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**GEORGIA: EU REPORT PINS BLAME ON BOTH GEORGIA AND RUSSIA FOR 2008 WAR**  
9/30/09

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The nine-month international investigation into the 2008 war between Georgia and Russia stops short of assigning "overall blame" for the conflict, and faults both sides for contributing to the outbreak of hostilities. Both Tbilisi and Moscow are expressing selective satisfaction with the findings.

The report by the 30-member Independent International Fact-Finding Mission on the Conflict in Georgia was presented in Brussels on September 30 by Heidi Tagliavini, the Swiss diplomat in charge of the investigation. It was initiated by the European Commission to answer a number of questions about the conflict, including which side actually started the war.

The report does not answer that question in categorical terms. It states that Georgia's claim of a pre-August 2008 Russian invasion cannot be "sufficiently substantiated," but notes information that indicates Russian training and military equipment was provided to both Abkhazia and South Ossetia before August 2008.

It goes on to reject Moscow's contention that its intervention in South Ossetia was for "humanitarian" purposes. Russia's move into South Ossetia and neighboring Georgian-controlled regions was a violation of international law, it affirms.

The report also states, however, that hostilities began with Georgian forces' massive shelling of the South Ossetian capital, Tskhinvali on August 7-8, 2008. The Georgian government has argued that the conflict actually began in July 2008 with the alleged entrance of Russian forces through the Roki Tunnel into South Ossetia.

The report rejects Tbilisi's contention that Russian peacekeepers in South Ossetia were acting in "flagrant" violation of their mandated duties.

It blames both sides for using banned munitions, specifically cluster bombs, and for failing to protect civilians against atrocities by "militias and irregular armed forces."

In one of the report's blunter statements, it notes that mission members had to consider not only "the impact of a great power's coercive politics and diplomacy against a small and insubordinate neighbor," but also "the small neighbor's penchant for overplaying its hand and acting in the heat of the moment without careful consideration of the final outcome, not to mention its fear that it might permanently lose important parts of its territory through creeping annexation."

In evaluating the 900-page document, Georgian and Russian authorities were quick to cherry-pick findings that favored their respective positions and those that cast blame on their opponents.

In a teleconference with journalists, Georgian National Security Council Secretary Eka Tkeshelashvili stated that the Georgian government does not "agree with the analysis of the facts" that Russia had not launched a large-scale invasion prior to August 7-8, 2008, but stressed that it agrees "with the facts themselves, that military units were actually present" in South Ossetia.

Georgian State Minister for Reintegration Issues Temur Iakobishvili called the report an important victory for Georgia in the information war that continues between the two countries.

During a news conference for foreign journalists in Tbilisi, Iakobishvili claimed that the report refutes Russia's claims that it invaded Georgia on August 7, 2008 in order to protect its citizens or to stop genocide against South Ossetians. The report notes that Russia's bombing campaign on Georgian-controlled territory, including the Georgian-controlled Upper Kodori Gorge in the breakaway region of Abkhazia, went far beyond any need to defend Russian citizens in South Ossetia. The report termed the distribution of Russian passports to residents of South Ossetia and Abkhazia "an open challenge to Georgian sovereignty."

The report also called Russian and South Ossetian claims of genocide "neither founded in law nor substantiated by factual evidence."

"I think that this report yet again proves that we were right and once again proves that Russia was the aggressor, the occupying power and it did everything to transform the small clashes into big clashes," Iakobishvili said.

"The Russian game to shift its blame to the fact of who fired the first, who pulled the trigger first, [is] refuted by this report," he continued.

Russian officials interpreted the findings differently. "The report was mainly objective," the Itar-Tass news agency quoted Russia's permanent representative to the European Union, Vladimir Chizhov, as saying. "In the report, the conclusion was reached that the conflict began with the Georgian aggression against South Ossetia." Russian media has generally emphasized that interpretation.

Andrei Illarionov, a fellow at the CATO Institute and a strong supporter of the Georgian government, stated that one of the most valuable contributions the report can make is offering a "third versions" of events untainted by the political

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interests of the two governments directly involved.

Tagliavini's mandate to dig into facts -- not to serve as an international judge -- is the most important, Illarionov said. "The most important thing is the goal of the mission: fact-finding," he said in a telephone interview from Brussels.

Despite the avid international media interest in its conclusions, the report itself notes that it "cannot claim veracity or completeness in an absolute sense."

In its brief, two-page Observations section, the reports' authors use a combination of careful wording and evenly weighted criticism to paint a picture of fault that encompasses the international community as well as Russia and Georgia.

Attention is given to the faults in the peacekeeping structure put in place in the 1990s after the original separatist conflicts, as well as the "marked exacerbation of unfriendly sentiments and sometimes actions" by players on all sides in the months leading up to the outbreak of war. "There is a need for more timely and more determined efforts to control an emerging crisis situation, and in such situations a more sustained engagement is needed from the international community and especially the UN Security Council, as well as by important regional and non-regional actors," the report states.

David Kramer, a Senior Transatlantic Fellow at the German Marshall Fund, a US think tank, said the report took a "responsible" approach on the issue.

Nonetheless, that balance could explain in part why the report will most likely have little impact on international policy. "Had the report come out just heavily blaming one side or the other, then I think it might have had greater impact, but don't think that kind of report would have been the most responsible report to have been issued," Kramer said.

"They have all failed," the report said of Russia and Georgia, "and it should be their responsibility to make good for it."

**Editor's Note:** Molly Corso is a freelance reporter based in Tbilisi.



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