

**FLARE NETWORK Report on**



**CIVIL POPULATION'S CONDITIONS GEORGIA,  
INCLUDING SOUTH OSSETIA,  
DURING THE CONFLICT BETWEEN RUSSIAN FEDERATION and GEORGIA**





FREEDOM LEGALITY AND RIGHTS IN EUROPE

European Parliament  
Brussels, 2 September 2008



FREEDOM LEGALITY AND RIGHTS IN EUROPE





FREEDOM LEGALITY AND RIGHTS IN EUROPE

## TABLE of CONTENTS

1.	Introduction	p.4
2.	Chronology	p.5
3.	Findings	p.6
	-Conditions of the displaced persons	
	-Conditions of the civil population	
	-Threat of interethnic confrontation	
4.	Recommendations	p.18
5.	About team	p.20
6.	Annexes	p.21



## 1. Introduction

FLARE Network sent a monitoring mission to Georgia in order to understand what are the conditions of the civil population and displaced persons in the northern part of the country, especially in the break-away territories of South Ossetia. From 25 to 27 of August an independent observatory mission of the civil society made of Italian, Russian, Georgian and Ukrainian NGOs, sent by the European network against organized crime visited the areas where the situation is most critical. Due to the recent armed conflict between Georgia and Russian Federation, and due to the limited amount of information concerning the conditions of the civil population, FLARE Network (Freedom Legality and Rights in Europe) formed a delegation composed by

**Michele Curto** – Libera, Italia

**Alexandra Delemenchuk** – International Council on Peace Disarmament, Civil Center in Support of Georgia, Ukraine

**Andrei Yurov** – International Human Rights Movement, Moscow Helsinki Group, Russia

**Elena Tonkacheva** – Foundation for Legal Technologies Development, Byelorussia

**Maria Myznikova** – Aegee Saint Petersburg, Russia

**Agit Mirzoev** – Public Movement Multinational Georgia, Georgia

**Eka Gvalia** – CHCA, Georgia

**Napoleon Milorava** – Cultural and Political Center of Abkhazia, Georgia.

The monitoring mission involves four FLARE member organizations and it aims at seeking independent information upon the conditions of local population in Georgia. Additionally, the mid-term objective is to “bridge” dialogue between Russian and Georgian civil societies to overgo the conflict, given also the unique representation in the FLARE delegation of – amongst others – Russian and Georgian persons.

Unfortunately, the data about the conflict still are uncertain. A Public Defender of Georgia employer, Mr. Sozar Subari, met on August 26 by the FLARE delegation, said that up till now there are about 250 Georgian soldiers killed, 69 victims among the population, 9 Georgian prisoners and about 100 civilians in Ossetian hands, plus an undefined number of people missing. These data, that obviously change every day ([www.ombudsman.ge](http://www.ombudsman.ge)), seem to be extremely under dimensioned if compared to the testimonies heard by FLARE these days and, above all, to the sources from Public Movement Multinational Georgia.

We want to underline that Mission was not able to access territory of the South Ossetia, which is now under control of the Eduard Kokoiti administration, as well as those territories of Georgia controlled by the Russian Federation military forces and accessed from time to time by Ossetian militia. On 27<sup>th</sup> of August Monitoring group made attempt to get there however failed because was not granted access even through block-road of the Russian Military Forces in the Karaleti Village. However, we have commitment towards visiting of the Tskhinvali and adjoining villages not later than in the end of September 2008 in order to explore humanitarian conditions there, check information FLARE is receiving from some of its members, as well as to combat any unfair information and propaganda disseminated by different political forces in different countries.



FREEDOM LEGALITY AND RIGHTS IN EUROPE

Mission is not making any political conclusions or those related to the activities of the any kind of military forces, except those directed against civil population. Our primarily goal was to explore how civil population can be assisted immkidiately and in the nearest future.



## 2. Chronology of the visit

### 25th August

- working meeting with the representatives of the Cultural and Political Center of Abkhazia
- meeting with representatives of the Ossetian community of Georgia - journalists and public activists - Nino Popiahsvili and Naira Bepieva (Public Broadcaster TV and Radio representatives)
- working meeting with the representatives of the Public Movement "Multinational Georgia"

### 26th August

- visit to the collective centers and interviewing of the displaced persons from the Eredvi, Tamarasheni, Zemo Achabeti and other villages of South Ossetia and Gori District
- meeting with the Public Defender of Georgia - Sozar Subari and Head of the Civil Integration Department of the Public Defender's Office Beka Mendianishvili
- meeting with the residents of the suffered villages of the Gori region (Pkhvenisi, Nikozi, Megrevkisi) organized by Megi Bibiluri (NGO "Bridge of Friendship-"Kartlosi")

### 27th August

- visit to Gori (overview of the destructions in the city; visiting of the IDPs tent camp; meeting with representatives of the UNHCR and Red Cross; visiting of the Russian "Peacekeeping" Forces block-post near village Karaleti)

### 28th August

- meeting with the representatives of the International Campaign to Ban Landmines Georgian National Committee Mamuka Gachechiladze and Georgian Mine Action Center Giorgi Lekishvili;
- meeting with the hostages released from Tskhinvali;
- press-event

## 3. Findings

### 3.1. Conditions of the displaced persons

#### a. General outline of the situation

Forcedly displaced persons are allocated by Georgian authorities into civil units of social purpose. The monitoring group visited three places of allocation of forcedly displaced persons in Tbilisi (**e.g. building of the military hospital, school # 11, kindergarten # 56, tents camps in Tbilisi and Gori**). Conditions of allocations are different.

Thus, e.g., around 900 people are placed in the military hospital building, constant medical aid stations are organized and the doctors take their duty shifts. At the same time, shortage of sleeping berths and stationary cooking places is obvious.

Civil organizations conduct monitoring of needs of forcedly displaced persons, try to react to the most acute of them. Despite the effort of the Government and civil organizations, it is difficult to assert (for the moment of the monitoring conduction) about the presence of an adjusted system of assessing the needs of forcedly displaced persons, about well-conducted coordination of activities, and we can still state that the humanitarian missions are present insufficiently.

Considering the fact that a number of allocation places for forcedly displaced persons are situated in social units that ought to be used according to their primarily purpose (namely, school # 11, etc.), this means that within upcoming days the people should be placed into other facilities. One of the presupposed facilities is a tent camp in Gori.

Several estimations cause clear signs of apprehension regarding allocating to the Camp persons who lost their houses, since it is very difficult to predict how the question of their future accommodation will be solved. The office of the Public defender conducts independent monitoring of the situation with temporarily displaced persons, and the data included into it is reliable. The Public defender also conducts explanatory work that is directed towards protection of the refugees' interests.

Representatives of the Cultural and Political Center of Abkhazia claim the official data given by the government are sufficiently reliable. The Georgian Minister of refugees and accommodation ([www.mra.gov.ge](http://www.mra.gov.ge)) says there are over 160.000 refugees. Of these, about 27.000 are from villages in South Ossetia, 3.500 from Kodori area (Abkhazia) and the rest from Gori. It seems however – but they will understand this themselves the coming days – that houses in Gori have not been damaged heavily, whereas the villages around the city have been completely smashed down. Therefore, the refugees from Gori might be able to go back to their houses soon, whereas those from the neighbouring villages do not have a house anymore.

Concerning the refugees from South Ossetia and from Abkhazia, it seems they do not have a chance at all to go back to their houses neither in a short- nor in a long-term period of time: their territories have been completely “evacuated” and have been gone under the control of the two self-proclaimed republics: to return home is a vain hope for them.



FREEDOM LEGALITY AND RIGHTS IN EUROPE

Representatives of the Cultural and Political Center of Abkhazia say the refugees' situation is truly dramatic. In Tbilisi for instance there are only 641 locations available for them (schools and kindergardens, more often tents) where hygienic conditions are terrible.

## **b. Conditions of the IDPs in Tbilisi and other cities**

In Tbilisi Mission visited the following sites:

\* A former military hospital, now hosting 1.500 refugees, with 30 babies, 200 children and 300 under the age of 18. The building was long abandoned, now it is open again due to the emergency. Refugees here live in a literally dramatic situation: all basic services lack, there is one restroom every 150 people and there are no showers. Several NGOs and the CHCA (affiliated with FLARE) do their best especially about hygienic and medical matters.

\* School No.11, hosting 260 persons, between which 4 newborn babies, 21 children under 10 and other 27 minors. The structure, being an open school, is good, the teachers are working really much with the NGOs, but the people have no beds and must sleep on the ground. Besides, in the latest days food was missing. It is feared that soon they will have to leave the school and be transferred to the tent cities in Gori.

\* The nursery school attached to the school No. 11, hosting about 160 more persons, in a situation very close to that of the school.

Representative of the Cultural and Political Center of Abkhazia also says humanitarian aid is already entering the country but it is not adequately organized as there is not an homogeneous distribution of assistance, many refugees do not – for instance – receive any assistance at all. On the other side, very efficient seems to be the support given by United Nations (UNHCR) who created special commissions for primary needs (water, food, medicines etc.) in tight collaboration with local NGOs. Eka Gvalia is also noticing a sort of tendency by Georgian Government to push refugees to return home, more for strategic – it seems – rather than for humanitarian reasons. Eka's feeling is that the government is not doing everything in their power to ease the situation, in a way maybe that the humanitarian dimension of the matter is used as propaganda for the conflict. There is great hope, however, in words so independent from the government. When listening to Eka one sees the dignity behind the action of civil society and the great need of it in such terrible moments.

As for now, thanks to the help of the International Rescue Committee and of the Dutch Refugees Foundation, CHCA is assisting nearly 2.000 families. The assistance given is mainly psychological and medical. They will soon distribute over 2.000 hygienically kits consisting of detergents, soaps and more. In the coming days, over 1.000 families will be given a minimum monetary help of about 100 Lari (50 euros). This kind of support is given starting from the most urgent cases, therefore from disabled people, elderly, and families with more than 3 children. In a mid-term period, they are a thinking to open 15 centres for medical and psychological assistance: 10 in Tbilisi, 3 in Gori and 2 in Kutaisi.

Eka cannot explain the reasons why the conflict flared, they do know however that the population has been completely taken unprepared and unaware. Now the situation has relatively improved but in the past days they all thought the worst, fearing the Capital to be bombed too. According to Eka,





FREEDOM LEGALITY AND RIGHTS IN EUROPE

the international presence and the support given by the European Union has been crucial for the situation not to collapse. Eka is clearly worried about the aids aimed to Georgia from USA and Germany (respectively, 1 billion \$ and 1 million €). She fears Georgian Government will use these resources to rebuild infrastructures and the army, leaving refugees and civilians empty-handed.

FLARE collected lot of data, especially thanks to direct testimonies from Georgian refugees evacuated from the villages in South Ossetia, nearby Tishanvali and north of Gori. Through such testimonies, the reasons for such a high number of refugees are clear. What emerged clearly however, is that whereas refugees from Gori are now returning to their houses, for those coming from territories under Russian control it is now impossible to go back, mostly because in fact the conflict is not over yet. According to the Public Defender (Ombudsman), it is about 40.000 of them: 25.000 from the villages in South Ossetia, 3.500 from Abkhazia and over 10.000 from the villages north of Gori.

### **c. Visit to the city of Gori**

On the 27<sup>th</sup> the FLARE delegation visited Gori and the surroundings. The intention was to verify the damage in the town, and then to check the information gotten from some refugees on the 26<sup>th</sup>, visiting the villages north of Gori and trying to reach Tskhinvali.

We could visit Gori, accompanied by a representative of the local authority, who showed us the damage due to the bombings.

The general sensation is that, in respect to the declarations by Georgian exponents concerning the complete destruction of the town, the reality is somewhat different. In fact, the town does not seem to be seriously damaged.

Unfortunately, during the visit to the IDP camp it was possible to state that civil objectives have been attacked, and restricted weapons were used (cluster bombs).

As of August 27, 2008 the camp was being actively equipped with tents, however, the infrastructure vitally important for the life sustenance was completely absent. According to a number of statements, most of the temporarily displaced people will be allocated to the above-mentioned Camp in the nearest future.

Several sources in the previous days had transmitted the doubt that the Georgian government had the intention of moving to the Gori area all the refugees who could not go back to their places, that is, 40,000 persons as estimated by the Public Defender (see previous report). Both the FLARE partner CHCA and the Public Defender himself confirmed this.

This strategy, possibly responding to strategic and communication exigencies of the Tbilisi government rather than to real needs, is opposed by our Georgian NGOs. Gori is a town with 50,000 inhabitants, and it would be literally invaded by refugees.

From the visit to one of the first 4 tent cities being set up, it resulted that living standards are very low. The tent city is mounted in an area obtained from a sand playground, with the tents mounted directly on the sand. In this phase it is still impossible to say what services will be granted.

We had the chance to speak with Alessandra Morelli, responsible of the UNHCR Georgia emergency mission, who we exchanged information with, especially concerning the villages north of Gori, and upon the possible arrival of new refugees from that area. She confirmed that during the latest 2 days numerous people arrived from the areas south of Tskhinvali, fled due to forced displacements and plundering.



The current plans envisage the preparation of as many as 4,000 beds in tents, and later of equipped spaces.

From a conversation with representatives of the Italian Red Cross, it came out that their role is to provide food to the refugees. For this reason, 2 field kitchens are arriving from Italy, able to prepare up to 10,000 meals a day. Their presence is planned for the next 6 months. This brings to suppose it will not be possible to overcome the emergency situation before then, and therefore the refugees hosted there will have to spend the winter in tents, in an unpredictable condition.

### **3.2. Conditions of the civil population of Georgian villages of the Tskhinvali region (South Ossetia) and Gori district**

#### **a. General outline of the situation**

Population of the South Ossetia is not ethnically homogeneous. There are Ossetian villages, Georgian villages and villages with the mixed composition of the residents. Georgian villages are located to the South from Tskhinvali, closer to Gori and out of the territory controlled by the administration of the Eduard Kokoity, however some of them considered to be part of the conflict region. As well as population of this villages is considered to be apart of the South Ossetian community divided by the violent conflict in early 90-s.

During the current military conflict, following the retreat of Georgian armed forces towards Tbilisi, Georgian villages included in the conflict zone defined by the Joint Control Commission and Georgian villages included in the buffer zone marked by the Russian Military forces (*as shown on the Chart 1*) have been left under control of the Ossetian militia and Russian Peacekeeping forces. Russian peacekeepers undertake responsibility to provide public order and security in the zones under their control.

Georgian police and public authorities do not have access to the mentioned zones in the extent necessary for provision of the public order.

Within the zone of conflict, entire villages of Eredvi, Avnevi, Nuli, Kurta, Achabeti, Tamarasheni, Kekhvi, Disevi are deliberately burned and destroyed. Some of the villages such as Patara Liakhvi and Didi Liakhvi, Pkhvenisi, Nikozi, Megrevkisi are also accessed by the groupings of the Ossetian militia, which is reported by the local residents.

Part of the villages in the area have also been subjected to bombings on 8-10<sup>th</sup> of August (Eredvi, Kurta, Achabeti, Tamarasheni, Kekhvi, Tkviavi, Patara Liakhvi and Didi Liakhvi, Pkhvenisi, Nikozi).

More than 27 000 thousands of the residents of the given villages are now displaced<sup>1</sup>. Many of them lost their houses and other ownership and are not able to return to the places of their residence. Most of them are concentrated in the tent camps in the city of Gori (*for more information please check with the Section "Conditions of the displaced persons"*)

#### **b. Displacements and repeated displacements**

---

<sup>1</sup> Meeting with the Public Defender of Georgia, Sozar Subari on 26<sup>th</sup> of August 2008.

Forcedly displaced persons – children, women, men – cover all age groups, from toddlers to the elderly. One should understand that people displaced from the Gori region are village inhabitants oriented towards agricultural lifestyle. Farm work is the basic (and often the only) source of income of the prevailing majority of forcedly displaced persons. The present time is a traditional period of harvest. Thus, the people are giving evidence that they are left without means of subsistence as a result of being divested the possibility to stay in their residence areas.

People's concern is further aggravated by the information about the robbery of agricultural equipment, cattle and household items. People point out cases of purposeful arson of two wheat fields, forest.

Prevailing majority of the interviewed temporarily displaced persons are looking forward to the possibility to go back to their normal way of life: their villages, abandoned houses, in spite of the possibility of their destruction.

### **c. Cases of looting and evidence of the ethnic cleansing**

Besides, temporarily displaced persons report that formally they can go back, and some of them actually do so, but the overall atmosphere is fear caused by the cases of marauding, use of physical violence, cases of assault of civilians, arson of the houses, and cases of missing persons. There have been occasions when adult men, having made attempts to go back to abandoned houses, were returning to the places of temporarily stay and ascertaining the fact of utmost endangerment to stay in the villages.

Civil population reportedly states that the main obstacle for the return of people is their apprehension for personal security that people connect to:

- the possibility of resumption of hostilities on the mentioned territories
- the “raids of the Ossetian citizen soldiers” that are not suppressed by the Russian military
- absence of law and order bodies responsible for security of the population and their belongings.

According to numerous statements made by civilians, the sign and a precondition of their return to the deserted places of living will be “withdrawal” of the Russian military from the mentioned territories.

Before the war, **Megi Bibiluri** used to work for a NGO called “Bridge of Friendship” that operated locally attempting to promote dialogue between Georgian and Ossetian villages. Their work was supported by numerous mixed families in the region. According to Megi, the situation before the conflict was peaceful and critical episodes among the population occurred rarely. «Unfortunately – said Megi – South Ossetian militia continuously provoked Georgian villages by means of small thefts, random attacks and short kidnappings». In Tbilisi, FLARE mission meets four other witnesses who all come from villages south of Tskhinvali, in the region of Gori, therefore outside the self-proclaimed Republic of South Ossetia: Niqosi, Pkhvenisi, Shindisi, Megrevkisi, Mereti, Achabeti.

In some of the above-mentioned villages, Megi says violence continues today. Her father remained in the village and through him she understood that two days ago Russian army abandoned the little



FREEDOM LEGALITY AND RIGHTS IN EUROPE

town and retreated to its outskirts, leaving free way to Ossetian militia who began to rob the houses and to burn them down thereafter. The name of the village is **Megrevkisi**. No inhabitants are left there at the moment. Few days before Russian army entered Mjurekisi, **Zauri Edishivashili** was arrested and taken to Tishanvali where he was forced to work removing rubbles and cleaning the town. On August 25<sup>th</sup> he was released and now he is in Cazxepi village.

In a village nearby **Pkhvenisi** the situation is very similar. Given the proximity of the village to Georgian troops, Pkhvenisi was bombed for 3 days (9, 10, 11 of August). During the bombing, according to Megi many were the victims among civilians but neither Megi nor other refugees can put a number to them. On 11 and 12 of August the villages was again taken by the Russian who set their military stations. On August 25<sup>th</sup>, the army moved out the village allowing Oseetian militia to occupy it. Squads of unarmed women were with them: as the troops were checking 25 inhabitants left in town – beating them and killing in cold-blood **Amiran Razmadze** and badly hurting his wife **Nunu Chkhaidze**, those women would sistematically sack all houses. After the operation was over, house would be burnt down. One civilian is still there – **Givi Ilariani** – too deeply wounded to evacuate the village.

**Bejani Khikhoshvili** and **Leo Gulo** are stuck in **Achabeti** village too, too old to escape. From the nearby village of Mereti, earlier that day a group of civilians tried to escape heading to Gori. The bus they were on was pulled over (it is not clear whether by Russian soldiers or Ossetian militia), passengers got off the bus, six men were taken to Tishanvali and arrested. The only woman there was beaten up and later released, therefore becoming the only eye-witness.

Very interesting is also the testimony from the woman together with Megi. She comes from **Niqosi** village, south of Tskhinvali. Through her deposition it is possible to understand the dynamics that brought to such escalation of the conflict.

She says violence began the night of August 4<sup>th</sup>. Some artillery shots were fired from Tskhinvali reaching Niqosi village, without – however – causing any damage or victim. This happened between 5 and 5:30am. She cannot say whether those were the only episodes of violence, but she did eye-witness them. The day after, many bursts of machine guns were fired in both directions, day and night. On August 6<sup>th</sup>, Georgian army enters Niqosi villages with several heavy weaponry and vehicles and begins their attack to Tskhinvali.

On August 8<sup>th</sup>, Russian aircrafts began to fly over the city and from the day after they started bombing Georgian army positions heavily, also in Niqosi village. From that day, the village is considered a “strategic spot” by the Russian army, therefore partially safeguarded. But only until August 24<sup>th</sup>, when Russian troops began making use of alcohol and violence. The telling of the refugee from Niqosi continues but she clearly cannot explain herself how all this could have happened. She keeps saying nobody would have never expected something like this to happen.

Very similar but from a completely different territory are the stories we are told in 3 of about 640 camps where refugees are hosted in Tbilisi.

All the refugees the delegation met in these places come from Georgian villages, in South Ossetian territory, especially north of Tskhinvali. Between these, particularly significant and complete were the testimonies from the Eredvi village, a large village that counted about 300 families and over 1,000 inhabitants before the war, with more than 70% mixed – Georgian / South Ossetian –





FREEDOM LEGALITY AND RIGHTS IN EUROPE

families.

Starting from August 7<sup>th</sup>, in the city a Georgian army contingent installed itself in the city, then heavily bombed starting from August 9<sup>th</sup>, first by the Russian air force, and later also by the Russian artillery, by then established in the area. Clearly, the civilians, sheltered in their houses, shared the same fate.

On August 11<sup>th</sup> the Georgian contingent withdrew, bringing part of the civilian population with them.

On August 12<sup>th</sup>, the Russian troops entered the city along with Ossetian militia and unidentified Cossack and Tchechen units. This is what told by the elder **Zuzuna Vaktangashili**, who, chased away from her house, saw it first plundered and then demolished in front of her. Zuzuna, about 70 years old, hid in the woods nearby, going back to her house seeking for warm clothes. Since then, for her an endless calvary began, as Zuzuna wandered by foot for 9 days before finally reaching Gori, from where she was transported to Tbilisi.

A similar story was lived by another elder woman, Nora Hidashvili, who ran away together with her husband **Laurenti Kalashenti** on August 15<sup>th</sup>, hoping to be able to save her house and her belongings. Nora says it took the occupants several days to finish with the plundering and destruction of all the houses, and when she was forced to leave, the thing was still going on. Nora saw the Ossetian militia killing in cold blood some persons who were trying to defend their houses; **Maisuradze Jumberi** (40), **Nikla Beruashvili** (70) and **Tengizi Tarelashvili** and his wife (both around 50). Nora was helped in her flee by a Russian military convoy that transported her to Gori.

The last to leave the village was **Sardion Pervuashvili**, who fled one first time on August 12<sup>th</sup> when the Russian troops entered it; he went back there on August 15<sup>th</sup> in order to find out what had been of his house and to take care of his animals; he lived almost alone in Eredvi until August 21<sup>st</sup>, when – during the nth plundering by the Ossetian militia – he was found, deprived of his animals and forced to leave. He said that on the same day two young people were found in a nearby house: **Gia Cherkezishvili** (25) and **Vaso Gochashvili**. The latter was sick and for this reason he had not been able to leave the village. The two were violently beaten – such that they were not able to walk after – and brought somewhere else. Sardion said he was afraid they had been killed. He insists in telling about how the plunderings happen in the presence of irregular troops, and says he could tell by their language they were, besides Ossetians, also Tchechens and Cossacks. He defined the latter particularly interested only in the booty.

As much dramatic is the story of an Ossetian refugee, **Lika**, who begs not to reveal her family name as she fears reprisal. By pure chance, instead of fleeing toward Vladikavkaz she fled with a group of Georgian toward Tbilisi. She said that in her village, Beloti, the regular Russian troops arrived on August 11<sup>th</sup>, but they did not stop to guard the village, occupied right away by militia, arriving on any kind of vehicles: cars, trucks, SUVs. She swears she saw among them some Cossacks. These stolen all her belongings from her, in spite of her attempt to get by thanks to her Ossetian nationality.

Another interesting story between many others is that of 2 mixed – Georgian and Ossetian – families from the **Satzaneti** village. **Nazi Kepashileva**, Ossetian, and her husband **Vakhtangi**, lived with **Jumberi** – Vaktangi's brother – and **Julia Kepashiliva**, Ossetian too. On August 8<sup>th</sup>, the war already begun, an acquaintance of them, an Ossetian soldier, came from the nearby village of





FREEDOM LEGALITY AND RIGHTS IN EUROPE

Tmenisi and tried to kill Vakhtangi in an attempt to steal his car. They were all forced to flee, leaving everything, in order to escape certain death. They still cannot understand how such a thing could happen.

#### **d. Access to the Information and Assistance**

Access to information about the conditions of people who stayed in their residence areas is highly complicated. In many cases people try to find out information themselves and transmit it “by word of mouth”. We did not come across sources of systemic and centralized information. There are reports about bad health conditions of individuals and lack of the possibility to use medical aid. Particular tension is caused by cases when connection (acquisition of information) with the people who stayed in their residences is stopped.

The interviewed state that humanitarian aid does not reach the territories.

#### **e. Russian military forces**

On August 27, 2008 a monitoring group made an unassisted attempt to get to the mentioned territories by passing through a roadblock of the Russian military in the village of Karaleti. We were denied the right to move over the territory of the roadblock.

We certify that there is lack of clear procedure and rules that would ensure access to the territories. We still could not get an answer to the question on what procedure and documents were needed that could provide us with the right to move around the mentioned territories. Photo- and video filming was not allowed, filming was offered to be made at the territory 100 meters away from the territory of the roadblock.

Apart from this it should be mentioned that we know cases of unimpeded crossing of the roadblock by representatives of other monitoring groups. This leads us to the conclusion that decision-making each time is made self-reliantly within the framework of the hierarchy of people who make decisions and are on duty at the roadblock as such.

Together with this we could observe movement of civil persons through the roadblock. These relocations are not approached in a unified way (e.g. on the presence of a special document, upon showing a passport). There is an impression that the roadblocks do not create substantial barriers for the movement of local population, they act according to their own discretion and if they have no doubts that these are local inhabitants who are moving across, their movement is allowed. Moving vehicles are selectively visually examined.

The group has fixed movement of an ER automobile through the roadblock after the inspection of ID papers.

At the same time the monitoring group was a witness to the denial of crossing the roadblock for the special representatives of OSCE who then had to leave the territory of the roadblock. Besides, the coordinator of the UNHCR emergency mission said that even their personnel and vehicles were



denied access, and the only ones who could pass so far – and in exceptional cases only – were the Red Cross transports.

According to the evidence received, Russian military personnel do not conduct systematic patrolling of the roadblock territories. After the conversation with the military on the roadblock it was obvious that they don't have the aim (objective) to protect the civil population, their belongings. This question surprised them and caused incomprehension.

### **3.3. Threat of interethnic confrontation**

#### **a. General outline of the situation**

Georgia is the most multi-ethnic country in the South Caucasus and as such has had to face a more complex situation with regards to ethnic minorities on its territory. In Georgia, according to the 2002 census, minorities make up 16% of the population (as against one third in 1989). The main ethnic groups are: Azeris (284,000 today, compared with 308,000 in 1989); Armenians (249,000 today, compared with 437,000 in 1989); Russians (68,000, compared with 341,000 in 1989); Ukrainians (7,000, compared with 52,000 in 1989); Greeks (15,000, compared with 100,000 in 1989). Since 1997, however, ethnic group is no longer recorded on identity cards.

The main gaps with regard to the minority policy in Georgia bringing isolation and marginalization of the minority communities are:

- Absence of the comprehensive policy approach to the minority issue and consequently absence of adequate legal frameworks ensuring minority participation and civil integration;
- Solid lack of political representation of minorities on national and to some extent on local levels;
- Lack of the appropriate skills and capacities of those representatives of the ethnic minority groups who have been elected to the local self-government bodies necessary for the adequate fulfillment of their powers and representation of the ethnic minorities within local self-government authorities;
- Lack of culture of political participation and extremely low level of legal literacy among representatives of minority groups;
- Informational vacuum in the areas of the compact settlement and lack of attention to the problems of minorities leading to isolation of minority groups from the society;
- Previous one-sided language policies which contributed to the lack of knowledge of the official state language by ethnic minorities and thus to the isolation, employment problems and inadequate law enforcement.

Mentioned trends might become especially dangerous right after cease of the violent conflict, which caused feelings of confrontation and deep stress among citizens of Georgia.

#### **b. Proliferation of the hate speech and actions**

Conflict situation gave birth to the wide proliferation of the hate speech, war propaganda and unbalanced coverage of the situation by both sides. Coverage was all the time accompanied by the

underlining of the ethnicity, e.g. “Georgian fascists”, “Russian aggressors”, “Ossetian marauders”. According to the monitoring of the Public Movement “Multinational Georgia” the most unbalanced information has been produced by the following mass-media entities:

#### **Internet mass-media**

- [www.lenta.ru](http://www.lenta.ru) (RF)
- [www.nr2.ru](http://www.nr2.ru) (RF)
- [www.regnum.ru](http://www.regnum.ru) (RF)
- [www.interfax.ru](http://www.interfax.ru) (RF)
- [www.apsny.ge](http://www.apsny.ge) (Georgia)
- [www.newsgeorgia.ru](http://www.newsgeorgia.ru) (Georgia)
- [www.osinform.ru](http://www.osinform.ru) (South Ossetia)
- [www.rosbalt.ru](http://www.rosbalt.ru) (RF)

#### **Other print and electronic mass-media**

- ORT-TV Broadcaster (RF)
- TV Broadcaster “Vesti”(RF)
- Newspaper “Izvestia” (RF)
- Newspaper “Komsomolskaya Pravda” (RF)
- Newspaper “Asaval-dasavali” (Georgia)

Certain mass-media entities from time to time apply to the hate speech formulations, among which TV Channels “Rustavi-2” and Public Broadcaster of Georgia (Georgia), newspaper “Kommersant” (RF), newspaper “Podrobnosti” (RF), newspaper “24 hours” (Georgia), news agencies “RIA Novosti” (RF) and “Interessenews” (Georgia).

In accordance with monitoring many politics and public figures were using hate speech and war propaganda in their speeches, including rude and offensive formulations. One of such cases is the statement of Irina Gagloeva, Ossetian Administration spokesperson, who accused Georgians in “ritual killings of Ossetians”. Both sides were inclined to such kind of statements.

In Georgia public campaign “Stop Russia” based on the ethnic intolerance has been launched and carried out, allegedly supported by the government. Please see campaign materials in the Annexes to this report.

One of the cases of concern is also demonstration of the offensive video clip “Russia-2008” at the Georgian TV Channel “Rustavi-2”. Given video was aimed at the criticism of the current Russian political regime, however contained formulation which might be perceived as offensive for all Russian people and caused immediate reaction of the Public Defender of Georgia and Public Movement “Multinational Georgia”, who called upon immediate stop of the video demonstration on TV.

Mutual accusation in the ethnic cleansings also contributed to the hate speech and actions proliferation

#### **c. Potential aggression towards certain ethnic groups**

After the conflict certain trends appear, showing that in the country there is a certain amount of the aggression and confrontation potential between different ethnic groups.

E.g. according to the data of the Ministry of Interior (**Ekaterina Zgidadze and Natia Gazava**) and according to the monitoring conducted by the Public Movement "Multinational Georgia" there are three cases of the violence on the basis of the interethnic hatred since 15<sup>th</sup> of August observed in Tbilisi, including one attack on the shop, one beating and one word offence, all these actions allegedly have been accompanied by the mentioning of the "Russian ethnic origin" of the victim in offensive way. However these facts are now being checked by the MIA and NGOs.

According to **Naira Bepieva**, representative of the Ossetian Community of Georgia and journalist, there are also some cases of the threats and aggression towards Ossetians residing in Kakheti region are reported. According to **Eka Skhiladze**, resident of the city of Borjomi and grass-root public activist, there are also permanent rumors in her view disseminated on purpose, according to which local Ossetians during the military confrontation helped to set on fire Borjomi National Park.

However these trends are not major yet and there is time for effective prevention and combating of the unfair propaganda describing that Russians and Ossetians, as well as other ethnic minorities are endangered in Georgia.

However this propaganda in line with the cases of the aggression towards persons of Georgian ethnic origin in Russia (case of the Movement Against Illegal Migration calling upon deportation and physical violence against Georgians; cases of violence towards Georgians in Moscow, Nizhniy Novgorod and St-Petersburg) might further promote interethnic confrontation.

#### **d. Regions with the compact settlement of the ethnic minorities**

In Georgia there regions with the compact settlements of the ethnic minorities, e.g. Samtskhe-Javakheti region with the compact settlement of the ethnic Armenians.

In relation to this region certain mass-media, such as Regnum and Georgia On-line on 19<sup>th</sup> of August 2008 published materials describing separatist attempts conducted by the radical groups in the region. Only timely reaction of the civil society and community of the region helped to prevent informational provocation and possible outburst of the interethnic confrontation, which is easily promoted by the manipulations with information and public consciousness.

## 4. Recommendations

**Among main recommendations formulated by the Mission according to the main directions described in the report above are:**

- To ensure intensive presence of humanitarian and other responsible international organizations on the whole territory, affected by conflict and creation of the possibilities and mechanisms monitoring the conditions of civil population, which will unite local and international subjects.
- To provide for sufficient presence of the representatives of humanitarian missions delivering humanitarian aid and support to the all parts of the zone affected by conflict
- To create system of monitoring of the ownership of the displaced persons and promote safety of their property, where it is still exists
- To improve the level of information exchange and coordination of humanitarian organizations in order to minimize the negative outcomes, as well as to create system for the monitoring of needs of people who are left on the territories, where violence towards civilians is reported because of their age, health conditions or other reasons, in order to ensure their safety and humanitarian needs
- To ensure participation of the displaced persons in the taking of decisions about their destiny
- To guarantee observance of the UN Guiding Principles on Internal Displacement;
- To ensure access of the Georgian police and other responsible bodies to the territories controlled by the Russian Military Forces (if Russian military presence still kept) in order to guarantee public order and prevent looting and violence against civilians in line with creation of the clear and open mechanism for receiving of permissions for access to this zones for the international and national civil society organizations for monitoring purposes;
- To promote exchange of information on prisoners of war and those kidnapped in the conflict area, facilitated by all three sides of the conflict, in line with prevention of the new cases of kidnapping, responsibility for later should be shared by the Georgian law enforcement and Russian Military Forces in the areas of their control (if Russian military presence still kept)
- To support organization of the international humanitarian mission and creation of the special working group consisting of the human rights protection activists, representatives of the international networks and organizations, which will provide for the independent analysis of the situation, help to eliminate concrete human rights violations and will act as a guarantee within the process of the conflict resolution, stopping of violence and rehabilitation of those who suffered, as well as provide evaluation of the situation in accordance to the international law.



FREEDOM LEGALITY AND RIGHTS IN EUROPE

- To support strong informational campaigns both in Russian Federation and Georgia aimed at the elimination of the hate speech, war propaganda and enemy image and dissemination of the fair and balanced information about the conflict
- To promote creation in both Russian Federation and Georgia of the coordination bodies consisting of the both civil society based and government based stakeholders responsible for the monitoring and prevention of the hate crimes and hate speech
- To support contacts between civil societies of Russian Federation and Georgia as a potential resource for the peaceful resolution of the conflict.



## **About team**

### **ABOUT FLARE Network**

FLARE - Freedom, Legality And Rights in Europe - is a network made of civil society organizations for a common struggle against mafias and transnational organized crime. Those who adhere to the FLARE Programme are associations for youth promotion and non-governmental organizations whose members' age ranges between 18 and 35. They are ideally active in fields such as youth promotion, fight against women and child sexual exploitation, environmental protection, human rights defence, fight against corruption, support to migrants and refugees. Such organizations come from the areas of Europe, Mediterranean basin, Russian Federation, Caucasus and Balkans. For more info, visit [www.flarenetwork.org](http://www.flarenetwork.org).

### **ABOUT ORGANISATIONS, WHICH JOINED MISSION**

#### **PUBLIC MOVEMENT “MULTINATIONAL GEORGIA”, Georgia**

Public Movement “Multinational Georgia” (PMMG) – civil movement which has been created in year 1999 uniting citizens of Georgia representing different ethnic, religious, and linguistic groups residing in Georgia. PMMG – is umbrella organization which provides resource support and cooperates with the representatives of the more than 18 diaspora and 56 grass-root NGOs working in the field protection of rights of ethnic, religious and linguistic groups residing in Georgia.

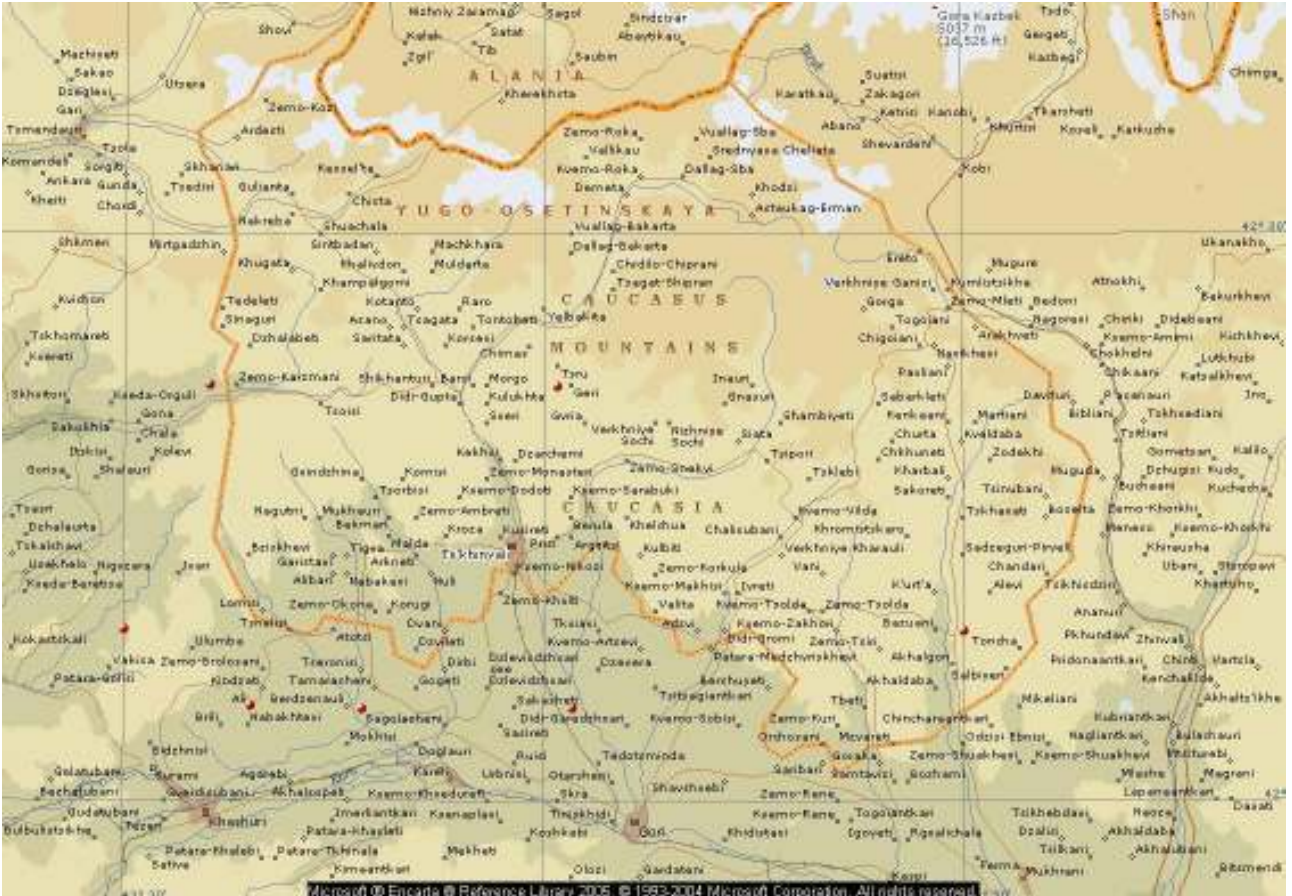
#### **FOUNDATION FOR LEGAL TECHNOLOGIES DEVELOPMENT, Belarus**

Foundation for Legal Technologies Development is a group of professionals who in a joint effort and applying juristic, research and education methods ensure free realization and effective protection of human rights and basic freedoms.

Organization has started its activities in 1996. After several attempts to liquidation of the organization by Belarusian government, the organization was registered on the territory of Ukraine. The FLTD is the successor of the program activities of the public association Independent Society of Legal Research and Innovation Foundation for Legal Technologies.

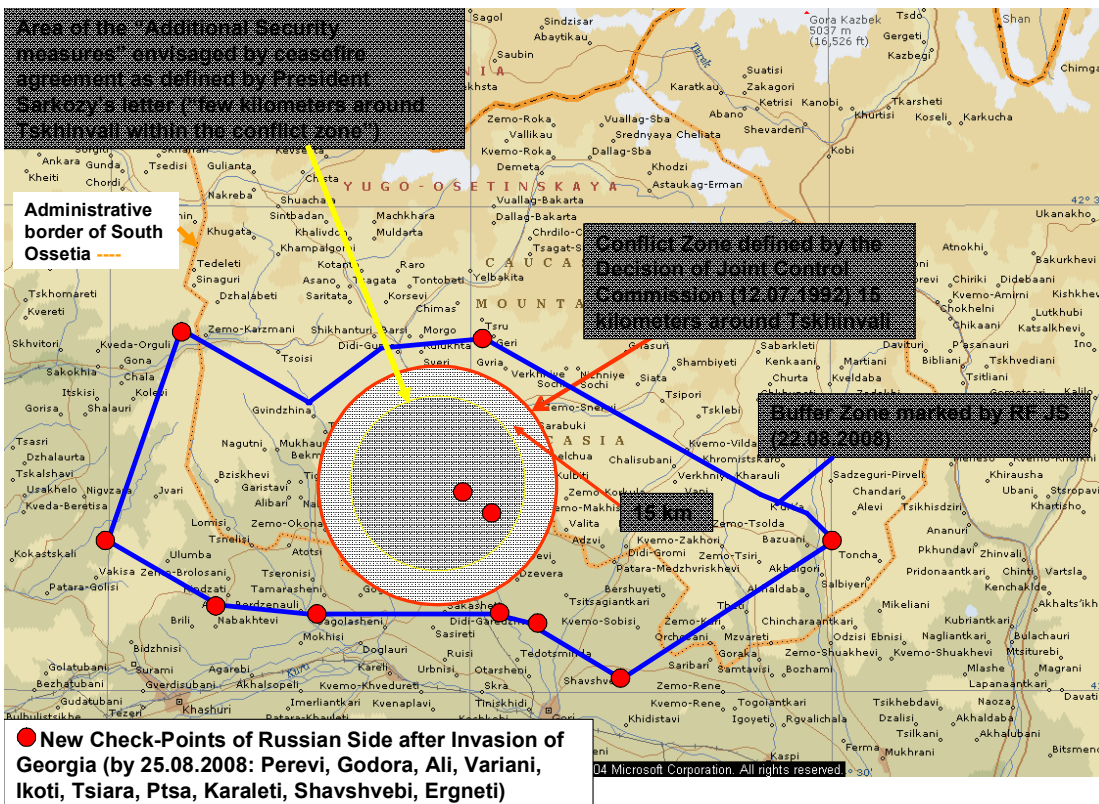
## Annexes

*Chart 1 South Ossetia and Shida-Kartli region of Georgia*



**Chart 2 Control of the territories of South Ossetia and Gori district as to 28<sup>th</sup> of August**

Source: Ministry for the Foreign Affairs of Georgia



**Document** Description of the usage of the different kind of weapons in course of the conflict, including against civilian population

During the military conflict between Russian Federation and Georgia the following facts took place:

- The Russian Federation’s nationwide bombing campaign included the use of SS-26 "Iskander” short-range tactical missiles used against the Baku-Supsa oil pipeline. Russian forces also used short-range tactical missiles SS-21 "Tochka-U” on the cities of Poti and Gori. In the villages around the town of Gori, Russian forces used "Hurricane” missiles. Cluster bombs were used extensively in Gori and nearby villages, including Ruisi and Shindisi.
- Altogether, Georgia’s sovereign territory was subjected to aerial bombardment 42 times. The areas bombed far exceeded the putative conflict zone of South Ossetia. The bombs and missiles were delivered during up to 158 illegal incursions into Georgia’s airspace, of which 96 are fully confirmed. At least 165 bombs and missiles were used, including cluster bombs and other weapons banned by international agreements. At least three of the attacks directly targeted civilians in civilian areas.

- Bombing runs before ceasefire. The list below indicates the areas bombed, the minimum number of times each was bombed, their distance from the conflict zone and/or Tbilisi, and the date(s) of the attack(s).

Shavshvebi village	1	30 km	08.08.08
Variani village	1	20 km,	08.08.08
Gori	5	17 km	08-10.08.08
Vaziani Airfield	2	2-3 km from Tbilisi	08-09.08.08
Marneuli	3	20 km from Tbilisi	08.08.08
Bolnisi	1	35 km from Tbilisi	08.08.08
Senaki	1	213 km from Tbilisi	09.08.08
Oni	1		09.08.08
Village Urta	1	330 km from Tbilisi	10.08.08
Tbilisi Airplane Factory	2	Tbilisi	09-10.08.08
Knolevi (Kareli district)	1		10.08.08
Urta (Zugdidi district)	1		10.08.08

- Bombing runs after Georgian ceasefire offer

1. Anaklia (Zugdidi district) 10.08.08
2. Settlements near Batumi (Khelvachauri district), close to Turkish border 11.08.08
3. Shiraki airfield (Kakheti region) 11.08.08
4. Gori, twice 11-12.08.08
5. Senaki military airport 11.08.08
6. Kodori gorge, Upper Abkhazia 11.08.08
7. Senaki military base 11.08.08
8. Kere and Sakasheti (Gori district) 11-13.08.08
9. Kaspi (30 km from Tbilisi) 11.08.08

10. Tkhviavi (near Tskhinvali) 11.08.08
11. Vaziani military base (on the outskirts of Tbilisi) 12.08.08
12. Orchosani (Gori district) 12.08.08
13. Sakoritno (Kaspi district) 12.08.08
14. Ruisi village (Kareli district) 12.08.08

- Mines

Roads in the Svaneti Region were mined on 17.08.08. Road bridges on the old Gori road south of Kaspi were mined on the same date.

A landmine blew up a crude oil train 5 km west of Gori on 24 August. Other mines and buried artillery shells were subsequently found at other spots of the tracks.

Landmines and bomblets left by the departing Russian army are targeting civilians. A blast killed a woman in Gori on 24 August and injured a man in Tirdznisi on the same date. Mines of the “frog” type have been found in civilian gardens and orchards in Gori. Representatives of the International Campaign to Ban Landmines Georgian National Committee and Mine action Center Georgia also report usage of the antipersonnel mines PM-1 and PM-2. They also report that there are mined agricultural objects in the Gori district and in the Georgian villages of South Ossetia. However it is currently impossible to check later information because of the low access to the conflict zone and even some villages of the Gori district.

- Cluster bombs

The use of cluster bombs against civilian targets has been confirmed by Human Rights Watch. Cluster bombs explode at altitude in order to scatter bomblets over a wide area. Most bomblets explode on impact. The effect of hundreds of bomblets exploding at the same time is to saturate the targeted area with high-speed shrapnel, killing everything alive. Because the bomblets can be scattered over a wide area, these are among the most destructive antipersonnel conventional weapons. Bomblets that fail to explode on impact become landmines.

Sources of information:

1. Meeting with Mamuka Gachechiladze, Executive Director of the International Campaign to Ban Landmines Georgian National Committee on 27<sup>th</sup> of August 2008 (in Gori) and 28<sup>th</sup> of August 2008 in Tbilisi.
2. Meeting with Giorgi Lekishvili, Mineaction Center – Georgia on 28<sup>th</sup> of August 2008.
3. Visit to the city of Gori by the Monitoring group
4. Ministry of Defense of Georgia (press-releases dated by 24<sup>th</sup> of August 2008, 25<sup>th</sup> of August, 27<sup>th</sup> of August 2008)
5. Ministry of Interior of Georgia (answer to the request of the International Campaign to Ban Landmines Georgian National Committee dated by 26<sup>th</sup> of August 2008)



**FLARE**

FREEDOM LEGALITY AND RIGHTS IN EUROPE

*Photomaterials*

1. Conditions of the displaced persons
2. Conditions of the civil population
3. Block-road in Karaleti village
4. Intolerant parts of the campaign “Stop Russia”



1



2





**FLARE**

FREEDOM LEGALITY AND RIGHTS IN EUROPE



3

