

AMNESTY INTERNATIONAL

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Council of Europe: Monitoring of the human rights impact of the Georgia-Russia conflict must continue

Based on field missions to the conflict areas and other research, Amnesty International considers that there are strong indications that during the conflict both Georgian and Russian forces violated international law, including by carrying out indiscriminate attacks which resulted in the death and injury of many civilians. Property of ethnic Georgians in and around the conflict zone has been extensively looted and damaged, including by Ossetian paramilitary groups.

Amnesty International remains concerned about the human rights situation in the conflict affected areas, including the so-called security zone, the plight of those who have lost their homes, and those displaced from the conflict who have yet to return to their homes.

The organization continues to call on the parties involved in the conflict to ensure that all persons in the conflict affected areas are protected and that their human rights are respected, without discrimination.

In particular, the relevant authorities should:

- ensure an end to ongoing abuses;
- provide information about the use of cluster weapons so as to enable the population to be warned, the affected areas rendered safe and the remaining ordnance to be cleared;
- take measures to respect and protect the rights of all persons displaced, including those necessary to ensure the conditions for the voluntary, safe and sustainable return of those who choose to do so;
- ensure the unimpeded access to those providing humanitarian assistance, members of the international community and human rights monitors;
- ensure that independent, impartial and thorough investigations are initiated into all allegations of serious violations of international human rights and humanitarian law; that those responsible are brought to justice in proceedings which meet international standards of fairness; and that the victims receive redress, including reparation.

Amnesty International notes that the bodies of the Council of Europe have been monitoring the developments in the region for years, and that the Secretary General, the Commissioner for Human Rights, the Parliamentary Assembly, the Congress of Local and Regional Authorities, and the Court have been seized of issues resulting from the conflict since its flare-up.

The organization welcomes the initiatives taken by the Bureau of the Parliamentary Assembly of the Council of Europe to send a cross party delegation to the conflict affected areas and to propose that the Assembly hold an urgent debate on the consequences of the war between Georgia and Russia during the Assembly's upcoming Plenary Session from 29 September to 3 October in Strasbourg.

Amnesty International considers that the bodies of the Council of Europe have a continuing and key role to play in the effort to ensure respect and protection of human rights of all in the conflict affected areas, without discrimination. Preventing further violations of international law and ensuring reparation, including justice for the victims of the violations which have occurred during the conflict and its aftermath, should remain a high priority for the Council of Europe for the foreseeable future.

To these ends, Amnesty International calls on the Parliamentary Assembly of the Council of Europe to ensure that relevant Committees - including the Committee on Legal Affairs and Human Rights, the Committee on Migration, Refugees and Population as well as the Monitoring Committee - remain seized on the human rights impact of the conflict beyond the forthcoming session and the urgent debate which is likely to be held. These Committees should be mandated to appoint Rapporteurs, who are provided with sufficient resources, to monitor and visit all conflict affected areas in the region, to co-ordinate and work in complementarity with other actors, and to present periodic reports to the Plenary Sessions of the Assembly.

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