

აგვისტოს მბი 2008

11 YEARS AFTER THE AUGUST WAR AND SIGNIFICANT CHALLENGES TODAY

[Photo: [Radio Tavisufleba](#)]

Eleven years have passed since the Russian-Georgian war. The August 2008 war had grave consequences for the country. However, the administration of justice, the punishment of perpetrators and the restoration of justice and legal status of victims have not been implemented so far.

Hundreds of people were killed in the August 2008 war, many civilians were injured and their fundamental rights violated. Serious and massive violations were committed against victims, including ethnic cleansing of ethnic Georgians living in the conflict region, intentional killing and abduction, mass destruction of real property, forced eviction, illegal detention, captivity, torture and inhuman treatment of the peaceful population.

The above acts, which are crimes against humanity and war, are currently investigated by the International Criminal Court. The investigation is accompanied by significant challenges, including a lack of active awareness of the affected community and the general public about the Court's activities and ongoing investigations, the passage of a long time since the war, and Russia's refusal to cooperate with the Court. These challenges may become obstacles to conducting a comprehensive

investigation, ensuring the effective involvement of victims in the ongoing process and ensuring justice. The challenges have been detailed in a recent report prepared by the member organizations of the Georgian Coalition for International Criminal Court - "[Ten Years after the August War - Victims of the Situation in Georgia.](#)"

Even after 11 years since the August war, people face many problems in their daily lives, and the services provided by the state are insufficient to improve their conditions. Socio-economic problems are particularly alarming in IDPs settlements – notably poor living conditions, lack of employment opportunities, inability to involve in agricultural activities, lack of medical services, lack of accessibility to livelihoods and education.

After the August war, the situation has been grave in the villages adjacent to the breakaway region of Abkhazia and the Tskhinvali region / South Ossetia, where people are living in fear of illegal detention and abduction by Russian and the so-called Ossetian and Abkhaz border guards. Unlawful deprivation of liberty near the occupation line has become frequent for the last several years. In addition, deprivation of lives of ethnic Georgians in the occupied territories and / or the occupation line has become particularly alarming in recent years.

In view of the above, we consider it important that the **relevant authorities of Georgia** should:

- based on the principle of complementarity, conduct an effective investigation at the national level and inform the public of the ongoing investigation into the war crimes. Given the gravity and scale of the crimes committed by the Russian Federation during the August war, it is important to carry out all necessary and required measures to ensure that Russia's actions do not remain uninvestigated and unpunished.
- take appropriate measures to improve the socio-economic situation of IDPs, taking into account the individual needs of each settlement.

Moreover, the **Trust Fund of Victims at the International Criminal Court** should develop and implement support programs to assist victims, and the International Criminal Court in turn should:

- enhance awareness-raising campaigns to inform the affected community and the

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general public of the Court's activities and the ongoing investigations;

- develop a strategy to address the challenges that accompany the investigation and ensure the effective implementation of the Court's mandate to deliver justice to victims.

Signatory organizations:

Human Rights Center

Article 42 of the Constitution

Justice International

Georgian Young Lawyer's Association (GYLA)

Georgian Center for Psychosocial and Medical Rehabilitation of Torture Victims (GCRT)