

Another Look at the August War
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Disclaimer

Nothing in what I will say today here as well as I have ever said publicly on this issue is information became known to me as classified information or limited for public disclosure, or became known to me as a result of my work as an adviser to the Russian President, or as a consequence of my physical presence at the premises of the Russian authorities, or as a result of my official and/or unofficial conversations with the representatives of the Russian authorities.

Everything that I will say today is either publicly available information that any of you can have access to or conclusions made on the basis of this publicly available information.

The work on this particular issue is not financed or supported in any way by any government, private organization, or person. This work is being done by me personally. I solely bear responsibility for everything that I will say here today.

Reason of the research

The reason why I was forced to undertake this particular exercise, which does not connect directly with my professional background and my previous experience, is due to my understanding of the gravity of the actions undertaken by the Russian authorities this summer and this autumn and of the consequences of these actions. To my mind they constitute one of the most serious international crises for at least the last 30 years. This crisis has brought:

- a) The first massive use of the military forces by Russia or the former Soviet Union outside its borders since the Soviet Union's intervention against Afghanistan in 1978;
- b) The first intervention against an independent country in Europe since the Soviet Union's intervention against Czechoslovakia in 1968;
- c) The first intervention against an independent country in Europe that led to unilateral changes in internationally recognized borders in Europe since the late 1930s and early 1940s. Particular similarities of these events and the roles being played this year by some international players with the events and roles played by some international players in 1938 are especially troubling.

This crisis creates an incredibly serious threat not only to Georgia, not only to the whole Caucasian region, not only to international peace, but first of all and most of all to the Russian people.

In my remarks I will concentrate on three areas:

1. Overall framework of the research.
2. The role of the fact-finding business.
3. Preliminary conclusions.

1. Overall framework of the research

Limitations

The purpose of this seminar should be the analysis of the crisis and of its consequences for the parties involved, for the region, and for the whole world. Unfortunately, our efforts in this area are to some degree limited by the absence, at least at this moment, of the universally recognized interpretation of this war, as well as its length, scope, the sequence of the events, the conduct of operations, pursued goals of the parties involved, and even of its name.

Three interpretations of the war

At the moment we have at least three interpretations that are widely available in international discussions.

1. *Russian/South Ossetian version:* The so-called “A Five-Day War” with the main line as the aggression of the Georgian military against the peacefully sleeping city of Tskhinvali and the Russian peacekeepers on the night of August 7 with 2000 or so casualties among civilians that lead the Russian leadership to repel the aggressor and to recognize the breakaway Georgia’s territories as independent states.
2. *Georgian version:* In this version, the war lasts much longer and the main narrative is built on Russia’s aggression against Georgia.
3. *Third Way version:* The so-called “Third way” version is being pursued by some European powers and is supported recently by some mass media outlets like *Spiegel*, *BBC*, *New York Times*, *Boston Globe* and some other newspapers and media organizations. They often use the title *The August War* for the events of this summer. In this narrative, the main line would be that the responsibility for launching this war is being distributed more or less equally between Russia and Georgia, which sounds as if Georgia has started an ill-conceived war and was immediately caught up in the trap carefully prepared by Russia. The Russian response, in return, turned out to be rather disproportional according to this view. It therefore implies, incidentally, that some of Russia’s particular military actions would be considered by the proponents of this view as a proportional response. For example, if Russian troops intervened, crossed the Russian-Georgian international border, but stopped at the administrative border between South Ossetia and Georgia proper, it would be considered a proportional response; and

therefore, it would be acceptable. The dominating interpretation of the Sarkozy plan by the French themselves is probably the best example of such an approach.

It is not easy to produce a mutually acceptable multilateral policy response when all events are known, established and not hotly disputed. However, it is much harder to try to do it when there has yet to be such consensus. Therefore, the first task for the international community today is to reconstruct the War with all its main elements, stages, facts, details, highest possible precision, cleansing it from all propaganda, purported misinformation and outright lies. This is the main task for the Temporary Parliamentary Commission established by the Georgian Parliament in October and is the main task for the international investigative commission established recently by the European Union (EU). Nevertheless, this task must not be left only to these commissions; it should be pursued by other participants as well.

2. Fact-finding business.

Now I can turn to my modest contribution to the area of fact-finding in relation to the War, not devoting much time to the arguments and counterarguments.

FAQ on the war

1. Parties of the war
Neither South Ossetia nor Abkhazia has been a party of this war. In reality there were only two parties of this war: Russia and Georgia.
2. Geographical Scope of the war
It was practically the whole territory of Georgia – from Poti and Batumi in the west to Dedoplistskaro in the east of the country.
3. Warfare used by the Georgian side
Georgia was engaged in conventional warfare.
4. Warfare used by the Russian side
The Russian side used every known warfare with exception of nuclear one. There were up to 60 hits of mid-range missiles registered, with one of them hitting town of Borjomi at 7.30 in the morning of August 8. In addition to traditional warfare, the Russians conducted a new warfare with massive cyber attacks on strategic Georgian targets and networks.
5. When did the war start?
We can use different criteria – diplomatic, public, legal, military ones – in order to determine when the war started as clearly as possible:
 - *Diplomatically*, the war started on February 21, 2008. At the Russian-Georgian Summit held in Moscow on this date, the Russian President declared that Moscow would recognize the independence of Georgia's break-away territories if the West recognized Kosovo's independence.

- *Publicly*, it broke out on April 4. 20 minutes after the release of the Bucharest Communiqué at the adjournment of the NATO Summit, the Russian President issued the following statement: "We will provide effective assistance to South Ossetia and Abkhazia in return to the NATO's decision." Following these remarks, the Head of the Russian Military Staff said, "We will do everything to prevent Georgia from entering NATO."
- *Legally*, on April 16, the Russian President signed a Decree forcing Russian ministries to establish direct contacts with the authorities in Sukhumi and Tskhinvali.
- *Militarily*, on April 20, a Georgian drone was shot down by a Russian jet. From purely military point of view this is a distinct red line defined in the international legal documents as an act of aggression. Since then, one can describe the state of relations between Russia and Georgia as a state of war albeit of low intensity, at least until early August.

In addition to this act, a number of very definitive military actions were undertaken in the following three and half months paving the way to inevitable unfolding of military actions of high intensity.

- The first illegal Russian paratroopers (from the Novorossiysk airborne division) that went into Abkhazia in clear violation with the peacekeeping operations happened on April 30.
- The first illegal Russian railway troops crossed over to Abkhazia on May 26. Their task was to finish repair and rehabilitation of the railway between Sukhumi and Ochamchira on the Abkhaz-Georgian border by August 5.
- In the skirmishes by the Ossetian military on July 3, reports of first wounded Georgian servicemen surfaced.
- On July 9, 4 Russian jets penetrated the Georgian air space. This was later admitted by the Russian authorities.
- The first Ossetian shooting against joint peacekeeping troops and OSCE observers occurred on July 28.
- The first Ossetian shelling of villages with mixed population under Georgian control was reported on July 29.
- 6 Ossetians militiamen were killed in the exchange of fire on August 1. These were the first casualties reported on the Ossetian side.
- The first partially confirmed presence of the Russian regular troops in South Ossetia was reported on August 1. On August 7, Russian military officers confirmed in oral statements that they had already been in the territory of the South Ossetia for a week.
- From August 1 to August 7, the size of the battalions of the Russian and South Ossetian peacekeepers was illegally and secretly increased from 530 to 850 people each.
- Mass evacuations of the civil population from Tskhinvali began on August 2. By the morning of August 8, up to 20,000 civilians—more than 90 percent of the population who lived in the territory of the future battlefield—had already been evacuated.

- On August 2, the first cadre of Russian journalists representing mainstream TV channels, radio and newspapers arrived in Tskhinvali. By August 6, the number of Russian journalists had reached 50. Foreign journalists, with the exception of the one group from the Ukrainian TV channel “Inter”, were not allowed into South Ossetia by the Russian Ministry for Foreign Affairs “*due to the problems with their documents.*”
- On August 3, Russia’s Deputy Minister of Defense, Chief of Intelligence and Commander-in-Chief of the 58th Army arrived in Tskhinvali.
- On August 3, the mobilization in the North Caucasus was announced and the arrival of the first 300 mercenaries from the North Caucasus into South Ossetia was confirmed.
- On August 4, General Kulakhmetov, Commander-in-Chief of Peacekeepers, confirmed that the Ossetians had fired illegal, large-caliber artillery at Georgian villages.
- On the same day, medical and communication units of the 58th Army arrived in South Ossetia; the 11-artillery gunship, *Gvozdika*, was relocated from Java to Tskhinvali.
- On August 4, in its public announcement, the official propaganda machine of the South Ossetian authorities declared, “*This is war!*”
- On August 5, Mikhail Mindzaev, Minister of Interior of South Ossetia, issued orders for the village of Dvani to be leveled off; the artillery shelling and tank attack on the village of Avnevi began.
- On August 6, a regular regiment of Russian troops (The Federal Border Guard) occupied the first piece of the Georgian territory—the southern gate of the Roki tunnel.
- At 3:41 and 3:52 on the morning of August 7, interceptions of the phone lines had indicated that regular Russian troops crossed the international Russian-Georgian border, with Russian authorities later confirmed this fact.
- A few hours later, Eduard Kokoiti publicly declared, “*We will wipe Georgians out from the South Ossetia.*”
- Massive movements of the Russian regular forces, which had not been seen there earlier, were reported on the road near the village of Beloti – east of Tskhinvali – all day.
- At 1 p.m. on August 7, the Georgian Security Council convened.
- At 2 p.m. on the same day, 10 Georgians, 2 of whom were peacekeepers and 8 civilians, were killed; the Georgian APC in Avnevi was blown up.
- At 3:30 p.m. General Kulakhmetov informed Minister Yakobishvili that “*Russia does not control Ossetians anymore*” and called for a unilateral ceasefire from the Georgian side.
- At 5:10 p.m. the Georgians began the implementation of a unilateral ceasefire.
- At 6:40 p.m. Georgian Minister Yakobishvili announced the implementation of the ceasefire in a press conference.
- At 7.10 p.m. the televised address of President Saakashvili aired. Saakashvili declared ceasefire and called for the resumption of talks.
- At 8:30 p.m. shelling of the Georgian village of Avnevi by Ossetian troops began.

- At 10:00 p.m. the number of the regular Russian troops in South Ossetia was estimated about 2000.
- At 10:30 p.m. shelling of the Georgian villages of Prisi and Tamarasheni began.
- At 10:35 p.m. the regular Russian troops began to move toward the Roki tunnel
- At 11:00 p.m. the head of the column of the regular Russian troops appeared at the southern gate of the Roki tunnel.
- At 11:30 p.m. heavy shelling of the Georgian villages Tamarasheni and Kurta – began.
- At 11:20 p.m. President Saakashvili ordered Minister of Defense to launch the operation.
- At 11:30 p.m. in a telephone conversation between General Kurashvili and General Kulakhmetov, Kurashvili asked the Russian general that Russian peacekeepers “*not hamper restoration of the constitutional order.*”
- At 11:36 p.m. on August 7, a mortar explosion at the staff-quarters of the Russian peacekeeper battalion in Tskhinvali was reported.
- At 11:50 p.m. Georgian Minister of Defense Kezerashvili ordered Georgian troops to launch the operation.
- At midnight on August 8 the first shelling of Tskhinvali by the Georgian troops occurred.
- At 12:30 a.m. on August 8 the battalion of the Russian peacekeepers received the order to fight.
- By 1:00 a.m. the battalion of the Russian peacekeepers took battle positions and opened fire.
- At 2:00 a.m. movement of additional Russian military columns via Roki tunnel into South Ossetia was reported.
- At 2:30 a.m. the Georgian forces took the first Ossetian village, Muguti.
- At 6:20 a.m. the Ossetian soldier who was directing artillery fire from the roof of the building adjacent to the hospital at the premises of the Russian peacekeepers battalion was killed.
- At 6:20 a.m. the Georgian troops launched their move into Tskhinvali.
- At 10 a.m. the first Russian peacekeepers were killed.

Whichever criteria we decide to use to determine how the war started—whether diplomatic, public, legal, or military—from all aspects we see that Georgians have been late. We can discuss intentions of both parties that might look similar, but real facts are quite unambiguous – the Ossetian/Russian side has always been ahead of the Georgian one.

6. Preparations for the war and the so-called “Grand Plan”

Since we do not know it and would not have access to it, we could only try to reconstruct it. The Russian leadership started to prepare for the war not in June 2008, when all servicemen of the Georgian origin have been fired from the North Caucasus military district. The preparations did not start in May 2008 either, when former military jet and helicopter pilots with experience to fly in mountainous areas have

been called again to active military service. Nor did they start in December 2007, when Russia walked out from the treaty limiting the size of Russian troops on the South European flank, which allowed Russia to increase the number of its tanks and armored vehicles up to 3000 in the war against Georgia. Nor was it in autumn of 2007, when Russia evacuated its military base in Akhalkalaki, not allowing the base to be surrounded and military equipment to be seized during the incoming war. Nor was it in 2006, when Georgia was cut off from electricity, energy, gas supply from Russia, when all pipelines were blown up in the midst of harsh winter, and total trade, economic, transportation blockade against Georgia was enforced. It was not in 2005 either, when the Russian leadership started to build their mobile communication system, with help of the company Megafon owned by the Russian Minister of Communications, on the territory of South Ossetia to be used by the military and special services. It was not in May 2004, when the Russian leadership began to build first military bases in Java and Tskhinvali. This was the same year that the Georgian leadership had succeeded in the reintegration of Adjara. Upon this, the Russian president had informed his Georgian counterpart that Georgians “*would not get Abkhazia and South Ossetia.*” Nor was it in spring of 2004, when the Russian leadership has sent dozens of military instructors into South Ossetia and Abkhazia, when all top positions in military, security and enforcement ministries were replaced by Russian officers and generals. It was not in January 2004, when Mr. Saakashvili was elected Georgian President for the first time. It was not in November 2003, when the “Rose Revolution” brought new team to power. It was not even in February 2003, 9 months before Mr. Saakashvili’s accession to power, when the first confirmed heavy military armament – in the form of 11 tanks—supplied by Russia has arrived into South Ossetia.

The earliest preparations to the violent conflict started at the latest in the middle of 2001 when the preparations for mass distribution of the Russian passports for South Ossetians and Abkhaz started, when Mr. Kokoit, who was a pro-Russia professional wrestler by training, with several years of experience in Moscow, was successfully brought to South Ossetia to replace the previous South Ossetian President Mr. Chibirov, who was demonstrating his readiness to cooperate with the Georgian authorities. But some preparations started even at the end of 2000 when Russian visas for the citizens of Georgia, first and only CIS country, have been introduced.

7. Goals of the war

There is a lot of discussion about whether the goals of the war were humanitarian. The goals of the war were not *humanitarian*; they had nothing to do with the protection of people, civilians, or the Russian citizens. I would draw your attention to absolutely remarkable public admittance by Mr. Medvedev on September 12 in front of 70 Western scholars from the so-called Valdai group, that he was “*waiting and doing nothing for 15 hours—not even picking up the telephone from his Georgian counter part.*” He was waiting until more people with Russian passports and more Russian peacekeepers would be killed. He ordered a large-scale assault on Georgia on August 8 only when he received confirmed information about the death of the Russian peacekeepers. The objectives of the war were not adherence to the *rights of*

ethnic groups either—either Ossetians or Abkhaz, or both. It had very little to do with the support for their rights to self-determination. Certainly, one of the purposes was the *deposing of the Georgian president*. It was *political and economic regime change in Georgia*. But they were probably not the only goals. If we could think about the *starting point of the Grand Plan*, which was at least the middle of 2001, or February 2003, there was no Mr. Saakashvili around then; there was no Rose revolution then; there was no democratic model for a new Georgia, no liberal economic reforms, no serious aspirations for NATO among the Georgian politicians, no desire for MAP. None of these had existed in Georgia then. If one thinks about the cumulative costs of implementation of this Grand Plan—about all resources, energy, intelligence, counter-intelligence, diplomacy, economics, military, espionage involved into execution of this Grand Plan; about the *goals of the leaflets* distributed by the occupying Russian troops in Mingrelia and Svanetia, about attempts of the Russian troops to break through into Javakhetia, which is an Armenian-populated territory that is quite far from the conflict zone, about attempts to ignite uprisings in Marneuli, an Azeri-populated territory as well as in Adjara where Russian troops stationed several years earlier—if one listens to the Russian propaganda machine carefully, then he would probably come closer to understanding the main goal of the Grand Plan. That goal could be eventual disintegration of Georgia into a number (7 to 9) smaller states that would eventually come under pressure and protection from the mighty neighbor. It would be the recreation to some extent of the situation in which Georgian kingdoms and principalities spent most of the 17th and 18th centuries.

8. MFAQ – the most frequently asked question

There is rather widespread notion that Mr. Saakashvili made a fatal mistake on the night of August 7 by ordering Georgian troops to attack South Ossetia and Russian troops. Some say that he should have behaved differently. My question is how differently? Had Mr. Saakashvili not ordered Georgian troops to fight South Ossetian mercenaries and Russian troops, would it have been possible to avoid the war? What would have happened if he decided to wait and wait some more?

Having known even a bit about the Russian side's preparations for the war, which took probably at least 7 years, with purely military preparations taken at least 5 years, and having taken into account the enormous costs of mobilizing and bringing huge military machine of 60,000 to 90,000 troops and up to 3000 tanks and armored vehicles partially on the immediate proximity to the Georgian borders (and partially already into the Georgian territory), who could claim that Mr. Saakashvili's hypothetical decision to wait and do nothing would save his country from the intervention? With all the elements of the Grand Plan being successfully implemented, and miraculously hidden from Western intelligence, could Mr. Saakashvili's abstinence from the attack stop the Russian advance? The answers to those questions seem to be pretty clear – No. In this alternative scenario, there would probably be no Mr. Saakashvili in Tbilisi soon. Instead, there would be somebody else: perhaps either General Borisov, or General Shamanov, or General Giorgadze, who was the former head of the Georgian KGB. Furthermore, in the best case scenario for Mr. Saakashvili, he would probably be among us today, in the rank of a

senior fellow of one of the prominent Western think tanks, discussing the mistakes and missed opportunities of the Georgian liberal and democratic revolution.

9. The correct name of the war

Since the war started on April 20—at least from the military angle—and has not yet ended, this war cannot be called *A Five Day War*, or *The August War*. The correct name is The Russian-Georgian War.

10. Legal premise for the actions of the Russian authorities

The answer to this question is clearly defined in the UN General Assembly resolution 3314 of December 14, 1974:

“Article 2: The first use of armed force by a State in contravention of the Charter shall constitute prima facie evidence of an act of aggression.

Article 3: Any of the following acts, regardless of a declaration of war, shall qualify as an act of aggression:

(a) The invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof;

(b) Bombardment by the armed forces of a State against the territory of another State or the use of any weapons by a State against the territory of another State;

(c) The blockade of the ports or coasts of a State by the armed forces of another State;

(d) An attack by the armed forces of a State on the land, sea or air forces, or marine and air fleets of another State;

(e) The use of armed forces of one State which are within the territory of another State with the agreement of the receiving State, in contravention of the conditions provided for in the agreement or any extension of their presence in such territory beyond the termination of the agreement;

(f) The action of a State in allowing its territory, which it has placed at the disposal of another State, to be used by that other State for perpetrating an act of aggression against a third State;

(g) The sending by or on behalf of a State of armed bands, groups, irregulars or mercenaries, which carry out acts of armed force against another State of such gravity as to amount to the acts listed above, or its substantial involvement therein.

Article 5:

1. No consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression.
2. A war of aggression is a crime against international peace. Aggression gives rise to international responsibility.
3. No territorial acquisition or special advantage resulting from aggression is or shall be recognized as lawful.”

Based on this definition and detailed description, the military actions of the Russian government against Georgia must be considered and called an aggression.

11. Who should be blamed for this? The NATO non-decision in Bucharest?

Definitely, the aggression was started by the Russian leadership. The Kremlin, with its proxies in South Ossetia and Abkhazia, bears the most part of the responsibilities for launching the war, deaths of hundreds people, appearance of hundreds of thousands of refugees, ethnic cleansing of the Georgian population in South Ossetia, and destruction of property worth billions of dollars. But at the same time, some responsibilities should be borne by NATO for their non-decision in Bucharest, which opened the gate and paved the way to the aggressor.

12. What the World might do in this situation?

I am not in a position to provide advice to anyone at this moment, but I cannot restrain myself from attracting everybody’s attention to the two types of responses to the aggressions that happened in the late 1930s-1940s and that teach us pretty powerful lessons for the today’s situation. The two types of responses of a small nation to the demands of the mighty neighbor are as follows:

- 1) President Eduard Benes’ retreat after the betrayal of Czechoslovakia by the Western powers at the Munich Summit in September 1938 that allowed the aggressor to first occupy the Sudetenland and then disintegrate the rest of Czechoslovakia in the following months; and
- 2) Finnish Prime Minister Ruti’s decision to resist and fight the aggressor—with the help of Marshall Mannerheim, who was appointed Commander-in-Chief. The second option turned out to be very costly for both sides; it was an incredibly bloody war that did not prevent losses of human lives and finally substantial territory to the aggressor. Nevertheless, this was, as history shown, the only way to save the country, and to defend its sovereignty, independence, statehood and freedom.

Nowadays, to prevent such an outcome would be possible only with a very clear and very firm position of the world community, which is unfortunately absent today. The risks of allowing the events that Europe experienced 70 years ago to recur today seem too high.

Thank you.