



Appeal of non-governmental organizations to the International Criminal Court on behalf of victims of the 2008 war

On 12 November, with coordination by the Open Society Georgia Foundation, five Georgian non-governmental organizations addressed their written statement to the justices of the International Criminal Court concerning the commencement of investigation into the war crimes and crimes against humanity possibly committed during the August 2008 war. The statement has been signed off by the Georgian Young Lawyers' Association (GYLA), the Article 42 of the Constitution, the Human Rights Center and the Center for Psychosocial and Medical Rehabilitation of Torture Victims.

Please be reminded of the fact that, 13 October 2015, Fatou Bensouda, Prosecutor of the International Criminal Court, addressed the Court with a request for authorizing investigation into the situation in Georgia before and after the 2008 war.

During her visit to Georgia in October this year, Fatou Bensouda informed the victims and their representatives that they could submit their views about issues/needs related to the commencement of investigation.

By submitting this Appeal, we, the above-listed Georgian non-governmental organizations acting on behalf of the victims of the 2008 war, support the Prosecutor's request for authorizing the commencement of investigation and request that the scope of investigation be expanded.

In our view, the International Criminal Court should uphold the Prosecutor's request for authorizing investigation and the investigation has to cover possible acts of torture committed against Georgian prisoners of war as well

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as unlawful detention and inhuman treatment of civilians; eviction of Georgians from the Kodori Gorge and destruction of their property should also be investigated. The motion submitted by Prosecutor Fatou Bensouda on 13 October 2015, which concerns investigation into allegations of forcible displacement of Georgians, attacks on peacekeepers, persecution on account of ethnic belonging, destruction of enemy property and pillaging, contemplates only the South Ossetian territory as a place of commission of these alleged crimes.

The victims of the war are of the view that it is necessary that the International Court conduct investigation, since they have been unable to have their breached rights restored so far. The victims' expectation is that the independent investigation will lead to punishment of all those responsible.

Open Society Georgia Foundation

The Georgian Young Lawyers' Association

Article 42 of the Constitution

The Human Rights Center

The Center for Psychosocial and Medical Rehabilitation of Torture Victims