

Q5 Humanitarian / Reference 25: <http://www.hrw.org/en/news/2008/08/16/georgia-international-groups-should-send-missions>

<http://www.hrw.org>



Human Rights Watch

[Georgia: International Groups Should Send Missions](#)

Related Materials:

[Georgia/Russia: Do Not Attack Civilians in South Ossetia](#)

[Russia/Georgia: Militias Attack Civilians in Gori Region](#)

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

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

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

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

[Georgia/Russia: Update on Casualties and Displaced Civilians](#)

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

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.

Rachel Denber, Europe and Central Asia deputy director at Human Rights Watch.

Investigate Violations and Protect Civilians

August 16, 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."

Also available in:

- [Русский](#)
- [_____](#)

<http://www.hrw.org/en/news/2008/08/16/georgia-international-groups-should-send-missions>

© Copyright 2008, Human Rights Watch