



## Assemblée générale

Distr.  
GÉNÉRALE

A/HRC/9/G/5  
23 septembre 2008

FRANÇAIS  
Original: RUSSE

CONSEIL DES DROITS DE L'HOMME  
Neuvième session  
Point 8 de l'ordre du jour

### SUIVI ET APPLICATION DE LA DÉCLARATION ET DU PROGRAMME D'ACTION DE VIENNE

#### **Note verbale datée du 12 septembre 2008, adressée au secrétariat du Conseil des droits de l'homme par la Mission permanente de la Fédération de Russie auprès de l'Office des Nations Unies à Genève**

La Mission permanente de la Fédération de Russie auprès de l'Office des Nations Unies à Genève et des autres organisations internationales à Genève présente ses compliments au secrétariat du Conseil des droits de l'homme et a l'honneur de lui communiquer des informations\* concernant les crimes commis contre des enfants par les forces géorgiennes en Ossétie du Sud pendant le conflit qui a opposé la Géorgie à l'Ossétie du Sud.

La Mission permanente de la Fédération de Russie serait reconnaissante au secrétariat de bien vouloir faire distribuer le texte du présent document en tant que document officiel de la neuvième session du Conseil des droits de l'homme.

La Mission permanente de la Fédération de Russie saisit cette occasion pour renouveler au secrétariat du Conseil des droits de l'homme l'assurance de sa haute considération.

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\* Ces informations sont reproduites dans l'annexe au présent document et sont distribuées telles qu'elles ont été reçues, en anglais et en russe seulement.

## **Annexe**

### **CRIMES AGAINST CHILDREN COMMITTED BY GEORGIAN TROOPS IN SOUTH OSSETIA DURING THE GEORGIAN-SOUTH OSSETIAN CONFLICT**

#### **(Information)**

The Georgian leadership launched a military attack on South Ossetia during the night of 7 to 8 August 2008. For hours, the Georgian army conducted massive and indiscriminate strikes on residential blocks and infrastructure in the capital city, Tskhinval, and its suburbs and several other populated areas using heavy artillery, tanks, Grad multiple rocket launchers and bombers. This fierce pre-planned assault was deliberately carried out at night to affect the greatest possible number of civilians and destroy the entire network of vital basic services. The South Ossetian authorities have estimated that 1,492 persons had been killed as at 9 September 2008 - with the final toll still being determined - among them families with children, including nursing infants, and pregnant women.

Georgia's nightly shelling of Tskhinval had become more frequent in late July and early August 2008. Some families had therefore decided to take their children to other parts of Georgia and the Russian Federation for the summer holidays. Of course, many children remained in South Ossetia. The number of those still in Tskhinval and adjacent areas at the start of the aggression has not yet been precisely established. There were at least 500 schoolchildren among them. The heavy fire forced the children to stay in cold, damp cellars without warm clothing, food or water for three days. When adults tried to take the children away from the area of engagement, they would be killed or injured on the streets of the city and beyond.

Following the takeover of a significant part of Tskhinval and adjacent South Ossetian settlements on 8 August 2008, the Georgian military began callously "hunting" human beings with a view to their total annihilation. Civilians were fired on from tanks, armoured personnel carriers and light weapons, including by snipers. Georgian heavy armour deliberately crushed people, and special forces units methodically combed through captured neighbourhoods, tossing grenades into cellars and ruined buildings to finish off the survivors and wounded hiding there. Ambulances trying to evacuate wounded persons from the conflict area along the northbound Zar Road came under precision fire. Georgian gunmen had zeroed in on this route in advance, clearly aware that no one but civilians would be taking it to leave the city.

Direct evidence of the murder of children in South Ossetia by the Georgian military is provided by eyewitness testimony gathered and documented by the law enforcement bodies of the Russian Federation and non-governmental organizations.

Listed below are only a few of the specific facts regarding such crimes.

According to the testimony of Z.P. Safonova, Georgian soldiers shot her acquaintance Marina Chochieva and her children and sister in cold blood near Tskhinval on Zar Road. The first section of Zar Road is wide open. Georgian troops had it in their sights, knowing that only civilians would be taking it to leave Tskhinval. It was here that they opened fire on dozens of vehicles. Firing on refugees in this manner became systematic. Dina Dzhussoeva, 15, and

Aslan Dzhsussoev, 14, were killed while making a similar attempt at escaping the fighting in Tskhinval. Georgian tanks had opened fire on the car in which they were travelling. Their mother was ejected from the car by the blast, while her husband and children were burned alive before her eyes. A 14-year-old schoolgirl, A. Shonazarova, was also killed there by sniper fire.

The parents of Inna Valieva, 13, and her sister Irina, 15, were also killed on Zar Road. The children were left in the care of their grandmother and grandfather. Many of those killed, including minors, burned alive inside cars destroyed by Georgian troops and could not therefore be identified.

People were killed in houses and on the streets. The Elbakiev family, a mother and her 3-year-old daughter, for example, were shot in their own home in Tskhinval. The brutal nature of the killings committed by Georgian troops, including of children, is borne out by the victims' disfigured bodies. For example, the above-mentioned Z.P. Safonova saw the headless corpse of a boy on the street, his legs cut off, along with the mutilated corpses of six women, who were missing body parts. According to L.V. Bichenova's testimony, Georgian troops blew up the church in the village of Dmenis, where older persons, women and children had sought refuge from bomb strikes. She also saw a Georgian tank crush an elderly woman with two children as they tried to flee to safety. M.S. Tomaev has testified that Georgian soldiers shot a pregnant woman dead. R.I. Sanakoev has testified that at 197 Lenin Street in Tskhinval Georgian troops stabbed a pregnant woman several times saying, "Her child would fight against us when he grew up"; she died on the spot.

There is also evidence that children have been wounded and suffered serious bodily harm and psychological trauma during the fierce bombing and shelling. For example, V.K. Tskhovrebova, a resident of Tskhinval, has testified that her daughter Kristina Aleksandrovna Miroshnichenko (who adopted her stepfather's name, born in 1992) was wounded in the left arm and stomach by shrapnel, underwent two operations and now requires constant medical care. She, like her younger sister Viktoria (born in 1994), has acute post-traumatic stress disorder. The children are in a state of deep depression.

The children of South Ossetia have lived through armed conflict, an extremely traumatic experience causing various forms of mental distress, including post-traumatic stress disorder.

Children may experience psychological shock from witnessing a tragic event even if they are not directly involved in it. Their emotions are so powerful that normal defence mechanisms are overwhelmed. The children no longer feel protected and lose self-confidence and trust in the persons close to them. Many parents (D.T. Kabisova, S.V. Valieva, Y.E. Eikhorst and others) have provided testimony about their children's mental distress resulting from the bombing and shelling that destroyed their homes.

The children and adolescents who witnessed the deaths of their parents and peers or lost relatives were equally traumatized. For example, E. Guchmazova, 14, witnessed the murder of her classmate, while A. Babilov, a teenager, lost his mother and grandmother in Tskhinval. Serëzha Kachmazov, 12, faced every ordeal, but his mother did not know what to answer when he asked: "Are they going to shoot us now?" She said: "All will be well. I can already hear our tanks rumble." Older children asked: "Is dying horrible?" The mother of Izabella Tskhovrebova, 12, stayed behind in Tskhinval. The girl has obsessive thoughts, nightmares and feelings of guilt.

Zarina Gazaeva, 12, also suffers from obsessive thoughts, the fear of losing her father and nightmares. She hid in the basement during the armed conflict. Diana Dzhioeva, 11, has lost her faith and sense of security. Having grown up in a religious family, she cannot understand how “God could have allowed this to happen”.

Aslan Vavilov is also haunted by obsessive thoughts and sounds. He hears the voice of his mother, who stayed behind in Tskhinval. His grandmother and aunt also stayed behind there. Alana Chochieva, 11, is frightened by loud noise: “It feels like they are dropping bombs, even though I know they are not here.” As they now return to their cities and villages and see their demolished houses, the children are reliving those frightening events.

Specialists have testified that they have observed behavioural changes in 30 per cent of the children examined (aggression, absent-mindedness, tearfulness and confusion), mental and physical disorders (such as elevated body temperature, muscular tension, nervousness, headaches, stomach pains and bed-wetting), sleep and eating disorders, lethargy and adjustment disorders.

The main challenge now facing psychologists is to provide immediate psychological assistance for the children of South Ossetia in overcoming the stress, fear, loneliness and bitterness they are experiencing.

Without prompt, qualified psychological support the children affected could develop chronic post-traumatic stress syndrome.

The Child Development, Education and Welfare Department, of the Russian Ministry of Education and Science, in conjunction with the Ministries of Education of the Republic of North Ossetia-Alania and the Republic of South Ossetia, are forming professional teams of educational psychologists to provide psychological services to the children affected by the Georgian-South Ossetian conflict and to teach psychologists in the South Ossetian school system the relevant skills to work with children and their parents.

Updated information on the specific features of post-traumatic stress disorder among children and their families by population group in the territory of South Ossetia and by refugee group in the territory of North Ossetia was available on 9 September 2008.

Specialists from the Russian Federation have carried out psychological intervention work with teachers, parents and children. Teachers and school administrators have been given methodological assistance in working with children experiencing psychological trauma.

A short-term training course has been conducted for a group of 14 volunteer staff members from the South Ossetia Youth Affairs Committee on providing primary psychological assistance to victims. The results of the material collected are now being processed.

The fierce shelling by Georgian troops of the populated areas of South Ossetia resulted in the destruction of children’s hospitals and maternity clinics. Many pregnant women found themselves without medical help in damp basements where they spent several days without any light, gas, water or food, resulting in the death of infants and childbirth trauma. For example, T.Y. Kabisova, a Tskhinval resident 39-40 weeks pregnant, could not give birth naturally after

spending three days and nights in a basement and was consequently forced to have an operation, in which the baby sustained head injuries. The death of newborn Nino Vasilevna Bechenova-Zenashvili is reported to have been caused by intrauterine hypoxia resulting from her mother's having been in the basement of a burning house next to dead bodies for three nights during the shelling of Tskhinval.

Georgia's aggression provoked a massive evacuation of civilian residents from South Ossetia. Nearly 35,000 persons, including 10,000 children, were forced to leave their homes, finding refuge in the territory of the Russian Federation, including in the Republic of North Ossetia-Alania, in Dagestan and Karachai-Cherkes, in Moscow, Volgograd and Rostov provinces, and in Stavropol and Krasnodar territories.

The violation of the right of children to housing is expected to have long-term consequences given that many of the houses where refugees had been living were destroyed, making their return to their homeland difficult, if not impossible.

The situation has also affected the right of children to education. Most of the 50 schools providing general secondary education in South Ossetia have been destroyed. The authorities managed to open only 8 of the 14 schools in Tskhinval at the start of the school year, on 1 September 2008, after emergency repairs were made with the direct assistance of specialists from the Russian Federation; most of the others were razed to the ground and have yet to be rebuilt. Bombing and shelling beyond Tskhinval also destroyed schools in the villages of Khetagurovo, Dmenis, Sarabuk, Tbet, Zar and Rustav in Tskhinval district; Didmukh, Ubiat, Mugut, Arknet, Bekmar and Velit in Znaur district; and Leninogor in Leninogor district. Most of the children had to begin the new school year outside South Ossetia, as the overwhelming majority of refugees' houses were also destroyed and there is nowhere for them to return.

Investigative authorities are continuing to collect, document and summarize evidence of criminal actions against the children of South Ossetia by Georgian troops. We will send you the new information once it is processed.

Humanitarian Cooperation and Human Rights Department  
Ministry of Foreign Affairs of the Russian Federation

9 September 2008

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