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The humanitarian consequences of the war between Georgia and Russia

Reply to Recommendation¹: Recommendation 1857 (2009)
Committee of Ministers

1. The Committee of Ministers fully shares the serious concerns of the Parliamentary Assembly as regards the humanitarian consequences of the conflict of August 2008. Informed from the very start of that conflict of alleged serious violations of human rights, it took rapid action to ensure full compliance with the Organisation's standards and values relating to the fundamental rights of individuals, as protected in particular by the European Convention on Human Rights. In this way, it provided political and material support for the implementation by the Commissioner for Human Rights of the six principles which he had set down for urgent protection of human rights and humanitarian security. It was with the same aim that, as soon as October 2008, it authorised the Secretary General to organise a human rights training programme for members of the European Union Monitoring Mission (EUMM) in Georgia.

2. The Committee of Ministers, like the Parliamentary Assembly, does consider that the international community in general, and the Council of Europe in particular, have an important role to play in this difficult context in order to protect and promote human rights and humanitarian law. The Organisation's role is all the more important now that the international community's presence on the ground has unfortunately decreased over recent months.

3. As it stated at its most recent Session, in Madrid in May 2009, the Committee of Ministers expects all the parties involved to facilitate and grant to the Council of Europe, and more generally to the international community as a whole, access to all persons affected by the conflict and in need of human rights protection. The exchange of views of 9 September 2009 between the Ministers' Deputies and the Chairperson of the Parliamentary Assembly's Committee on Migration, Refugees and Population, Mrs Corien Jonker, showed that the requirement for free and unimpeded access to these persons still exists. The Committee of Ministers very much regrets that such access is not yet fully guaranteed, and can therefore only reiterate its call for all the parties concerned to take action to this end. It also points to the importance that it attaches to the right of all the persons displaced following the conflict to return voluntarily, in safety and in dignity.

4. Since the Ministerial Session in Madrid, the Committee of Ministers has continued to follow the situation on the ground attentively, on the basis of the quarterly reports which it asked the Secretary General to submit to it on the human rights situation in the areas affected by the conflict. It will, at the meeting at which the chairmanship of the Committee of Ministers is to be handed over, on 18 November 2009, conduct a detailed review of the activities of the Council of Europe subsequent to the conflict. The concerns shared by the Assembly and the Committee in respect of human rights protection and the humanitarian situation will be the focal point of this review. In the light of its assessment of the situation, the Committee of Ministers will decide on any additional initiatives which should be taken by the Organisation, taking into account the action of the other international bodies involved. It will bear in mind the Parliamentary Assembly's specific recommendations in this context.

1. adopted at the 1070th meeting of the Ministers' Deputies (18 November 2009)

