic Georgian man from South Ossetia leveled an accusation of ethnic intimidation Sunday, saying Ossetian gunmen forced him and four other men to the ground and doused them with kerosene before letting them go with a chilling warning.

The allegation could not immediately be independently verified, and South Ossetia's separatist government vehemently denied it.

But it could add to Western concerns about the situation in South Ossetia and a surrounding belt of land that has been under Russian control since last month's war.

Russian soldiers are expected to withdraw in the coming weeks from the areas surrounding South Ossetia and another breakaway region, Abkhazia, following the planned deployment of European Union monitors who are due to be in place by Oct. 1.

Alyosha Beguluri, who brought his family to the central city of Gori from their mostly ethnic Georgian village in South Ossetia after the war, said he had returned to the village, Koshki, on Friday to check on his home.

After dark, Beguluri said, five or six camouflage-clad Ossetians with Kalashnikovs came into his yard and took him away, along with four other ethnic Georgians.

He said the Ossetians beat them with their rifle butts and kicked them while leading them to a deserted area. "Then they made us lie down on the ground, again beat us, and poured kerosene over us," he said.

"I thought it would be better if they shot us than if they set us on fire," Beguluri said.

He said the gunmen told them their village would be torched and the remaining ethnic Georgians driven away or worse.

But after keeping them on the ground at gunpoint for 10 or 15 minutes, cursing them, Beguluri said the gunmen told them to stand up one by one and run away.

"We got up of course and ran, in different directions, all of us scared," he told The Associated Press. He said he hid in an orchard overnight and took a bus to Gori on Saturday.

Verifying the account was difficult in part because Russian soldiers at a checkpoint restrict movement on a main road from Georgian-controlled territory into South Ossetia and the surrounding area.

Journalists are not allowed through without advance permission, and there is no clear process for obtaining it. Diplomats and representatives of numerous aid organizations, including U.N. agencies, have been turned back several times in recent weeks.

The alleged incident in Koshki was first reported Saturday by Georgian officials.

Georgian Deputy Foreign Minister Giga Bokeria said the assailants had told their victims they would be torched if they did not leave the village and that a number of people from Koshki and Disevi had left for Georgian-controlled territory.

There was no clear sign of a large exodus, but it was also unclear how many ethnic Georgians remained in the area as of Friday.

Beguluri said he would not go back until the area is under Georgian or international control.

"It's dangerous there now," he said. "They can shoot you, burn down your house, and nobody will be held responsible."

South Ossetian officials issued an angry denial Saturday. Separatist government spokeswoman Irina Gagloyeva called the Georgian claim "a complete lie" and said that "nothing of the sort is happening" in or near Koshki.

"With such messages, the Georgians are trying to justify their aggression against us."

Georgian forces launched an attack targeting South Ossetia's capital Aug. 7. Russia sent in tanks and troops that swiftly repelled Georgian forces and then pushed deep into Georgia in a five-day war that killed hundreds of people and displaced some 192,000 others in the U.S.-allied former Soviet republic.

Russia then recognized South Ossetia and Abkhazia as independent nations, deepening its worst confrontation with the U.S. and Europe since the Cold War.

Russia pulled out of the Black Sea port of Poti and other positions in western Georgia on Saturday as part of an agreement reached by French President Nicolas Sarkozy.

Moscow has pledged to withdraw all its forces now on Georgian territory outside South Ossetia and Abkhazia. But it has announced plans to maintain 7,600 soldiers in the separatist regions themselves, a presence the West says would grossly violate a cease-fire provision calling for a withdrawal to pre-conflict positions.

Russia is also pushing to keep Western monitors outside South Ossetia and Abkhazia, saying the job of EU observers is to prevent potential Georgian aggression. The monitors are to replace Russian forces in the areas bordering the two regions.

The U.S. and EU also want observers inside South Ossetia and Abkhazia, where they are concerned about Moscow's military presence and about security for civilians amid claims of ethnic intimidation, like Beguluri's.

The New York-based activist group Human Rights Watch has accused Ossetians of engaging in systematic harassment of Georgian civilians since the war.

In recent weeks, AP reporters have seen homes burning in more than a half dozen ethnic Georgian villages in and around South Ossetia, as well as incidents of looting by armed men in at least one case as Russian troops stood by.

Nanuli Okroperidze, who lives in a tent in the Gori camp with nine relatives, is from Disevi, next to Koshki, and has no home to return to.

"It's gone, burned to ashes," she said.

She said only about 10 Georgian homes in the village stood intact when she returned briefly last week.

REUTERS

11 September 2008

Chris Baldwin

Looting, fires rage in South Ossetia: rights groups (extracts)

Representatives of U.S.-based Human Rights Watch and Russian group Memorial were reporting on a trip to the province, which until the conflict was a patchwork of South Ossetian and ethnic Georgian villages.

"South Ossetian authorities are not ensuring the defence of property of residents of Georgian enclave villages or the safety of people remaining there," said Alexander Cherkasov of Memorial.

"Currently the (ethnic) Georgian villages we visited...are practically burnt to the ground. Now, a month after military operations, the final houses are being torched, and every day we saw new fires."

Lokshina said during the visit to South Ossetia they saw armed irregulars looting furniture, fixtures and valuables from homes in the area. "The enclaves are still burning, and they made no attempt to hide it," she said.

REUTERS

Sun Sep 21, 2008 3:40pm EDT

Georgian police officer shot dead near rebel region

TBILISI (Reuters) - A Georgian police officer was shot dead and two others were wounded on Sunday near the de facto border with breakaway Abkhazia, the third such incident since the Georgia-Russia war in August.

The Georgian Interior Ministry blamed Abkhaz separatists, who it said had opened fire from within Abkhazia.

The officer was the third to be killed in shootings near Georgia's two breakaway regions of Abkhazia and South Ossetia since Russian forces drove the Georgian army from South Ossetia in a five-day war in August.

A similar incident near the boundary with Abkhazia on Sept 13 prompted Georgia to replace border guards with elite police units.

The self-styled government of Abkhazia denied any involvement in the September 13 killing. There was no immediate reaction to Sunday's accusation.

Russian forces still hold positions along 'security zones' adjacent to South Ossetia and Abkhazia. They are due to pull back by October 10, within 10 days of the announced deployment of 200 European Union observers.

Earlier this month, a Georgian police officer was shot dead near a Russian checkpoint at the entrance to the South Ossetia buffer zone. Georgia blamed Russian forces but Moscow denied involvement.

Both Abkhazia and South Ossetia threw off Georgian rule in wars in the early 1990s. Russia recognized them as independent states after last month's war and said it would station around 7,600 soldiers in both regions.

(Reporting by Margarita Antidze; writing by Matt Robinson; Editing by Angus MacSwan)

AFP

Sun Sep 21, 2008

Georgia says policeman killed in shoot-out with separatists

TBILISI (AFP) — A Georgian policeman was killed on Sunday in a shoot-out near the Abkhazia rebel region, as the head of an EU observer mission seeking to calm tensions arrived in the country.

The flare-up, the second killing of a Georgian policeman on the de facto Abkhaz border in just over a week, highlighted instability in Georgia after the European Union brokered a peace plan between Tbilisi and Moscow following last month's conflict.

"One Georgian policeman was killed and two were wounded in Khurcha as a result of sniper fire from positions controlled by Abkhaz separatists," said interior ministry spokesman Shota Utiashvili, referring to a village in the coastal district of Zugdidi near Abkhazia.

"The Georgian side briefly returned fire from automatic weapons as one of our policemen had been killed.... The shootout with automatic weapons between Abkhaz militia and Georgian police lasted several minutes," he told AFP.

The announcement was denied by an official for the adjoining Abkhaz district, Russia's Interfax news agency reported.

"There was no firing and couldn't have been" by Abkhaz forces, said the official, Ruslan Kishmariya.

He added: "There are Abkhaz border guard and Russian peacekeeping posts opposite Khurcha village. At these posts firing was heard right within the village but what's happening there is hard to say."

Located on the Black Sea coast, Abkhazia is one of two Georgian rebel regions backed by Russia.

Last month Russia and Georgia fought a brief war centred on the other rebel region, South Ossetia.

Hostilities also took place around Abkhazia. Moscow has since recognised both rebel regions as independent, drawing Western condemnation.

Russian forces currently remain posted on either side of the de facto Abkhaz border.

A Georgian policeman was fatally shot from an Abkhaz checkpoint on September 13, the day Russian forces made a partial pull-back from positions deeper inside Georgia.

Under the EU-brokered peace plan, Russian forces are due by the middle of next month to make a further pull-back to the positions they held prior to the outbreak of last month's hostilities.

On Saturday the head of an EU observer mission arrived in Georgia to prepare the ground for at least 200 EU observers due to be deployed by October 1 -- a condition of the Russian pull-back.

The mission head, German diplomat Hansjoerg Haber, was expected to meet Georgian Prime Minister Lado Gurgenidze on Monday, with substantial numbers of observers set to arrive early in the week, officials said.

Most of the EU's 27 member states are expected to contribute personnel to the mission, which has an initial duration of 12 months.

LOS ANGELES TIMES

August 31, 2008

Russia and the 'responsibility to protect'

The principle was intended to prevent another Cambodia or Rwanda; it cannot be used to justify Moscow's invasion of Georgia.

By Gareth Evans

The Russian government has argued that its recent military operations in Georgia were justified by the principle of "responsibility to protect" (colloquially known as R2P). This is the approach to dealing with mass-atrocity crimes that was embraced by 150 member states at the 2005 U.N. World Summit.

Russian President Dmitry Medvedev, Prime Minister Vladimir Putin and U.N. Ambassador Vitaly Churkin have described Georgia's initial actions against the local population in the breakaway republic of South Ossetia as "genocide." Russian Foreign Minister Sergei Lavrov argued that Russia's use of force in response was an exercise of the "responsibility to protect," which applied not only "in the U.N. system when people see some trouble in Africa" but also under the Russian Constitution when its own citizens were at risk.

For those of us who have worked long and hard to create a consensus that the world should never again turn its back on another Cambodia or Rwanda, this and every misapplication of R2P -- genuine or cynical -- is an occasion for alarm. We are conscious of the fragility of that consensus should the impression gain hold that R2P is just another excuse for the major powers to throw their weight around. It needs to be made clear beyond a doubt that whatever other explanation Russia had for its military action in Georgia, the R2P principle was not among the valid ones.

The primary ground stated for intervention by Russian leaders was "to protect Russian citizens." But this is not an R2P rationale. R2P is about the responsibility of a sovereign state to protect populations within its own borders (and of other states to assist it), and the responsibility of other states to step in with appropriate action if that state is unable or unwilling to do so. It does not address the question of an individual country taking direct action to protect its nationals located outside its own borders. When such action has been taken in the past -- as it often has been -- the justification has been almost invariably advanced in terms of "self-defense" (since 1945, under Article 51 of the U.N. Charter). The second major reason for resisting the Russian characterization is that Russia has not made a compelling case that the threat posed by Georgia to the South Ossetian population was of a nature and scale to legitimate the use of military force. Five criteria are relevant here, and it is not clear that any of them were satisfied.

The seriousness of the threat. It is not at all clear whether any of the U.N.-specified crimes of "genocide, war crimes, ethnic cleansing or crimes against humanity" were being committed, or imminently about to be, by Georgia against South Ossetians. While Georgia's actions in attacking the South Ossetia capital, Tskhinvali, might well be thought to be an unjustified overreaction to the provocations it cites, the available evidence is not of the weight or clarity needed to justify the use of coercive military action by others in response.

The primary purpose of the response. While one purpose of the Russian military intervention may have been to protect South Ossetian civilians under attack, it is highly questionable whether that was the primary motive. Others appear to have been to establish full Russian control over both South Ossetia and Abkhazia, to dismantle Georgia's entire military capability, to scuttle Georgia's NATO ambitions and to send a clear signal to other former parts of the Soviet Union as to what would and would not be tolerated by Moscow.

Military action only as a last resort. A peaceful solution does not seem to have been out of reach here. An immediate U.N. Security Council call for Georgia to cease its military action would have placed Tbilisi under great pressure to comply. Russia did urge the Security Council on the evening of Aug. 7 to call for a cease-fire, but disagreement about whether the statement should refer to Georgia's territorial integrity led to council inaction. With a little more flexibility on all sides, this issue could probably have been finessed. Russia's position on the "last resort" issue is further weakened by its later attack on Georgian territory outside South Ossetia and Abkhazia, after Georgia signed a cease-fire agreement.

Proportionality of response. The introduction of about 20,000 Russian troops and 100 tanks into South Ossetia and Abkhazia and Georgia proper appears manifestly excessive. The Russian naval blockade in the Black Sea as well as aerial bombings of Gori, Poti, the Zugdidi region and an aviation plant in Tbilisi went well beyond the necessary minimum.

More good than harm from the intervention. That is a very difficult argument to make, based on the current evidence about refugee outflows and unrestrained reprisal actions by South Ossetian separatists against Georgians, not to mention concerns about wider implications for regional and global stability.

The final response to Russia's reliance on the R2P resolution is that there was no Security Council resolution giving it legal authority for military intervention -- an omission that Moscow complained about long and hard when the U.S. ignored this requirement in Kosovo in 1999 (not to mention Iraq in 2003). The 2005 General Assembly position was very clear that, when any country seeks to apply forceful means to address an R2P situation, it must do so through the Security Council. The Russia-Georgia case highlights the risks of states, whether individually or in a coalition, interpreting global norms unilaterally. The sense of moral outrage at reports of civilians being killed and ethnically cleansed can have the unintended effect of clouding judgment as to the best response, which is another reason to channel action collectively through the United Nations. That other major countries may have been indifferent to this constraint in the past doesn't justify Russian actions in Georgia. Vigilante justice is always dangerous.

Gareth Evans, president of the International Crisis Group, co-chaired the International Commission on Intervention and State Sovereignty, which introduced the "R2P" concept, and is the author of the forthcoming "The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All."

The Wolf that Ate Georgia

By Antonio Cassese

FLORENCE –In Phaedrus's well-known fable of the wolf and the lamb, the wolf easily could have eaten the lamb without a word, but prefers to set out his "reasons." First, he scolds the lamb because he is muddying his drinking water (even though the wolf was upstream). Then he argues that last year the lamb had called him bad names (but the lamb was only six months old). The wolf then snarls that if it was not the lamb, it was his father; after that, he immediately moves into action.

The wolf's "justifications" for his evil action were a luxury that he allowed himself. At present, the United Nations Charter legally binds wolf-states – that is, the Great Powers – to offer justifications for their use of armed violence. This is all the more necessary for the Security Council's five permanent members, because, aside from condemnation by public opinion, no sanctions are available against them for any serious breach of the Charter.

Russia has set forth various reasons to justify its armed intervention in Georgia, where the breakaway regions of Abkhazia and South Ossetia are nonetheless under Georgian sovereignty. Russia argues that its invasion was aimed at 1) stopping Georgia's aggression against South Ossetians; 2) ending ethnic cleansing, genocide, and war crimes committed by Georgia there; 3) protecting Russian nationals; and 4) defending South Ossetians on the basis of the peace-keeping agreement signed by Boris Yeltsin and Eduard Shevardnadze in 1992.

None of these legal grounds holds water. By sending its troops to South Ossetia, Georgia no doubt was politically reckless, but it did not breach any international rule, however nominal its sovereignty may be. Nor do genocide or ethnic cleansing seem to have occurred; if war crimes were perpetrated, they do not justify a military invasion. Moreover, South Ossetians have Russian nationality only because Russia recently bestowed it on them unilaterally. Finally, the 1992 agreement authorizes only monitoring of internal tensions, not massive use of military force.

Hence, as in Phaedrus's fable, the Kremlin's "justifications" are empty. Russia has breached Article 2 of the UN Charter, which enjoins member states to "refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state."

There are several morals to the tale. First, when a lamb like Georgia gets smart and requests the protection of another wolf – in this case, NATO – he must be careful, for every wolf guards his territory, and is bent on "protecting" all those lambs that fall under his "jurisdiction."

Second, although Great Powers are de facto unbound by international rules on the use of force, they abide by a sort of unwritten "agreement between scoundrels" to behave similarly. The West violated that agreement in 1999 in Kosovo: NATO powers first attacked Kosovo and Belgrade, in breach of the UN Charter (although they were morally justified to do so, because there was a need to stop the serious atrocities underway); the West then promoted and blessed Kosovo's secession. As a result of that perilous precedent, Russia no longer feels bound by the unwritten agreement.

Finally, because it is mostly civilians that have suffered and are still suffering in Georgia, it is imperative for the world community to promote a lasting solution, as is stipulated in the agreement promoted by French President Nicolas Sarkozy. But a lasting solution is nowhere in sight, because Russian forces, in blatant breach of that

agreement – and of international customary law – remain in many parts of Georgia beyond Abkhazia and South Ossetia. These two regions have now proclaimed their independence, and Moscow has given its blessing to a secession that is likely to be the stepping stone to incorporation by Russia.

Georgia has taken the path that lambs (small countries) normally choose when facing wolves (major powers), brandishing law as a weapon. It has instituted legal proceedings against Russia before both the International Court of Justice for alleged violations of the UN Convention on Racial Discrimination and the European Court of Human Rights for alleged breaches of Articles 2 (right to life) and 3 (prohibiting inhuman and degrading treatment) of the European Convention on Human Rights. Because Georgia is a party to the Rome Statute of the International Criminal Court, it could have requested the ICC Prosecutor to investigate Russia's allegations of war crimes and genocide as well as its own allegations of Russian crimes. Strangely, it has not done so, though, fortunately, the ICC Prosecutor has announced that he is keeping the situation in Georgia "under analysis."

Plainly, by itself the law may not be able to offer the right solution in such a complex and dangerous situation. Only politics and diplomacy can offer a lasting solution. Nevertheless, with both sides claiming the mantle of international law, authoritative legal decisions about these issues might perhaps push the parties to reach a lasting agreement.

Antonio Cassese, the first President of the International Criminal Tribunal for the Former Yugoslavia (ICTY) and later the Chairperson of the United Nations' International Commission of Inquiry on Darfur, teaches law at the University of Florence.

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