



RCT/ EMPATHY

**International Psycho-Rehabilitation Centre for Victims of Torture, Violence and
Pronounced Stress Impact**

On March 9, 2018 the RCT/EMPATHY applied To the Prosecutor of the International Criminal Court, Ms. Fatou Bensouda requesting extension of Scope of Investigation on Russian/Georgian War 2008.

The RCT/EMPATHY also advise Parliament of Georgia to include in the Draft Resolution regarding Occupied Regions of Georgia considerations on request of extension of scope of investigation. See below ground of this request.

The RCT/EMPATHY since August 2008 Russian – Georgia War deals with victims of war crimes through providing holistic support including medical, psycho – social and legal assistance.

More than 120 Cases were submitted to ICC Prosecutors office and VPRS as well in framework of existing geographical and time scope of an investigation.

Although we have to underline that there are lots of cases of violation of international humanitarian law out of Geographical and time – scope of the investigation.

This consideration refers to following facts:

According to our data more than 50 persons, civilians or foreigners were arbitrary arrested, detained, or kidnapped by Russian forces and so called Ossetian Militants nearby military conflict zone villages after October 10, 2008. The investigation has been conducted on those cases by the Gori Police Station is not effective. We have cases of torture, ill – treatment, forcibly disappearance and even extra- judiciary killing in Tskhinvali so called pre – trial prison. Also there are facts of violation of rights to property in connection with new cases of ethnic cleansing, as well as money extortion due to a formal reason of violation of so called “Bordering Zone”.

For this the RCT/EMPATHY requested from honourable Prosecutor’s office at the ICC to extend Geographical and time scope of the Investigation and draw attention to new cases, - some of them are described below:



1. Cases Mr. Archil Tatunashvili, Mr. Levan Kutashvili, Mr. Ioseb Pavliashvili.

According to our information these three persons were arbitrary arrested in occupied Akhgori Region and detained in Tskhinvali Prison on February 22, 2018. On February 23 Mr. Archil Tatunashvili was killed in Tskhinvali Prison. According to collected information he was tortured, ill-treated and killed by Ossetian De – Facto Officials. The Georgian Governmental officials and family members still are requesting transferring the body and to give permission to other two persons to leave occupied region Akhgori, but in vain. According to De – Facto Officials’ declaration the forensic evaluation needs 1 month, the forensic expert on press – conference declared that Mr. Tatunashvili was dead with acute cardinal ischemia, but no photo materials of forensic evaluation was shown. In the same time the forensic evaluation-autopsy does not need more than 2 – 3 hours, even if autopsy tissue materials were sent for evaluation to Russian Forensic Institutions, that cannot be adequate reason for not transmitting the body to Family and for investigation of this case to Georgian State. Described circumstances increase opinion of Georgian people that Mr. Tatunashvili was victim of extra – judiciary killing and also correspond to the fact to ill – treatment toward to family members that have right to mourn and bury the body of their family member according to cultural and religious traditions.

2. Case Mr. Nika Saginashvili, 26 years old, permanent living area: Village Kordi, Gori District.

According to the story of his parents: On May 28, 2016 Mr. Nika Saginashvili was kidnapped from Village Arbo that is one of the bordering village of occupied so called “South Ossetia”. No any information and progress in investigation was achieved up today. Also have to be mentioned that nobody have any information on this person. According to parents’ story two – or three times were international call on their cell number, but no information was received. They consider that their son is victim of trafficking from Russian and Ossetian militants’ side.

3. Case Mr. Amiran Gugutishvili, 70 years old, now he and his family lives in Village Gugutiankari in the Scholl Building, because of part of his property, namely gardens according to the occupation now is on occupied part of the same village. His house was burnt out during war 2008. According his and his wife’s story he was kidnaped from border village Gugutiankari from his Garden on February 23, 2017 (Part that is outside of occupation zone) and Detained in Tskhinvali Pre – Trial Prison until February 27, 2017. He was tortured in his garden and also in Tskhinvali pre – trial prison. After the beating in his garden he lost consciousness due to the brain trauma, for this has limited memory on details of ill – treatment in Tskhinvali Pre Trial Prison. He was released after paid 2000 Russian Rubbles by the family. After discharge he immediately was taken in Gori Clinic “Gormedi” for in – patient treatment, where the RCT/EMPATHY also provided intake assessment. Up today investigation is ongoing without any results. Mr. A. G. has been undergoing holistic rehabilitation at the RCT/EMPATHY. He up today experiencing PTSD, Depression with problems of memory resulted by physical and psychological methods of torture used in his case.



4. Case Mr. Tariel Elizbarashvili, 63 years old, lives in para – military Village Kveshi. So called bordering wires are in 100 meter distance from his house.

He was kidnapped from his garden that is on about 10 meters distance from the so called occupational wires on September 23, 2017, taken on so called Block – Post, where his health condition worsened due the Diabetic illness, although he was detained during three days in Tskhinvali Pre – Trial Prison in inhuman condition without any adequate medical care. He was discharged after paid 2000 Russian Rubbles from the family. After this his physical and psychological condition worsened, twice he underwent cordial surgery operation and in – patient treatment in Tbilisi, he still is under observation of doctors and is undergoing outpatient treatment in the RCT/EMPATHY. The investigation on this case also was opened, but no progress observed.

5. Case Mrs. Lali Khachirashvili, 51 years old, living in Village Khurvaleti border of Occupied Zone.

She was kidnaped from the garden of the neighbour by Ossetian in civilian clothes on December 20, 2017 and then transferred to Russian Solders, after this she was temporary detained on Russian Military Base, was photographed that reason is unknown, then she was taken in Tskhinvali Prison around 3 – 4 hours and after 2000 Russian Rubbles had been paid she was discharged. Again have to be mentioned that there is not any progress in investigation.

At the same time during the War 2008 victims of Ethnic Cleansing became whole civilians from Kodori Gorge (upper Abkhazia), also there were cases of bombing of civilian targets outside of military region of South Ossetia.

Taken into consideration all those circumstances, once again we would like to ask honourable Prosecutor's office to consider revision of Geographical and Time scope of investigation on Russian – Georgian War 2008 and follow up human rights violations due to the creeped occupation and aggression by Russian and Ossetian militants.



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