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18 November 2008

## **Georgia/Russia conflict: Counting the cost of war: Return, security and truth still a long way off**

One hundred days after the August conflict, over 20,000 ethnic Georgians are still unable to return to their homes in South Ossetia, while many of those, on both sides of the conflict, who have gone back have found their homes pillaged or destroyed.

“A new twilight zone has been created along the de facto border between South Ossetia and the rest of Georgia, into which people stray at their peril. Looting, shooting, explosions and abductions have all been reported in the last few weeks,” said Nicola Duckworth, Europe and Central Asia Programme Director at Amnesty International.

“International monitors must be allowed to go to all places and all sides need to intensify their efforts to guarantee the safe return of displaced people without discrimination.”

As the war recedes, Amnesty International is calling for investigations into the conduct of all the parties during the hostilities to remain a priority.

“There can be no reconciliation, and no lasting peace, without truth and accountability.”

In a report published today, [\*Civilians in the line of fire: The Georgia-Russia conflict\*](#), Amnesty International says that the evidence it has collected strongly suggests that serious violations of international human rights and humanitarian law were committed by all sides.

Between 7-8 and 13 August, villages and residential areas in towns were bombed and shelled, and some civilians even reported being bombed while fleeing. The overall number of civilian deaths significantly outnumbered that of combatants, and homes, hospitals, schools and other mainstays of civilian life were damaged or destroyed in communities across the conflict zone.

At its peak the conflict displaced nearly 200,000 people, and today leaves a legacy of long-term displacement for tens of thousands unable to return home and with no prospect of doing so in the foreseeable future.

Cluster bombs were fired on and near inhabited areas by both Georgia and Russia, resulting in numerous civilian casualties and the contamination of large areas of land with unexploded ordinance. They continue to present risk as civilians return home after the conflict.

“The Georgians and the Russians have accused each other of war crimes for their conduct during the conflict. It is essential that such serious allegations be investigated thoroughly and impartially by all parties. If found to be true, those responsible must be brought to justice,” said Nicola Duckworth.

In light of the divergent accounts and mutual recriminations being put forward by both Georgian and Russian authorities, Amnesty International calls on both parties to request an inquiry by the International Humanitarian Fact-Finding Commission (IHFFC) and to report publicly on its findings.

### **Background**

Amnesty International's report is based on several research missions to the main areas of the conflict carried out as early as August and as late as October 2008, as well as interviews with victims and correspondence with the relevant authorities of Georgia, Russia and the de facto South Ossetian administration.

The IHFFC is a permanent body of independent experts provided for by Article 90 of Protocol 1 to the Geneva Convention to investigate allegations of serious violations of international humanitarian law. Russia made a declaration under Article 90 when it ratified Protocol 1 (in 1989), authorizing the IHFFC to enquire into any conflict that may arise between itself and another state that has made the same declaration. Georgia did not make such a declaration.

In order to enable the IHFFC to conduct an enquiry, under the rules of Article 90, both Georgia and Russia would now have to accept the Commission's competence and request that it investigate violations in this particular conflict. Consent to such an enquiry may be limited to this specific conflict and would not constitute permanent acceptance of the Commission's competence. Investigations by the IHFFC are conducted by a Chamber constituted of five members of the Commission and two ad hoc appointees. (Each party to the conflict nominates one of the ad hoc members.)

### **See also:**

[The human cost of war in Georgia](http://www.amnesty.org/en/news-and-updates/news/the-human-cost-of-war-in-georgia-20081001) (web feature) <http://www.amnesty.org/en/news-and-updates/news/the-human-cost-of-war-in-georgia-20081001>