

Special Operation Carried Out in Village Lapankuri, Lopota Gorge

The Public Defender of Georgia studied the series of events taking place in late August in the village Lapankuri in Lopota gorge. The information gathered by the Public Defender from confidential sources and the relatives of some of the deceased as the result of the special operation contradict the official narrative and version which at the time was provided by the Georgia's Military Forces and senior government officials, according to which the armed group of Chechens entered Georgia from the North Caucasus. Therefore the present conclusion underlines the details obtained by the Public Defender on factual circumstances of the case. The inadequacy of measures undertaken by law enforcement bodies corresponding to the case based on the official version will be discussed in the chapter on Law Enforcement Bodies and Human Rights in details.

According to the information gathered from a confidential source affiliated with the militants and their leaders participating in Lapankuri special operation, the negotiations were initiated with the veterans of the Chechen war, Chechen refugees and the representatives of resistance committee of the Chechens movement living in Europe in accordance with the instruction/request of the senior officials from the Georgian Interior Ministry on February, 2012.

Further to the source of information, Georgian military authorities were promising to Chechen armed militants so called "corridor" to Chechnya, as well as training, equipment, creation and provision of all necessary conditions for facilitation of their passage to Chechnya.

The deployment of Chechens from Europe started from March. The flats were rented for them in various neighborhood of Tbilisi (mainly in Saburtalo district). According to promise of the officials of Georgian Interior Ministry, approximately fifty militants would have the passage to Chechnya per month.

According to the information provided to the Public Defender, around 120 Chechens and other militants natives of

North Caucasus arrived to Georgia with the belief of passage to Chechnya. Upon their arrival the Chechens were picked up by the officials of Georgian Interior Ministry at the airport, allocated to dislocation or accommodation areas, provided and granted with the firearms and driving licenses, as well as other required documentation and items.

It should be mentioned that the Public Defender was provided with gun registration certificate (authorizing the preservation of the gun (Stechkin System APS, gun #GB 3638)) issued on July 23, 2012 by the Interior Ministry to Aslan Margoshvili, deceased during Lopota special operation. The above fact points towards the connection of Georgian Military Forces to this operation.

Further to the source of information, the Chechen militants were divided into the groups. The militants of such groups were undergoing training in Vaziani and Shavnabada Military bases nearby Tbilisi. The officials of Georgian Military Forces and Chechen militants having rich war experience operated as the instructors of the militants' groups.

The facts of deployment of large groups of Chechens from Europe to Pankisi gorge in summer, 2012 is also confirmed by Pankisi gorge inhabitants. The interviewed Pankisi gorge inhabitants stated that "The facts of arrival of Chechens from Europe to Pankisi in previous years were rare, as for the summer, 2012 more than 100 young Chechens entered from various countries of Europe".

Citing a confidential source of information (the name is not revealed due to personal security), Gia Lortkipanidze, the Deputy Minister of Interior and Sandro Amiridze and Zurab Maisuradze - other officials of Interior Ministry had immediate connection with these groups and handled all issues related to them (deployment, pick up, meals, financial sources, transport, provision with all needed items etc.)

From March, 2012 the militants' training lasted longer than it was scheduled, which triggered militant's negative evaluations. According to the information by former Chechen field leader, the training of military groups generally requires two or three weeks. Chechen militants were

demanding from Georgian Interior Ministry officials to organize their promised so called "corridor" to Chechnya. Georgian Interior Ministry officials made various promises and indicated different dates of passages for the groups. Some of Chechen militants were gradually losing trust in Georgian authorities and Interior Ministry officials.

2012 parliamentary elections were approaching, internal political situation was getting tense in Georgia, triggering assumptions among Chechen militants that reason behind keeping them in Georgia longer than scheduled was possibly related to elections and possibility of being used in some form in the electoral process.

According to the source of information, Chechen militants were freely moving in Georgia, including nearby territories of Lopota gorge and village Lapankuri, they did not avoid appearance to local community; however, they did not get into close contact with them. According to the source, such self-confident movement of Chechens was grounded on guarantees of security and assistance provided to Chechen militants by senior officials of Ministry of Interior.

According to a source, group of Chechen militants was deployed in the Lopota gorge several days before the so called special operation. Further to a confidential source they entered Lapankuri gorge with pickup vehicles provided by the Interior Ministry's anti-terrorism center and brought necessary armament, food and other essentials. Chechen militants were waiting for authorization to transit to Chechnya.

According to a confidential source, two days before the clash, the units of the Georgian special task force were flown by helicopters at the Dagestan part of the Georgian-Russian border, presumably to prevent the militants from moving towards North.

Simultaneously Chechen militants, deployed in the Lopota gorge, were demanding the promised "corridor" and passage through the Degastani part of Georgian-Russia border. However, at the last moment the Georgian Interior Ministry refused to give them "corridor" and demanded from the militants to surrender their arms and to return either to

Pankisi gorge or to a military base. This demand strained relations between the Chechen militants and Georgian Interior Ministry employees. According to a confidential source, Chechen militants did not trust Georgian Interior Ministry representatives and refused to surrender arms in Lapankuri gorge, instead offering to turn in their arms only after returning to the Pankisi gorge.

For the purpose of defusing tensions and holding negotiations with the militants, the Interior Ministry employees turned to mediators - credible Chechen individuals. Militants refused to surrender their arms. After the refusal Georgian troops launched so called anti-terrorist operation, due to which several Chechen militants, as well as Georgian military servicemen were killed. According to a confidential source the Georgian servicemen, who died in the Lapankuri special operation, were accompanying the group of Chechen militants from the very first day of their deployment there. According to a source, the duties of Georgian members of the group deployed in Lapankuri encompassed medical service of the group, instructing and accompanying it to Dagestani border.

In his statement to Public Defender Merab Margoshvili, a father of Aslan Margoshvili, the militant killed in the clash, stipulated that his son was trained at the Shav nabada base and among his instructors were Archil Chokheli and Solomon Tsiklauri - two Georgian Special Forces servicemen killed during the special operation.

According to the source affiliated with Chechen militants, they established close and friendly relationships with Georgian Interior Ministry senior officials during last months. They were trained by them and could not imagine to be shot by Georgian Military Forces. According to the representatives of Chechens, the deployment of this group in Georgia, as well as their training and passage to Chechnya was agreed with senior state officials, therefore they did not expect such betrayal. In addition, apparently, not all necessary measures were applied to convince Chechen militants and to avoid this event. As an example the engagement of elders or parents in negotiation process with

Chechen militants might be possible.

According to the source, aviation participating in the special operation started shooting the group members. As a result of the clash, seven Chechen militants were killed, three out of which were Pankisi gorge inhabitants. As stated by the source, nine militants survived in the clash; several days afterwards they left Georgia with the assistance of Georgian Interior Ministry representatives and went to Turkey through Vale border crossing point.

After the special operation, corpses of the deceased were not handed over to the relatives for several days. According to relatives of Margoshvili, Kavtarashvili and Bagakashvili, deceased during the special operation, G. Lortkipanidze the Deputy Georgian Interior Minister and S. Amiridze, Senior Official of Georgian Interior Ministry agreed on handing over the corpses on the sole condition if their burial would be conducted on the same day: they had to be buried without traditional funeral processing, quietly and without presence of people. The family members of the deceased were forced to accept the conditions of the senior officials of the Georgian Interior Ministry.

On September 3, late at night the corpses of the deceased were carried out from morgues of Gldani Penitentiary Establishment and handed over to the near relation of the dead. Only fathers of the deceased were authorized to attend the funerals. Senior officials of the Georgian Interior Ministry attended the burials too.

Corpses of other Chechen militants killed during the special operation were buried on the so called abandoned cemetery nearby the Airport route. Despite the request, the corpses were not handed over to the family members for a considerable period.

According to the information provided by the parents and relatives of the deceased during the special operation, G. Lortkipanidze, Deputy Georgian Interior Minister requested them to inform him in case Chechen militant survivors of the Lapankuri special operation would appear. He was undertaking the obligation to passage these militants safely to the border. As stated above, this group was later accompanied by

the Georgian Interior Ministry to the Vale border crossing point.

The deployment of Chechen militants, promises, failure to fulfill upon promises, the manner of their destruction and insulting attitude towards the corpses of the deceased as well as family members, seriously impaired Georgian-Chechen relationships. As a result Chechens accuse Georgians in treason.

On the basis of the information provided by the confidential source, parents and family members of inhabitants of Pankisi gorge deceased during the special operation, the acts of senior officials of Georgian Ministry of Interior and others may constitute the signs of criminal case in line with article 223 (part one, two and three) of the Criminal Code of Georgia, as well as articles 151 (threat) and 156 (persecution) of the Criminal Code of Georgia.

Recommendations:

The Public Defender addresses the Parliament of Georgia to set up an ad hoc investigative commission to look into armed clash in Lopota gorge, at the village Lopota in late August, 2012. It should be mentioned, that in case of the establishment of the parliamentary commission Public Defender and several leaders of Chechen community exiled from Chechnya express their willingness to cooperate with it.

The Public Defender calls on the chief prosecutor to launch investigation in connection of alleged involvement of former senior Interior Ministry officials in setting up illegal armed groups in 2012; the Public Defender also addresses the chief prosecutor to investigate cases of intimidation of family members of killed militants during the special operation at the village Lapankuri, Lopota gorge. Public Defender calls on the chief prosecutor to periodically inform the society on the course of investigation of events occurred at the village Lapankuri, Lopota gorge in August 2012 due to its high public interest.

