

# **Annex E.5.2**

## **Public**

## Special Press Release of Human Rights Centre "Memorial" and Demos Centre

Humanitarian consequences of the armed conflict in the South Caucasus.

The "buffer zone" after the withdrawal of the Russian troops.

Over the period from October 12 till October 23, 2008 representatives of the HRC "Memorial" and the Demos Centre were on a fact-finding mission in Georgia. The goal of the mission was examination and analysis of the humanitarian consequences of the August armed hostilities. The focus of our attention was on the current situation in the former "buffer zone" immediately after the withdrawal of the Russian troops.

In the course of their fact-finding mission representatives of the human rights organizations visited the cities of Tbilisi and Gori, 17 villages of the Gori district (Karalet'i, Tqviavi, Ergnet'i, Qits'nisi, Karbi, Meret'i, Koshki, Arbo, Ditsi, Tirdznisi, Megvrekisi, P'khvenisi, Variani, Shindisi, Qvemo Niqozi, Zemo Niqozi, Zemo Khvit'i), two villages situated in the Kareli district (Goget'I, P'tsa) as well as the Akhagori (Leningori) district currently under the control of the South Ossetian authorities. The members of the mission especially focused on the issue of current security for the civilian population of the most afflicted regions.

The residents of the settlements on the territories of the former "buffer zone", which were exposed to shelling and bombing as well as plundering and arson attacks on private households, were interrogated. Detailed interviews were obtained from former hostages. In Tbilisi and at the temporary shelter facilities we interrogated persons who were forced to flee places of their permanent residence, this category included residents of the Georgian enclave villages in South Ossetia

The members of the mission met with the heads of administration of settlements and districts, representatives of the clergy, and in Tbilisi we met with the governmental officials and representatives of Georgian NGOs. We also had a brief interview with the military commander of the Russian troops deployed in South Ossetia.

This fact-finding mission followed a number of trips to the South Ossetian region made by representatives of the Demos Centre (in July and August 2008) and of the HRC "Memorial" (in September 2008). The results of the work conducted by the HRC "Memorial" in the area of the military conflict were presented at a press conference held at the InterFax press centre on September 11, 2008, the summary of the key conclusions was laid out in the press release (<http://www.memo.ru/hr/hotpoints/osetia1109082.htm>). Moreover, in 1991, during the first outbreak of the armed conflict, a group of observers from the HRC "Memorial" worked in South Ossetia and the adjacent region and the results of the work can be found in the corresponding report on the Memorial website (<http://www.memo.ru/hr/hotpoints/osetia/old90.htm>).

On the basis of the work done by the mission in October 2008 and taking into account the results of the previous trips to the zone of the conflict, the HRC Memorial and the Demos Centre consider it appropriate to make the conclusions presented below.

Nevertheless, we are not aiming here at examining such general issues as the correlation of the principles of territorial integrity and the right of nations to self-determination. Our goal here is solely to present the facts, observations, individual examples and figures which by no means claim to be conclusive or exhaustive.

1. The armed hostilities which broke out in the South Caucasus in August 2008, were preceded by several weeks of rapid development of the conflict. Frequent exchanges of artillery fire between the Georgian and the Ossetian sides drastically intensified in early August and continued to intensify over the subsequent days - this was confirmed by both the local civilian population and by the Georgian military. Starting from August 6 the "Georgian enclave" villages of South Ossetia were subjected to artillery shelling. The fire was opened from the direction of Georgia. In the course of our fact-finding mission to South Ossetia in August 2008 we had also learnt that starting from August 6 the hospital of Tskhinvali began to admit numerous victims injured with shell fragment, mine and gunshot wounds.

As far as we are concerned, the Georgian side started active preparation to the armed operation several days before its launch. On August 7, following yet another failed attempt to conduct negotiations in Tskhinvali, the Georgian side launched the armed operation. The Russian side had also rehearsed, in the course of the preceding months, an armed operation on the territory of South Ossetia as well as projection of its military forces over the Caucasus mountain range.

According to eye witnesses, in the afternoon of August 7, Georgian military convoys were seen moving from the direction of Gori in the direction of Tskhinvali. On the night from August 7 to August 8 the Georgian side exposed the city of Tskhinvali and several Ossetian villages to artillery fire from multiple launch rocket systems which resulted in deaths among the civilian population and in major destructions. The Georgian troops advanced towards Tskhinvali passing, among other points, the dispositions of the Russian peace-keeping forces. The dispositions of the Georgian peace-keepers also came under direct fire that night.

Since early morning of August 8 the Georgian armed forces had undertaken several attempts of taking Tskhinvali by storm, but each time they were forced to retreat. The Georgian troops were entering South Ossetia along different directions. In the afternoon of August 8 units of the 58<sup>th</sup> army of the Russian armed forces entered South Ossetia from the north, through the Roki tunnel. The Georgian troops started to withdraw from South Ossetia in the evening of August 9 while on August 12 they had already withdrawn from the Gori district - the residents of the village testify of their mass and hurried retreat. On the same day the Russian troops occupied the city of Gori not encountering any resistance.

A few days later the Russian military forces set up checkpoints on the key thoroughfares leading to Tskhinvali and in the direction of Gori, as well as on the Trans-Georgian highway in the Gori and Kareli districts.

The so-called "buffer zone" under the control of the Russian Armed Forces was formed as a result. The Russian military forces remained on the territory of the buffer zone until October 8-9, when all the checkpoints were removed and all the military units were withdrawn.

2. Interrogations of persons, who were forced to flee from Georgian villages situated in the territory of South Ossetia, held in Tbilisi at the temporary shelter facilities allow us to reconstruct the chain of events that took place there on August 7-10,2008.

Earlier the HRC Memorial claimed, based on the information obtained from the few local residents remaining in these villages in early September (press release of September 11, <http://www.memo.ru/hr/hotpoints/osetia/1109082.htm>): *"the Georgian population has practically entirely fled the "enclave" Villages on the eve of the entry of the Georgian troops into South Ossetia, obeying the emphatic recommendations of the local pro-Georgian administration who had promised them a speedy return" ..*

However, the refugees from the villages of Eredvi, Kekhvi, T'amarasheni, K'urt' a interrogated in Tbilisi claimed that no warnings about the urgency to leave their villages ever reached them. Nevertheless, by August 8 many of the inhabitants had left those villages fearing for their lives under the ever intensifying shelling, yet some people remained. This resulted in deaths and wounding of civilians during the large-scale armed hostilities. Those who remained in their villages were exposed to bombardments and artillery strikes just as much as those who attempted to flee. For example, in the village of K'urt' a, up to ten people were killed when a bomb or a shell exploded in the church yard, - the members of the mission interviewed two women who were wounded in that event.

On August 9-10, when the Russian troops and the South Ossetian armed groups entered these villages, they found there a number of people who for some reason or another could not or did not wish to leave, this category primarily included the elderly and mixed families.

The armed invaders practically immediately proceeded to plundering and setting houses on fire. By the end of August the villages of Kekhvi, K'urta, Achabet'i, T'amarasheni, Eredvi, Vanat'I, Avnevi, Nuli were practically destroyed.

3. As early as on August 8, with the launching of large-scale armed hostilities, the settlements situated in the Gori district adjacent to South

Ossetia (some of them were subsequently included into the so-called "buffer zone") were exposed to air bombardments, artillery and missile strikes which resulted in destruction of houses and casualties among civilian population.

Artillery shelling and bombardments continued well until August 12 - the date of the official termination of "the peace-enforcement operation".

The best-known bombardments and shelling of the city of Gori took place on August 9 and 12. The casualties toll resulting from the strikes on the central square and the civilian sector located not far from the Georgian military base totalled 39 civilian persons.

The villages of the Gori district were also exposed to fire. For example, in the village of Tqviavi a missile strike of August 11 destroyed an entire residential quarter - 13 houses - and four neighbouring houses were seriously damaged.

On August 8, in the village of Karbi the missile strikes (presumably, the volley-fire rocket system 'Smerch') destroyed at least 6 houses, 8 civilians were killed, those were mainly elderly, among them 2 women.

It is obvious that the bombings of these villages before August 12 were performed by the Russian troops. The fact that it was along these roads that the Georgian troops were advancing towards South Ossetia on August 7 and retreating from South Ossetia on August 12, by no means serves as an excuse for exposing residential houses to indiscriminate fire, the responsibility for which lies with the commanders of the Russian troops. The situation in the villages of Zemo Khvit'i, Zemo Niqozi and Qvemo Niqozi which are adjacent to the South Ossetian territory was different. These villages or their outskirts were occupied, starting from August 7, by the Georgian troops who attempted to offer resistance to the Russian troops entering into the Gori district (this was the only instance of the Georgian troops offering armed resistance to the Russian troops in the territory of "the buffer zone"). Here we have also registered deaths among the civilian population and houses destroyed as a result of artillery shelling. Thus, the death toll in Zemo Khvit'i was 8 civilians, all of them - elderly people, among them - 2 women. However, presently it appears impossible to determine either whose fire had destroyed the houses and killed civilians, nor whether exposure to indiscriminate fire had taken place. For example, the members of the mission have learnt that the school in the village of Qvemo Niqozi, which was destroyed by the Russian artillery shelling, served as a disposition of units of the Georgian military.

4. Having crushed the resistance of the Georgian troops in the village of Niqozi, Russian military units entered the Gori district on August 12 and advanced towards the city of Gori meeting practically no resistance in the villages through which they were passing.

The residents of these villages had not received a proper warning from the Georgian authorities as to the danger they may be facing in connection with possible artillery shelling and bombardments as well as invasion of the Russian troops and Ossetian armed militant groups. The absence of such warnings was confirmed both by ordinary civilians and by officers of village administration. This was also admitted by the authorities in Tbilisi.

Many inhabitants of the local villages - primarily, women and children, - left the area for the neighbouring regions in the first days of the conflict fearing for their safety during the shelling and bombardments. However, a considerable number of local people remained in their homes, hiding in the cellars. It was only on August 12, upon seeing the fleeing Georgian troops, that the majority of the population also fled the region. In doing so, people would abandon all valuables in their homes as well as leave their cattle behind.

The fleeing population was followed by the Russian troops advancing towards Gori who at times even overtook the refugee groups. They were advancing practically without stopping in villages apart from setting up several checkpoints. The Georgian army offered no resistance along this stretch and so the advancing troops hardly ever opened fire and did not hinder the exodus of civilians.

Few people remained in their homes, this category mainly included the elderly without immediate family.

The Russian troops entering the Gori district were followed by the South Ossetian armed groups. The spree of looting, arsons of houses and violent assaults against the civilian population broke out.

5. Upon entering the village of Ergnet'i armed militants belonging to South Ossetian militant groups started setting fire to houses which had

not yet been plundered and the entire village was turned into one huge site of destruction. Out of the 150 houses in the village about 90% were virtually burned down. The walls of the burnt houses bear no traces of either bullets or shell fragments. No shell craters have been found either. All the traces left testify of the fact that the houses were deliberately burnt down and not destroyed during battles, shelling or bombardments.

In many villages (Zemo and Qvemo-Niqozi, Karalet'i, Qitsnisi, Tqviavi, Karbi, Koshki, Tirdznisi, Zemo Khvit'i and others) the percentage of houses burnt is lower. Thus, in Tirdznisi, out of 650 houses 15 were burnt down; in Tqviavi, out of 850 houses 37 were burnt down. Nevertheless, practically all houses have been ransacked. Among the plunderers were both members of the South Ossetian militant groups and apparent civilians coming after the former. Plunderers would normally approach in cars and lorries, take out everything that appealed to them, from refrigerators to kitchen utensils, steal cattle, gather the harvest from the gardens.

If the owners who remained in some of the houses attempted to resist the actions of the plunders or simply refused to obey their orders - for example, give away the hidden money, - they were not infrequently murdered. Thus, in Tqviavi the looters had killed 10 men, 5 of whom were elderly men. In Tirdznisi three locals were killed, all of them were elderly people and among them was one mute woman. In Ergnet'i 5 locals were killed, in Karalet'i - 2, in Meghvrekisi a 70-year-old woman was hacked with an axe. These are just a few examples of a significant number of similar crimes.

The highest swing of violence was registered in the first days after the entry of the Russian troops and the South Ossetian groups into the villages of the Gori district which was soon afterwards declared the "buffer zone", - August 12, 13 and 14. However, plundering, arsons and murders continued to occur in the following days as well, though their scale was much narrower.

Thus, according to eyewitnesses, on August 24, cars proceeding from the direction of Ergnet'i and carrying plundered goods would enter Tskhinvali passing through Russian and Ossetian checkpoints without any apparent difficulties.

Another example of this would be the school in the small village of Koshki which was ransacked and set ablaze. After that, the local houses were subject to constant plundering all through August and September. Six houses on the outskirts of the village were burnt down. The arsons continue to take place well into late September.

6. The territory of the Kareli district which is situated to the West of the Gori district and also has a common border with South Ossetia has seen no battles, no artillery shelling, no bombardments. The South Ossetian armed groups have never entered these parts. The Russian troops have not entered the majority of settlements here. However, the district was included into the so-called "buffer zone". Checkpoints were set up in the district centre of Kareli and the village of Agara. Detachments of the Russian troops were stationed here.

However, on August 13 and 14 and later on the subsequent days several villages of the Kareli district were entered without any hindrance by groups of armed plunderers penetrating from the territory of South Ossetia. For example, in the small village of Goget'i (40 houses) 6 houses were burnt down by looters, about 15 were ransacked. The looters had also forcibly taken one local family away with them as hostages, including women, as hostages. The majority of the hostages were used by them as a guarantee of their unhindered return into South Ossetia and were released afterwards. However, the release of one of them was preceded by a demand for ransom from his relatives.

Apparently, the same group is responsible for having stolen about 100 head of cattle from a much larger village of P'tsa having taken the two shepherds into the bargain. And again a ransom was demanded for the return of the stolen cattle and people. The appeal for help addressed by the local people to the Russian military stationed in the village of Agara, did not lead to any practical action. The villagers had no other choice but to start collecting money and eventually pay the ransom, and only then the shepherds and 50 head of cattle were returned.

7. Both sides had taken prisoners of war and hostages in the course of the armed conflict. The Georgian troops had forcibly led away over 30 Ossetians - both military and civilians. Among those taken were several elderly persons who, in all evidence, could not have been taken for militants. With the exception of several wounded persons, the rest were kept in Georgian prisons and at the Georgian military bases up to the moment of

swapping the detained.

The Ossetian side had taken several dozens of Georgian military and over 150 civilians. Ethnic Georgians were taken hostages both in the so-called "enclave" villages in the territory of South Ossetia and in the villages of the Gori district. The majority of hostages were kept in the temporary detention prison of Tskhinvali. Later they gave accounts of having been used as slave labour force for cleaning the city, this duty including the task of picking up the bodies of killed Georgian soldiers and burying them. Some reported of having been subjected to cruel treatment including beatings. Among the hostages was a number of women, underage young people and elderly. They were exchanged at the end of August for Ossetian hostages and several Ossetians who had earlier been sentenced by Georgian courts and were serving their sentence in Georgian prisons.

According to the testimonies of some of the hostages, at the time of their detention in the temporary detention prison, among those on duty there were the Russian military as well.

However, a certain share of hostages were kept as "private hostages" in South Ossetia. We have registered cases of hostage-taking with the purpose of obtaining a ransom.

Currently, the negotiations on exchange between the warring sides of several Ossetian hostages and several bodies of Georgian soldiers remaining in Tskhinvali.

It goes without saying that there can be no excuse for forcible detention of civilians and the practice of hostage-taking.

8. It is hard to deny that the responsibility for the numerous crimes committed in the settlements situated in the territory of the so-called "buffer zone" officially under the control of the Russian troops and for the actions of the South Ossetian armed groups on the whole fully lies not only with the specific criminals and bandits as well as the South Ossetian authorities, but primarily with the Russian armed forces command and the leaders of the Russian Federation.

The Russian military who had entered the Georgian villages in the territory of South Ossetian and the Gori and Kareli district had failed to ensure the safety of the civilian population on the territory occupied and controlled by them. In the Georgian villages of South Ossetia armed militants were destroying houses, plundering and taking hostages from among the remaining civilians in front of the Russian soldiers. However, the Russian army had virtually no control over the situation in the first days after entering the Gori region. In case of the villages of "the buffer zone" the plunderers would often pass Russian checkpoints absolutely unhindered even though driving stolen cars carrying plundered goods and hostages.

Despite that, the members of the mission have registered practically no complaints concerning lootings and arsons of houses or violence against the civilian population on the part of the Russian military. There were cases when the Russian military in fact defended the local people from the bandits stopping the looters, one such example was the village of Ditsi. In the village of Megvrekisi, after the looters hacked a local woman, the Russian military started patrolling the streets. In the villages situated along the Tskhinvali-Niqozi-Variani area the Russian military had managed to Tskhinvali-Ergnet'i-Karalet'i area.

On August 15, a meeting between the Catholicos Patriarch of All Georgia Ilia II and the Metropolitan of Tskhinvali and Nikozi Archbishop Isaiah and representatives of the Russian Ministry of Defence, among whom was the Major General Vyacheslav Borisov, took place in the village of Zemo-Niqozi. The range of issues discussed at that meeting included the primary necessity to ensure the safety of the local population as well as protection of the civilian property from looters. Representatives of the Russian Federation had promised that the Russian troops would apply the strictest of measures to looters and plunderers. On the following day Archbishop Isaiah again met with the Russian military. The same matters were again discussed. The Russian military command again promised harsh measures against looters and bandits. But when on the same day the looters began to steal cattle from the village of Zemo Niqozi, it took the Reverend more than little effort to persuade the Russian military who were on duty in that village to undertake some measures to stop the plunderers.

Subsequently, (as mentioned above) the military forces have on a number of occasions intervened in order to stop the pillage and even

detained the plunderers, - however, those belated measures were of a limited scale and far from widespread. As far as we have been informed, the plunderers and looters detained were handed by the Russian military to the South Ossetian authorities. There is information about some of them having been placed into the temporary detention prison of Tskhinvali. However, we know nothing of their subsequent fate.

We know of a case where the Russian military are directly accused of stealing the equipment from one of the canning plant on the territory of which they were deployed. It is also known that at the checkpoint near the village of Variani the Russian military had on August 12 twice opened fire at passing cars carrying civilians which resulted in the death of three persons.

Such mass violations and crimes occurring over a period of several months would have hardly been possible without connivance, if not complicity, of the South Ossetian national authorities.

9. In the course of the joint mission of representatives of the HRC "Memorial" and the Demos centre, 46 deaths of civilians in the villages of the "buffer zone" had been registered (apart from the cases of civilian deaths as a result of bombing attacks on Gori). The Georgian authorities have published an official civilian death toll for the entire course of the armed conflict containing 228 names. This list is to date not exhaustive. When comparing the two lists, it turned out that, with the exception of two persons, all the cases detected by us were mentioned in the official toll. Based on this as well as on the general scale of the events, it appears that the overall casualties among civilian population claimed by the official toll are close to the real numbers.

10. Following the withdrawal of the Russia troops from the territory of the "buffer zone" on October 8-9, 2008, the security monitoring functions in the region were transferred to Georgian police forces and the EU military observers. This was the start of more active return of the refugees from "the buffer zone" who fled during the armed hostilities. By the end of October the majority of the local residents had returned to the villages located in the vicinity of Gori. However, the closer the village lies to the border with the territory under the control of the Ossetian side, the lower is the percentage of its residents currently willing to return.

Many are afraid of returning to their homes because the territory has not been cleared of mines - unexploded shells and mines remaining after the large-scale armed hostilities are still found here and there. According to the locals, the Russian military had undertaken some attempts in mine clearance.

People are afraid of returning to their villages with their children - only a few villages opened their schools at the beginning of the new school year.

The worst situation is observed in the so-called "border" villages which sustained the greatest damage first during the armed hostilities and, later, during the pillage and arsons. These villages remain within the high danger area: systematic plundering, hostage-taking, arsons of houses and intimidation of the civilian population by the bandits penetrating from the territory of South Ossetia continue to take place here. The actions taken by the Georgian police forces are apparently insufficient for protection of the civilian population, while the EU military observers are helpless because they are not armed.

Thus, on October 17, in the village of Koshki which is controlled by the Georgian forces, the members of the mission saw cars with Ossetian number plates (15 - the regional code of Ossetia) near the plundered, semi-destroyed Georgian houses and goods were being taken out of the partially burnt down school. According to eyewitnesses: the locals and journalists, - on October 16 in the village of Disevi adjacent to the village of Koshki and controlled by the Ossetian forces, several houses abandoned by their owners - ethnic Georgians, were burnt down and their Georgian owners who had come into their gardens to gather harvest were thrown out with threats and abuse. For all that, neither the Georgian police, nor the joint Russian-Ossetian checkpoints through which one could not possibly pass unnoticed, make any attempt of intervening. We believe that the joint Russian-Ossetian checkpoints deliberately ignore instances of trespassing the de-facto border with South Ossetia because, upon our attempt to penetrate into the village of Disevi, we were detained at one of such checkpoints. We were flatly denied the access to the village despite the fact that we are Russian

citizens and told that the territory of South Ossetia is only accessible from the side of Vladikavkaz, while crossing the border has only been allowed for international organizations, such as the International Committee of the Red Cross.

The situation in the villages of Niqozi and Zemo Khvit'i also remained complicated, as of mid-October frequent fire exchanges continued to take place both by nights and in the daytime. On October 15 a large herd of cattle was stolen from the village of Zemo Khvit'i, the shepherds were abducted as was the owner of the herd together with his car. The people were first taken to Tskhinvali and later set free, while the car and the cattle were demanded a ransom for.

The military commandant of South Ossetia, Col. Anatoly Vasilyevich Tarasov, who held a briefing on the outskirts of Tskhinvali, announced that he is currently taking all measures possible in order to combat the practices of plundering, hostage-taking and ethnic cleansing attempts in the villages. He said that he deals with such cases that come to his knowledge together with South Ossetian police officers, who are undergoing special training under the auspices of officers of the Russian Ministry of Interior who are especially sent to the Republic for this purpose.

11. The problem of control and ensuring safety in the so-called "border" villages is especially pressing. According to information received from the Ossetian side, 11 persons from South Ossetia have been detained - allegedly by Georgian police - after the Russian withdrawal from "the buffer zone". Neither the Ossetian authorities, nor the families of the arrested persons know where these people are currently held or whether any charges are brought against them. The Georgian authorities have not disclosed any information as to the whereabouts of the detained persons. Among those arrested are three minors, one of whom is suffering from asthma. We have reasons to believe that most of them have been arrested for looting. Despite the need to crack down on plunderers, all actions taken have to be in keeping with the law: the relatives of those arrested must be informed of the place of detention and of the charges brought against them.

The practice of "disappearance" of people may even lead to further aggravation of the conflict.

12. On 21 October, the representatives of the Human Rights Centre "Memorial" and the Centre "Demos" visited the Akhagori (Leningori) district.

The inhabitants of the Akhagori district are predominantly ethnic Georgians, approximately 80% of them. Most of the remaining 20 % are ethnic Ossetians. Therefore, many families in this area are ethnically mixed.

During the 1920s, this territory was merged with the Autonomous Region of South Ossetia and was given the name of Leningori district. After the fall of the USSR and Georgia gaining independence, the area became part of the Mtskhet'i district of Georgia and was called the Akhagori district.

The inhabitants of the Akhagori district had no economic or infrastructural links with South Ossetia; separatist ideas could not find much support and there have never been any armed hostilities in this area.

The only road out of Akhagori went through Mtskhet'i to Tbilisi.

In 2007, however, Mikhail Saakashvili, President of Georgia, pursuant to his policy of creation of a pro-Tbilisi administration of South Ossetia (as an alternative to the separatist administration in Tskhinvali), issued a decree placing the Akhagori area under the jurisdiction of the "Provisional Administrative Entity of South Ossetia", recognized by Georgia and headed by Dmitry Sanakoev.

In mid-August 2008, Russian and South Ossetian troops moved into the Akhagori area, which was subsequently declared an integral part of the Republic of South Ossetia.



However, as it became clear during talks with local residents, the latter consider this area to be under military occupation. They are afraid of the enemy forces located in the area and the checkpoints set up on the road leading to the South; they are afraid that this road could suddenly be cut off for them following a decision of the new authorities.

In spring 2008, even prior to the outbreak of hostilities, construction works had begun on the road leading from Tskhinvali through the mountain range. The construction of the road is practically completed. However, the road from the Akhgori area to Tskhinvali is extremely difficult and dangerous. Last September the car carrying the representatives of HRC "Memorial" and "Human Rights Watch" turned over, when attempting to travel along this road. Moreover in October, according to the local residents, two KAMAZ lorries had turned over on this road.

The inhabitants fear that they may be forced to take Russian nationality, because they are being urged by representatives of South Ossetia to think about this option. The process of registration of all young men has been launched and the population links this to the possible draft into the South Ossetian army.

As a result, more than two thousand people have already fled their homes and the Akhgori area as such. Many parents are sending their children away. The schools are nearly empty; in some villages they have been closed down altogether.

During a meeting with the members of the mission, the military commander of the Russian troops in South Ossetia, Colonel A. V. Tarasov, confirmed that there is in fact the desire among the South Ossetian troops to expel ethnic Georgians from the region. He is very concerned about it and is doing his best to normalize the situation. According to Colonel Tarasov, he made it much easier for the inhabitants of the Akhgori area to travel on the road leading to Tbilisi and removed a number of checkpoints in this area. We are able to confirm this statement, having traveled from Tbilisi to the Akhgori area and back.

The accounts of the inhabitants of the area about cases of looting by the Russian military are very disturbing. As they claimed, soldiers go into empty houses, take food and other things away with them, and sometimes even settle down in these houses. Thus, according to them, the village of Kanchavet'i, which was abandoned by almost all of its inhabitants, is now occupied by the Russian military.

Representatives of the Human Rights Centre "Memorial" and the Center "Demos" were not able to verify these complaints; we cannot confirm or deny testimonies of similar illegal acts committed by the Russian troops. However, the existence of such complaints is characteristic of the tense situation in this area.

13. According to the information provided by the Georgian authorities, as of August 20, 127,497 were officially recognized as persons who had to flee their homes, this figure covers the people who fled from the Georgian villages in South Ossetia, from "the buffer zone", the cities of Gori, Kareli and Kaspri. 17,000 from among this number came from the currently destroyed "enclave" villages in South Ossetia. Currently the overall number of refugees from the region under the control of the Ossetian authorities has increased by over 2,000 persons on account of the residents of the Akhgori (Leningori) district who started leaving their homes at the end of August. Several thousand people have also come from Abkhazia - from the Gali district and the Upper Kodori.

Following the withdrawal of the Russian troops from the territory of "the buffer zone", the local residents began to massively return to their villages. If, at the beginning of October, over 60,000 refugees had not returned to their homes, after October 20, the number of such refugees was about 35,000. On October 15 the last remaining refugee tent camp located in Gori, Georgia, was closed down. The temporary accommodation facilities continue to operate in Tbilisi, Gori and in a few other towns.

Two categories from among the refugees proved to be in a particularly difficult situation.

Those who have fled their homes in South Ossetia cannot currently return - their villages are practically destroyed and the republican authorities openly oppose their return in their public declarations. Several colonies of compact settlement are now being set up for these migrants and each family will be allocated a small furnished house and provided with the basic food items. However, it remains unclear whether these colonies will be opened before the approach of winter.

The refugees of the second category are the people from "the buffer zone" whose houses were damaged as a result of arsons and artillery shelling and who for the moment have nowhere to return to, i.e. people from the villages situated near the border whose safety cannot for the moment be guaranteed by anybody. It remains unclear what kind of compensation these people may expect and when and how the destroyed houses are going to be restored.

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Based on the materials collected by the representatives of HRC Memorial and the Demos-center in the course of their work in the armed conflict zone in August-October 2008, we can draw the conclusion that all the sides to this armed conflict had committed grave violations of the humanitarian law. We have every reason to believe that war crimes, as defined by international conventions, had taken place.

The HRC "Memorial" and the Demos centre intend to present a more detailed account and the conclusions concerning the specific scope of responsibility of each of the sides to the conflict later in a special report.