

October 2, 2009



RESPONSE FROM THE GOVERNMENT OF THE REPUBLIC OF SOUTH OSSETIA TO THE EUROPEAN UNION REPORT ON THE GEORGIA WAR

The Republic of South Ossetia appreciates the hard work that Ambassador Heidi Tagliavini and the other members of the Independent International Fact-Finding Mission on the Conflict in Georgia have given to their newly-released report on the Georgia War. Over the course of the nine-month investigation, RSO officials worked closely with the commission to provide its members with the information they required to complete their work. The RSO is gratified that the commission upheld its position that Georgian President Mikheil Saakashvili broke international law and the U.N. charter when he launched his attack on Tskhinval on 7 August 2008, using cluster bombs and other internationally banned weapons.

Now that the commission has presented its findings to the European Union, the RSO urges the EU, the U.S. and other allies to follow through on those findings by prosecuting Georgian leaders who participated in these illegal attacks and reconsidering their provision of military weapons, training and financial support for Georgia. It is our hope that this extensive report will be used to ensure that the humanitarian crisis created by Saakashvili's illegal actions in August 2008 will not be repeated.

STATEMENTS FROM RSO OFFICIALS ON THE EU REPORT:

“Since the night of August 7, 2008, when their world was shattered by Georgian rockets and artillery, the people of South Ossetia have known the truth. Today, the European Union report has confirmed that Georgian President Mikheil Saakashvili violated international law when he launched his brutal attack on my country, killing hundreds and leaving thousands homeless.

“Saakashvili is a war criminal and it is time for the world to stop rewarding him with billions of dollars in aid and military equipment. If the West is serious about promoting peace in the Caucasus it must hold Georgia's president responsible for his reckless

behavior and reconsider its misguided policies. To continue to arm and finance a leader who launched a military attack that killed innocent civilians is abhorrent.

“There is no going back. South Ossetia is an independent nation and will never again be part of Georgia.” ***Eduard Kokoity, President, The Republic of South Ossetia***

“The world refused to acknowledge what really happened, but the Commission has stated the truth. Saakashvili was a puppet of the West. Western leaders violated international law as they prepared Saakashvili for the war, by funding him and supplying him with weapons. The main thing is that the Commission said that Georgia started the war. We should make sure that Saakashvili is punished on an international level.” **Boris Chochiev, Special Representative for Post-Conflict Settlement for the Republic of South Ossetia**

“The accusations against the SO and Russian are not objective regarding disproportionate use of force in deflecting the Georgian aggression. That is the same as accusing countries in the anti-Hitler coalition of using “disproportionate force” because their armies did not stop at the border of fascist Germany in 1944.” **Murat Djioev, Minister of Foreign Affairs of the Republic of South Ossetia**

“It appears the authors of the EU report have done their best to make a balanced account of the August 2008 war and its background. However, the report still reflects a historic stereotype of Russia as a colonial power and Georgia as a so-called democracy. This has hindered them from producing an otherwise unbiased report.” **Mira Tskhovrebova, Vice-Chairperson of the Parliament of the Republic of South Ossetia**

KEY FINDINGS OF THE COMMISSION:

- Georgian President Mikheil Saakashvili broke international law and the U.N. Charter when he launched his military attack on Tskhinval on August 7, 2009, using internationally banned cluster bombs and other weapons.
- The U.S., the EU, Ukraine and others contributed to the tension in the region by supplying Georgia with the weapons, technical assistance and financing necessary to dramatically modernize and expand its military operations.

IMPORTANT OMISSIONS OR MISSTATEMENTS IN THE COMMISSION REPORT

- The EU report states that the RSO provoked Georgia’s attack, alleging that the RSO military shelled the village of Tamarasheni on the 6 and 7th of August. To the contrary, RSO officials provided the commission with evidence that the Georgian military shelled Ossetian villages, beginning on August 1 and on August 5th, heavy equipment was used to bombard the village of Khetagurovo

and other parts of South Ossetia. In addition, Georgia's military had been involved in a number of military attacks, and terrorist actions, against South Ossetia beginning in May 2004.

- The EU report did not reflect the repeated efforts by the RSO to reach out to international organizations and the Georgian government to negotiate a non-use-of-force agreement and find a diplomatic solution to the stand-off. For example, SO officials tried at least twice in early 2008 to invite ambassadors from OSCE member states to visit South Ossetia so they could assess the situation for themselves. Only the ambassadors of Russia and Switzerland responded to the invitation. Later, the RSO learned from the OSCE that the fact-finding trip was blocked by the Georgian government.
- The EU report accuses Russia and the RSO of disproportionate use of force in responding to Georgia's attack. Our government is responsible for protecting the safety of our citizens, who were the subject of a brutal assault by Georgia and we appropriately took whatever measures were necessary to protect our people and our assets from destruction. If the Russian military had not intervened to support us, the Georgian military was prepared to wipe out the South Ossetian people and destroy our country.
- The EU report claimed that it could not find sufficient proof that the Georgian military had fired on and killed innocent civilians fleeing Tskhinval on Zar Road during the August war. If true, that would constitute a clear war crime. In fact, the RSO provided the commission with ample evidence of Georgian troops using tanks and artillery to fire on civilians trying to flee Tskhinval on Zar Road. That includes accounts from survivors or relatives of at least 20 people killed on Zar Road during the August war. That information has been submitted to international courts investigating RSO accusations against Georgia of war crimes.