

South Ossetia: Moral Battle Lines Drawn

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Russia tries to claim moral high ground as both sides allege war crimes.

Following the agreement of a fragile ceasefire, Moscow and Tbilisi are now engaged in an angry quarrel over alleged human rights abuses, with the Russians making this their central argument justifying an assault on Georgian territory.

The Russians are also accusing the West of “double standards” in its attitude to the conflict.

Russia is presenting its military operation as a “peace enforcement operation” in a deliberately implied comparison with Kosovo. “The Russians are setting up markers each time with reference to Kosovo,” said Sabine Freizer, director of the International Crisis Group’s Europe programme. “As others have said regarding Serbia and Kosovo, they are now making the argument that Georgia has lost the moral authority to govern South Ossetia.”

In other words, Moscow is suggesting it was justified to attack targets on a sovereign country to protect a threatened minority, just as NATO did in 1999.

Russian officials are adopting a tone of moral outrage. Talking to the BBC on August 11, Prime Minister Vladimir Putin’s spokesman Dmitry Peskov countered criticism from US vice-president Dick Cheney, saying, “We deeply regret that Mr Cheney never reacted in such a harsh way when the Georgian military was killing women and children in South Ossetia.”

Few believe this is the actual motivation for Russia’s actions. Attacking the port of Poti on the Black Sea or the town of Senaki, 230 kilometres from South Ossetia, can hardly be justified as actions performed to protect Ossetian civilians.

A struggle for regional strategic control seems to be the real reason behind the Russian assault. For months, Moscow has been saying that Georgia’s aspiration to join NATO has been “unacceptable”. At the Bucharest summit in April, Putin called the prospect of Ukraine and Georgia joining the alliance a “direct threat” to Russian security.

And there will be many who turn the Russian argument around and accuse the Russians of double standards, remembering the war in Chechnya. Those who recall the brutal assault launched by Putin on the city of Grozny in 1999 and his disregard for the civilian cost at the time will have watched the pictures of the Russian prime minister talking to distressed refugees from South Ossetia and asked why he did not treat his own citizens in the same way.

Yet, however cynically the argument is put, there is no denying the suffering of South Ossetians and ethnic Georgians over the past week.

Over the past 24 hours, attention has now turned to the plight of ethnic Georgians in South Ossetia.

Human Rights Watch researchers in South Ossetia on August 12 said they saw ethnic Georgian villages still burning from fires set by South Ossetian militias, witnessed looting by the militias and learned firsthand of the plight of ethnic Ossetian villagers who had fled Georgian soldiers.

In South Ossetia, Human Rights Watch researchers traveling on the evening of August 12 on the road from the town of Java to Tskhinvali said they witnessed terrifying scenes of destruction in four villages that used to be populated exclusively by ethnic Georgians.

According to the few remaining local residents, South Ossetian militias that were moving along the road looted the Georgian villages and set them on fire.

The villages were said to be virtually deserted, with the exception of a few elderly and incapacitated people who stayed behind either because they were unable to flee or because they were trying to save their belongings and cattle.

“The remaining residents of these destroyed ethnic Georgian villages are facing desperate conditions, with no means of survival, no help, no protection, and nowhere to go,” said Tanya Lokshina of Human Rights Watch.

The Russians, meanwhile, are emphasising the importance of the Georgian attack on Tskhinvali on August 7-8.

A true picture of what happens that night needs to be reconstructed. We know that President Mikheil Saakashvili announced a unilateral ceasefire in South Ossetia, after days of small skirmishes between Georgian and Ossetian villagers. He blamed the Ossetians for firing on Georgian villages but said, “I want to say with full responsibility and admit that a few hours ago I took a very difficult decision – not to reply with fire.”

Yet only a few hours later, the Georgian army launched a mass artillery assault on the city, following it up with ground troops the next morning.

Saakashvili now says that he had no option to attack because the Ossetians were firing on Georgian villages and

Russia was sending hundreds of tanks through the Roki Tunnel, between North and South Ossetia.

However, Ossetians on the ground say that Russian military aid arrived only many hours after the beginning of the assault and there is so far no verified record of Russian armour reaching Tskhinvali during that night.

It is hard to assess the level of civilian casualties that resulted from the attack on Tskhinvali. The Russian authorities' claim of 2,000 dead has not been independently verified. Human Rights Watch is urging caution, saying it has seen only dozens of wounded in hospitals in North Ossetia.

But we do know that many civilians died – and if more did not, it was thanks to the thick cellars of Tskhinvali, not Georgian restraint. Ossetians talk of a continuous bombardment for 14 hours of both the

city and the road north to the mountains.

They also allege atrocities, such as the Georgians throwing grenades into cellars where civilians were sheltering.

The Russians also say 15 of their peacekeepers were killed.

The Russians will now be pressing two arguments on South Ossetia. The first is that the Georgians unilaterally violated the peacekeeping framework for the conflict under the aegis of the Organisation for Security and Cooperation in Europe, and can no longer be allowed a presence in the disputed region. The second is that there must be some kind of tribunal for war crimes committed in South Ossetia.

For their part, the Georgian government is now saying that their citizens in South Ossetia are suffering “ethnic cleansing” at the hands of Russian troops and being killed or taken hostage.

The government also said it is filing a law suit against Russia at the International Court of Justice, ICJ, accusing Moscow of ethnic cleansing in Georgia from 1993 to 2008.

Meanwhile, the International Criminal Court’s prosecutor Luis Moreno-Ocampo told Reuters that he had been contacted about the conflict and might begin a preliminary investigation.

Georgia is a party to the ICC’s Rome Statute which means that a prosecutor from the court can unilaterally investigate alleged abuses committed on Georgian territory – both by Georgians and Russians. The Russians are not party to the statute but have said that they may file complaints. Potentially, the court could prove an arena where the facts of this bitter conflict are properly investigated – but only if both sides cooperate with an enquiry that could potentially uncover terrible evidence of human rights abuses.

Thomas de Waal is IWPR’s Caucasus Editor. A shorter version of this article appeared in the Financial Times on August 13.

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