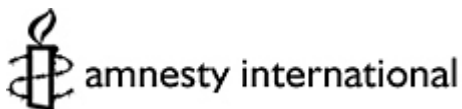


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Amnesty International Report 2009 - Georgia

Head of state: Mikheil Saakashvili (replaced Nino Burdzhaneladze in January)

Head of government: Grigol Mgaloblishvili (replaced Vladimer "Lado" Gurgenidze in November)

Death penalty: abolitionist for all crimes

Population: 4.4 million

Life expectancy: 70.7 years

Under-5 mortality (m/f): 45/37 per 1,000

Georgian forces did not appear to take necessary measures to protect civilians during armed conflict with Russia in South Ossetia. In the conflict's aftermath, South Ossetian militia groups engaged in the pillaging and arson of several Georgian-majority settlements in South Ossetia. Nearly 200,000 people were displaced, although a majority had returned by the end of the year. There were reports of harassment of opposition activists and media.

Background

On 5 January Mikheil Saakashvili was narrowly re-elected President in pre-term elections resulting from mass protests in November 2007. The results of the inquiry into the violent dispersal of those protests had not been published by the end of 2008. The ruling party, the United National Movement, won parliamentary elections in May. Tensions in the conflict zones in Abkhazia and South Ossetia heightened from April, with increasing reports of bombing and shelling incidents and alleged airspace violations. Large-scale hostilities broke out in South Ossetia on 7 August, resulting in a five-day war between Georgian and Russian forces in which over 600 people, more than half of them civilians, died. Russian forces rapidly pushed Georgian forces out of South Ossetia and further occupied areas of undisputed Georgian territory, referred to as the "buffer zone", until early October. On 26 August the Russian Federation recognized the independence of Abkhazia and South Ossetia; by the end of the year Nicaragua was the only other state to have done so.

In April, NATO decided not to offer membership to Georgia, but in December, agreed to intensify co-operation, using the existing framework of the NATO-Georgia Commission, to review Georgia's progress towards a Membership Action Plan.

Armed conflict

Georgian armed forces did not appear to take appropriate precautionary measures to protect civilians in their assault on the South Ossetian capital Tskhinvali on the night of 7-8 August. Dozens of civilians were killed during the assault, which also caused extensive damage to civilian infrastructure. Much of the damage was caused by GRAD rockets, a weapon known to be difficult to direct accurately and therefore not suitable for use in densely populated civilian areas. The Georgian government later admitted the use of cluster munitions against military targets. As a result of their high dud rate, cluster munitions continue to indiscriminately injure and maim after a conflict has ended.

In September, the Georgian Parliament established a commission to investigate all aspects of the war; the Office of the Prosecutor also launched an investigation into the conduct of hostilities by all sides.

Abuses by armed groups

In the aftermath of the Georgian withdrawal from South Ossetia, militia groups loyal to the de facto South Ossetian authorities carried out the large-scale pillaging and arson of several Georgian-majority settlements in South Ossetia. These settlements were under Russian military control at the time, although the Russian military did not take action to stop the activities of militia groups. There were also reports of the killing and beating of ethnic Georgians. Pillaging and arson did not extend to all Georgian settlements in South Ossetia, but was concentrated in those areas previously associated with the alternative administration headed by Dmitri Sanakoev and backed by the Georgian authorities. Satellite imagery confirmed the large-scale destruction in these settlements reported by eyewitnesses. The South Ossetian authorities impeded humanitarian access to areas under their control in the aftermath of the conflict.

Internally displaced people

At the peak of the conflict, over 190,000 people were internally displaced or (in the case of Ossetians displaced to the Russian Federation) became refugees, although the majority were able to return in the aftermath. Those displaced included some 2,000 people from Upper Abkhazia, previously the only part of Abkhazia under Georgian control, following hostilities between Abkhazian and Georgian forces in the area simultaneous to the Georgian-Russian hostilities in South Ossetia. The Georgian authorities stated that up to 25,000 internally displaced people from South Ossetia faced long-term displacement, adding to the approximately 220,000 people internally displaced by the conflicts of the early 1990s. Some 10,000 people were also not able to return to homes in the former buffer zone – some of which was under Russian military control until October – due to damaged homes or the ongoing risk of shooting and abduction.

Repression of dissent

A number of opposition members and activists were assaulted by unknown, in some cases masked, men in late May and early June. The victims included members of the United Opposition coalition of parties, and in particular the Republican and New Rights parties. According to the Public Defender, 12 assaults took place in the aftermath of the May parliamentary election. The assaults were mainly in the capital Tbilisi, and some were reported in Gori. There was no progress in investigations into these assaults by the end of the year.

Freedom of expression

On 30 May, the directors of Imedi TV, a channel broadcast nationally and known for commentary critical of government not available on other channels, were sacked following changes in the company's ownership. Imedi TV had resumed partial broadcasting in May after its offices were taken over by riot police in November 2007 and the channel was taken off air.

Maestro TV, a regional channel serving the capital and three other cities in eastern Georgia, was refused a licence for political programming on 4 April by the Georgian National Communications Commission.

International scrutiny

On 24 January, the Parliamentary Assembly of the Council of Europe (PACE) passed a resolution on the honouring of Georgia's commitments and obligations. PACE noted that "[o]n a formal level, a significant number of commitments ... have been fulfilled, even if several important shortcomings still persist." The resolution highlighted for continuing concern the conditions of detention, prevention of torture, and respect for minority, religious or property rights. On 2 October, PACE issued a resolution addressing the consequences of the Georgia/Russia war, which described the Georgian assault on Tskhinvali as "a disproportionate use of armed force".

Amnesty International visits

Amnesty International delegates visited Georgia in July, August and October.

Amnesty International reports

- Civilians in the line of fire: the Georgia/Russia conflict (18 November 2008)

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