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Georgia, Russia: Suffering of civilians must stop and abuses must be investigated

Although large-scale hostilities have now ceased in Georgia, Amnesty International is concerned at the continuing reports of serious human rights abuses in the context of a volatile situation. Civilians in Georgia remain vulnerable to serious human rights abuses, including attacks on the basis of their ethnicity. Georgians and their property have also reportedly been attacked in the Russian Federation. Amnesty International calls on all sides to put an immediate end to such abuses and for them to be investigated.

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, during which thousands of civilians were reported to have been killed or injured, and tens of thousands forced from their homes. Reports of localized violence have continued, however, after the ceasefire was agreed.

Continuing abuses against civilians

Reports of inter-ethnic reprisal attacks by various sides were a feature of the conflicts in Georgia in the early 1990s over the same disputed territories of Abkhazia and South Ossetia. The first signs of such ethnic targeting have now been reported, including the burning of ethnic Georgian villages in the breakaway region of South Ossetia.

In Russia, there have been unconfirmed reports of Georgians being the targets of violent attacks in North Ossetia and in Moscow. On 11 August a cafe called 'Georgian cuisine' was reported to have been set on fire in Nazran, Ingushetia. Previous heightened tensions between Georgia and Russia have also led to the detention and deportation of Georgians from the Russian Federation in 2006.

Looting has also been reported in South Ossetia, and in the town of Gori and surrounding villages in Georgia proper.

Amnesty International is particularly concerned at the apparent formation in and around South Ossetia of irregular, locally-organized armed groups able to act with impunity, increasing the potential dangers for civilians.

Apparent indiscriminate attacks against civilians must be investigated

Amnesty International is gathering information on the reported heavy civilian casualties sustained during the hostilities, reported to be in the thousands, although the numbers and circumstances of such casualties are extremely difficult to verify independently. Bombings of non-military targets leading to deaths of civilians have been reported as well as the destruction of civilian buildings.

These included, in particular, the Georgian assault launched on 8 August against Tskhinvali, including 14 hours of bombardment. On 9 August, Russian forces initiated a series of attacks on targets in Georgia, including in particular the town of Gori.

Given the scale of the destruction and the reported heavy civilian casualties in Tskhinvali and Gori, there are concerns that these attacks may have amounted either to indiscriminate, or deliberate targeting of civilians.

Deliberate targeting of civilians would amount to a war crime, as would attacks on civilians that were indiscriminate or disproportionate. Such crimes must not be left unpunished. War crimes or crimes against humanity, committed on the territory of Georgia, regardless of nationality of the perpetrator, would fall within the jurisdiction of the International Criminal Court under Article 12 of the Rome Statute of the International Criminal Court. Georgia ratified the Rome Statute on 5 September 2003. Russia signed the Rome Statute on 13 September 2000; while it has not yet ratified it, it is bound not to defeat its object and purpose by committing war crimes or crimes against humanity.

Lack of independent verification of information

To date, information from the conflict zone has been hard to verify, with reports often contradictory, exaggerated, or vague. This has hampered any accurate assessment of the human rights situation there. The fact that media workers have themselves become casualties, with over a dozen journalists killed or wounded during attacks by all sides, has compounded the problem of access to information. Journalists, as all other civilians in the conflict zone, must be protected from hostilities.

Human rights monitors, including from intergovernmental human rights bodies, should be allowed full access to the conflict zone.

Humanitarian need

Around 100,000 people are thought to have been displaced by the conflict, according to the Office of the United Nations High Commissioner for Refugees (UNHCR). In Georgia, UN agencies reported on 13 August that 3,500 people had been registered as displaced in Tbilisi and Tianeti and Kakheti regions, but was preparing to provide aid to at least 30,000. At least 20,000 people have been registered by the Russian authorities as entering Russia from South Ossetia, although the actual number of people currently believed to be in the refugee camps in Russia is lower.

Amnesty International urges all sides to the conflict to protect the safe passage of refugees fleeing violence.

Moreover, prior to the ceasefire there had been reports that humanitarian aid had been prevented from getting through to civilians trapped in the conflict zone. For example Russian media reported that Russian aid could not get through to Tskhinvali on 11 August due to ongoing hostilities. On 12 August the International Committee of the Red Cross (ICRC) stated that its access to South Ossetia to deliver aid was being hampered by the intense fighting.

Amnesty International urges all sides to the conflict to protect humanitarian assistance and to agree a right of passage and distribution for the ICRC and other humanitarian agencies in the area, to ensure that humanitarian assistance reaches those individuals in need.

Additionally, the ICRC should be allowed unhindered access to those persons detained in the context of the conflict by any of the parties.

Amnesty International will continue to monitor and to call on all sides to the conflict to provide protection and to refugees and to ensure that displaced persons can be guaranteed a safe and durable return to their homes.

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