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Report of 22 January 2007 by the monitoring committee of the Parliamentary Assembly

Annex 1

I. A. Summary of the documents in English and Russian submitted by the applicant Government in their application of 27 March 2008

number	Document type	date
1		
Summary/Translation		
The applicant Government submitted the Agreement between Georgia and Russia on the Terms and Rules of the temporary functioning and withdrawal of Russian Military Bases and other military facilities belonging to the Group of Russian Military Forces in Transcaucasia deployed on the Territory of Georgia. The Agreement was drawn up in Russian and Georgian and signed by both parties in Sochi, Russian Federation, on 31 March 2006.		

number	Document type	date
2	**A. Council of Europe press release** **B. Council of the European Union press release** **C. Speech by Ms Benita Ferrero-Waldner, member of the European Commission with responsibility for External Relations and European Neighbourhood Policy** **D. European Parliament Resolution on the situation in South Ossetia** **E. 2007 Annual Report of the NGO "Human Rights Watch" (undated)** **F. Report by the State Department of the United States of America**	**6 October 2006;** **16-17 October 2006;** **25 October 2006 and 6 March 2007**
Summary/Translation		
A. Council of Europe press release - 565(2006) Georgian and Russian citizens should not pay for disagreements between their governments Strasbourg, 06.10.2006 – Terry Davis, Secretary General of the Council of Europe, today issued the following statement reacting to the continuing tensions between Georgia and the Russian Federation: "Georgia and the Russian Federation should calm down and work out a way to end their dispute in a peaceful manner. They should abstain from retaliation affecting individuals. Ordinary citizens should not pay for disagreements between governments. As members of the Council of Europe, both countries are parties to the European Convention on Human Rights and therefore have the obligation to respect the human rights of everyone in their territory, not only their own citizens."		

2. Press release of the 2756th session of the Council of the European Union (no. 13340/06)

RELATIONS BETWEEN GEORGIA AND THE RUSSIAN FEDERATION – *Council conclusions*

The Council adopted the following conclusions:
"1. The Council reiterates the European Union's grave concern at the recent escalation of tension in Georgia-Russian Federation relations. The Council emphasises the importance of toning down public rhetoric and calls upon both sides to reopen normal diplomatic dialogue in order to work towards a normalisation of relations.
2. The Council welcomes the useful efforts of the Foreign Ministers' Troika, the High Representative, the EU Special Representative for the South Caucasus and the Chairman-in-Office of the OSCE in helping to facilitate the return of the Russian detainees.

3. The Council expresses its grave concern at the measures adopted by the Russian Federation against Georgia and at their economic, political and humanitarian consequences. The Council urges the Russian Federation not to pursue measures targeting Georgians in the Russian Federation. It calls on both parties to act in a manner consistent with their international commitments and obligations.
4. The Council recalls the European Union's wish to develop further its strategic partnervessel with the Russian Federation as well as its aim to deepen relations with Georgia in the framework of the European Neighbourhood Policy. In this context, the Council reiterates the EU's willingness to work with Georgia and the Russian Federation to facilitate mutual confidence building and contribute to a peaceful resolution of the crisis. The European Union also looks forward to work closely with Georgia and the Russian Federation in promoting prosperity and stability in the region.
5. The Council calls on both parties to focus on reaching a peaceful resolution of the conflicts in Abkhazia and South Ossetia with full respect for Georgia's sovereignty and territorial integrity. The Council calls upon the parties to comply fully with previous agreements and understandings regarding these conflicts, in compliance with the UN Security Council Resolution 1716."

C. Speech by Ms Benita Ferrero-Waldner, member of the European Commission with responsibility for External Relations and European Neighbourhood Policy

At the Plenary Session of the European Parliament on 25 October 2006, Benita Ferrero-Waldner, member of the European Commission with responsibility for External Relations and European Neighbourhood Policy, stated:

On the subject of relations between Russia and Georgia,

(English Version)

"We are very concerned about the crisis between Georgia and Russia. GAERC conclusions of October 17th called on both parties to act in line with their international commitments and obligations.

We are particularly concerned by the expulsion of large numbers of Georgians from

Russian territory which appears in direct contradiction to Russia's commitments to the European Convention on Human Rights, and to the 1975 Helsinki Final Act. I have raised this issue with Mr Lavrov.

Georgia has its share of responsibility. During my recent visit to Georgia I urged President Saakashvili to apply moderation, and encouraged him to rebuild trust"».

D. European Parliament Resolution on the situation in South Ossetia

"The European Parliament,

– having regard to its previous resolutions on Georgia, in particular that of 14 October 2004[1],

– having regard to its resolution of 19 January 2006 on the European Neighbourhood Policy[2],

– having regard to its recommendation to the Council of 26 February 2004 on EU policy towards the South Caucasus[3] and to its resolution of 26 May 2005 on EU-Russia relations[4],

– having regard to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Georgia, of the other part, which entered into force on 1 July1999,

– having regard to the Presidency declaration of 20 July 2006 on recent developments in Georgia - Abkhazia and South Ossetia,

– having regard to the conclusions of the General Affairs and External Relations Council meeting of 16-17 October 2006,

– having regard to Rule 103(4) of its Rules of Procedure,

A. whereas the situation in South Ossetia is deteriorating, with incidents, shootouts and clashes between Georgian and Ossetian forces and police units in recent months causing deaths and injuries,

B. whereas the Government and Parliament of Georgia have questioned the existing format of the negotiating process, the composition of the peacekeeping forces and the mechanisms of the peacekeeping operations stemming from the ceasefire agreement of 1992,

C. whereas the two sides have put forward two separate peace plans which contain many common elements that could and should be used as a basis for fruitful negotiations; whereas the Joint Control Commission (JCC) has lately proved incapable of producing significant results,

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1 OJ C 166 E, 7.7.2005, p. 63.
2 *Texts Adopted*, P6_TA(2006)0028.
3 OJ C 98 E, 23.4.2004, p. 193.
4 OJ C 117 E, 18.5.2006, p. 235.

D. whereas the Russian Federation, by issuing passports to the residents of South Ossetia and Abkhazia, is complicating the process of peaceful conflict resolution in the conflict zones in Georgia,

E. whereas South Ossetia decided to hold a referendum on self-determination together with the presidential election on 12 November 2006,

F. whereas Georgia has moved to the stage of 'Intensified Dialogue' with NATO with a view to becoming a full member of that organisation,

G. deeply worried at the diplomatic crisis between Georgia and Russia following the recent arrests of four officers from Russia's military intelligence service by the Georgian counterintelligence services on allegations of espionage and the subsequent recall of the Russian ambassador to Moscow for consultations,

H. whereas on 2 October 2006 the Russian authorities interrupted all land, air and sea links with Georgia, including mail communications, although the four officers had been released to the Organization for Security and Co-operation in Europe (OSCE) and are now back in Russia,

I. whereas a number of seriously discriminatory measures have been taken by the Russian authorities against Georgians living in Russia on the grounds of their ethnicity, including the deportation of nearly 700 Georgians from Moscow to Tbilisi and the alleged harassment of Georgian worshippers, businessmen and schoolchildren under the pretext of a clampdown on organised crime and illegal immigrants,

J. whereas in early 2006 the Russian Federation imposed a ban on the import of agricultural products (wine, fruit and vegetables) from Moldova and Georgia, which is considerably harming the economic development of both countries,

K. whereas the unilateral movements for independence in South Ossetia and Abkhazia are not being supported by any international organisation and continuing efforts are being made under the auspices of the OSCE and the United Nations to restore the sovereignty and territorial integrity of Georgia,

L. whereas the EU must increase its support for the ongoing efforts to resolve the conflicts in Georgia and the South Caucasus region, in cooperation with the OSCE and other parties,

1. Reiterates its call for a peaceful resolution of the conflict and its commitment to support the peace process, and calls on all parties to act responsibly by refraining from unilateral steps and inflammatory and aggressive statements which serve to exacerbate the situation and may degenerate into violence;

2. Reaffirms its full support for the sovereignty and territorial integrity of Georgia and calls on the Russian authorities to fully respect the sovereignty of that country within its internationally recognised borders;

3. Strongly condemns the attempts by movements in the Georgian regions of Abkhazia and South Ossetia to establish independence unilaterally;

4. Calls on the Government of the Russian Federation to withhold support from all of

these movements and to give its fullest support to the multilateral efforts to find a solution to the conflicts in its neighbourhood;

5. Condemns the fact that South Ossetia will hold a referendum on independence on 12 November 2006, and reminds the parties that a similar referendum on independence in 1992 was not internationally recognised;

6. Notes that the stagnated peace process needs to be relaunched, and calls for an enhanced and combined effort by the European Union and the OSCE to bring the parties back to the negotiating table, based on the progress made in the initial stages of the two peace plans;

7. Calls, in that connection, on both parties to sign the joint document on refraining from the use of force and on security guarantees and to engage in constructive negotiations in order to overcome the present stalemate; regrets the fact that the meeting of the JCC, which took place in Vladikavkaz on 12-13 October 2006, did not yield any results;

8. Takes the view that the full demilitarisation of, and a reduction in the number of weapons in, the conflict area, with the exception of the OSCE joint peacekeeping force, is a fundamental element of conflict prevention and a first essential step towards further confidence-building measures; therefore calls on Russia to refrain from holding military exercises and displaying any kind of military force in close proximity to Georgia's territorial waters;

9. Stresses that neutral, effective and impartial peacekeeping operations are essential for resolving territorial conflicts in Georgia; looks with interest, in that connection, to new proposals concerning the existing tripartite joint peacekeeping force deployed in the conflict area around the ceasefire line between Georgia and South Ossetia; points out that a new force should incorporate an element of police support, to combat crime and lawlessness; stresses that the EU should be prepared, if necessary, to commit troops to a new peacekeeping force;

10. Considers it unfair and discriminatory that South Ossetian citizens holding Russian passports can travel to the EU more easily than Georgians, a state of affairs which contributes to increased tensions over the South Ossetian region and acts as a disincentive to a settlement of the dispute;

11. Calls on the Russian state authorities to halt immediately all acts of repression and harassment carried out and all accusations made by representatives of official state institutions against ethnic Georgians living in Russia;

12. Calls on the Russian authorities to rescind all the measures recently taken against Georgia and against the Georgian population on its territory; calls, further, on the Russian authorities to lift their unjustified import ban on products from Moldova and Georgia;

13. Calls on Russia to accept the realities which emerged after the end of the Cold War and to abandon outdated thinking about exclusive zones of influence;

14. Calls on the Council to keep on making every effort to defuse the tension and rebuild confidence between Georgia and the Russian Federation and prevent the present diplomatic crisis from escalating further; urges the Council and the Commission to find ways to help Georgia overcome and counterbalance the economic and social repercussions of the measures taken in Moscow;

15. Calls on the Council and the Commission to include the question of frozen conflicts and their resolution on the agenda for the next EU-Russia summits;

16. Welcomes the conclusion and the signing of the European Neighbourhood Policy Action Plan for Georgia; expects that the implementation thereof will give a further boost to the political and reform process in that country; welcomes the statements by the High Representative for the CFSP, Javier Solana, who recently said that the EU intends to become more actively engaged in the resolution of conflicts in Georgia, and calls on the Council to provide the EU Special Representative for the South Caucasus with all the necessary means and resources to make this action more effective and visible;

17. Instructs its President to forward this resolution to the Council, the Commission, the President and Parliament of Georgia, the President and Parliament of the Russian Federation and the de facto authorities in South Ossetia and the Secretaries-General of the United Nations and the OSCE."

E. 2007 Annual report of the NGO "Human Rights Watch" (2006 events)

Human Right Watch World report 2006
"Xenophobia and intolerance
Human rights groups reported more than a hundred racist and xenophobic attacks—an increase over last year—including at least 36 murders and 286 people beaten or wounded in the first nine months of the year...
After months of rising tensions between the Russian and Georgian governments, in October 2006 Georgian authorities in Tbilisi briefly detained four Russian military officers on accusations of espionage. In retaliation, the Russian government deported hundreds of Georgians, forced Georgian-owned businesses to close, and asked teachers for lists of school children with Georgian last names so their parents could be investigated for visa or tax violations."

F. Report by the State Department of the United States of America

The State Department has received the following information:

"…Federal and local law enforcement continued to be applied disproportionately to members of ethnic minorities. Police reportedly beat, harassed, and demanded bribes from persons with dark skin, or who appeared to be from the Caucasus region, Central Asia, or Africa.
Following the September arrest of four Russian officers in Georgia, a diplomatic feud erupted, which resulted in an anti-Georgian campaign against the approximately one million Georgians who live in the country. Officially, the Georgians were deported for violations of migration legislation. Law enforcement officials were reportedly instructed to step up actions against Georgians. Other anti-Georgian actions included raids on Georgian businesses, police orders for schools to produce lists of Georgian students, and severed transportation and postal links.
The actions against Georgians were criticized as illegal by the state human rights body, civil society institutions, and the Human Rights Council. The council also called the actions a wave of "selective persecution" against Georgians. According to the Georgian parliamentary ad hoc Investigatory Commission Studying Actions Carried Out by the Russian Federation Against Georgian Citizens, as of October 31 the immigration service had issued decisions on deportation of 2,598 Georgian citizens, out of which about 1,140 were actually deported.

As of December 28, commission head Nika Gvaramia said that the number of deportees had increased to between 3,800 and 4,000. The commission officially recorded the deaths of three people while in detention.
Authorities in Moscow subjected dark-skinned persons to far more frequent document checks than others and frequently detained or fined them in amounts that exceeded legally permissible penalties. The Moscow Metro Monitoring Study, published in June by the Open Society Justice Initiative and other organizations, found that persons of non-Slavic appearance made up only 4.6 percent of the riders on the Metro system but 50.9 percent of persons stopped by police at Metro exits...".

number	**Document type**	**date**
3	**1. Text of the speech by the President of the Federation to the members of the Security Council**	**1 October 2006**

Summary/Translation

President of Russia
Official website

1 October 2006
Novo-Ogarevo.

Statement made at the meeting with the members of the Security Council.

"Good afternoon, colleagues,
Today I would like to discuss a number of domestic and international issues with you. Of the domestic issues on the agenda I would specifically note interethnic relations, and as far as the international issues go, we will of course talk today about the situation with regard to our relations with Georgia.
Russia is consistently fulfilling all its commitments under the terms of the agreements between our countries on the withdrawal of Russian military units from Georgian territory, but despite this fact, as we know, our military servicemen in Georgia have been seized and thrown in prison in what looks like a sign of continuation of the policies of Lavrenty Pavlovich Beria, both inside the country and on the international stage. Well, such, it seems, is their position.
They are clearly trying to pinch Russia where it hurts most, to provoke us. I think this is evident. From all appearances, those who are doing this seem to think that an anti-Russian foreign policy will serve the interests of the Georgian people. I do not think this is the case. These people think that they can feel at ease, safe and secure under the protection of their foreign sponsors, but is this really so?
I would like to hear the views of the representatives of the civil ministries and the military specialists."

number	Document type	date
4	**Extract of the minutes of the meeting between the President of the Federation and the State Duma Faction Leaders**	**4 October 2006**

Summary/Translation

Extract from the minutes of the meeting of the President of the Federation with the State Duma Faction Leaders

There are clearly forces which specialise, purely and simply, in creating new crises, assuming that this will divert attention from old problems. In the short term, this could probably have the desired effect. But it is absolutely certain that [this] will not help to resolve the old crises in the world, which are sufficiently serious".

Turning to issues concerning Russia's international policy, the President said: "I am grateful for the support you have shown for the action taken by the executive authorities to protect the rights, dignity and lives of our citizens abroad... Naturally, these words apply in this case to Georgia, and I would not advise anyone to address Russia using the language of provocation and blackmail".

number	Document type	date
5	**Speech by the President of the Federation to the Council for the Implementation of Priority National Projects and Demographic Policy (summary).**	**5 October 2006**

Summary/Translation

The President of Russia
Official website

5 October 2006,
The Kremlin, Moscow

Opening speech at the meeting of the Council for the Implementation of Priority National Projects and Demographic Policy.

The President announced the agenda for the meeting. One of the subjects for examination was the national project to develop the country's agriculture. The President was concerned by a resurgence of crime in the area of agricultural trade.

The President expressed his regret at recent interethnic tensions. He referred to attacks on foreigners and fatal attacks against Russian citizens. The Head of the Russian State attributed part of the responsibility for these criminal acts to the administrative and police authorities, accusing them of inertia and corruption.

The President encouraged the relevant State authorities to restore order in the area concerned.

In particular, he stated:

"I charge the Russian government to take immediate decisions with respect to regulating trade in the wholesale and retail market-places and regulating the presence of foreign workers in these markets, including by making the market-place management legally answerable for the infringement of migration rules, both by those working in the market-place and those involved in trade. [It is also necessary] to make the visa regime applicable to foreign citizens who infringe Russian legislation stricter.

[I charge] the heads of the regions of the Russian Federation to take additional measures to improve trade in the wholesale and retail markets with a view to protecting the interests of Russian producers and population, the native Russian population".

number	**Document type**	**date**
6	**Interview with the Minister of Foreign Affairs of the Russian Federation, Sergey Lavrov**	**4 October 2006**
Summary/Translation		
In response to a question about the sanctions applied against Georgian citizens in Russia, the Minister commented that the blockade of Georgia was primarily targeted at any illegal money trafficking. Equally, the Minister criticised the Georgian authorities for their policies, particularly with regard to the conflicts in Abkhazia and North Ossetia, and for their anti-Russian rhetoric.		

number	**Document type**	**date**
7	**Message from the RIA/*Novositi* agency**	**4 October 2006**
Summary/Translation		
RIA/*Novosti* The Russian Minister of Foreign Affairs, who was attending the Parliamentary Assembly of the Council of Europe, stated that Russia would resist the provocation by Saakashvili's regime. The Minister also stated that the regime in power in Georgia enjoyed clear support. "The support [of foreign business owners] for the Tbilisi regime's anti-Russian policies is leading the regime to overstep the limits."		

number	**Document type**	**date**
8	**Article from the newspaper *Argumenty i Facty***	**5 October 2006**
Summary/Translation		
The article reviews the content of an interview with Mikhail Tyurkin, the deputy Director of the Federal Migration Service, and with Zhunus Dzhakupov, the head of the Service's Legal Department. Mr Tyurkin described the problems linked to the Georgians' residence in Russia. He informed the press of three measures to improve the laws governing the status of foreigners, including a reduction in the period of residence to 90 days, a toughening of the		

sanctions for administrative and criminal offences, and the introduction of amendments to the Criminal Code, making violations of the immigration legislation a criminal offence.
Mr Tyurkin assured the journalist that his Service had taken the (necessary) measures to strengthen strict supervision of Georgian immigrants unlawfully present in Russia, while complying with the Code of Administrative Offences.
Mr Tyurkin explained that there were two categories of quotas for foreigners: for residence and for employment. After analysis of the situation on the employment market in the federal entities, it had been concluded that the Russian Federation did not need "Georgians, whether as residents or workers".
In addition, Mr Tyurkin referred to the statistics concerning the voluntary departure and deportation of Georgians: during the previous week, 480 persons had been sentenced to administrative expulsion by the courts; 65 persons had left Russia voluntarily, travelling through Ukraine, Azerbaijan and Armenia, as direct travel to Georgia had been interrupted. For the year 2005 as a whole, the number of deported Georgians had been 2,000 persons. In the first six months of 2006, this number had reached 15,000.

number	**Document type**	**date**
9	**Article in the newspaper *Izvestia***	**4 October 2006**
Summary/Translation		
"Gryzlov threatens Tbilisi with new sanctions". The President of the State Duma, Boris Gryzlov, considers that the Georgian government must realise the seriousness of Russia's actions. He proposed that restrictions be placed on banking operations with other countries. Mr Gryzlov thought that the imposition of stricter sanctions against Georgia could be envisaged. "Since we classify Georgia's policy as State terrorism, all the measures provided for under Russian anti-terrorism legislation are applicable to Georgia", he stated.		

number	**Document type**	**date**
10	**Interview with the Russian Minister of Defence, Sergey Ivanov, RIA/*Novosti***	**11 October 2006**
Summary/Translation		
In response to a question about the tensions between Russia and Georgia, the Minister said that the Georgian government's current policy did not correspond to Georgia's national interests. In his opinion, (senior) Georgian officials were receiving salaries from foreign non-governmental organisations. The right to define its defence policy is Georgia's sovereign right, he continued, just as it was Russia's sovereign right to react (to that policy) and not to finance it. According to the estimates quoted by the Minister, the flow of money from Russia to Georgia was 1,000 million dollars every year. The Minister concluded by saying "let someone else pay this 1,000 million dollars to the Georgian population". The Minister formally ruled out the use of the armed forces to settle the conflict between Russia and Georgia. In particular, he refused to reply to the question of whether the Russian military command had operational plans prepared in the event of possible conflicts with Georgia.		

number	Document type	date
11	**The file is empty**	
Summary/Translation		
See document no. 10		

number	Document type	date
12	**The file is empty**	
Summary/Translation		
See document no. 8		

number	Document type	date
13	**Statement by the State Duma**	**4 October 2006**
Summary/Translation		

On 4 October 2006 the State Duma (the lower house of the Russian Parliament) issued a statement on the Georgian authorities' anti-Russian and anti-democratic policy. It decided to send this document to the President of the Russian Federation, to the Council of the Federation (the upper house of the Parliament), to the Government of the Russian Federation, and to the Parliamentary Assembly of the Council of Europe, the Parliamentary Assembly of the Organisation for Security and Cooperation in Europe and to the Parliament of Georgia.

Declaration of the State Duma

"The State Duma of the Federal Assembly of the Russian Federation expresses its strong concern about the anti-Russian actions of the Georgian authorities, and about the latter's violation of democratic rights and principles in Georgia.

In 2006 the Georgian authorities arrested representatives of opposition bodies; these large-scale arrests were ostensibly anti-democratic in nature. The manifestly ill-founded arrest of Russian servicemen has resulted in a serious deterioration in Russian-Georgian relations.

In the conflict zones between Georgia and Abkhazia and between Georgia and Ossetia, the Georgian authorities have openly moved towards blackmail and provocation with regard to the citizens of the Russian Federation residing in Abkhazia and South Ossetia, and with regard to the Russian peacemakers and servicemen from the Russian Military Group based in Transcaucasia, who are in the territory of Georgia under international-law provisions. These actions may be described as State terrorism, with all the attendant consequences and conclusions.

The members of the State Duma consider that this policy by the Georgian authorities is not in the interests of the Georgian people, and may reflect in very adverse ways on that State's future, and on its economy, well-being [and] relations with neighbouring countries.

The State Duma draws attention to the fact that the intensification of anti-Russian and anti-democratic acts coincided with the submission of a draft law on Georgia's rapid accession to NATO to the Senate of the United States of America. Such actions by certain American Senators are a striking example of double standards, and indicate support for the anti-Russian and anti-democratic policy of the current regime in Georgia.

The members of the State Duma are convinced that, in the current situation, Russia is entitled to take all measures [necessary] to ensure its security, to protect the life and health of

citizens of the Russian Federation, including sanctions against Georgia, primarily financial and economic sanctions. If the Georgian authorities persist in their anti-Russian policy, threatening stability and security in the Caucasus region, the members of the State Duma consider that Russia is entitled to take other, more severe (rigorous) measures.

The members of the State Duma express support for all the efforts being made by the President and Government of the Russian Federation in order to secure the Russian Federation's national interests and security, together with stability and security in the Caucasus region."

number	**Document type**	**date**
14	**Letter from Mr Zakharov, Head of the Department of Internal Affairs of the Taganskiy District of Moscow (Photocopy).**	**Not specified, but prior to 9 October 2006.**

Summary/Translation

For the purpose of ensuring public order and respect for the law, preventing terrorist acts and preventing tensions between Russian children and children of Georgian nationality, I request [that you] submit the following information to the Department of Internal Affairs of the Taganskiy District of Moscow:
- surname, first name and patronymic, date and place of birth, address of children of Georgian nationality, and the class in which they study;
- surname, first name and patronymic, date and place of birth, address of their parents, their place of work, their position and the composition of their family;
- relationships between the children of Georgian of nationality and other pupils, instances of conflict with other children, and of [aggression] against them, instances of disobedience by Georgian children against teachers, anti-social or illegal actions.

I request that you send this information to our address by 9 October 2006 ([at the following address]: Moscow, 9 Vedernikov street)

Head of the Department of Internal Affairs
of the Taganskiy District of Moscow
Police Colonel G.S. Zakharov
Stamp (illegible)

number	**Document type**	**date**
15	**Letter from Mr Komarov, Acting Head of the Department of Internal Affairs of the Vernadskiy Avenue, Zapadniy District, Moscow (Photocopy)**	**No date**

Summary/Translation

To: Director of State Secondary School no. (illegible)

Request.

I ask you to submit [to me] lists of persons of Georgian nationality who are registered in your school, with the following information: surname, first name, patronymic of the pupils, their dates of birth, address, telephone numbers; the surname, first name and patronymic of their parents. Please supply this information by 3 pm on 14 October 2006. You are requested to send it by fax to 431-30-11. The PND (?) number is 431-30-13.

Acting Head of the Department of Internal Affairs
of Vernadskiy Avenue, Zapadniy District, Moscow
Police Lieutenant Colonel Komarov A.V.

Stamp: Department of Internal Affairs of Vernadskiy Avenue, Zapadniy District, Moscow

number	Document type	date
16	**Letter from the Director of School no. 169**	**4 October 2006**

Summary/Translation

Department of Education of the City of Moscow
Secondary School no. 169
Moscow Institute of Free Education
119415 Moscow, 21 Udaltsov Street

4 October 2006
To: Department of Internal Affairs of Vernadskiy Avenue

In response to your request of 3 October 2006 for lists of pupils of Georgian nationality, I would inform you that the school does not keep a register of pupils on the basis of their nationality.

In order to collect this information (which is confidential) or to transmit it to another body, we would have to obtain an order from our hierarchical superior, namely the Department of Education of Moscow.
Yours faithfully,
Director of School no. 169 A.S. Engels

Stamp: Ministry of General and Vocational Education
Committee of Education of Moscow
Department of the Zapadniy District
Secondary School no. 169

number	Document type	date
17	**2 press articles, one published in the daily newspaper *Noviye Izvestia*, and the other in the online newspaper *Outro.ru*.**	**4 October 2006**

Summary/Translation

Noviye Izvestia: A large-scale check-up has begun of establishments belonging to Georgian nationals.

A number of organisations located in the capital and belonging to individuals with Georgian surnames were inspected by the law-enforcement agencies.

In consequence, the country's largest casino, "Kristall" and "Shelelashvili", a very small restaurant, were closed down.
The casino was accused of violating administrative and tax regulations. The head of the press service at the Department of Economic Security at the Ministry of Internal Affairs, Mr Aleksander Vorbozhov, stated : "Since January of this year, 89 gambling tables and 259 gambling machines were operating without having been declared to the tax bodies. After inspecting the accounts of the organisation (the casino), we discovered that certain of its owners, Georgian nationals, had links to the criminal world and were sought [by police]".
According to the casino's management, the inspection was a routine one, and was not related to politics; gambling experts consider that the incident was linked to the conflict with Georgia, rather than an attack on the gambling business.

number	**Document type**	**date**
18	**Message from the RIA/*Novosti* press agency and the website *NEWSru.com***	**6 October and 4 October 2006 respectively**
Summary/Translation		
According to information published by the RIA/*Novosti* press agency, between 3 and 6 October 2006 the police carried out inspections of companies belonging to Georgian nationals and, in certain cases, suspended their activities on account of numerous violations of the tax laws and health and epidemiological regulations. The following establishments were inspected: "Kristall", "Golden Palace", the casinos "Golden Palas Weekend", "Bakkara", "Sol" and "Kosmos", the restaurants "Tiflisskiy dvorik" and "Genatsvale VIP". According to the press service at the Moscow Police Department (GUVD), the police inspections did not specifically target establishments belonging to Georgians, but, admittedly, the majority of these establishments had Georgian owners. According to information on the *NEWSru.com* website, the managers of Georgian restaurants complained about the numerous inspections, which were resulting in a loss of clientele. This concerned, in particular, the restaurants "Lesnoe", "Tsaritsa Tamara", "Neskuchniy dvorik", "Dva kuvshina", "Anuka" and "Tsinandali".		

number	**Document type**	**date**
19	**Article published in the newspaper *Izvestia*; report on the *Ekho Moskvy* radio station**	**27 October 2006 and 6 October 2006**
Summary/Translation		
An article published in the newspaper *Izvetia* provided information on the intelligentsia's reaction to the anti-Georgian campaign in Russia. The newspaper reported that individuals who were well-known in Russia (including the actors Inna Churikova, Seguey Yurskiy, Lia Akhejakova, the artist Mikhail Zlatkovskiy and the journalist Artemiy Troytskiy) had signed a letter of protest in response to ethnic discrimination against Georgians. Short comments by the signatories were also published in the newspaper. However, after checking the alleged facts of discrimination as widely reported in the media, (withdrawal of books by Georgian authorities from Moscow bookshops, closure of Georgian restaurants in Moscow, checking of Georgians' identity papers by the police, etc.), the writer		

of the article contested their reliability and universality. According to the newspaper, books by Boris Akunin and Georgi Daneliya were on shelves in bookshops; of the twelve Georgian restaurants whose closure had been announced in the media, six were open as usual; well-known figures of Georgian origin had reported no incident related to their surnames.

According to the message on the *Ekho Moskvy* radio station, the department of tax offences was taking an interest in the income of the well-known writer Boris Akunin, the pen name of Grigoriy Chkhartishvili, who is of Georgian origin. The writer accepted that the summons to the tax police were part of the "campaign against the Georgians", which he described as an "ethnic purge".

number	**Document type**	**date**
20	**Message from the RIA/*Novosti* press agency**	**21 October 2006**
Summary/Translation		
In Moscow unknown persons attacked the art gallery belonging to the well-known art collector Marat Gelman. According to the agency, the criminals tore paintings from the walls and struck Mr Gelman. Various works by a Georgian painter, Alexander Dzhikia, were damaged.		

number	**Document type**	**date**
21	**Article published in the newspaper *Novye Izvestia***	**28 September 2006**
Summary/Translation		
The article, headlined "Our police are handling them carefully", examined the nationalist trends in Russian society. According to official statistics gathered by the Ministry of the Interior, the number of offences committed by foreigners rose by 48 % between 2000 and 2005. At the same time, the Ministry confirmed an 84 % increase in [the number of] offences against foreigners during this period. The article noted that the nationalist and xenophobic mood in Russian society had risen markedly and was reflected in attacks on immigrants and by neo-Nazi demonstrations towards which the police were indulgent. The article's author, referring to a number of witness accounts, considered that the police, far from fighting xenophobic acts, was supporting their perpetrators, namely militants in nationalist organisations.		

number	**Document type**	**date**
22	**Information published on the websites www.polit.ru and www.wek.ru**	**12 October 2006**
Summary/Translation		
On 3 October 2006 the company GarantHost.ru, an Internet provider, refused to provide its services to Georgian clients who owned websites that pursued an "aggressive anti-Russian policy". The management of the company stated that it had not been motivated by nationalist reasons, as contracts with other Georgian clients had been maintained, but by a concern for compliance with the law, especially the Criminal Code, which prohibited the incitation of racial hatred.		

number	Document type	date
23	**Photocopy of a photograph with an announcement to the parents of school pupils**	**No date given**
Summary/Translation		
"Dear parents, As of 4 October 2006 the education of children of Georgian citizens is ended at secondary school no. 9, which belongs to the Ministry of Defence of the Russian Federation".		

number	Document type	date
24	**1. Article (the publication source is unknown) "Life in prison pending expulsion (deportation);** **2. "Political barometer", published on the website of the organisation "Demos"[5];** **3. Article published in the newspaper *Novaya Gazeta*, entitled: "*Polnaya Gamarbodja*"**	**20 October 2006, 9-15 October 2006 and 22 October 2006 respectively**
Summary/Translation		
1. The article "Prison life pending expulsion" examined the circumstances in which the expulsion of Georgians from Russia to Tbilisi took place. The article described the situation of Mr Tenguiz Togonidze, one of the Georgian deportees, who died when he was transported in a police van from St Petersburg to Domodedovo airport in Moscow for expulsion. Mr Togonidze's family alleged that he died from an asthma attack, having been refused medical assistance by the police officers. Another Georgian citizen, Lasha Argeviliani, who has been sentenced to administrative expulsion, complains of the conditions of detention in the reception and detention centre for aliens where he spent ten days pending his expulsion. He alleges that he was kept in an unheated and very cramped cell (3 to 5 paces), with no mattress or bed linen. He was not allowed to go for walks and was fed once a day, receiving a piece of bread and a glass of tea. According to the lawyers quoted by the writer of the article, the police, who have been arresting Georgians en masse over these last few days, are acting in application of a secret instruction from the head of the police department, Mr Piotrovski, ordering that "large-scale actions be conducted to identify, in so far as possible, all citizens from the Republic of Georgian who are unlawfully present or working in Russian territory, and to expel them". **2. "Political barometer".** The article states that between 5 and 11 October 2006 the Moscow courts issued decisions ordering the expulsion of 598 Georgian citizens. Between 9 and 14 October 50 Georgians were expelled from St Petersburg. One Georgian died at Domodedovo airport in Moscow following an asthma attack and in the absence of medical assistance. On 17 October the Department of Economic Security of the Russian Ministry of Internal Affairs issued information on the defeat "of the banking mafia", linked to the bank "Wek-bank", which was responsible for money trafficking to Georgia. Companies belonging to Georgians, such as the casino "Golden Palace" and the "Kristall" entertainment complex, have been shut down. **3. Article "Polnaya Gamarbodja"** During the anti-Georgian campaign in October, dozens of Georgians waited for their expulsion in inhuman conditions in the St Petersburg detention centre. They had been arrested by the police in application of a certain "secret" order (no. 0215 of 2 October 2006)		

[5] Translator's note: "Demos is a centre for research into issues concerning civil society.

from the St Petersburg department of internal affairs.

This order required that the police, in cooperation with the territorial departments of the Federal Migration Service for St Petersburg and Leningrad Region, and staff of all police departments, conducted large-scale action to identify, in so far as possible, all citizens of the Republic of Georgia who were unlawfully resident or working in the territory of Russia, and expel them. Further, it was proposed to bring proceedings before the courts in order to punish violations of the regulations governing the residence of foreign citizens, with application of the sentence to consist solely in expulsion of the above-cited category of citizens, by placing them in a GUVD reception and detention centre. Finally, it was claimed that these actions "have already been coordinated with the Federal Migration Service for St Petersburg and the Leningrad Region; and the decision-making – with the St Petersburg Court and the Leningrad Regional Court."

Mr Mikhail Amossov, a member of the St Petersburg legislative assembly, has asked the head of the St Petersburg police department and the head of the Federal Migration Service, the presidents of the St Petersburg courts and courts of the Leningrad Region to confirm whether or not this order exists, and whether the expulsion decisions were agreed in advance with the courts, and to confirm the conditions in which the deported Georgians were held. He also requested a copy of the said order.

According to the author of the article, the President of the Leningrad Regional Court, Ms Irina Lodyevskaya, has denied that [implementation of] the order was coordinated with the Federal Migration Service. The President of the St Petersburg Court, Ms Valentina Epifanova, confirmed that she had discussed with presidents of the district courts the problems of consistent interpretation of the laws on the administrative liability of foreigners, but she too denied that she had received recommendations or instructions concerning the expulsion of Georgian citizens.

The deputy head of the St Petersburg police, Mr Boris Donov, neither confirmed nor denied the existence of this order, but refused to provide information on its contents, since this was a State secret.

With regard to the conditions of detention of Georgian citizens, Mr Donov stated that on 12 October 2006 46 Georgians were being held in the detention centre, of whom 44 had been held for more than three months.

He stated that all the detainees had bed linen and were being fed in accordance with instruction no. 3, issued through the decision of the Government of the Russian Federation of 1 December 1992.

However, according to information submitted by Mr Boris Gruzd, a lawyer representing the Georgians' interests, the detainees did not have bed linen and their daily rations consisted in a cup of tea and a piece of bread.

number	**Document type**	**date**
25	**Order from the head of the St Petersburg police department, explaining order no. 0215 of 30 September 2006 (fax)**	**2 October 2006**

Summary/Translation

St Petersburg GUVD 122721/11 02/10 19-00

To: the heads of municipal and district departments of internal affairs in St Petersburg and Leningrad Region

It is necessary to take into consideration the results of actions by the investigation departments in the municipal and regional departments of internal affairs for the purpose of implementing paragraph 3 of GUVD order no. 0215 of 30 September 2006 directly in the territorial departments.

Acting head of police headquarters
Police Colonel V.A. Kudriavtsev

number	**Document type**	**date**
26	**Information note (3 p.m. on 18 October 2006)**	**18 October 2006**

Summary/Translation

In application of order no. 849 of the Russian Ministry of Internal Affairs of 29 September 2006, the Federal Migration Service has taken steps to strengthen supervision of the lawfulness of Georgian citizens' residence on the territory of the Russian Federation. At 3 p.m. on 18 October 2006:

1. 3841 (+216) checks of employers which recruit foreign workers, including Georgian citizens, have been carried out. Following these checks, the activity of 51 (+0) organisations which have committed offences was suspended.

2. Following prophylactic and operational [checks] 4152 (+92) of the Georgian citizens who have committed the offences set out in Articles 18.8 – 18.11 of the Code of Administrative Offences of the Russian Federation have been placed under investigation[6]. The courts have issued 1985 (+47) decisions on the administrative expulsion of these individuals. 768 (+46) Georgian citizens have been expelled from the Russian Federation.

3. Following [these] checks, 13 files have been sent to the bodies of the Ministry of Internal Affairs of the Russian Federation for determination of whether to open a criminal investigation for violation of Article 322.1 of the Criminal Code of the Russian Federation[7].

4. The issuing to Georgian citizens of the [following] documents has been suspended:

   - acquisition of the nationality of the Russian Federation - 1944 (+8) (cases);
   - internal registration document - 3881(+2);
   - temporary residence permits – 1187 (+11);
   - residence permits – 259 (+ 3).

5. The lawfulness of the granting of the [following documents] has been checked:

   - acquisition of the nationality of the Russian Federation– 4904 (+69);
   - internal registration document – 7852 (+69);
   - temporary residence permits – 3333 (+33);

[6] See "relevant domestic law" section.
[7] Ibid.

- residence permits – 1946 (+28).

56 (+0) violations of the law were found, and lawful measures are being taken against the offenders.

6. Other offences committed by and against Georgian citizens were discovered – 1801 (+30).

7. 165 (+ 3) reports on the problem in question appeared in the federal and regional media.

Federal Migration Service of Russia

number	Document type	date
27	**3 documents: instructions from the St Petersburg department of internal affairs**	**2 and 3 October 2006 respectively**

Summary/Translation

St Petersburg 122721/13 02/10 21-00
To: Heads of district police departments for combating economic crime in St Petersburg and the Leningrad Region, and of police departments in the city area (St Petersburg).

[I order that] daily reports be presented until 10 October 2006 on the results of work conducted since 1 October 2006 in accordance with instruction no. 78 from the St Petersburg and Leningrad Region police department of 30 September 2006 no. 0215, the total to be cumulated without specifying the categories. [This information is to be sent] to fax no. 579-70-70 by 5 p.m.
St Petersburg GUVD[8] 122721/08 02.10. 17.00

To: Heads of GUVD departments, internal affairs departments in St Petersburg districts and the Leningrad region

Improvement of the implementation of GUVD order no. 0215 of 30 September 2006 (§§6.1., 6.2., 7)

It is hereby ordered that:

1. During the period between 2 October and 4 October 2006, in cooperation with the territorial departments of the Federal Migration Service of St Petersburg and the Leningrad region and the staff of all police departments, a large-scale operation is to be taken to identify, in so far as possible, all citizens of the Republic of Georgia who are unlawfully resident or working in the Russian territory, and to expel them.
2. [Proceedings] be taken before the courts to punish violations of the rules governing the residence of foreign citizens, the only sentence to be expulsion of the above-mentioned category of citizens by placing [them] in a GUVD reception and detention centre.

   These actions have been coordinated with the Federal Migration Service for St Petersburg and the Leningrad region; and decision making – with the St Petersburg and Leningrad Region court.

[8] GUVD – General Directorate of Internal Affairs

3. I warn [the heads of GUVD departments, district departments of internal affairs in St Petersburg and the Leningrad region] of [their] personal responsibility for the organisation and results of these actions.

Acting head,
St Petersburg Leningrad Region GUVD
Police General V.U. Piotrovskiy

St Petersburg 122721/17 03/10 13-00

To: Heads of district police departments in St Petersburg and the Leningrad region

In order to facilitate preparation of reports for police departments, I hereby order that the following information is submitted [to me] daily:
1. Number of Georgian citizens arrested for offences committed in public areas, with an indication of the Articles [of the Criminal Code] concerned and [with] examples.
2. Number of Georgian citizens arrested for administrative offences, with an indication of the Articles [of the Code of Administrative Offences] concerned.
2.1. Number of Georgian citizens arrested for violations of the regulations governing registration of one's address.
3. Amount of ammunition, weapons, drugs (in grams) confiscated from Georgian citizens.

This information must be submitted daily, without a cumulated total. The first report must be submitted at 3 p.m. on 3 October 2006, giving the results for work on 1 and 2 October 2006.

Acting head,
Headquarters of the internal affairs department
Police Lieutenant-Colonel V.D. Koudriavtsev

number	**Document type**	**date**
28	**See document 27.**	
Summary/Translation		

number	**Document type**	**date**
29	**The file contains 3 documents: (1) court decision ordering Mr Togonidze's administrative expulsion, (2) photograph of a corpse, (3) autopsy report on Mr Togonidze's body**	**Date of the decision - 4 October 2006; date of the autopsy report - 3 November 2006**
Summary/Translation		
Decision of 4 October 2006. After having examined the file of Mr Togonidze Tengiz, born on 28 February 1958, the judge of the Nevskiy District Court of St Petersburg established that the latter had been present on		

the territory of the Russian Federation since 2005, without a valid visa and without registration at an address in St Petersburg. The accused was arrested by the police on 3 October 2006 and admitted his guilt.
On the basis of section 1 of the Law of the Russian Federation "On the right of citizens to freedom of movement and freedom to chose one's place of residence on the territory of the Russian Federation", the court found that the accused had violated this law, and also Article 18.8 of the Code of Administrative Offences of the Russian Federation.
The court provided the following reasoning for the sentence imposed:
"In applying a sanction for this offence, the court takes into consideration the personality of the offender and the circumstances of the offence, and considers that [it is necessary to apply] the sentence of [the defendant's] expulsion from the Russian Federation, since T. Togonidze is [present] in the territory of the Russian Federation without having his address registered, without a visa for Russia, without employment or a legal source of income, and is not taking measures to [make his situation lawful]".
Taking these grounds into account, the court ordered that Mr Togonidze be sentenced to a fine of 15 minimum salaries and to administrative expulsion from the Russian Federation. The court also ordered that Mr Togonidze be placed in the St Petersburg reception and detention centre until the date of his expulsion.
The decision mentioned the defendant's right to lodge an appeal within 10 days of receiving a copy of it.

Autopsy report on the body of Mr Tengiz Togonidze
Conclusion.
N.P. Glukh, pathologist from the Office for Forensic Examinations at the Moscow Department of Health, concluded after carrying out an autopsy on Mr Tengiz Togonidze's body that:
1. the cause of [Mr Togonidze's] death was intoxication by methadone, which was confirmed by chemical analysis. The level of methadone in the blood and urine was 0.11 mg % and the metabolism rate of methadone was 0.69 mg %.
2. The fracture of six ribs on the left side was probably the result of attempts to reanimate [the deceased] and there is no causal link with the death.

number	Document type	date
30	**2 extracts from press releases on the expulsion of Georgians and 2 photographs of people emerging from a plane**	**6 October 2006**

Summary/Translation

Russian news agency RIA/*Novosti*. 6 October 2006, 6.09 p.m.

"The expelled persons have been taken to Tbilisi".
The press release stated that a second plane from the Ministry of Emergencies and Civil Protection had taken 180 Georgian citizens, who had been expelled from Russia, to Tbilisi.
According to the press release, the representative of the Russian authorities in Georgia, Ivan Volynkin, stated that some 176 Russian citizens in Georgia wished to leave for Russia on aircraft belonging to the Emergencies Ministry.

Another flight was scheduled for 9 October in order to return another 80 Russian citizens.
Following a decision by the Russian Government, the ambassador and employees of the Russian Embassy in Tbilisi were recalled to Moscow. At that point, only two diplomats remained.

News published on the website *Lenta.ru*. Information from 6 October 2006, 4.48 p.m.

On Friday 6 October, 143 Georgian citizens were expelled from Russia, according to the "Interfax" agency. According to information communicated by the RIA/*Novosti* agency, the number of expelled Georgians was 180 people.

They were transported on an **IL-76** aeroplane belonging to the Ministry of Emergencies and Civil Protection, and accompanied by representatives of the Federal Migration Service and employees of the consular service of the Georgian Embassy in Moscow. According to Mr Zurab Pataradze, head of the Georgian consular service in Moscow, some of the expelled persons possessed visas and had registered their addresses, but had nonetheless been expelled from Russia.
The checks on the lawfulness of Georgian citizens' residence was a reaction by the Russian authorities to an arrest of Russian officers by Georgia.
Russia had undertaken "adequate measures", having blocked air, maritime and postal communications, as well as vehicle and railway links.
The Russian authorities were conducting checks on companies managed by Georgian citizens, in order to identify possible violations of the law. Several companies in Moscow have been closed following these checks, such as Golden Palace, "Bakara", "Golden Palace Week-end", "Kristall", "Kosmos", for numerous violations of the legislation in force. The managers of some of these companies were suspected of having ties to the Georgian criminal world.

number	Document type	date
31	**Russia suspends postal communications and traffic between Russia and Georgia**	**3 October 2006**

Summary/Translation

Moscow, 3 October 2006
The Ministry of Transport of the Russian Federation has suspended all traffic between Russia and Georgia, whether by rail, air, coach or private cars.
The agency quoted the head of the Russian Federal Agency for Aerial Navigation as stating that the suspension of traffic was linked to a large debt owed by Georgian users of [Russian] airspace. He added that the resumption of traffic would depend on payment of that debt.
According to the press release issued by Russian Railways, rail traffic was suspended on 3 October 2006.
Equally, the Aeroflot company is stopping flights to Georgia from 4 a.m. (Moscow time) on Tuesday.
The Russian Ministry of Communication and Computerisation stated that there had been multiple violations of international agreements in the area of postal communication by the Georgian postal authorities.

number	Document type	date
32	Photograph of an announcement (photocopy). The location is not indicated, and the announcement does not have a signature or heading.	Undated
Summary/Translation		
From 28 September 2006 the Embassy's consular service will suspend the delivery of visas for Georgian citizens. Tel. for information: 91 28 85, 91 27 82		

number	Document type	date
33	**Information letter from the Russian Ministry of Transport (ref. OMS-4/84/182); letter from the head of the road traffic inspection department**	**2 October and 6 October 2006 respectively**
Summary/Translation		

I. Information letter from the Russian Ministry of Transport (ref. OMS-4/84/182)
To: The Ministry of Economic Development of Georgia

The Director of the Department of State policy in the area of roads, transport, geodesy and cartography.

The Ministry of Transport informs [you] of the suspension of coach traffic between Russia and Georgia on the following routes:
Moscow – Akhalkalaki, Moscow – Batumi, Moscow - Tbilisi, Moscow – Marieuli, St Petersburg – Tbilisi, St Petersburg – Zugdidi, Moscow – Kutaysi, Moscow – Rustavi, Moscow – Zugdidi, Samara – Tbilisi, Vladikavkaz – Lagodekhi, Vladikavkaz – Kvareli, Vladikavkaz – Akhmeta.

The Ministry further informs [you] of the withdrawal of road licences for the transportation of merchandise on Russian territory from 2 October 2006 until such time as amendments are made to the intergovernmental Agreement of 3 February 1994 on road transport between Russia and Georgia.

II. Letter of 6 October 2006 from the head of the road traffic inspection department
Further to instruction no. VA- 22/376 of 2 October 2006, the State department for the inspection of road traffic in the Federal Road Traffic Inspection Service informs [you] that the circulation of Georgian vehicles on the territory of the Russian Federation using permits [issued under] the European Conference of European Transport Ministers is now prohibited.

III. Letter of 9 October 2006 from the Georgian road transport service.
The Georgian road transport Service informs the administration of the European Conference of Transport Ministers of the prohibition imposed by the Russian authorities on traffic from Georgian road transport companies.
The Service listed the road traffic companies affected by this measure:
"Apex" LTD
"Georgianexpresstrans"
" Pegas+"
"Sovtransavto-Georgia".

IV. Message from the European Conference of Transport Ministers, sent on 9 October 2006

The message was addressed to Mr Moskichev, deputy Russian Transport Minister, Mr Cherstnev, deputy head of the transport department at the Ministry of Transport, and to Mr Chkhivadze, head of the Georgian road transport service.

In its message, the organisation pointed out that the Russian Federation and Georgia, member States of the Organisation, had agreed to recognise the validity of permits issued by another member State when used in compliance with the terms of the agreement. The organisation urged Russia to take the necessary measures to allow the listed transport companies to resume their journeys.

V. Letter from the Head of the Federal Road Traffic Inspection Service, dated 10 October 2006.

Ref. no. VA-22/389

In this letter, the Service informed the departments for road traffic inspection that, bearing in mind the Russian Federation's international obligations, the department for State policy in the area of roads, transport, geodesy and cartography had cancelled its letter of 6 October 2006, no. 02-3/4-1580-is.

number	Document type	date
34	**Letter from "Morservice groupe Ltd"**	**Undated**
Summary/Translation		
Letter addressed to whom it may concern In this letter, the company stated that Russia had suspended postal and traffic between Russia and Georgia on account of the deterioration in relations between the two countries. Following these events, vessels flying the Georgian flag were being subjected to extremely strict inspections by the Russian authorities. These vessels were recommended to change the Georgian flag for that of another State.		

number	Document type	date
35	**Letter from a company "Dorado", registered at the port of Taganrog**	**Undated**
Summary/Translation		
The company, which was registered by the port of Taganrog, informed its clients that, following recent developments in relations between Russia and Georgia, the port's administration had introduced, in compliance with an instruction from the Russian Ministry of Transport, restrictions prohibiting all vessels flying the Georgian flag from entering the port of Taganrog; a ban on processing cargo imported from Georgia; and a ban on any Georgian members of crews from leaving vessels while in port.		

number	Document type	date
36	**Electronic message**	**6 October 2006**
Summary/Translation		
Subject: conflict between Russia and Georgia. The message came from the company "European Co-operation" (Greece), and was addressed to Mr Valerian Imnayshvili, captain at the Batumi port. The company expressed its concern at the situation in Russian ports as a result of the conflict between the two countries, and asked to be informed as soon as there was an improvement in the situation. Failing any such improvement, the owners of the vessels "Eurotrader", "Eurospirit" and "Eurogalaxy" would be obliged to withdraw their vessels from the Georgian shipping registers.		

number	Document type	date
37	**Electronic message**	**16 October 2006**
Summary/Translation		
This message was sent to the "Georgian authorities". The owners of the vessels "Castor" and "Aspen" stated that they were withdrawing their vessels from the Georgian shipping registers.		

number	Document type	date
38	**Two press articles, the first from the newspaper *Izvestia*, the second from the website *Gazeta Po-Kievskiy*[9]**	5 October 2006
Summary/Translation		
1) *Izvestia*, 5 October 2006 at 3.05 p.m. Georgian lorries have attempted to break the Russian blockade. Seven Georgian lorries have been held in the port of Novorossiysk. "In accordance with the decision of the Russian Ministry of Transport ordering the suspension of traffic between Russia and Georgia, Georgian drivers are forbidden to transit via Russian territory", stated the municipal press officer. All the other vehicles (30) were able to cross the Russian border. The Georgian lorries are expected to leave the port of Novorossiysk this evening on board the same vessel; 2) *Gazera Po-Kievskiy online* (a Ukrainian internet newspaper), 5 October 2006. Seven Georgian lorries, which had arrived by sea, have been held in the port of Novorossiysk. According to Vladimir Erygin, the head of the State enterprise "Administration of the Port of Novorossiysk", "the port of Novorossiysk has taken all necessary measures to supervise all transport routes with Georgia". The article mentioned another case in which two vessels flying under the Georgian flag had been stopped. This incident had occurred the previous week. The port's administration had criticised their failure to comply with international regulations.		

[9] Translator's note: Ukrainian internet newspaper

number	Document type	date
39	**Message from the RAI/*Novosti* agency**	**2 October 2006**
Summary/Translation		

RIA/*Novosti*: the national railway company (RZhD) has decided not to purchase spare parts for its trains.
The board of directors of the national railway company (RZhD) is recommending to the Management that they abandon plans to purchase spare parts from Georgia, according to Vladimir Yakunin, the president of the company (RZhD).
He stated that the company had planned to purchase spare parts in Georgia for 100 million roubles. The company had previously placed orders in Georgia (to its detriment) in order to support Georgian companies. At the present time and given the situation, the board of directors had advised the company to conclude contracts with Russian companies on more advantageous terms.

number	Document type	date
40	**Press article**	**3 October 2006**
Summary/Translation		

Press agency *Novyï Region*, 3 October 2006.
A tour by the Georgia national ballet company to St Petersburg has been cancelled.

The tour by the national ballet company to St Petersburg has been cancelled on account of "the deterioration in the socio-political situation".
The tour was due to take place from 3 November 2006. The tour organisers have explained that it was impossible to bring the artists into Russia on account of the blockade of Georgia. In addition, the artists were unable to obtain Russian visas.

number	Document type	date
41	**Press article**	**3 October 2006**
Summary/Translation		

RIA/*Novosti*, 3 October 2006
How can money be sent to Georgia?

By a decision of the Ministry of Transport of the Russian Federation, traffic between Russia and Georgia has been suspended. The Russian Post Office has announced the suspension of postal operations and money transfers between the two countries.
However, transfers can be made through companies such as Western Union, MoneyGram, Kontakt and others.
This method, however, will be "cut" if members of parliament adopt amendments to the laws "On Banks and Banking Activity" and "On supervision of currency circulation". The proposal has been made by Boris Gryzlov, President of the State Duma. "The Russian Government must be authorised, in extreme cases, to suspend and prohibit bank and postal transfers and bank operations towards certain countries or territories", he stated. Sergey Mironov, President of the Council of the Federation, agreed.

number	Document type	date
42	**Message from the Universal Postal Union (Berne, Switzerland)**	**16 October 2006**
Summary/Translation		
In a letter of 16 October 2006, the Director General of the Universal Postal Union informed the Georgian authorities that the postal administration of the Russian Federation had suspended all types of postal exchange with Georgia.		

number	Document type	date
43	**Official message from the Russian Post Office**	**2 October 2006**
Summary/Translation		
Postal communication with Georgia is to be limited. The Russian Post Office has been obliged to suspend postal exchanges for the following reasons: non-compliance with security measures for packages to or from Georgia; financial claims by the Russian Post Office against the Georgian Post Office; the systematic refusal by the Georgian postal services to pay money transferred from Russia to Georgian payees.		

The Annex also contains three television reports.
The first extract is President Putin's speech on relations between Russia and Georgia.
The two other reports, prepared by the Russian NTV channel, concern crime in Moscow, and in particular, offences committed by Georgian nationals.

Annex 1

I. C. Summary of statements of Georgian citizens submitted by the applicant Government in their application of 27 March 2007

Notes:

- Unless stated otherwise, the interviews were conducted in Georgian.

- All persons interviewed below were informed by the applicant Government, at the beginning of each interview, that their statements would be submitted to the Court as evidence. None of them expressed any objection on that point.

- Facts which appear in the first part of the standard table below – "Summary of statement" – were drawn up on the basis of the assertions of the interviewed individuals. These facts may not correspond to the information appearing in the second part of the table – "Relevant documents" – which was obtained from still footage of official documents.

Name	First name (Patronymic name)	Date of birth	Place of birth
EGIAZARIAN	**David (Sosik)**	**10 July 1980**	**Not specified**
Town: Moscow			
Summary of statement – cassette 1, recorded on 20 October 2006. Interview conducted in Russian.			
Mr David Egiazarian was not interviewed. Apparently, he is a relative of Mr Sosik Egzazarian and was likewise expelled from Moscow. However, the recording contains still footage of the following document:			
Relevant documents			
• Mr David Egiazarian's Georgian passport no. 0342181, containing a Russian multiple-entry visa valid until 12 February 2007.			

Name	First name (Patronymic name)	Date of birth	Place of birth
EGIAZARIAN	**Sosik (David)**	**5 June 1955**	**Not specified**
City: Moscow			
Summary of the statement – cassette 1, recorded on 20 October 2006. Interview conducted in Russian.			
Mr Egiazarian, a Georgian national, arrived in Russia with a visa that was valid until 11 May 2007. On account of an "erroneous" registration of his address, he was brought before a court (the exact date is not mentioned). He was informed of his right to a lawyer but, according to			

Mr Egiazarian, "he did not need one".
He could not remember which entity had carried out the identity check.

He had left no property in Russia.

Relevant documents

- Mr Sosik Egiazarian's Georgian passport no. 0579064, containing a Russian multiple-entry visa valid until 11 May 2007.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 31 November 2007.

Name	First name (Patronymic name)	Date of birth	Place of birth
GOGOKHIA	**Mtvarisa (Napo)**	**22 April 1971**	**Village of Phichori, Abkhazia, Georgia**
Town: Moscow			

Summary of statement –cassette 1, recorded on 18 October 2006

Mrs Gogokhia, a Georgian national, lived with her husband in Moscow, prior to the events described below, for two years. She was undergoing medical treatment there.

On 4 October 2006, when Mrs Gogokhia was on her way to the treating physician, she was suddenly apprehended in a street by law-enforcement agents who wished to check her identity documents. Having showed her Georgian passport containing a Russian visa valid until 21 October 2006, as well as some other residence registration documents, she was nevertheless placed in a police van and transferred to the Russian Federal Migration Service office. She was requested to sign certain documents but refused to do so. Mrs Gogokhia's personal data were entered into the computerised database.

On the same day Mrs Gogokhia was brought before a court. The hearing lasted 5 to 10 minutes. Her requests to be assigned a lawyer and interpreter were left unanswered. The court ordered that she be expelled from the country. A fine was also administered. A copy of the order was not served on her.

Mrs Gogokhia was released pending the enforcement of the court order. She was informed of the right to bring to the airport 20 kg of luggage and cash in the maximum amount of USD 10,000. The expulsion took place on 17 October 2006. The Russian authorities placed Mrs Gogokhia, along with many other Georgians, into a cargo plane. During the flight, she complained of a high fever and asked for medication; this request was ignored by the Russian escorts.

Relevant documents

- Mrs Gogokhia's Georgian passport no. 1050144 with a Russian multiple-entry visa and an internal registration stamp, issued by an agency of the Ministry of the Interior, both valid until 21 October 2006.
- The passport also contains a stamp stating that the administrative removal was carried out on the basis of a decision of 17 October 2006 of the Krasnogorskiy District Office of the Federal Migration Service, signed by V. V. Galaburda.
- Medical certificates (*the stills are illegible*).

Name	First name (Patronymic name)	Date of birth	Place of birth
GVARAMADZE	**Tinatin (Valerian)**	**6 November 1967**	**Tbilisi, Georgia**
Town: Moscow			
Summary of statement – cassette 1, recorded on 19 October 2006			
On an unspecified date Ms Gvaramadze, a Georgian national, went to a police station to request an extension of her residence documents. The police immediately apprehended her and she was brought before a court. The examination of her case lasted 5 minutes approximately. Expulsion was ordered. Pending its enforcement, Ms Gvaramadze was placed in a special detention centre. The conditions of detention were inhuman: total absence of elementary sanitary requirements, overcrowding (7 inmates in a cell of 5 m^2), moral harassment by the staff, limited number of visits to a toilet located outside the cell (approximately twice a day). Throughout her detention in that centre, Ms Gvarmadze was given the right to telephone her relatives only once. She was not however allowed to speak in Georgian.			
Relevant documents			
• Ms Gvaramadze's Georgian passport no. 0806650 with a Russian single-entry visa, valid until 18 September 2006 • The passport contains a stamp stating that the administrative removal was carried out on the basis of a decision of 10 October 2006 of the Zamoskvoretskiy District Court in Moscow. The stamp is signed by the Director of the Special Detention Centre for Aliens no. 2, Mr Balashov.			

Name	First name (Patronymic name)	Date of birth	Place of birth
KALANDIA	**Irine (Giorgi)**	**18 January 1980**	**Gali, Georgia**
Town: Moscow			
Summary of statement- cassette 1, recorded on 19 October 2006			
Ms Kalandia, a Georgian national, was a student of the Dentistry Faculty of a medical institute in Moscow. In parallel, she worked as a salesperson in a shop. She lived with the family of her sister, the latter being a Russian national. On 6 October 2006 Ms Kalandia was apprehended by the Russian Federal Migration Service. Pending the expulsion proceedings, she was detained in a police station. The police custody lasted 3 days. After a court ordered her removal from the country, she was transported, on 10 October 2006, to Georgia in a plane of the Russian Ministry of Emergency Situations. Ms Kalandia submits that, fearing continued detention, she decided not to appeal against the expulsion order, nor did she hire a lawyer for that purpose.			

Relevant documents
• Ms Kalandia's Georgian passport no. 05AB34873 with a Russian multiple-entry visa valid until 6 December 2006. • The passport contains an internal registration stamp valid until 15 September 2006. • The passport contains a stamp stating that the administrative removal was carried out on the basis of a decision of 10 October 2006 of the Shelkovskiy District Court in Moscow.

Name	First name (Patronymic name)	Date of birth	Place of birth
LATSABIDZE	**Davit (Ivane)**	**15 March 1961**	**Khragauli region, Georgia**
Town: Moscow			

Summary of statement – cassette 1, recorded on 19 October 2006

On 9 or 10 October 2006 Mr Latsabidze, a Georgian national, was apprehended in Moscow by agents of the Russian Federal Migration Service. In support of his right to temporary residence, he presented his national passport containing a valid Russian visa and internal registration document. Nevertheless, the agents conveyed him to a police station.

At the police station, Mr Latsabidze continued arguing that he had been lawfully resident in Russia. He submitted that he had often been apprehended before but, in view of his residence documents, had always been released. In reply, a police officer allegedly tore his internal registration document into pieces.

Subsequently, Mr Latsabidze was brought before a court which heard his case and ordered his expulsion in 10-15 minutes. After the hearing, he was taken to a detention centre located in Serpukhovo. Mr Latsabidze was placed, along with seven other inmates, in a cell measuring 6-7 m^2. There was no toilet, and the inmates were obliged to request permission to visit one located in the corridor. The detention officers, irritated at such requests, often refused the inmates such visits. According to Mr Latabidze, the attitude of the detention officers was comparable to that one could observe "in the movies about the Nazis".

On 16 October 2006 Mr Latsbidze was conveyed to an airport and expelled, in a plane, to Georgia. Prior to the expulsion, he was not allowed to go home to collect his personal belongings.

In the course of the expulsion proceedings in Russia Mr Latsabidze repeatedly requested the assistance of a lawyer, but to no avail.

Relevant documents
• Mr Latsabidze's Georgian passport no. 1568152, containing a Russian single entry visa valid until 28 October 2006. • The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 7 June 2006. • The passport also contains a stamp stating that the administrative removal was carried out on the basis of a decision of 17 October 2006 of the Moscow Regional Branch of the Federal Migration Service.

Name	First name (Patronymic name)	Date of birth	Place of birth
TKHILAISHVILI	**Teimuraz (Revaz)**	**19 September 1971**	**Tbilisi, Georgia**
Town: St Petersburg			
Summary of statement – cassette 1, recorded on 19 October 2006			

Mr Tkhilaishvili, a Georgian national, is married to a Russian national with whom he has children. His family lives in St. Petersburg.

Driving his car along a street in St. Petersburg, Mr Tkhilaishvili was stopped by the road traffic police. Assuming that it was a routine check-up, he presented his identity documents. With the comments – "well, Teimuraz…We have a Georgian Teimuraz here…" – the police officers invited him to get out of his car and follow them to a local police station.

Minutes were drawn up at the police station, and Mr Tkhilaishvili was placed in a provisional custody cell, the so-called "*obezyannik*". As one of the police officers later explained to Mr Tkhilaishvili "Had you been Chinese, we would have released you…We have a directive to beat Georgians down …" Mr Tkhilaishvili was not given the right to place a telephone call to his wife. He gave the police his home address (1, Kirochnaya street) and asked them to inform his family of his whereabouts. To no avail. According to Mr Tkhilaishvili, his internal registration documents were demonstratively torn into pieces at the police station.

Having spent in 3 days police custody, Mr Tkhilaishvili was brought before a court. A hearing lasted approximately 7 minutes. The court imposed a fine in the amount of 1,000 Russian roubles and ordered his expulsion. The court further stated that, pending the enforcement of the order, Mr Tkhilaishvili be placed in a special detention centre for aliens (*spetspriomnik*). An appeal lay against that decision within the following 10 days.

When Mr Tkhilaishvili arrived at the detention centre, there were only two other Georgians detained there. In the following week, the number of Georgian detainees raised to 55, of whom 12 were women, including certain of advanced age (up to 70 years old). According to Mr Tkhilaishvili, it was impossible for him to appeal against the above-mentioned expulsion order, as he was not assisted by a lawyer from the outside, whilst the detention centre staff would simply destroy any letter received from the inmates.

In the detention centre, Mr Tkhilaishvili was placed in a cell measuring approximately 7m^2. Five more inmates were kept in his cell. It was a cold place, with a cement floor; a tiny window with bars served as the only source of natural light. The provided food was "inedible". The inmates were not given shaving and other personal hygiene utilities. Mr Tkhilaishvili spent 3 weeks in the cell; only once was he taken to a bath, where there were no showers but large bowls with water. There was a corner toilet, which was not partitioned from the rest of the cell; the other inmates could not avoid seeing what one of them was doing there. Throughout the period of his detention at that centre, Mr Tkhilaishvili, along with other inmates, was let out for a walk only twice. The inmates' requests for medication were always rejected by the staff.

Having spent 3 weeks in the detention centre, Mr Tkhilaishvili, along with 25 other Georgians, was placed in a bus and taken to Moscow.
There was a Georgian man suffering from an acute asthma attack in the bus.

The asthmatic person was in such a drastic condition that he could hardly stay balanced on the chair. He asked to have the bus stopped and be allowed to get out, but one of the escorting officers punched him and then attacked with an electroshock device. The other Georgians protested against the ill-treatment of the sick person but were also punched by the escort. On arrival at the Moscow airport Domodedovo, the escort informed the Georgian Consul that the asthmatic man was "about to die".
The latter was then cautiously taken out of the bus with the help of the others but, having walked 10-15 metres, he suddenly fell dead on the ground. The escort wrapped his body in a cloth. Mr Tkhilaishvili cannot recall the name of the deceased person.

Mr Tkhilaishvili, along with many other Georgians, was transported to Georgia from Moscow by a special plane of the Russian Ministry of Emergency Situations. His family remained in St. Petersburg. He would not be able to return to Russia for the following 5 years.

Relevant documents

- An expulsion order signed by Judge I. E. Simonova. The date and the name of the issuing court, as well as the content of the order (in Russian), is not legible.
- Certificates issued by the Georgian Consulate in Russia authorising Mr Tkhilaishvili to travel from Russia to Georgia.
- *Note: The snapshots of the documents are illegible*

Name	First name	Date of birth	Place of birth
ZAKARIAN	**Hamlet**	**30 August 1957**	**illegible**
City: Moscow			

Summary of statement – cassette 1. Interview conducted in Russian.

Mr Zakarian, a Georgian national, arrived in Russia with a work permit that was valid until 29 April 2007.

On 1 October 2006 he was arrested by the police and brought before a court. At the hearing, the judge explained to him that, in breach of the law, his name had not been registered in the computerised database, although the relevant registration stamp had been made in his passport. The immigration service was present at the court hearing.

The court sentenced Mr Zakarian to a fine and ordered his administrative expulsion for unlawful residence, in particular for "absence of registration" in the electronic database. He was informed of his right to appeal against his decision within ten days. He had not done so, however, for fear of leaving his house and having to undergo a further identity check. He had not been detained after the hearing.

On 9 October 2006 he was transported to Tbilisi in a plane belonging to the Ministry of Emergencies and Civil Protection. Mr Zakarian stated that a meal had been served in the plane.

Relevant documents

- Georgian passport no. 07001019411, with a Russian visa valid until 27 April 2007; stamp entered in passport by the border police, certifying the date of arrival in Russia on 21 May 2006; the other stamps are illegible.

Name	First name	Date of birth	Place of birth
ZAKARIAN	**Hararat (Ara)**	**10 September 1970**	**Akhalkalaki**
City: Moscow			
Summary of statement – cassette 1. Interview conducted in Russian.			
Mr Ara Zakarian, a Georgian national, arrived in Russia with a work permit that was valid until 30 April 2007. Following an identity check, he was arrested by the police and brought before a court. He did not recall the exact date of his arrest. The court sentenced him to a fine and administrative expulsion for an "erroneous internal registration document". Mr Zakarian was informed of his right to lodge an appeal within 10 days, but he was sent to Tbilisi 8 or 9 days later. According to Mr Zakarian, he has no property in Russia.			
Relevant documents			
• Georgian passport no. 05AA09140 with a Russian visa that was valid until 30 April 2007 • Stamp of the department of internal affairs (almost illegible), certifying registration of an address in Moscow no. 5579/102, on 30 December 2006.			

Name	First name	Date of birth	Place of birth
ZAKARIAN	**Harutyun**	**16 October 1983**	**Non indiqué**
Town: Moscow			
Summary of statement – cassette 1			
Mr Harutyun Zakarian was not interviewed. Apparently, he is a relative of Messrs Samvel, Hamlet and Hararat Zakarian and was also expelled from Moscow. The recording however contains stills of the following document.			
Relevant documents			
A Russian multiple-entry visa issued for Mr Harutyun Zakarian. The visa is valid until 8 June 2007.			

Name	First name	Date of birth	Place of birth
ZAKARIAN	**Samvel**	**10 April 1952**	**Not indicated**
City: Moscow			
Summary of the statement – cassette 1. Interview conducted in Russian.			
Mr Samvel Zakharian, a Georgian national, arrived in Russia with a one-year work permit, valid from 15 May 2006 to 12 May 2007. He was arrested and brought before a court on charges of having violated the administrative regulations. Although registered in Moscow, he was allegedly resident in another location, one kilometre away from Moscow.			

The hearing was held on 3 October 2006. Mr Zakarian was informed that he was entitled to legal assistance.

He was informed of his right to lodge an appeal against the court's decision within ten days. He was not detained after the hearing. On 10 or 11 October 2006 (he had forgotten the exact date), he was taken to Tbilisi on a plane belonging to the Ministry of Emergencies and Civil Protection.

According to Mr Zakarian, he had left no property in Russia.

Relevant documents

- Georgian passport no. (illegible), with a Russian visa valid until 12 May 2007
- Stamp entered by the border police, certifying the date of arrival in Russia on 21 May 2006; other stamps are illegible.

Name	First name (Patronymic name)	Date of birth	Place of birth
TORDIA	**Murman (Iona)**	**10 March 1952**	**Zugdidi, Georgia**
Town: Saint-Petersburg			

Summary of statement – cassette 1, recorded on 19 October 2006

Mr Tordia, a Georgian national, was working as a driver of a minibus in St. Petersburg.

On 3 October 2006 the traffic police officers ordered Mr Tordia to stop his minibus in a street and, having discovered his Georgian nationality, took him to police station no. 18. He spent the following three days in police custody. His cell did not contain a bed.

On 6 October 2006 Mr Tordia, without being informed of that fact in advance, was taken to a court. He was not offered the assistance of a lawyer. The court ordered his expulsion.

Subsequently, he was taken to a special detention centre and placed, together with 5 other Georgian nationals, in a cell measuring approximately 5 m^2. A corner toilet was not partitioned; an inmate relieving himself there could not avoid being observed by others. The food provided was of deplorable quality. According to Mr Tordia "even a pig would not eat it". The inmates were not allowed outside for a walk. In a couple of days, Mr Tordia was transferred to another cell which he shared with another Georgian detainee.

On 17 October 2006 Mr Tordia was expelled to Georgia.

Relevant documents

- Mr Tordia's Georgian passport no. 1659273, containing a Russian multiple-entry visa, business type, valid until 30 November 2006.
- The passport contains a stamp, signed by inspector A. I. Naumov, stating that the administrative removal was carried out on the basis of a decision of 17 October 2006 of the St. Petersburg Regional Branch of the Federal Migration Service.

Name	First name	Date of birth	Place of birth
ZAKARIAN	**Stefan**	**4 February 1985**	**Not specified**
Town: Moscow			
Summary of statement – cassette 1			
Mr Stefan Zakarian was not interviewed. Apparently, he is a relative of Messrs Samvel, Hamlet and Hararat Zakarian and was likewise expelled from Moscow. The recording however contains stills of the following document:			
Relevant documents			
• Mr Stefan Zakarian's Georgian passport no. 1025249, containing a Russian multiple-entry visa valid until 12 May 2007.			

Name	First name (Patronymic name)	Date of birth	Place of birth
RACHVELISHVILI	**Gocha (Vladimir)**	**25 January 1941**	**Tbilisi, Georgia**
Town: Moscow			
Summary of statement – cassette 1, recorded on 19 October 2006			
Mr Rachvelishvili, a Georgian national, resided in Moscow on the basis of a Russian visa valid until 6 March 2007 and an internal registration document. On 6 October 2006 (Friday evening), Mr Rachvelishvili was detained by the police of the Ziablikovo District and conveyed to the Federal Migration Service office, where he spent a night in a tiny cell (7 other inmates were kept in the same cell). On the following day he was released but summoned again for 9 October 2006. On the latter date, the Migration Service accused Mr Rachvelishvili of possessing fake internal registration document and detained him pending the court examination of the issue. It is not clear from Mr Rachvelishvili's submissions when exactly he was brought before a court. The latter heard his case, along with those of seven other persons, hurriedly. The expulsion order was not served on Mr Rachvelishvili. His requests to be assisted by a lawyer were left unanswered. Pending the enforcement of the order, Mr Rachvelishvili was placed in a special detention centre for aliens (*spetspriomnik*), where he spent a week. He does not give many details about the conditions of his detention, except for mentioning that there were 6 beds, a sink and a toilet that was not partitioned from the rest of the cell. On 17 October 2006 Mr Rahcvelishvili was expelled to Georgia. He left all his personal belongings in Moscow.			
Relevant documents			
• Mr Rachvelishvili's Georgian passport no. 1501836 with a Russian multiple-entry visa valid until 6 March 2007. • The passport also contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 3 March 2006. • The passport contains a stamp stating that the expulsion was carried out on the basis of a decision of 10 October 2006 of the Nagatinskiy District Court in Moscow. The stamp is signed by the Director of the Detention Centre for Aliens no. 1.			

Name	First name (Patronymic name)	Date of birth	Place of birth
SAAKIAN	**Sergei (Tigran)**	**20 July 1986**	**Not specified**
City: Moscow			
Summary of statement – cassette 1. Interview conducted in Russian.			
Mr Saakian, a Georgian national, held a Russian visa that was valid until 4 June 2007. The registration of his address was valid until 14 November 2006. Mr Saakian had a work permit. On 3 October 2006 he was arrested because he was not residing at the address at which he was registered. He was brought before a court. On 10 October 2006 Mr Saakian was sent to Georgia in a plane belonging to the Ministry of Emergencies and Civil Protection. Mr Saakian claimed that he had not left any property in Russia.			
Relevant documents			
• Mr Saakian's Georgian passport no. 1755344 containing a Russian multiple-entry visa valid until 4 June 2007. • The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 14 December 2006.			

Name	First name (Patronymic name)	Date of birth	Place of birth
VORONOV	**Genadi (Grigori)**	**24 November 1978**	**Not specified**
Town: Moscow			
Summary of statement – cassette 1. Recorded on 18 October 2006. Interview conducted in Russian.			
Mr Voronov, a Georgian national, was apprehended on the outside premises of the Georgian Consulate in Moscow on 6 October 2006. He was first taken to a police station, where an expulsion case was opened, and later that day was brought before a court. Mr Voronov claims that, at the material time of those events, he had both a valid Russian visa and proper internal registration of his residence in Moscow. The Khamovnicheskiy District Court in Moscow ordered Mr Voronov's removal from the country, apparently, on the basis of the finding that his internal registration stamp had been issued fraudulently. In reply to Mr Voronov's arguments, the judge replied that an appeal lay against the order within the following 10 days. After the hearing, Mr Voronov was transferred to a special detention facility for aliens. Initially, he was placed with 5 other inmates in a cell which was supposed to accommodate 3 persons. Subsequently, he was transferred to another more spacious cell. He was provided with food twice a day. There was a toilet in the cell. Having spent 4 days in the detention facility, Mr Voronov was expelled, apparently on 10 October 2006, to Georgia.			

As can be inferred from Mr Voronov's submissions, his wife, a Russian national, hired a lawyer for him, and the expulsion order of 6 October 2006 was challenged on an unspecified date before an appellate court in Moscow. At the time of the interview, the appellate proceedings were still pending.

As a result of the expulsion, Mr Voronov was separated from his family, who continued to live in Moscow.

Relevant documents

- Mr Voronov's Georgian passport no. 0704333, containing a Russian multiple-entry visa valid until 21 March 2007.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 17 October 2006.
- A certificate, issued by the Moscow civil registry on 1 September 2006, confirming the fact of marriage between Mr Voronov and Ms Natalia Kiryukhina, a Russian national.
- A certificate, issued by the Moscow civil registry on 15 September 2006, confirming that Ms Elizaveta Voronova was born on 15 August 2003 from the relationship between Mr Voronov and Ms Kiryukhina.

Name	First name (Patronymic Name)	Date of birth	Place of birth
MSKHVILIDZE	**Inga (Rezo)**	**9 October 1974**	**Village of Mayakovskiy (Baghdati), Georgia**
Town: Moscow			

Summary of statement – cassette 1, recorded on 18 October 2006

Ms Mskhvilidze, a Georgian national, had a Russian visa which expired at the material time of the events. She had lived with her family in the Russian Federation for 12 years and, after the sudden expulsion, left all her personal and household belongings in Moscow.

Ms Mskhvilidze was apprehended on 29 September 2006 (Friday evening), by the Federal Migration Service officers. No reasons for her detention were given on the spot, the plainclothes officers stating that everything would be explained at the nearest police station.

Ms Mskhvilidze was taken to police station no. 165 of the Shelkovo District, where she was placed in a tiny provisional custody cell, the so-called "*obezyannik*" (*Note*: literal translation – "a place for monkeys"). Eight more women were detained in the same cell, which measured approximately 4.5 m^2. Four or five men were detained in a cell located in the basement of the police station. However, one of those male detainees, who suffered from asthma, was later transferred to the females' cell, where more fresh air was available. There was neither access to running water nor toilet facilities in Ms Mskhvilidze's cell, the female inmates being obliged to request access to the toilet located in the men's cell. That toilet was filthy and emanating an unbearable stench.

On Monday 17 October 2006 Ms Mskhvilidze was transferred to a special detention centre for aliens (*spetspriyomnik*). That centre was located near the Novoslobodskaya metro station.

Men and women were detained separately. Mrs Mskhvilidze was placed in the cell no. 2, and the officer in charge of her detention was Ms Ekaterina Sokolova. Her new cell was "tiny" (its measurements are not specified) and seven other women were kept there. As there was no toilet, the inmates had to request permission to visit one located in the corridor. In order not to be disturbed often with such requests, the detention officers gave the female inmates a bucket. A court heard Ms Mskhvilidze's case, along with those of twelve other persons, in one hour approximately. The examination of her personal file lasted approximately 5 minutes. Ms Mskhvilidze was not served with a copy of the expulsion order. She was not assisted by a lawyer throughout the relevant proceedings (according to her submissions, she did not request legal assistance due to the alleged fact of being reassured by the Russian authorities that "everything would be fine with her"). Only once did the Consul of the Georgian State visit her and the other Georgians in the above-mentioned deportation centre. As disclosed by Ms Mskhvilidze's submissions, her child (the age and sex is unknown) was kept at the deportation centre for two days, pending permission to be reunited with her.
Relevant documents
None submitted.

Name	First name	Date of birth	Place of birth
MSKHVILIDZE	**Nodar**		
Town			
Summary of statement – cassette 1			
This person was omitted from both the actual video recording and Georgian transcript thereof. No copies or snapshots of any official documents concerning this person has been submitted.			
Relevant documents			

Name	First name	Date of birth	Place of birth
NATCHKEBIA	**Liana**	**24 July 1948**	**Not specified**
Town: Moscow			
Summary of statement – cassette 1, recorded on 18 October 2006.			
Mrs Natchkebia, a Georgian national, was working as an independent vendor in a market in Moscow. As disclosed by her interview, she did not have a valid Russian visa or other residence documents at the material time of the events. However, prior to those events, the authorities never challenged her residence status. Everybody knew her at the market; the local police would even affectionately call her "*babussya*" ("grandma"). In the morning of 4 October 2006, when Mrs Natchkebia arrived at her workplace, she was apprehended by representatives of the Russian Federal Migration Service. Along with some			

twenty other market vendors of Georgian nationality, Mrs Natchkebia was taken in a police van to a local police station. She witnessed how the Migration Service officers torn into pieces the internal registration document of one of the apprehended Georgians.

Mrs Nachkebia was brought to police station no. 43 placed, located in the Domodedovo district, and was placed in a provisional custody cell, where she spent the night together with 3 other Georgian women. It was extremely cold in the cell (-2 degrees Celsius during the night), but the inmates were not given blankets. They were rarely allowed to visit a toilet located outside of the cell. Instead, there was a bucket within the cell, and the inmates were invited to use it for the toilet purposes.

On the following day Mrs Natchkebia was brought before a court. Her case was examined, along with those of seven other Georgians, in approximately two hours. None of them was assisted by a lawyer. They Georgians were not allowed to pose questions to the judge. Mrs Natchkebia witnessed how some of her co-detainees were forced to sign certain documents in the courthouse.

After the hearing, Mrs Natchkebia was conveyed to a special detention centre for aliens located near the Metro station Novoslabodskaia. She recalls that there was an officer, named Sokolova, who was particularly nasty in her dealings with the detainees. According to Ms Natchkebia's descriptions, the cell in which she was placed together with seven other Georgian women measured approximately 5m^2. No blankets or linen were provided. The only source of natural light was a tiny window. It would take the inmates hours of banging on the door before the detention centre staff would allow them to visit a toilet located outside. In order not to be disturbed often with such requests, the officers gave the female inmates a bucket for toilet purposes. The detainees were constantly denied drinking water, the detention officers allegedly replying "the toilet bucket, you can drink from there." The inmates once received a parcel from their relatives containing 4 bottles of drinking water, juice, tea and sugar. They themselves prepared tea with the hot water running from the tap in the toilet.

Mrs Natchkebia states that late Mrs Manana Jabelia (see the interview with Mr Noko Kvaratskhelia below) was detained in the same cell with her.

Mrs Natchkebia stayed in the detention centre until 17 October 2006, the date when her expulsion took place. Throughout all that period, the Georgian Consul managed to visit her only once.

According to Mrs Natchkebia, during both the initial police custody and in the special centre, the authorities often insulted the detained Georgians because of their ethnicity.

Prior to the expulsion, Mrs Natchkebia was not allowed to return home to collect her personal belongings and valuables.

Relevant documents

- Mrs Natchkebia's Georgian passport no. 0923542.
- The passport contains a stamp, according to which the administrative removal was carried out on the basis of an order of 5 October 2006 of the Nagatinskiy District Court in Moscow.

Name	First name (Patronymic name)	Date of birth	Place of birth
NEBIERIDZE	**Amiran (Jemal)**	**5 February 1961**	**Zestafoni, Georgia**
Town: Moscow			
Summary of statement – cassette 2, recorded on 24 October 2006			

On an unspecified date Mr Nebieridze, a Georgian national, was apprehended in Ryabinov street in Moscow, together with his three Georgian companions. Having showed a valid Russian visa and an internal registration document, he, as well as the other Georgians, was nevertheless conveyed to a police station located in the Ochakovo District, together with the other Georgians. On arrival there, the Georgians were immediately handcuffed and placed in "a cage". The police opened expulsion cases against them.

Mr Nebieridze was allegedly forced by the police to sign certain documents. After having spent approximately 4 hours in police custody, the detained Georgians were taken to a court. Mr Nebieridze was ordered to wait in a corridor of the courthouse; he never saw the judge in person. All he witnessed was that a woman "came out and stamped deportation orders in our passports right on the windowsill".

Afterwards, Mr Nebieridze and three other Georgians were taken to a detention centre located on the Dmitrovo highway. However, there were no places in that already overcrowded centre. It is not clear where Mr Nebieridze spent the night but, on the following day he was conveyed to the Bykovo airport, from which the Russian authorities finally expelled him to Georgia.

Relevant documents

- Mr Nebieridze's Georgian passport no. 05AA28724, containing a Russian multiple-entry visa and internal registration stamp, valid until 12 May 2007 and 21 November 2006 respectively.
- The passport contains a stamp stating that the expulsion of its holder was carried out on 5 October 2006 on the basis of a decision of the Moscow Regional Office of the Russian Federal Migration Service.

Name	First name (Patronymic name)	Date of birth	Place of birth
MANAGADZE	**Giorgi (Vitali)**	**20 April 1988**	**Kutaisi, Georgia**
Town: Moscow			
Summary of statement – cassette 2, recorded on 24 October 2006			

Mr Managadze, a Georgian national, was employed as a worker at a construction site near the Park of Expositions (*VDNKH*) in Moscow. He was apprehended at his workplace on 2 October 2006 and conveyed to a local police station. Pending expulsion proceedings, he was apparently held in police custody, as all the special detention centres for aliens were already overcrowded at that time. According to him, the police officers did not trouble themselves to provide him with, at the least, drinking water.

Subsequently, he was brought before a court. According to Mr Managadze's submissions, the examination of his case lasted approximately 3 hours. He was assisted by an interpreter. His references to the fact of having valid residence documents were left unanswered by the judge.

On 6 October 2006 Mr Managadze was expelled in a cargo plane to Georgia, along with many other Georgians. Some of the passengers (mostly women) were sitting either on the luggage or a long chair, whilst the majority of men were standing throughout the flight. Mr Managadze left his clothes and personal belongings in Moscow.

Relevant documents

- Mr Managadze's Georgian passport no. 05AB39399 with a Russian multiple-entry visa valid until 13 September 2007.
- The passport also contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 16 March 2007.

Name	First name (Patronymic name)	Date of birth	Place of birth
MODEBADZE	**Amiran (Giorgi)**	**4 March 1959**	**Village of Sapresia, Vani Region, Georgia**
Town: Moscow			

Summary of statement – cassette 2, recorded on 24 October 2006

On 4 September 2006, whilst shopping at one of the Moscow's food markets, Mr Modebadze was apprehended by a police officer and requested to show his identity and registration documents. Mr Modebadze had both a valid Russian visa and internal registration document, along with a "migration card", the officer however conveyed him to a police station located near Vykhino Metro station. At the latter place, Mr Modebadze was told that his registration document was fake. The police allegedly tore the document into pieces.

On the following day the police took Mr Modebadze to a court, located in the Perovo District. The court ordered his expulsion. The hearing lasted a minute. A copy of the expulsion order was served on Mr Modebadze but was later withheld at the airport by Russian customs officers.

On 6 October 2006 Mr Modebadze was expelled to Georgia in a cargo plane of the Russian Ministry of the Emergency Situations, the conditions of that flight being identical to those described by other interviewed persons (see, for example, the interviews of Mr Managadze and Mr Lomidze). He left his clothes, other personal belongings and valuables (including a car) in Moscow.

Relevant documents

- Mr Modebadze's Georgian passport no. 05AA90000 with a Russian multiple-entry visa, business type, valid until 15 June 2007.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior valid until 6 January 2007.
- The passport contains a stamp confirming the fact of administrative removal on the basis of a court decision no. 305/43 of 15 October 2006. The stamp is signed by Mr Zakharov, an inspector of the Veshnyaki District Office in Moscow of the Federal Migration Service.

Name	First name (Patronymic name)	Date of birth	Place of birth
SIVAKASHVILI	**Zurab (Grigori)**	**2 July 1957**	**Sokhumi, Abkhazian Autonomous Republic, Georgia**
Town: Moscow			

Summary of statement – cassette 2, recorded on 24 October 2006. Interview conducted in Russian.

Mr Sivakashvili, a Georgian national, was apprehended in Kashirskaya street in Moscow on 5 October 2006 by the traffic police. He claims that the apprehension was a result of his Georgian nationality.

Mr Sivakashvili was conveyed to a police station, where he was kept in custody for twenty-four hours. The conditions of a provisional detention cell where he was placed were extremely poor. There were apparently no beds, and he was not able to have a sleep on the cold, cement floor of that cell.

On the following day, Mr Sivakashvili was transferred to a special detention centre. He was placed in a "filtration cell" which measured approximately 40 m^2 and contained 20 beds. Some 50 persons were kept in that cell. An unbearable stench hang in the air, as there was an unpartitioned corner toilet which was extremely filthy and impossible to flush. It was impossible to open the window in the cell. The inmates were not allowed to have an outside walk. There were instances when some of them fell sick, but the administration of the centre never provided adequate medical care.

On an unspecified date Mr Sivakashvili was brought before a court which ordered his expulsion, apparently, on the basis of the finding that he had not registered the place of his residence in Moscow. The hearing lasted 15 minutes. Mr Sivakashvili considered that any resort to legal counsel would have been useless in the given circumstances, when it was a well-known, common fact that Georgians were being singled out by the Russian authorities.
Subsequently, Mr Sivakashvili was expelled to Georgia in a plane. He, together with other detained Georgians, was conveyed from the above-mentioned detention centre to the airport by the police *special forces* unit (OMON). According to Mr Sivakashvili, the escortsstreated the detainees as "cattle".

Mr Sivakashvili left some of his belongings and valuables in Moscow. Apparently, prior to his expulsion, Mr Sivakashvili had lived there, together with his family, for 13 years.

Relevant documents

- Mr Sivakashvili's Georgian passport no. 0634892.
- The passport contains a Russian visa, valid until 14 June 2007.

Name	First name	Date of birth	Place of birth
TSKIPURISHVILI	**Koba, Tamila and Giorgi**	**25 July 1971 (Koba), 25 July 1975 (Tamila) and 28 September 1992 (Giorgi)**	**Village of Kodalani, Terjola Region, Georgia**
Town: Moscow			

Summary of statement – cassette 2, recorded on 24 October 2006

Koba and Tamila are spouses. Giorgi is their son. All of them are Georgian nationals.

On 28 September 2006 the Tskipursihvili family was celebrating Giorgi's birthday at their home. The gusts included Mrs Tskipurishvili's sister with her husband and two children.

An unexpected ring on the door revealed a visit by plainclothes agents of the Russian Federal Migration Service. The Tskipurishvili family, still wearing their domestic clothes, and their guests were forcefully taken to a local police station. Giorgi was kept in police custody only one day, the police then removing him from his parents and transferring him to an unidentified place. Koba and Tamila were detained there for the following 3 days.

Subsequently, Koba and Tamila were brought before a court which ordered their deportation in a hearing of 5 minutes. As Tamila did not know the Russian language and was not assisted by an interpreter, she could hardly understand what was happening. After the hearing, the spouses were separated and transferred to sex-differentiated detention centres for aliens.

Mr Tskipursihvili was placed, along with eleven other men, into a cell measuring approximately 4 m^2. There was a filthy toilet, emanating a stench, which was separated from the rest of the cell by a curtain.

Mrs Tskipurishvili was placed, along with seven other women, in a cell measuring approximately 3-4 m^2. No blanket or linen were provided. The food was of limited quantity and of poor quality. The female inmates were allowed to visit a toilet located outside their cell only twice a day: early in the morning (around 6 a.m.) and in the evening, before going to bed. If there was a need to relieve oneself during the rest of the time, a bucket in the cell could serve for that purpose. Throughout all that time, Mrs Tskipurishvili was tormented by the total lack of information about the whereabouts of her son. All her enquiries about Giorgi were left unanswered by the administration of the centre.

Having been kept in detention 9 days, Koba and Tamila were reunited on 6 October 2006, the day of their expulsion to Georgia. Their son was still inexplicably missing, and Mrs Tskipurishvili became hysterical at the airport. The Consul of the Georgian State, who was supervising the expulsion, promised the Tskipurishvili family to find their son.

Koba and Tamila were transferred to Georgia in a cargo plane, along with some 300 other Georgians. Many passengers were standing throughout the flight, as there were not enough places to sit.

Once in Georgia, the Tskipusrishvilis were informed by the Georgian Consul that their son had finally been found. Within the following three days, Giorgi returned to Georgia. As disclosed by Giorgi's interview, after the separation from his parents at the police station, the authorities handed him over to a centre for homeless children, where he stayed for 7 days, until the Georgian consul finally located him.
Relevant documents
• Mrs Tskipurishvili's Georgian passport no. 1595952 contains a stamp, signed by Mr Balashov, Director of the Special Detention Centre for Aliens no. 2, according to which the expulsion was carried away on 6 October 2006 on the basis of a decision of 30 September 2006 of the Preobrazhenskiy District Court in Moscow. • Mr Koba Tskipurishvili's Georgian passport no. 0944537 containing a stamp, signed by Mr Gerasimov, Director of the Special Detention Centre for Aliens no. 1, according to which the deportation was carried out on 6 October 2006 on the basis of a decision of 30 September 2006 of the Preobrazhenskiy District Court in Moscow.

Name	First name (Patronymic name)	Date of birth	Place of birth
TSIREKIDZE	**Besik (Leri)**	**28 October 1973**	**Tkibuli, Georgia**
Town: Moscow			
Summary of statement cassette 2, recorded on 26 October 2006			
On 4 October 2006 the police visited Mr Tsirekidze, a Georgian national, at home. Having checked his identity documents, the police conveyed him to a local police station. He spent a night in custody, during which time the police compiled an expulsion case file. On the following day Mr Tsirekidze was brought before a court which examined his case and ordered expulsion in approximately 10 minutes. The court was located in the Voikovski District of Moscow. After the hearing, Mr Tsirekidze was transferred to a special detention centre and placed in a cell, measuring around 15 m^2, together with four other Georgians. Mr Tsirekidze complains that his cell was extremely filthy. On 6 October 2006 Mr Tsirekidze was expelled to Georgia in a cargo plane, the conditions of flight coinciding with those described by other interviewees (see, for example, the interviews with Mr Managadze and Mr Lomidze).			
Relevant documents			
• Mr Tsirekidze's Georgian passport no. 05AB38205 with a Russian multiple-entry visa, business type, valid until 22 August 2007. • The passport also contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 14 March 2007.			

Name	First name (Patronymic name)	Date of birth	Place of birth
TURABELIDZE	**Davit (Suliko)**	**6 January 1972**	**Kutaisi (Georgia)**
Town: Moscow			
Summary of statement – cassette 2, recorded on 24 October 2006			
On 2 October 2006 Mr Turabelidze, a Georgian national, was apprehended in the street in the Lubertsk District in Moscow. Having noted his Georgian nationality, the representatives of unidentified authorities conveyed Mr Turabelidze to a local police station. He was placed in a cell different from the ordinary provisional custody cells. His cell was extremely dim, without a window. He spent two days in custody, during which time an expulsion case was filed. Mr Turabelidze was requested by the police to sign certain documents, the content of which was not explained to him. Subsequently, Mr Turabelidze was brought before a court. The examination of his case lasted 5 minutes. He tried to prove that he possessed valid documents authorising his stay in the Russian Federation. The judge allegedly replied that the fact of being a Georgian national was sufficient, in the circumstances, for the expulsion. Mr Turabelidze recalls that he was reminded of his right to legal assistance and that the expulsion order was served on him. After the hearing, Mr Turabelidze was transferred to a special detention centre located in Serpukhovo district, where he stayed for two days, until his expulsion to Georgia.			
Relevant documents			
• Mr Turabelidze's Georgian passport no. 1739162 containing a Russian multiple-entry visa, valid until 26 July 2007. • The passport contains a stamp, issued by inspector Akinfeev of the Moscow Regional Branch of the Federal Migration Service, confirming the fact of administrative removal on 6 October 2006.			

Name	First name (Patronymic name)	Date of birth	Place of birth
KOBAKHIDZE	**Vladimer (Sergo)**	**12 March 1982**	**Zestafoni, Georgia**
Town: Moscow			
Summary of statement – cassette 2, recorded on 26 October 2006			
Mr Kobakhidze, a Georgian national, was working in a Georgian bakery in Moscow. At the material time, he held a valid Russian visa and internal registration documents. On 4 October 2006 plainclothed agents of the Federal Migration Service apprehended Mr Kobakhidze at his workplace and conveyed him to a local police station, where an expulsion case was opened. Subsequently, Mr Kobakhidze was brought before a court. The judge, allegedly without examining his file, ordered his expulsion. Those proceedings lasted approximately 2 minutes. Mr Kobakhidze was informed of his right to appeal against the order and was reminded of the			

possibility to request the assistance of a lawyer for that purpose. The judge allegedly added that, in the event of lodging an appeal, Mr Kobakhidze would stay in detention for 3 months and that, in the end, would still be expelled to Georgia.

After the hearing, Mr Kobakhidze was transferred to a special detention centre, where he stayed two days until his expulsion to Georgia.

Relevant documents

- Mr Kobakhidze's Georgian passport no. 1035089 with a Russian multiple-entry visa valid until 14 August 2007.
- The passport contains a stamp according to which the administrative removal was carried out on 6 October 2006 on the basis of a decision of 4 October 2006 of the Presnenskiy District Court in Moscow. The stamp is signed by the Director of the Special Detention Centre no. 1, Mr Gerasimov.

Name	First name (Patronymic name)	Date of birth	Place of birth
JINJIKHADZE	**Abel (Avtandil)**	**29 September 1979**	**Kutaisi, Georgia**
Town: Moscow			

Summary of statement – cassette 2, recorded on 24 October 2006

On 2 October 2006 Mr Jinjikhadze, a Georgian national, was apprehended in a street in Moscow, when he was heading to a shop to buy bread. He was conveyed to the police station no. 26 and was placed in a cell of provisional detention.

Having spent two days in police custody, he was brought before a court. The examination of his case lasted 5 minutes.

Subsequently, Mr Jinjikhadze was transferred to a special detention centre located in Serpukhovo, in the outskirts of Moscow. He was placed in a cell measuring approximately 12m^2, together with seven other Georgians. The inmates were allowed to visit an outside toilet only once a day, at 8.00 a.m. For the rest of the time, they had to relieve themselves into "a saucepan" brought into the cell for that purpose by the staff of the centre.

On 6 October 2006 Mr Jinjikhadze was expelled to Georgia in a cargo plane.

Mr Jinjikhadze claims that he had both a valid Russian visa and properly issued internal registration document at the material time.

Relevant documents

- Mr Jinjikhadze's Georgian passport no. 1118178 containing a Russian multiple-entry visa, valid until 14 December 2006
- The passport contains a stamp stating that the administrative removal was carried out on the basis of a decision of 6 October 2006 of the Moscow Regional Office of the Federal Migration Service.

Name	First name (Patronymic name)	Date of birth	Place of birth
KUPATADZE	**Avtandil (Guram)**	**13 June 1983**	**Tkibuli, Georgia**
Town: Moscow			
Summary of statement – cassette 2, recorded on 24 October 2006			
On 5 October 2006 Mr Kupatadze, a Georgian national, was apprehended in a street by unidentified authorities and conveyed to a police station located near the Metro station Rizhskaia. The police allegedly tore from his national passport a page containing a residence registration stamp. Mr Kupatadze was then brought before a court which ordered his expulsion on the basis of the fact that he did not have valid registration documents. The hearing lasted approximately 10 minutes. The order was not served on Mr Kupatadze. He spent a night in police custody and was deported to Georgia in a cargo plane on the following day, the conditions of that flight being identical to those described by other interviews (see, for example, the interview with Mr Managadze). Mr Kupatadze's personal belongings were later sent to him from Moscow by his relatives.			
Relevant documents			
• Mr Kupatadze's Georgian passport no. 1673517 with a Russian multiple-entry visa, business type, valid until 20 November 2006. • The passport contains an internal registration stamp valid until 20 November 2006. This stamp is crossed, and, underneath, there is the following handwritten comment: "Annulled by inspector … [*the name is not legible*] of the Moscow Regional Branch of the Federal Migration Service." The same inspector's signature is on another stamp contained in the passport, according to which the administrative removal was carried out on 5 October 2006.			

Name	First name (Patronymic name)	Date of birth	Place of birth
LABADZE	**Izolda (Jemal)**	**11 September 1975**	**Georgia**
Town: Moscow			
Summary of statement – cassette 2, recorded on 21 October 2006			
In the evening of 29 September 2006, Federal Migration Service officers unexpectedly entered a Georgian restaurant where Ms Labadze, a Georgian national, was working. Both the staff and customers were requested to show their identification and residence documents and to follow the officers to a local police station. There Ms Labadze was placed in a tiny provisional custody cell, where she spent the night along with fifteen other persons. According to her submissions, that night was used by the police officers to "fabricate" expulsion cases against the detained Georgians. She witnessed how the ordinary customers of the restaurant were registered by the police as "the staff of the restaurant". In reply to all			

queries about the reasons for detention, the police officers would allegedly reply to Georgians: "ask Saakashvili about that."

On the following day Ms Labadze, along with other detained Georgians, was brought before a court, which heard her case in approximately 5 minutes. The court ordered that she be expelled within the following 10 days and administered a fine in the amount of 1,500 Russian roubles.

After the hearing, Ms Labadze was transferred to a special detention centre for aliens. The strict rules in that centre resembled very much those of an ordinary prison. In the early hours of every morning, the detainees would be waken up for a routine check-up. Collective visits to a toilet were conducted twice a day, at strictly set hours; the inmates were requested to relieve themselves quickly, as others would be waiting for their turn in long queues. Additional requests for visiting a toilet were always denied by the centre staff. The food provided was of extremely poor quality, access to drinking water was limited. Initially, the inmates were let out for a 5-minute walk once a day. However, since it was getting colder, the staff of the centre cancelled any type of outdoor exercises, fearing that the inmates could catch a cold, and the stock of medication was insufficient.

Ms Labadze spent 20 days in the detention centre, during which period she fell sick with bronchitis. All her requests for adequate medical care were constantly dismissed.

Relevant documents

- Ms Labadze's Georgian passport no. 1106943.

Name	First name (Patronymic name)	Date of birth	Place of birth
LOMIDZE	**Davit (Iuza)**	**29 April 1978**	**Kutaisi, Georgia**
Town: Moscow			
Summary of statement – cassette 2, recorded on 24 October 2006			

Mr Lomidze, a Georgian national, was working in Moscow as a driver of minibus (a so-called "*marshrutka*", a common means of public transport in Moscow).

On an unspecified date, Mr Lomidze, whilst driving his minibus, was apprehended by the Federal Migration Service officers near the Metro station Kakhovskaya. He was conveyed to a police station located in Fruktovaia street, where he spent the night.

On the following day Mr Lomidze was brought before a court. The examination of his case lasted 1 minute. Apparently, the court discovered some irregularities with his internal registration documents. Mr Lomidze was reminded of the right to a lawyer only after the delivery of an expulsion order against him. A reasoned copy of that order was never served on him. After the hearing he was transferred to a special detention centre for aliens located in the outskirts of Moscow, on the Dmitrovo highway.

On 6 October 2006 Mr Lomidze was expelled to Georgia along with many other Georgians, in a cargo plane. In the plane, there were no armchairs with security belts, the passengers

sitting either on their luggage or on two long benches, each of which could accommodate approximately 130 persons.

Mr Lomidze claims that, due to his detention and expulsion, he left two minibuses, which was his property unattended in Moscow.

Relevant documents

- Mr Lomidze's Georgian passport no. 05AA92794 with a Russian multiple-entry visa, valid until 25 August 2007.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 2 March 2007.
- The passport contains a stamp stating that the administrative removal of 6 October 2006 was carried out on the basis of a decision of 4 October 2006 of the Zuzinskiy District Court in Moscow. The stamp is signed by the Director of the Special Detention Centre for Aliens no. 1, Mr Gerasimov

Name	First name (Patronymic names)	Date of birth	Place of birth
LOMTADZE	**Gocha (Enveri)**	**18 February 1966**	**Kutaisi, Georgia**
Town: Moscow			

Summary of statement – cassette 2, recorded on 24 October 2006

Mr Lomtadze, a Georgian national, was apprehended on 3 October 2006 by plainclothes agents of the Migration Service and conveyed to a local police station. Having spent 2 days there, he was taken to a court, which ordered his expulsion in a hearing lasting approximately 1 minute. After the hearing Mr Lomtadze was transferred, handcuffed, to a special detention centre located on the Dmitrovo highway.

The conditions in that centre were deplorable, comparable to those of an ordinary prison for convicts. Initially, Mr Lomtadze was placed in a cell, measuring maximum 30 m^2 and containing 20-30 beds, where 50-60 persons were kept. There were no toilet facilities in the cell, the inmates being obliged to request visits to an outside toilet, which were often refused by the detention staff. There was hardly any fresh air in the overcrowded cell. In a couple of days, Mr Lomtadze was transferred to a smaller cell, where 12 persons were kept. More space per person was available in the second cell; there was also a toilet in the corner, which was not however partitioned.

On 10 October 2006 Mr Lomtadze was expelled to Georgia in a plane of the Russian Ministry of the Emergency Situations.

Relevant documents

- Mr Lomtadze's Georgian passport no. 1086746 with a Russian multiple-entry visa, business type, valid until 16 March 2007.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 9 October 2006.

- The passport contains a stamp, according to which the administrative removal was carried out on 6 October 2006 on the basis of a decision of 5 October 2006 of the Cheremushkinskiy District Court in Moscow. The stamp is signed by Mr Gerasimov, the Director of the Special Detention Centre for Aliens no. 1.

Name	First name (Patronymic name)	Date of birth	Place of birth
GUBELADZE	**Merab (Endi)**	**12 January 1971**	**Kutaisi, Georgia**
Town: Moscow			

Summary of statement – cassette 2, recorded on 24 October 2006

On 3 October 2006 Mr Gubeladze, a Georgian national, was apprehended at his workplace, along with other persons, for the purpose of examination of his residence documents. Having released his non-Georgian companions, the authorities requested Mr Gubeladze to follow them to a police station located in the Teplyistan district. The police officers retained his identity and residence documents but released him pending the examination of his case by a court.

On the following day Mr Gubeladze was brought before a court. The examination of his case was very short. Mr Gubeladze did not try to prove the legitimacy of his residence in Russia, considering it to be useless, as "everybody knew in Moscow that Georgians were being chased at that time." A copy of the expulsion order was served on him. He was informed of the right to lodge an appeal against the order through the assistance of "an inspector". That inspector, however, never appeared in the special detention centre, to where Mr Gubeladze was transferred after the hearing.

In the detention centre Mr Gubeladze shared a cell with eleven other persons. There were 8 beds in the cell. A filthy toilet in the corner was emanating an unbearable stench.

On 11 October 2006 Mr Gubeladze was expelled to Georgia.

Relevant documents

- Mr Gubeladze's Georgian passport no. 05AA91474 containing a Russian multiple-entry visa, business type, valid until 24 August 2007.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 26 February 2007.
- The passport contains a stamp stating that the administrative removal was carried out on 11 October 2006 on the basis of a decision of 6 October 2006 of the Cheremushkinskiy District Court in Moscow.
- A copy of the Cheremushkinskiy District Court decision of 6 October 2006 (in Russian).

Name	First name (Patronymic name)	Date of birth	Place of birth
CHOKHELI	**Irina (Vladimer)**	**29 August 1967**	**Gagra, Abkhazian Autonomous Republic, Georgia**
Town: Moscow			
Summary of statement – cassette 2, recorded 21 October 2006			

In the morning of 12 October 2006, the Federal Migration Service officers visited Mrs Chokheli, a Georgian national, at home. She and her two sons were taken to a police station located in the Kuzminki District. To all the queries about the reasons for their apprehension, the officers allegedly replied "ask Saakashvili about that."

Mrs Chokheli and her sons were placed in a provisional custody cell, the so-called "*obezyannik*". It was a cage-like cell, easily observable from almost every position of the police station. Fifteen persons were detained in the same cell, Mrs Chokheli being the only woman amongst them. Except for persons apprehended on suspicion of unlawful residence, there were also those remanded as criminal suspects. There was hardly enough space, the inmates being obliged to take turns to sit on the few available chairs. Due to the overcrowding, it was difficult to breathe in the cell. The inmates had to beg for hours before the police officers would allow them to visit an outside toilet. As to the requests for drinking water, the cynical reply was - "drink from the toilet bin".

Mrs Chokheli and her children spent a night in police custody. On the following day, 13 October 2006, they were brought before a court which examined their cases in 5 minutes and ordered their expulsion. Mrs Chokheli told the judge that she had a valid Russian visa and duly issued registration documents, but all her arguments were left unanswered. As disclosed by her submissions, she was served with a copy of the expulsion order.

After the hearing, Mrs Chokheli and her children were brought back to the same police station, where they spent another night in the conditions described above. During the night-time, Mrs Chokheli felt sick and asked for medication, but the police ignored her request.

On the following day, 14 October 2006, Mrs Chokheli and her children were transferred to a special detention centre for aliens. At the centre, they were separated and placed in different detention facilities. There were seven women in Mrs Chokheli's cell. It was approximately 2 m wide by 1.5 m long. Mrs Chokheli was stressed by the fact of being detained as "as an ordinary criminal" and anxious about the fate of her children.

Having spent four days in the detention centre, Mrs Chokheli was expelled to Georgia in a cargo plane of the Russian Ministry of the Emergency Situations. Her children, however, stayed behind in the detention centre and, at the time of the interview, Mrs Chokheli still did not possess any information about the date of their expected deportation.

Due to the sudden expulsion, Mrs Chokheli left in Moscow all the belongings and valuables that she and her family had obtained in the course of the past 4 years.

Relevant documents
• Mrs Chokheli's Georgian passport no. 1572412 with a Russian multiple-entry visa, valid until 14 August 2007. • The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 14 September 2009.

Name	First name (Patronymic name)	Date of birth	Place of birth
AKHALADZE	**Irina (Shakro)**	**25 April 1968**	**Kutaisi, Georgia**
Town: Moscow			
Summary of statement – cassette 2, recorded on 21 October 2006			
In the evening of 28 September 2006, the Russian Federal Migration Service officers entered the Georgian restaurant "Sachino", located at 1 Shelkovo highway, and requested both the customers and restaurant staff to show their identity documents. All the Georgians who were found there, including Ms Akhaladze, were conveyed to a police station. There were more detained Georgians at that police station, according to Ms Akhaladze, including women with children taken directly from their homes. In reply to questions about the reasons for their arrest, the police officers would allegedly reply to the Georgians - "Go and ask your Saakashvili." On the following day, Ms Akhaladze, along with several other Georgians, was brought before a court. She was confident that everything would be settled for her as she had a valid Russian visa. The court however ordered her expulsion on the basis of the finding that she had unlawfully been working at the above-mentioned Georgian restaurant. The latter fact was confirmed by a statement that she had signed at the police station. Ms Akhaladze protested against such arbitrariness, claiming that she had entered the restaurant to have a dinner with her friends and had never worked there. She claimed that she had never been shown the contents of the statement that she had been requested to sign. The examination of her case lasted approximately 5 minutes. She was apparently assisted by a lawyer, an acquaintance of hers. The expulsion order was not served either on her or on her lawyer. According to Ms Akhaladze, in some cases, the court proceedings lasted a minute; expulsion orders had, as a rule, been pre-printed. After the hearing, Ms Akhaladze was brought back to the above-mentioned police station, where she stayed for the following three days. She witnessed, during that period, how detained foreigners of other nationalities (Azeris, Uzbeks, Tajiks, etc.) would easily be released, after having paid the relevant administrative fines. On Monday Ms Akhaladze was transferred to a detention centre for aliens located near Metro station Novoslobodskaia. She was placed in a cell with four other women. Her cell had a window and, as suggested by the number of beds (8), was supposed to accommodate 8 persons. It measured approximately 20 m^2. There was no toilet in the cell. The inmates were allowed to visit an outside toilet only twice a day, in the morning and evening. The detention officers also brought a bucket, which was to be used by the detainees during the night. According to Ms Akhaladze, the conditions of her detention were more or less			

tolerable, but the situation was exacerbated by the fact that all transportation links between Georgia and Russia had been blocked, and the detained Georgians thus faced the risk of staying in the centre for months.

On Friday, 6 October 2008, Ms Akhaladze, along with several other detained Georgians, was conveyed by the Migration Service officers to Vnukovo airport. There, she was served with the expulsion order against her for the first time. Ms Akhaladze enquired whether or not she had the right to lodge an appeal. The authorities allegedly replied that she was entitled to do so, but that the institution of the appellate proceedings would result in an extension of her detention for an indefinite period of time.

The flight to Georgia was carried out in a special type of cargo plane of the Russian Ministry of Emergencies.

Relevant documents

- Ms Akhaladze's Georgian passport no. 1527040 with a Russian multiple-entry visa, valid until 27 March 2007.
- The passport contains a stamp of internal registration, issued by an agency of the Russian Ministry of the Interior, valid until 20 October 2006.
- The passport contains a stamp, according to which the expulsion was carried out on 6 October 2006 in accordance with a decision of 30 September 2006 of the Preobrazhenskiy District Court in Moscow. The stamp is signed by the Director of the Special Detention Centre for Aliens no. 2.

Name	First name (Patronymic name)	Date of birth	Place of birth
AKHALADZE	**Donara (Aleksandre)**	**10 November 1945**	**Not specified**
Town: Moscow			

Summary of statement – cassette 2, recorded on 23 October 2006

Ms Akhaladze, a Georgian national, was apprehended on 5 October 2006 in the café "Gospodin" located nearby the Metro station Belorusskaya, along with her Georgian friend, Ms Nana Lolua.

The Georgian women were first taken to a police station and, on the following day, brought before a court. However, they were not allowed to meet personally with the judge. Sitting in the police van, Ms Akhaladze waited for her escort to bring from the judge's room a decision ordering her expulsion. She was requested to sign certain documents, the content of which was not explained to her. In reply to all her queries, the escort allegedly replied "this is the fault of your Saakashvili."

After the court, Ms Akhaladze was transferred to a special detention centre for aliens (*spetspriyomnik*).

The conditions of detention in the *spetspriyomnik* – the problems with toilet visits, overcrowding (8 persons in the cell measuring 5 m^2), lack of drinking water, poor quality of food, etc. – coincide with the descriptions given by other interviewees.

Ms Akhaladze does not specify the date of her expulsion to Georgia.

Relevant documents
• Ms Akhaladze's Georgian passport no. 0526652. • The passport contains a stamp, according to which the expulsion was carried out on 17 October 2006 on the basis of a decision of 2 October 2006 of the Sverdlovskiy District Court of Moscow. The stamp is signed by the Director of the Special Detention Centre for Aliens no. 2, Mr Bychkovsikiy.

Name	First name (Patronymic name)	Date of birth	Place of birth
GIGASHVILI	**Inga (Anzor)**	**29 September 1969**	**Village of Mayakovski (Baghdati), Georgia**
Town: Moscow			
Summary of statement – cassette 2, recorded on 23 October 2006			
Mrs Gigashvili, a Georgian national, resided in Moscow on the basis of a Russian visa, valid until January 2006. On 11 October 2006 she was apprehended by unidentified authorities and brought before a court. She was not assisted by a lawyer and could not even realise that the issue of her expulsion was at stake. All her questions were left unanswered by the hearing judge. No copy of the expulsion order was ever served on her. After the hearing, Mrs Gigashvili was first taken to a police station, where she stayed for several hours, and, afterwards, was transferred to the special detention centre for aliens no. 2. The officer in charge of her detention was Ms Sokolova. The conditions of the cell in which Mrs Gigashvili was placed – as regards its size and overcrowding (8 women per 5-6m^2, the absence of an inside toilet, limited number of outside toilet visits (a bucket was offered instead), lack of drinking water, etc. – coincide with the descriptions of other interviewees. Having spent 6 days in that detention centre, Ms Gigashvili was expelled to Georgia on 17 October 2006 in a cargo plane, together with many other Georgian nationals.			
Relevant documents			

Name	First name (Patronymic name)	Date of birth	Place of birth
GABISONIA	**Tsismar (Givi)**	**5 March 1964**	**Not specified**
Town: Moscow			
Summary of statement – cassette 2, recorded on 24 October 2006			
On 4 October 2006 Ms Gabisonia, a Georgian national, was apprehended for an identity check by a district police officer (*uchastkoviy*) and another plainclothes agent, the latter presenting himself as a representative of the Russian Federal Migration Service. The apprehension took place at the Dorogomilovskiy bazaar, where Ms Gabisonia was working as an independent vendor. She did not have a passport with her, as the validity of that had already expired. Ms Gabisonia was taken, along with two other Georgians apprehended at the same place, to a police station of the Dorogomilovskiy District.			

On the following day, Ms Gabisonia was taken to a court in a special police van. She was not allowed to enter the courthouse. Staying instead in the police van, she saw how an escorting police officer entered the courthouse and returned with a decision ordering her expulsion. She learnt from the order that a fine had been imposed and that she had to stay in detention pending the expulsion. Subsequently, Ms Gabisonia was transferred to a detention centre for aliens located near the Novoslobodskaya Metro station.

On 6 October 2006 Ms Gabisonia was expelled to Georgia in a cargo plane, along with some 130 other Georgians. Some of the passengers were sitting on their luggage, others were standing throughout the flight. She recalls that it was extremely difficult and even humiliating to mount into and then exit from the plane, as no passenger staircase was provided.

Ms Gabisonia left her personal belongings in Moscow.

Relevant documents

- Ms Gabisonia's Georgian passport no. 0640685.
- The passport contains a stamp, according to which the expulsion was carried out on 6 October 2006 on the basis of a decision of 4 October 2006 of the Dorogomilovskiy District Court in Moscow. The stamp is signed by the Director of the Special Detention Centre no. 2, Mr Balashov.

Name	First name (Patronymic name)	Date of birth	Place of birth
TUTBERIDZE	**Nodar (Simon)**	**18 April 1982**	**Kutaisi, Georgia**
Town: Moscow			

Summary of statement – cassette 2, recorded on 24 October 2006

Mr Tutberidze, a Georgian national, was working as either a taxi or minibus driver in Moscow.

On an unspecified date, he was apprehended in the street by the Russian Federal Migration Service and conveyed to a police station. The police retained his identity documents but released him pending the relevant proceedings.

On the third day following the above-mentioned incident, Mr Tutberidze was summoned before a court. The judge enquired whether he needed the assistance of an interpreter. Mr Tutberidze refused any. He was then requested "to wait" outside the hearing room. Soon after, a police officer brought from the courtroom a decision ordering Mr Tutberidze's expulsion. He was asked to sign a certain document.

After the court, Mr Tutberidze was first taken back to the police station, where he stayed for the following 7 hours. Subsequently, he was transferred to a special detention centre located on the Dmitrovo highway. He was placed, with some 30 other persons, in a cell measuring approximately 15 m^2. There was a filthy toilet in the corner, unpartitioned from the rest of the cell. In general, the sanitary conditions were deplorable.

On 6 October 2006 Mr Tutberidze was expelled to Georgia in a cargo plane. His description of the conditions of the flight coincide with those of other interviewees (see, for example, the interviews with Mr Managadze and Mr Lomidze).

Relevant documents

- Mr Tutberidze's Georgian passport no. 1740145 with a Russian multiple-entry visa, business type, valid until 5 April 2007.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 16 October 2006.
- The passport contains a blank expulsion stamp which does not contain any other details (the date of expulsion, issuing authority of the relevant order, etc.).

Name	First name (Patronymic name)	Date of birth	Place of birth
TVALAVADZE	**Davit (Ambrosi)**	**15 January 1956**	**Village of Ianeti, Samtredia District, Georgia**
Town: Moscow			

Summary of statement – cassette 3, recorded on 24 October 2006

Mr Tvalavadze was apprehended on 5 October 2006, when he was driving in his car along Marshall Zhukov avenue in Moscow. He was conveyed to police station no. 54. Mr Tvalavadze presented his passport with a Russian visa and internal registration document valid, respectively, until 14 and 17 June 2007. The police officer in charge of his case allegedly replied that those documents were fabricated.

According to Mr Tvalavadze, prior to that incident of 5 October 2006, he was apprehended for the purpose of checking his identity documents, almost daily; the police, however, would always release him because of his valid documents.

Mr Tvalavadze was requested to sign certain documents at the police station and then was taken, along with 4 or 5 other detained Georgians, to a court. The Georgians were seated in a waiting room of the courthouse, whilst an escorting police officer took their documents to the judge's room. Shortly afterwards, the officer returned with expulsion orders. The detained Georgians were not offered the assistance of a lawyer.

After the court, Mr Tvalavadze, together with other Georgians, was transferred to a special detention centre for aliens located on the Dmitrovo highway. He was placed in a cell measuring approximately 30 m^2. Up to 40 persons were detained there, and the cell contained only 15 beds. There was a filthy, unpartitioned toilet in the corner; an unbearable stench hung in the air.

On the following day, 6 October 2006, Mr Tvalavadze was expelled to Georgia, from Zhukovo military airport, in a cargo plane. He left his belongings and valuables, including his car, in Moscow.

Relevant documents
• Mr Tvalavadze's Georgian passport no. 05AA27494 with a Russian multiple-entry visa, business type, valid until 5 June 2007. • The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 17 December 2006. • The passport contains a stamp, according to which the administrative removal was carried out on 6 October 2006 on the basis of a decision of 5 October 2006 of the Khoroshevskyi District Court in Moscow. The stamp is signed by Mr Gerasimov, Director of the Special Detention Centre for Aliens no. 1.

Name	First name (Patronymic name)	Date of birth	Place of birth
TVARADZE	**Gulnazi (Vlasi)**	**25 June 1948**	**Kutaisi, Georgia**
Town: Moscow			
Summary of statement cassette 3, recorded on 24 October 2006			
Ms Tvaradze, a Georgian national, had lived in Moscow, prior to her sudden expulsion, for 10 years. On an unspecified date a police officer apprehended Ms Tvaradze at her workplace – the food market in Moscow where she worked as an independent vendor – and conveyed her to a local police station. She was placed in a provisional custody cell, the so-called "*obezyannik*", where she stayed for the following two days. She recalls that the conditions of her police custody were intolerable and even humiliating. She witnessed how the police officers morally and physically harassed the Georgian men who were likewise detained pending expulsion proceedings. Subsequently, Ms Tvaradze was taken to a court. After having spent 2 days in the unbearable conditions of police custody, she was embarrassed about her appearance. The examination of her case, along with that of another Georgian person, lasted approximately 2 hours. The court ordered her expulsion. After the hearing, Ms Tvaradze was transferred to a special detention centre and placed in a tiny cell, together with eleven other women. There were four beds in the cell. The inmates were provided with a bucket for toilet purposes. There was an incident when one of her fellow detainees felt sick, and it took Ms Tvaradze hours of banging on the door of the cell before the detention officers allegedly replied "let [the sick person] die". Ms Tvaradze herself suffered from high blood pressure, but all her requests for the relevant medication were ignored. She claims to have fallen sick with neurosis at the police station. The date and conditions of her expulsion are not specified by Ms Tvaradze. She left all her personal belongings and valuables in Moscow.			
Relevant documents			
• Ms Tvaradze's Georgian passport no. 0264564. • The passport contains a stamp, according to which the administrative removal took place on 6 October 2006 on the basis of a decision of 4 October 2006 of the Drogomilovskiy District Court in Moscow. The stamp is signed by the Director of the Special Detention Centre no. 2, Mr Balashov.			

- A temporary travel document, issued by the Georgian Consulate in Moscow on 5 October 2006, authorising Ms Tvaradze to enter the territory of Georgia.

Name	First name (Patronymic name)	Date of birth	Place of birth
NARMANIA	**Suzana (Tariel)**	**21 April 1952**	**Zugdidi, Georgia**
Town: Moscow			

Summary of statement – cassette 3, recorded on 25 October 2006

Ms Narmania, a Georgian national, was running a shop in Moscow, together with her son and another Georgian woman. Prior to her sudden expulsion she had lived there for 4 years.
On 4 October 2006 the police visited the shop, apprehended the above-mentioned three Georgians and conveyed them to a police station located in the Chertanovo district.

At the police station, the Georgians were interviewed with respect to the legal basis of their residence in Moscow. Apparently, unlike her son and the other Georgian woman, Ms Narmania did not have a valid Russian visa at that time. She explained that she had submitted her Georgian passport to the relevant authorities for an extension of the Russian visa and that, in the meantime, was residing in Moscow on the basis of a receipt confirming the above-mentioned fact. The police disregarded that argument and brought her before a court on the same day. Her son and the other Georgian woman were released.

Ms Narmania's case was not examined at a hearing. There was a young woman, either the judge or a court registry member, who entered Ms Narmania's data into a computer and printed out a decision ordering her expulsion. Ms Naramania was obviously unable to present her arguments. The expulsion order was not served on her.

After the court hearing the police took Ms Narmania back to the same police station, where she spent another night in a provisional custody cell. She was the sole woman detained in that overcrowded "cage". There was not even a place to sit down, and Ms Narmania stood almost all night.

On the following day Ms Narmania was transferred to a special detention centre located near the Metro station Novoslabodskaya. She was placed in a cell, measuring approximately 20 m^2 and containing 8 beds, together with 7 other Georgian women. Her description of the conditions of her detention there is similar to that provided by other interviewed women.

On 11 October 2006 Ms Naramania was expelled to Georgia. She left her belongings and valuables in Moscow.

Relevant documents

- Ms Narmania's Georgian passport no. 1629952 with a Russian multiple-entry visa, business type, valid until 31 August 2006.
- The passport contains a stamp, according to which the administrative removal of 10 October 2006 was carried out on the basis of the Chertanovskiy District Court's decision of 4 October 2006. The stamp is signed by Mr Balashov, the Director of the Special Detention Centre for Foreign Nationals no. 2.

- A certificate, issued by the Russian Ministry of the Interior on 1 September 2006, confirming that Ms Narmania's passport had been retained by the authorities for the issuance of a Russian visa.

Name	First name	Date of birth	Place of birth
ROUSTAMOV (RUSTAMOV)	**Zabid**	**20 April 1972**	**Nazarlo**
City: Moscow			
Summary of the statement – cassette 3. Interview was conducted in Russian.			

Mr Rustamov, a Georgian national, is of Azerbaijani origin.

On 5 October 2006, at the crossing of 5th Parkovaya and Pervomayskaya streets, the traffic police stopped Mr Rustamov's car for an identity check and fingerprinting. He claimed that at that time and place, the police were checking papers and taking fingerprints from a large number of people, all of whom were Georgians. The need for such an inspection was explained by an order to apply this measure to Georgians.

Mr Rustamov was then arrested and taken to a police station. He claimed that his documents complied with the law, in particular the Russian visa, which was valid until 22 March 2007, and the internal registration docucument. During an in-depth check, the police officers discovered that the registration document was forged (the electronic database did not contain an entry corresponding to that in his passport). Mr Rustamov objected that he had been subjected to an identity check two days previously, on 3 October 2006, and that all his papers had been in order on that date.

Mr Rustamov claims that the police officers treated him brutally, striking him and using very vulgar language. They had offered to release him in exchange for a bribe of 10,000 roubles. He had initially accepted, but had finally refused as he did not have enough money. A police officer had then struck him in the face and said that he would now be sent back to Georgia.
An officer from police department no. 125 transported him to a court.

Mr Rustamov was brought before the court; the hearing lasted 5 minutes, and there was no lawyer. He was informed of his right to challenge this decision, but he had no time to do so since he was sent to Georgia on the following day, 6 October 2006.
After the hearing M Rustamov was taken back to the police station, where he spent the night. He claims that he was held in a very cramped room, without a toilet (he had to call a policeman in order to be escorted to the toilets, where no toilet paper or soap was available. No meal had been served.

Mr Rustamov lived in Russia with his family, but after his expulsion they "handed themselves in" and were deported.

Mr Rustamov was expelled on a cargo plane in which the passengers were seated on long benches along the sides, or were stretched out on their luggage or on the ground. During the flight, a meal of tinned vegetables and meat was served. Bottles of water were brought by the passengers and were shared out. The passengers could see into the toilets.

Mr Rustamov left two cars in Russia, and had not had time to sell them before his departure for Georgia.

Relevant documents
• Passport no. 1752505 • Russian visa, valid until 22 March 2007 • Internal registration document for Moscow, no. 14283/03 (date illegible) • Stamp in passport, indicating that on 5 October 2006 the Izmayovskiy district court in Moscow had ordered his expulsion.

Name	First name (Patronymic name)	Date of birth	Place of birth
SARTANIA	**Malkhaz (Jemal)**	**8 February 1972**	**Village of Terti, Tskaltubo Regiona, Georgia**
Town: Balashikha (Moscow Region)			
Summary of statement – cassette 3, recorded on 24 October 2006.			
On 4 October 2006 Mr Sartania, a Georgian national, was visited by the law-enforcement agents, armed with machineguns, at home. Having examined his identity and registration documents, the agents requested him to appear before a local police station on the following day. At the police station, Mr Sartania was requested to fill in certain forms. His documents were later taken to a court which examined Mr Sartania's case in his absence. Subsequently, the police informed Mr Sartania that his expulsiuon had been ordered. He was advised of the right to lodge an appeal but was further warned that any further proceedings would result in his detention. Wishing to avoid any further complications with the Russian authorities, Mr Sartania decided not to challenge the expulsion order, a copy which was never served on him. Mr Sartania left Moscow on 6 October 2006, along with many other Georgians, in a cargo plane of the Russian Ministry of the Emergency Situations.			
Relevant documents			
• Mr Sartania's Georgian passport no. 05AB38347 with a Russian single-entry visa, business type, valid until 6 November 2006. • The passport contains a stamp, according to which the administrative removal took place on 6 October 2006.			

Name	First name (Patronymic name)	Date of birth	Place of birth
SHALIKIANI	**Irma (Giorgi)**	**15 May 1976**	**Kutaisi, Georgia**
Town: Moscow			
Summary of statement – cassette 3, recorded on 24 October 2006			
Ms Shalikiani, a Georgian national, was working in a café in the vicinity of the Cherkizovskiy marketplace in Moscow.			

On an unspecified date in late September 2006, the police apprehended Ms Shalikiani at her workplace. She was confident that, after the routine check-up of her documents, she would be released, as had happened many times before. The officers, however, took Ms Shalikiani, along with the Georgian customers of the above-mentioned café, to police station no. 65. She was placed in a provisional custody cell. An expulsion case was opened against her. Ms Shalikiani was requested to sign certain documents, without being given the possibility to familiarise herself with their content.

Ms Shalikiani spent 3 days in police custody, during which period she was visited once by the Georgian Consul in Moscow and by a lawyer hired by the latter.

Subsequently, Ms Shalikiani was brought before a court which ordered her expulsion in a hearing of 2 minutes. As she could not understand Russian well, interpretation was provided by another Georgian woman whose expulsion case was examined during the same hearing. The expulsion order was not served on Ms Shaliakani.

After the hearing, Ms Shalikiani was transferred to a special detention centre for aliens. She was placed in a cell measuring approximately 12 m^2, together with 7 other Georgian women. A "shameful bucket" was provided by the staff for the toilet purposes. A strictly limited number of daily visits to an outside toilet was also permitted.

On an unspecified date Ms Shalikiani was expelled to Georgia. She left her personal belongings and valuables in Moscow.

Relevant documents

- Ms Shalikiani's Georgian passport no. 1636507 with a Russian multiple-entry visa, business type, valid until 15 September 2007.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 26 July 2006.
- The passport contains a stamp, according to which the administrative removal took place on 6 October 2006 on the basis of a decision of 30 September 2006 of the Preobrazhenskiy District Court in Moscow. The stamp is signed by Mr Balashov, the Director of the Special detention Centre for Aliens no. 2.

Name	First name (Patronymic name)	Date of birth	Place of birth
KASHIA	**Suliko (Yasha)**	**23 February 1974**	**Not specified**
Town: St Petersburg			

Summary of statement – cassette 3, 25 October 2006

Mr Kashia, a Georgian national, was working as a driver in a Russian firm "West Service". He had both a valid visa, issued by the Russian Consulate in Georgia, and a work permit. Furthermore, once every six months, Mr Kashia would apply to a local police station for an extension of the internal registration.

On an unspecified date Mr Kashia went to a police station for the renewal of his internal registration. In reply, he received a resolution, signed by Mr Buryak, Colonel of Police of the St. Petersburg District, ordering him to leave the country within 10 days.

No explanations were given, the police solely referring to "a problematic situation". Apparently, Mr Kashia was not informed about the appeal procedures, if any. Furthermore, he claims that it was impossible to apply to a court, as, after the above-mentioned police resolution, his stay in the Russian Federation ceased to be legal and he was obliged to leave the country within the allotted period.
Relevant documents

Name	First name (Patronymic name)	Date of birth	Place of birth
KHORAVA	**Jemal (Amiran)**	**10 September 1960**	**Senaki, Georgia**
Town: Moscow			
Summary of statement – cassette 3, recorded on 26 October 2006			
On 4 October 2006 Mr Khorava, a Georgian national, was apprehended at his workplace and conveyed to a local police station. He was placed in a "cage" – apparently a provisional custody cell – where he spent the following 24 hours, together with two other detainees. His cell measured 4 m^2 and there was only one bed. It did not contain toilet facilities, the inmates being permitted to visit an outside toilet twice a day. Mr Khorava was not provided with food during police custody. On the following day Mr Khorava was brought before a court which ordered his expulsion in a hearing lasting 2 minutes. There were many persons awaiting for their expulsion cases to be examined, and the judge hardly had enough time to examine each and every case properly. Mr Khorava was not assisted either by a lawyer or interpreter. The judge never posed any questions to him, except for stating "you have breached the laws of the Russian Federation and you will be expelled from its territory." The expulsion order was not served on Mr Khorava. He learnt of the possibility of lodging an appeal from the Georgian Consul, after having been transferred to a special detention centre. At the detention centre, Mr Khorava was initially placed in a cell measuring 30 m^2, where approximately 50 other persons were detained. As there were not enough beds, the inmates were obliged to share them – 6 persons per one bed. There was a toilet in the corner, not partitioned from the rest of the cell. According to Mr Khorava, the provided food was of extremely low quality. Having spent 24 hours in the above-mentioned cell, Mr Khorava was transferred to another cell of the same detention centre, where the conditions were slightly better. There were other Georgians detained in that cell (their number is not specified). Each inmate had his own bed. The linen and blankets were provided by the administration. On 10 October 2006 Mr Khorava was expelled to Georgia in a cargo plane. All his belongings and valuables were left behind in Moscow.			
Relevant documents			
• None submitted.			

Name	First name	Date of birth	Place of birth
KHALILOV	**Shakhvalad**	**7 December 1973**	**Not indicated**
City: Moscow			
Summary of the statement – (DVD 4) cassette 3. Interview conducted in Russian.			
On 28 September 2006, during a routine identity check by the police, Mr Khalilov was arrested. He spent three days in detention and his Russian visa, which had been valid until 1 October 2006, expired. The police officers did not explain the reason(s) for his arrest, but suggested that he ask the Georgian President that question. In addition, a police officer tore a piece of paper, confirming his internal registration and attached by a staple, out of Mr Khalilov's passport. He spent six days in the police station, squashed into a small room with 12 other people. The room did not have a toilet, and a policeman had to be called so that the occupants could be taken to the toilets. Mr Khalilov was expelled on 6 October 2006 in a plane belonging to the Ministry of Emergencies and Civil Protection. He claims that the plane was uncomfortable and that the passengers were placed on wooden seats. He claims that 154 passengers travelled on this plane. Mr Khalikov claims that a lorry which he owned was left behind in Russia.			
Relevant documents			
• Passport no. 1601610 • Russian visa no. 20 1562011, valid until 1 October 2006 • Stamp in the passport certifying administrative expulsion from Russia. Date: 25 October 2006 (the rest is illegible) • Stamp made by the border police, attesting the date of departure – 6 October 2006 • Staple marks in the passport, with no document attached			

Name	First name (Patronymic name)	Date of birth	Place of birth
MACHALADZE	**Manana (Anzor)**	**13 December 1962**	**Kutaisi, Georgia**
Town: Moscow			
Summary of statement – cassette 3, recorded on 24 October 2006			
Mrs Machaladze used to visit Moscow, where her husband was working, regularly, for the purposes of medical treatment. She is a cancer patient. The spouses are both Georgian nationals. In the evening of 3 October 2006, the Machaladze family was visited by the police at home. Having removed their personal documents, the police ordered them to appear at the local police station. The Machaladzes did so on 5 October 2006. Having informed them about their imminent expulsion, the police remanded the spouses in custody.			

In the early morning of 6 October 2006, without being allowed to return home for the collection of family belongings, the Machaladzes were conveyed by the police to an airport, from which they left for Georgia in a cargo plane.

As disclosed by her submissions, Mrs Machaladze was never brought before a court. She claims that she was requested to sign a document waving her right to appeal against the expulsion.

Relevant documents

- Mrs Machaladze's Georgian passport no. 1755906 with a Russian multiple-entry visa, business type, valid until 30 April 2007.
- The passport contains a stamp, according to which the administrative removal was carried out on 6 October 2006.

Name	First name (Patronymic name)	Date of birth	Place of birth
KINTSURASHVILI-PANTSKHAVA	**Khatuna (Roman)**	**12 June 1970**	**Village of Khomli, Tskaltubo Region, Georgia**
Town: Moscow			

Summary of statement – cassette 3, recorded on 24 October 2006

Mrs Kintsurashvili-Pantskhava, a Georgian national, was apprehended on 29 September 2006 in a Georgian café by plainclothes agents of the Federal Migration Service. She and all the other Georgians who were found in the cafe, both the staff and customers, were taken to a local police station.

At the latter place, Mrs Kintsurashvili-Pantskhava was placed in a cell of provisional detention, where she stayed for the following three days. All the identity and registration documents – national passport with a valid Russian visa, internal residence registration, etc. – were removed from her. She recalls that access to drinking water was extremely limited during police custody. There were many other Georgians detained in the same police station. Mrs Kintsurashvili-Pantskhava witnessed a stressful scene when the police forcefully separated a detained Georgian woman from her child.

Subsequently, Mrs Kintsurashvili-Pantskhava was brought before a court which ordered her expulsion. In reply to her argument that she had valid residence documents, the judge allegedly replied – "your President Saakashvili wishes that all Georgians be returned to Georgia." The order was not served on her.

After the hearing, Mrs Kintsurashvili-Pantskhava was transferred, handcuffed, to a special detention centre. In her cell, there was a bucket which the female inmates were invited to use for toilet purposes. The inmates were further permitted to visit outside toilet facilities three times per day – in the early morning, afternoon and before going to bed.

On 6 October 2006 Mrs Kintsurashvili-Pantskhava was expelled to Georgia in a cargo plane, the conditions of that flight being similar to those described by other interviewees

(see, for example, the interviews with Mr Managadze and Mr Lomidze). Only after having placed her in that plane, did the Russian authorities return her national passport.
Relevant documents
• Mrs Kintsurashvili-Pantskhava's Georgian passport no. 1678996 with a Russian multiple-entry visa, business type, valid until 2 November 2006. • The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 2 November 2006.

Name	First name	Date of birth	Place of birth
ISKANDAROV	**Elkhan**	**15 July 1959**	**Not specified**
Town: Moscow			
Summary of statement – cassette 3, recorded on 24 October 2006. Interview was conducted in Russian.			
At the request of his local policeman, Mr Iskanderov went to the police station for a check of his papers. After the check, the police officers informed him that his internal registration document was forged (the electronic database did not contain an entry corresponding to that in his passport). On 5 October 2006 he was brought before a court, where the hearing lasted about twenty minutes. He asked that a lawyer be appointed, but this request was rejected. From the text of the decision, he learned that he had was entitled to make one telephone call, but the following day, on 6 October 2006, he was expelled on a plane belonging to the Ministry of Emergencies and Civil Protection. Mr Iskanderov spent the night of 5 to 6 October 2006 in the police station; he made no complaints about the conditions of detention. Meals were served, and he had access to toilets and to water. Mr Iskanderov was transported on a cargo plane, and did not have standard plane seats, but wooden benches. A meal was served. The toilets were hidden from the passengers by a curtain.			
Relevant documents			
• Passport (illegible). • Russian visa, valid until 2 August 2007. • Stamp in the passport, certifying internal registration in Moscow, no. 3983/329, done in Moscow on 22 August 2006.			

Name	First name (Patronymic name)	Date of birth	Place of birth
GABUNIA	**Koba (Revaz)**	**23 November 1977**	**Kutaisi, Georgia**
Town: Moscow			

Summary of statement – cassette 3, recorded on 24 October 2006

Mr Gabunia, a Georgian national, was studying at a medical institute in Moscow and, simultaneously, working as a trainee medical practitioner in a hospital. At the material time, he had his national passport submitted to the Russian Consulate in Tbilisi for an extension of his Russian visa. In the meantime, he resided in Moscow on the basis of a temporary residence permit.

On an unspecified date Mr Gabunia was apprehended in a street and taken to police station no. 110. No reasons for his arrest were given. The police officers opened an expulsion case. Later that day, Mr Gabuania was taken to a court. There was no hearing of his case as such. The judge, seated in a small room before a computer, asked for Mr Gabunia's name and date of birth and immediately printed out an the expulsion order. In reply to Mr Gabuania's objections, the judge allegedly stated "all your questions - to Saakashvili." Mr Gabuania was served with the order and requested to sign a receipt paper. The order was later removed from him at the airport by the Russian customs officers.

After the court, Mr Gabunia was conveyed to a special detention centre. Initially, he was placed in a cell where some 100 other persons were detained. On the following day, Mr Gabunia was transferred to another cell, measuring 30 m^2 and containing 10 beds, where 20 inmates were kept. There was a toilet in the corner, which the inmates covered from the rest of the cell by a cloth. One of Mr Gabuania's co-detainees had inflammation of the urinary bladder, accompanied by high fever and acute pains, but it took the administration of the centre 3 days before they provided the sick person with the necessary medical aid.

After having spent a week in that detention centre, Mr Gabunia was finally expelled, on 10 October 2006, to Georgia. According to his submissions, the Russian authorities' treatment at the airport was particularly humiliating. The solders of the police special forces unit (*OMON*) made a live corridor from the bus, in which the Georgians had been brought from the detention centre, to the plane, and the deportees were obliged to cover that distance at a run, under the soldiers' shouts "faster, run faster". Such treatment resembled that of "a concentration camp", in the words of Mr Gabunia.

Relevant documents

- Mr Gabunia's Georgian passport no. 1587629 with a stamp, dated 3 October 2006, refusing to issue a Russian visa.
- A certificate from Mr Gabunia's workplace in Moscow.
- A temporary travel certificate, issued by the Georgian Consulate in Moscow on 9 October 2006, authorising Mr Gabunia to enter Georgia.

Name	First name (Patronymic name)	Date of birth	Place of birth
BADALOV	**Efrem (Alex)**	**25 June 1966**	**Village of Kandari, Mtskheta District, Georgia**
Town: Moscow			
Summary of statement – cassette 3, recorded on 24 October 2006.			

Mr Badalov, a Georgian national, had been living and working in the Russian Federation since 1996. On 14 September 2006 he moved to Moscow and started to work as a cook in a restaurant.

On 3 October 2006 Mr Badalov was apprehended by the Russian Federal Migration Service and taken to its office at 4, Barikadnaya street. He was interviewed and an expulsion case was opened. Later the same day he was brought before a court. As the court was overcrowded with many other persons subject to expulsion proceedings, Mr Badalov had to wait for 3 hours before the examination of his case finally started. The hearing however lasted only 2-3 minutes. Mr Badalov argued before the court that, if he had breached the Russian residence regulations, a fine as envisaged by law should be imposed. Without replying to that argument, the judge ordered his expulsion.

After the hearing, Mr Badalov was first returned to the Migration Service office and, was then taken conveyed to a special detention centre. He tried to enquire about the possibility of lodging an appeal against the expulsion order with the assistance of a lawyer. However, the Russian authorities, as well as other Georgian detainees, allegedly convinced him that such an undertaking would be a futile waste of money (at least USD 2,000 was required to hire a qualified lawyer).

At the detention centre, Mr Badalov was placed in a cell measuring approximately 18 m^2, which was supposed to accommodate 13 persons. However, 27 inmates were kept there. The cell was filthy; there was an unpartitioned toilet in the corner; the food provided was of very low quality.

According to Mr Badalov's submissions, the Georgian Consul visited him and the other Georgian detainees once and promised to arrange their release and return to Georgia as soon as possible, as the conditions of their detention were extremely poor.

On 6 October 2006 Mr Badalov, together with many other detained Georgians, was expelled to Georgia in a cargo plane. His description of the flight is similar to those of the other interviewees (see, for example, the interviews with Mr Managadze and Mr Lomidze).

During the interview, Mr Badalov claimed that his expulsion had been unlawful, as he had had all the necessary documents – visa, internal registration document, etc. – authorising his stay on the Russian territory. As disclosed by his submissions, he did not however have a work permit.

Relevant documents
• Mr Badalov's Georgian passport no. 05AB19080 with a Russian multiple-entry visa, business type, valid until 10 September 2007. • The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 14 March 2007. • The passport contains a stamp, according to which the administrative removal of 6 October 2006 was carried out on the basis of the Presnenskiy District Court's decision of 3 October 2006. The stamp is signed by Mr Gerasimov, the Director of the Special Detention Centre for Aliens no. 1. • Certain other, irrelevant documents in Russian.

Name	First name (Patronymic name)	Date of birth	Place of birth
BAJADZE	**Vakhtang (Shota)**	**31 January 1956**	**Village of Ukhuchi, Vani District, Georgia**
Town: Moscow			
Summary of statement – cassette 3, recorded on 24 October 2006			
Mr Bajadze, a Georgian national, worked as a construction worker in Moscow. At the material time his national passport, containing a Russian visa, was lost. On 4 October 2006 he was apprehended by the police officers and taken to police station no. 7, located in the Strogino District. On the same day he was brought before a court which ordered his expulsion in a hearing of 10 minutes. After the proceedings, Mr Bajadze was supposed to be transferred to a special detention centre. However, all the detention centres in Moscow were already overcrowded by that time, and he stayed instead in police custody for the following several days. When Mr Bajadze was finally transferred to a special detention centre, the latter located near Zhukovo airport, he was placed in a cell measuring 16 m^2, together with 7 other persons. A toilet was located in the corner; it was not partitioned from the rest of the cell. Mr Bajadze had a high fever because of a tumour on the neck (apparently of a benign nature) but all his requests to be examined by a qualified physician and be provided with the necessary medical treatment were left unanswered by the administration of the detention centre. Having spent 10 days in the centre, Mr Bajadze was expelled to Georgia on 17 October 2006.			
Relevant documents			
• Medical certificates accounting for the nature of Mr Bajadze's health problems. • A temporary travel certificate, issued by the Georgian Consulate in Moscow on 16 October 2006, authorising Mr Bajadze's return to Georgia.			

Name	First name (Patronymic name)	Date of birth	Place of birth
GOGBERASHVILI	**Manana (Rezo)**	**12 January 1964**	**Tkibuli, Georgia**
Town: Moscow			

Summary of statement – cassette 3, recorded on 24 October 2006

Ms Gogberashvili, a Georgian national, was working as a vendor in a shop located in the Yugo-Zapadniy District of Moscow. At the material time she possessed all the documents – national passport with a valid Russian visa, internal registration document – authorising her temporary stay in Moscow.

On 6 October 2006 a police officer and two agents of the Migration Service apprehended Ms Gogebrashvili and her cousin, also a Georgian national, in the above-mentioned shop. The detained Georgians were taken to the Migration Service office, where expulsion cases were opened. Ms Gogberashvili and her cousin were accused of possessing fabricated residence registration documents. That accusation was based on the authority's observation that "the ink [on the documents] was not dark enough". The Russian manager of the above-mentioned shop, who accompanied the apprehended Georgians, replied that, in such a case, a fine should be imposed rather than expulsion. The Migration Service officers left that argument unanswered.

On the same day Ms Gogberashvili and her cousin were brought before a court which ordered their expulsion. The Georgian women requested permission to leave the Russian territory at their own cost, without being transferred to a detention centre. The judge allegedly replied that they should not be afraid of the conditions of detention in that centre, which "resembled those of a hotel." When Ms Gogberashvili tried to prove to the judge that her documents were valid, the latter allegedly replied "tell that story to your Saakashvili." The order was never served on Ms Gogberashvili. The Russian authorities did not advise her of her right to legal counsel.

After the hearing, which lasted 2 minutes, the Georgian women were transferred to a detention centre located near the Metro station Novoslabodskaya (4, Lesnaya street). The cell, in which Ms Gogebarshvili was placed together with seven other women, measured approximately 24 m^2. There was no toilet in the cell, the inmates being allowed to visit an ouside toilet twice a day, in the early morning and in the evening.

Ms Gogebarshvili was deported to Georgia on 10 October 2006 in an ordinary passenger plane. She left her personal belongings and valuables in Moscow.

Relevant documents

- Ms Gogberashvili's Georgian passport no. 0673948 with a Russian multiple-entry visa, business type, valid until 6 August 2007.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 12 February 2007.
- The passport contains a stamp, according to which the administrative removal was carried out on 10 October 2006 on the basis of a decision of 6 October 2006 of the Gagarinskiy District Court in Moscow. The stamp is signed by Mr Balashov, the Director of the Special detention Centre for Foreign Nationals no. 2.

Name	First name (Patronymic name)	Date of birth	Place of birth
GOGIDZE	**Khvicha (Givi)**	**17 March 1969**	**Tskaltubo, Georgia**
Town: Moscow			
Summary of statement – cassette 3, recorded 24 October 2003			
On 3 October 2006 Mr Gogidze, a Georgian national, , was apprehended by the traffic police and Federal Migration Service officers whilst driving in a car along a Moscow street. He had a Russian visa, valid until February 2007, as well as other registration documents, but was nevertheless taken to a police station and placed in a provisional custody cell. His car was left in the street unattended. Mr Gogidze spent 2 days in police custody, during which time an expulsion case was opened. Subsequently, he was brought before a court which ordered his removal from the country in a hearing of 5 minutes. Mr Gogidze was not assisted by a lawyer. The judge left unanswered Mr Gogidze's complaint about having had to leave his car in the street. He was served with a copy of the expulsion order, which, however, he was later requested to leave with Russian customs officers in the airport. After the hearing, Mr Gogidze was transferred to a special detention centre located on the Dmitrovo highway. On the following day, Mr Gogidze was expelled to Georgia from the Zhukovo airport in a cargo plane of the Russian Ministry of Emergency Situations. His descriptions of the conditions of the flight concide with those of other interviewees (see, for example, the interviews with Mr Managadze and Mr Lomidze).			
Relevant documents			
• Mr Gogidze's Georgian passport no. 1752175 with a Russian multiple-entry visa, business type, valid until 10 February 2007. • The passport contains a stamp, according to which the administrative removal took place on 6 October 2006 on the basis of a decision of 5 October 2006 of the Gagarinskiy District Court in Moscow. This stamp is signed by the Director of the Special Detention Centre for Aliens no. 1, Mr Gerasimov.			

Name	First name (Patronymic name)	Date of birth	Place of birth
CHIKOVANI	**Davit (Khutu)**	**1 September 1964**	**Mukhuri village, Chkhorotsku District, Georgia**
Town: Moscow			
Summary of statement – cassette 3, recorded on 25 October 2006			
Mr Chikovani, a Georgian national, was a construction worker in Moscow. He had all the necessary residence documents – visa and internal registration stamp – and a work permit. On 5 October 2006 the Russian Federal Migration Service officers apprehended Mr Chikovani at his workplace and took him to a police station located in the Gagarin District.			

On the following day he was brought before a court which, holding that his residence documents had been fabricated, ordered his removal from the country. The hearing lasted approximately 10 minutes. Mr Chikovani objected before the court that, if the relevant Russian authorities had issued false residence documents, he should not be held responsible in lieu of them. He expressed his intention to lodge a complaint against those authorities.

Mr Chikovani was advised of the right to lodge an appeal against the expulsion order within the following ten days. He could not however put this possibility into practice, in so far as, immediately after the hearing, he was transferred, handcuffed, to a special detention centre and, shortly afterwards, expelled to Georgia. The flight was carried out in a cargo plane.

As disclosed by his interview, Mr Chikovani was not assisted by a lawyer during the expulsion proceedings. His request for leave to go home and collect personal belongings prior to the expulsion was dismissed by the Russian authorities.

Relevant documents

- Mr Chikovani's Georgian passport no. 1723963 with a Russian single entry visa, business type, valid until 3 August 2006.
- The passport contains a blank stamp of administrative removal. No other details – date and issuing authority of the expulsion order – are indicated.

Name	First name (Patronymic name)	Date of birth	Place of birth
ABSHILAVA	**Maia (Giorgi)**	**11 February 1966**	**Sokhumi, Abkhazian Autonomous Republic, Georgia**
Town: Moscow			

Summary of statement – cassette 3, recorded on 25 October 2006.

Ms Abshilava, a Georgian national, was apprehended on 5 October 2006 at her workplace in Moscow and taken to police station no. 12, where she was placed in a "cage". Ms Abshilava spent a night there, sitting on a chair, with three other remanded Georgians.

On the following day Ms Abshilava was brought before a court. She showed that she held a valid Russian visa but was nevertheless ordered to leave the country. The hearing lasted 5 minutes. The decision was not served on her.

After the court, Ms Abshilava was first returned to the same police station and, afterwards, transferred to a special detention centre located near the Metro station Novoslabodskaya. The conditions of her detention there – 8 inmates per 24 m^2, the absence of an inside toilet, etc. – are similar to those described by other interviewees.

Having spent 5 days in the centre, Ms Abshilava was expelled to Georgia on 10 October 2006. She recalls that the police *special forces* unit (OMON) made a live corridor at the airport for the Georgians' passage from the bus to the plane.

Relevant documents
• Ms Abshilava's Georgian passport no. 0981141 with a Russian multiple-entry visa valid until 27 July 2007. • The passport contains a stamp, according to which the administrative removal was carried out on 10 October 2006 on the basis of a decision of 6 October 2006 of the [the name is not legible] District Court in Moscow. The stamp is signed by Mr Balashov, the Director of the Special Detention Centre for Foreign Nationals no. 2.

Name	First name (Patronymic name)	Date of birth	Place of birth
SHUBITIDZE	**Irakli (Guram)**	**30 September 1987**	**Not specified**
Town: Moscow			
Summary of statement – cassette 4, recorded on 30 October 2006			
Prior to his sudden expulsion, Mr Shubitidze, a Georgian national, had resided in the Russian Federation, on the basis of a valid visa and internal registration, for 6 months. On an unspecified date in early October 2006 the police visited Mr Shubitidze at home to check his identity and residence documents. The officers retained his documents and ordered him to appear at local police station on the following day. At the police station, however, Mr Shubitidze was advised that his documents had been taken to a court. Without ever being brought before a judge personally, he was later informed by the police that a court had ordered his expulsion. A copy of that order was not served on him. On 6 October 2006 Mr Shubitidze was expelled in a cargo plane of the Russian Ministry of the Emergency Situations. His description of the conditions of the flight coincides with those of other interviewees.			
Relevant documents			
• Mr Shubitidze's Georgian passport no. 1744685 containing a Russian multiple-entry visa, business type, valid until 30 April 2007. • The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 4 December 2006.			

Name	First name (Patronymic name)	Date of birth	Place of birth
NATELASHVILI	**Davit (Aleksandre)**	**5 January 1962**	**Not specified**
Town: Moscow			
Summary of statement – cassette 4, recorded on 30 October 2006			
Mr Natelashvili, a Georgian national, went to the Russian Federation in April 2006 on the basis of a visa that was valid for 1 year.			

On 10 September 2006 the police apprehended Mr Natelashvili in a street in Moscow and took him to a police station located in the Konkovo District. Mr Natelashvili allegedly witnessed how, in contrast to what happened for Georgians, persons of other ethnic origins (Uzbeks, Tajiks, Azeris, Armenians, etc.) who had been similarly apprehended on the basis of allegedly irregular residence status were released, after having paid administrative fines. Having retained his identity and registration documents, the police released him pending the expulsion proceedings.

On the 16th a court heard Mr Natelashvili's case and ordered his expulsion within the following 10 days. According to Mr Natelashvili, there were many other Georgians in the courthouse, who were brought by the police in several groups, each consisting of 5-7 persons. Those groups had to wait for their turn to appear before the judge.

According to Mr Natelashvili, the police handed his and several other Georgians' documents to the judge. The latter, without posing any questions, printed out expulsion orders and put stamps in the Georgians national passports. That process lasted three or four minutes. Mr Natelashvili immediately declared that he wished to appeal against his expulsion. That declaration was left unanswered by the judge. The police transferred Mr Natelashvili to a special detention centre.

Mr Natelashvili was kept in the detention centre until the 28th. His cell, where 10 other Georgians were kept, contained 11 beds and measured 18 m^2. The inmates were provided with linen and blankets. A corner toilet was not partitioned from the rest of the cell, so the inmates separated it from the room with a blanket. Mr Natelashvili was not allowed to telephone his relatives and inform them of his whereabouts until the 26th.

On the 28th Mr Natelashvili was finally expelled to Georgia.

Relevant documents. *Note*: the Government have not submitted snapshots of any documents, but the recording of the interview shows the following documents:

- Mr Natelashvili's Georgian passport no. 05AA0191 containing a Russian multiple-entry visa, business type, valid until 16 March 2007.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 18 October 2006.
- The passport contains a stamp, according to which the expulsion was carried out on 26 October 2006 on the basis of a decision of 16 October 2006 of the Cheryomushinskiy District Court in Moscow. The stamp was signed by Mr Gerasimov, the Director of the Special Detention Centre for Aliens no. 1.

Name	First name (Patronymic name)	Date of birth	Place of birth
ZURASHVILI	**Mikheil (Giorgi)**	**28 August 2008**	**Not specified**
Town: Moscow			
Summary of statement – cassette 4, recorded on 26 October 2006			

Mr Zurashvili, a Georgian national, resided in Moscow on the basis of a Russian visa that was valid until 8 October 2006.

On an unspecified date the police apprehended Mr Zurashvili in the street and took him to a police station. Along with approximately 135 other persons similarly detained as irregular residents, he was subsequently brought before a court. Almost no one from the group, including Mr Zurashvili himself, met personally with the judge. The detainees were kept in a street in front of the courthouse, before the escorting police officers finally informed them that their expulsion had already been decided. The detainees were requested to sign receipt papers.

After the court, Mr Zurashvili was transferred to a special detention centre. He was placed in a cell measuring 19 m^3, where 22 other inmates were kept. As the number of iron beds, (without mattresses), was insufficient, the inmates were obliged to take turns to sleep. Only on the third day of his detention did the administration provide Mr Zurashvili's cell with a number of warm blankets. A filthy corner toilet was not partitioned from the rest of the cell. Mr Zurashvili could not eat the food provided. In his words: "even a dog would not touch that food". The officer in charge of his cell provided the inmates from time to time with bottles of drinking water. However, even that "favour", according to Mr Zurashvili, was the result of a bribe.

Relevant documents

- Mr Zurashvili's Georgian passport no. 0217546.

Name	First name (Patronymic names)	Date of birth	Place of birth
PHAILODZE	**Manana (Gegucha) and Otar (Avtandil)**	21 December 1955 (**Manana**) and 31 January 1955 (**Otar)**	**Kutaisi (Manana) and Tbilisi (Otar), Georgia**
Town: Moscow			

Summary of statement – cassette 4, recorded on 26 October 2006

Manana and Otar Phailodzes, Georgian nationals, are spouses. Prior to their sudden expulsion, they lived in the Russian Federation for two years. As disclosed by their submissions, their Russian visa and internal registration were no longer valid at the material time.

According to the Phailodzes, as the Russo-Georgian tensions escalated in September-October 2006 the Moscow police started discriminatory treatment against Georgian migrant workers. Georgians were singled out and morally harassed, and bribes were extorted in exchange for not being arrested.
On an unspecified date, four police officers apprehended the Phailodzes at their workplace and took them to a local police station. A court ordered their expulsion on the same day. The hearing lasted approximately 5 minutes. The spouses were not assisted by a lawyer.

On the following day the Phailodzes were transported to Georgia in a cargo plane. Their description of the conditions of the flight is similar to that of other interviewees.

Relevant documents

- None submitted.

Name	First name	Date of birth	Place of birth
SARKISIAN	**Andrey**	**12 November 1982**	**Not indicated**
City: Moscow			
Summary of the statement – cassette 4. Interview conducted in Russian.			
Messrs Sarkisian (see also below) had lived in Russia since 1993. They arrived without a visa, since at that time movement between Russia and Georgia was possible without a visa. When Russia began to require visas for Georgian citizens, they obtained Georgians passports and obtained papers for lawful residence. On an unspecified date the police came to their house and arrested them. In the police van the police officers destroyed their internal registration documents. Messrs Sarkiasian were placed in a special detention centre (*спецприемник*), and were squashed in a room of 20-25 m² that contained about forty other people. The room had a tap, and meals were served. The detainees were conducted to the toilet at their request. Messrs Sarkiasian were not brought before a court. It was suggested that they leave for Georgia either at their own cost, or at the cost of the State, in exchange for work to reimburse the transport costs. Certain detainees were willing to work free of charge, building police officers' *dachas*. Finally, relatives of Messrs Sarkiasian brought tickets for them, and on 9 October 2006 they left for Georgia, via Armenia.			
Relevant documents			
• Georgian passport no. 1729877, delivered by the Georgian consulate in Moscow • Russian multiple-entry visa no. 20 1561297, valid from 30 June 2006 to 19 June (April?) 2007 • Stamp in the passport, certifying internal registration in Moscow, no. 49447/207			

Name	First name	Date of birth	Place of birth
SARKISIAN	**Artur**	**23 February 1981**	**Tbilisi**
City: Moscow			
Summary of the statement – cassette 4. Interview conducted in Russian.			
See above, the statement by Andrey Sarkisian.			
Relevant documents			
• Georgian passport no. 0392327, delivered by the Georgian consulate in Moscow, valid until 26 August 2009 • Russian multiple-entry visa no. 20 1203349, valid from 8 May 2006 to 1 May 2007 • Stamp in passport, certifying internal registration in Moscow no. 27993/25201 There is a staple in the passport, but no document attached.			

Name	First name (Patronymic name)	Date of birth	Place of birth
SHAVSHISHVILI	**Nato (Nodari)**	**18 March 1956**	**Not specified**
Town: Moscow			

Summary of statement – cassette 4, recorded on 27 October 2006

Mrs Shavshishvili, a Georgian national, went to Moscow on 19 October 2005, entering the territory of the Russian Federation on the basis of a visa that was valid until 19 October 2006. She settled with the family of her elder son, who was a Russian national, and was working in a Georgian café located near Petrovskiy Park. Mr Shavshishvili claims to have possessed a duly issued internal registration document at the material time of the events described below. As disclosed by her submissions, her younger son, aged 18, lived together with her in Moscow.

In late September-early October 2006 the police *special forces* unit (*OMON*) suddenly broke into the Georgian café where Mrs Shavshishvili was working. The armed officers trashed almost everything in the café with their rubber batons, including bottles of Georgian wine standing in the bar. All the Georgians found there – 6 or 7 persons of both sex, including Mrs Shavshivili – were, under verbal insults and even some physical harassment, taken to police station no. 12, located near the Metro station Dinamo.

At the police station, Mrs Shavshivili was placed in a provisional detention cell measuring 5-6 m^2, together with five other Georgian women. There were no beds or chairs, and the inmates being obliged to sit and lay down on the cold cement floor. During the four days that Mrs Shavshishvili spent in the cell, the police never offered the inmates any food; drinking water was offered only three times. As there was no toilet inside of the cell, the police would permit the inmates to visit a toilet located outside once a day. Having informed Mrs Shavshishvili that her younger son, Mr Levan Shavshishvili, had also been detained in the same police station, the officers threatened Mrs Shavshishvili that they would beat him unless she paid USD 300. In such stressful conditions, Mrs Shavshishvili suffered a minor heart stroke on the fourth day of her detention. Consequently, half of her face and her left hand were paralysed. The police never provided Mrs Shavshishvili with any medical assistance. However, fearing that her state of health could deteriorate, the police decided to release her.

According to Mrs Shavshishvili submissions', she was never brought before a court. It was the police who requested her to leave the country and even issued a document ordering her to do so in an allotted period of time.

Mrs Shavshishvili bought an air ticket and took a flight back to Georgia, apparently on 18 October 2008. She left most of her personal belongings in Moscow.

Relevant documents

- Mrs Shavshishvili's Georgian passport no. 1664103, containing a Russian multiple-entry visa, business type, valid until 19 October 2006.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 19 October 2006.
- Mr Levan Shavshishvili's Georgian passport no. 1698278

Name	First name (Patronymic name)	Date of birth	Place of birth
ABECHKHRISHVILI	**Irma (Omar)**	**24 July 1969**	**Village of Akura, Telavi District, Georgia**
Town: Moscow			
Summary of statement – cassette 4, recorded on 27 October 2007			
Ms Abechkhrishvili and another Georgian woman were apprehended on 6 October 2006 by representatives of the police *special forces* (*OMON*). The women were handcuffed and taken either to a police station or some other detention facility. The detainees were afraid to pose any question to their escort. The only explanation they allegedly heard was – "this is all because of your President." The escort verbally insulted the Georgian women. Ms Abechkhrishvili stayed in detention for four days. She does not complain about the conditions of the cell she was placed in, considering them to be "ordinary". On an unspecified date, she was expelled to Georgia in a plane. Her clothes and family belongings were left behind in Moscow. According to Ms Abechkhrishvili's submissions, at the time of her apprehension her Russian visa had already expired. The matter of her expulsion was never raised before a court.			
Relevant documents			
• Ms Abechkhrishvili's Georgian passport no. 0312014.			

Name	First name (Patronymic name)	Date of birth	Place of birth
GIVIASHVILI	**Abram (Giorgi)**	**2 January 1964**	**Not specified**
Town: Village of Mesheryakovka, Arkadak District, Saratov Region			
Summary of statement – cassette 4, recorded on 26 October 2006			
Mr Giviashvili, a Georgian national, had been living in the Russian Federation since 2000, at which time there were no visa requirements with respect to Georgian nationals. He settled in the village of Mesheryakovka, Saratov Region, pursuing agricultural activities. He bought a house there and gradually gathered a number of movable assets. He also possessed cattle: 10 cows and 40 pigs. In September 2006, Mr Giviashvili's Georgian passport expired. On 10 October 2006 local police officers, whom Mr Giviashvili knew well, visited the latter at home. He was transferred to a police station and a deportation expulsion file was opened. On the following day a court ordered Mr Giviashvili's expulsion. After the hearing, Mr Giviashvili was transferred to a special detention centre located in Saratov. He was placed in a terribly filthy cell, measuring 12 m^2, where seven other inmates were kept. There was no toilet, and the administration of the centre provided the detainees			

with a bucket to be used for that purpose. The inmates were permitted to visit an outside toilet once a day.

Having spent three days in detention, Mr Giviashvili, with the help of friends outside the centre, bought an air ticket to Georgia. The administration of the centre, having due regard to that ticket, released him, and, on 13 October 2006 Mr Giviashvili took the flight.

Mr Giviashvili submits that he was aware of the possibility of lodging an appeal against the expulsion order. However, since such a course of action would automatically imply his further stay in the unbearable conditions of the detention centre, he had decided to drop the idea.

Relevant documents

- The Arkadak District Court's decision of 10 October 2006 ordering Mr Giviashvili's removal from the Russian Federation.
- Recommendation letters issued by the Krasnoznamenskiy municipal authority, showing, *inter alia*, the fact of Mr Giviashvili's possession of immovable and movable property in the village of Mesheryakovka.

Name	First name (Patronymic name)	Date of birth	Place of birth
KANDELAKI	**Gia (Givi)**	**28 May 1968**	**Not specified**
Town: Moscow			

Summary of statement – cassette 4, recorded on 27 October 2006

Mr Kandelaki, a Russian national, was the managing director of the "King Tamar" Georgian restaurant in Moscow.

According to his submissions, starting from 7 October 2006 various Russian authorities, in particular an agency charged with the investigation of financial crimes, started persecution of his restaurant. The authorities appeared almost daily and requested various amounts in exchange for promises not to close down the restaurant. Initially Mr Kandelaki was paying the bribes but, after the authorities' requests amounted overall to USD 500,000, he decided to suspend the restaurant's activities.

Allegedly, the authorities' conditions for leaving the business alone were for Mr Kandelaki to change his Georgian last name, drop the Georgian name of the restaurant and hire only Russian nationals as staff.

Mr Kandelaki has invested heavily in his restaurant. At the time of the interview he was still unable to resume his business in Moscow.

Relevant documents

- Mr Kandelaki's Russian passport no. 6810914, containing a Georgian visa valid until 25 January 2007.

Name	First name (Patronymic name)	Date of birth	Place of birth
JULAKIDZE	**Medgar (Soso)**	**14 May 1976**	**Not specified**
Town: Moscow			
Summary of statement – cassette 4, recorded on 30 October 2006			

Mr Julakidze, a Georgian national, went to Moscow, entering the Russian territory on the basis of a visa valid for one year on 16 September 2006. Within the following two days, he registered his residence with the relevant authorities.

Two weeks after his arrival, the police visited Mr Julakidze at home. They took him to a local police station for an identity check. At the station, he was placed in a provisional detention cell, where he stayed for the next two days. The cell was almost completely dark. It measured 4 m^2. During the police custody Mr Julakidze was not offered either drinking water or food. He was only authorised to receive "food parcels" from his relatives. As there was no toilet in the cell, Mr Julakidze was obliged to request leave to visit an outside one.

Subsequently, Mr Julakidze was taken to a court. However, he was not allowed to meet the judge. The latter delivered an expulsion order only in the presence of an escorting police officer. The latter subsequently informed Mr Julakidze of his imminent expulsion and of the possibility to lodge an appeal throught the assistance of a lawyer.

After the court, Mr Julakidze was transferred to a special detention centre. His cell measured approximately 30 m^2, and some 40-45 persons were detained there. An unpartitioned toilet was in the corner of the cell. Having spent almost two days there, Mr Julakidze was expelled to Georgia in a cargo plane. His description of the conditions of the flight coincides with those of other interviewees.

Relevant documents

- Mr Julakidze's Georgian passport no. 05AC00735, containing a Russian multiple-entry visa, business type, valid until 27 April 2007.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 18 February 2006.
- The passport contains a stamp, according to which the expulsion was carried out on 28 October 2006 on the basis of a decision of 12 October 2006 of the Kuzminskiy District Court in Moscow. The stamp is signed by Mr Gerasimov, the Director of the Special detention Centre for Aliens no. 1.

Name	First name (Patronymic name)	Date of birth	Place of birth
KHIMSHIASHVILI	**Koba (Tamaz)**	**2 February 1973**	**Not specified**
Town: Moscow			
Summary of statement – cassette 4, recorded on 27 October 2006			

Mr Khimshiashvili, a Georgian national, was working in the Georgian restaurant "King Tamar". On an unspecified date he was apprehended by the Federal Migration Service at his workplace and a court later ordered his removal to Georgia. No other details of his

expulsion proceedings are known. Mr Khimshishvili's submissions mostly decscribe the Russian authorities' arbitrary interference with the restaurant's activities and coincide with those of Mr Gia Kandelaki (see above).

Relevant documents

- Mr Khimshiashvili's Georgian passport no. 1730373, containing a Russian multiple-entry visa, valid until 25 December 2006.

Name	First name (Patronymic name)	Date of birth	Place of birth
KHMALADZE	**Gocha (Vakhtang)**	**17 December 1968**	**Not specified**
Town: Moscow			

Summary of statement – cassette 4, recorded on 30 October 2006

In the five years preceding the events described below, Mr Khmaladze, a Georgian national, regularly visited Moscow to work as a driver. The last time he entered the territory of the Russian Federation was 11 September 2006, the legal basis being a Russian visa valid for one year. On arrival in Moscow, Mr Khmaladze immediately registered his residence with the relevant authorities and even obtained local medical insurance.

On an unspecified date Mr Khmaladze was apprehended by the police and taken to police station no. 44, located in the Vykhino District. He was interviewed and placed in a provisional custody cell measuring 12-13 m^2. An expulsion case was opened.

There were some 13 other inmates in Mr Khmaladze's cell, which was not equipped with a toilet. The inmates had to request leave to visit an outside toilet elsewhere in the police station. Those visits were, however, allowed rarely. In reply to requests for drinking water, the police officers would allegedly insult the inmates – "Drink from the toilet bowl." Having spent 24 hours in the police custody, during which time no food was offered, Mr Khmaladze was taken, along with several other Georgians, to a court. The escorts verbally harassed the detainees - "Georgians, get out of here! […] You will suck American dicks! […] Go and gather your mandarins, they have ripened! […] Go to your Saakshvili! Blame your Saakashvili!...". The detained Georgians were further threatened that, in the event of trying to run away or disregard the orders, the escorts would shoot them on the spot.

At the court, Mr Khmaladze tried to prove that he had all the necessary documents authorising his stay in Russia. The escorting officers, who also attended the hearing, allegedly requested Mr Khmaladze to admit the fact of unlawful residence, on pain of ill-treating him back at the police station. The court ordered that Mr Khmaladze be expelled from the country. Without the order being served on him, Mr Khmaladze was requested to sign a certain document. He was informed of the right to lodge an appeal within the following ten days. According to his submissions, the authorities told him that the initiation of appellate proceedings would be a futile undertaking.

After the court, Mr Khmaladze was transferred to a special detention centre. Initially, he was placed in a cell, measuring 15-16 m^2 and containing 8 beds, where approximately 50 persons were kept. A toilet in the corner was not partitioned from the rest of the cell; an unbearable stench hang in the air. In such unsanitary conditions, Mr Khmaladze was unable to eat the

food provided, which was already of extremely low quality. Having spent several days in the above-mentioned cell, Mr Khmaladze was transferred to another one, which contained 11 beds, and where 10 other Georgians were detained. In the second cell, the conditions were relatively better. It was cleaner and warmer; a corner toilet was again not partitioned from the rest of the second cell.

Overall, Mr Khmaladze spent twenty-one days in the detention centre. Throughout that period, he and his Georgian fellow inmates were not permitted to have outside work or do other outdoor exercises. The food was of repelling quality, and even that was not provided in sufficient quantity (there was an incident when 11 inmates received only 8 portions). The inmates repeatedly requested the centre's administration to provide them with a broom and other cleaning items so that they could clean their extremely filthy cell. Those requests were left unanswered. Neither shaving nor other personal hygiene items were ever provided. The inmates were not allowed to telephone their relatives. In such unbearable conditions, exacerbated by the feeling of being "jailed" as ordinary criminals, Mr Khmaladze and his Georgian co-detainees declared a hunger strike, demanding the following: a bath, a cleaning broom, the assistance of a lawyer and a meeting with the Georgian Consul. In the end, Mr Gerasimov, the director of the detention centre, yielded to the above-mentioned demands: the inmates were finally allowed to clean their cell and the Georgian Consul was permitted to visit the Georgians in the detention centre. Subsequently, the inmates were even given a mobile telephone to call their relatives in Georgia.

According to Mr Khmaladze's submissions, Mr Gerasimov later stated to the detained Georgians that they were "political prisoners…there is a scandal between our countries…" Being in a complete information vacuum, Mr Khmaladze requested newspapers or permission to listen to the radio – he feared that a war between Russia and Georgia had started.

Exasperated by the unbearable conditions of his detention, as well as by the feeling of being helpless and deprived of elementary procedural rights, Mr Khmaladze's behaviour was becoming more and more aggressive. For example, he would intentionally make loud noises in the cell and once even hung out a hand-made Georgian flag from the window, which irritated the administration of the centre. In reply, the detention staff harassed Mr Khmaladze threatening they would "give him [pacifying] injections" and place him in a psychiatric hospital. Finally, after another meeting with the Georgian Consul, Mr Khmaladze and other Georgian detainees calmed down - they were promised rapid expulsion to Georgia.

On an unspecified date Mr Khamaladze was finally expelled to Georgia.

Relevant documents

- Mr Khmaladze's Georgian passport no. 05AC52036, containing a Russian multiple-entry visa valid until 30 August 2007.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 18 February 2006.
- The passport contains a stamp, according to which the expulsion was carried out on 28 October 2006 on the basis of a decision of 12 October 2006 of the Kuzminskiy District Court in Moscow. The stamp was signed by Mr Gerasimov, the Director of the Special detention Centre for Aliens no. 1.

Name	First name (Patronymic name)	Date of birth	Place of birth
BEKURASHVILI	**Malkhaz (Spartak)**	**7 June 1966**	**Village of Vismene, Mtskheta District, Georgia**
Town: Moscow			
Summary of statement – cassette 4, recorded on 30 October 2006			
Prior to his expulsion, Mr Bekurashvili, a Georgian national, had lived in Moscow for 2 years. As disclosed by his submissions, at the material time his Russian visa had expired. On an unspecified date Mr Bekurashvili was apprehended in a street by police officers. He tried to bribe the officers in exchange for his release, as he had done many times before, but the officers replied that they could no longer accept the deal, there being an order to detain all Georgians. Mr Bekurashvili was first taken to a local police station and afterwards brought before a court which ordered his expulsion. The hearing lasted 15-20 minutes. The order was served on him but was retained by the Russian authorities at the airport from which, on an unspecified date, Mr Bekurashvili was expelled to Georgia.			
Relevant documents			
• Mr Bekurashvili's Georgian passport no. 1023100 containing a stamp, according to which the administrative removal was carried out on 11 October 2006.			

Name	First name (Patronymic name)	Date of birth	Place of birth
ESVANJIA	**Davit (Aleksandre)**	**1 December 1959**	**Samtredia, Georgia**
Town: Moscow			
Summary of statement – cassette 5, the date of recording is not specified.			
The last time Mr Esvanjia, a Georgian national, went to Moscow was 27 October 2005. On 9 September 2006 his Russian visa expired. On 4 October 2006 the Russian Federal Migration Service apprehended Mr Esvanjia in a street and took him to police station no. 45. He was placed in a provisional custody cell, the "cage-like *obezyannik*". It measured 10-12 m^2 and 12 persons were kept there. The detainees took turns to sit on the few available chairs. As the police officers did not provide them with either food or drinking water, they had to rely on "food parcels" sent by their relatives. Having spent 17 hours in police custody, Mr Esvanjia was taken, on 5 October 2006, to a court. He requested the judge to order his release pending expulsion, so that he could make preparations for the departure to Georgia. His request being ignored, Mr Esvanjia was taken, after the hearing which lasted 6-7 minutes, to a special detention centre. Mr Esvanjia tried to hire a lawyer prior to the hearing but was unable to find any in the given time constraints. He was never offered the assistance of a public lawyer. The expulsion order was not served on him.			

At the special detention centre located on the Dmitrovo highway, Mr Esvanjia was strip-searched, which was particularly humiliating for him. In his cell, measuring 30-32 m^2 and containing 12 beds, there were 31 other detainees. No blankets or linen were provided. There was a toilet was in the corner. Having spent two days in that overcrowded cell, Mr Esvanjia was transferred to another cell of the same measurement, where only 11 other persons were kept. The food provided was of such low quality that "a human could hardly eat it".

Mr Esvanjia repeatedly requested writing utensils to draft an appeal against the expulsion order, to no avail. He was not allowed to telephone the outside world, thus being stripped of another possibility to contact someone who could lodge an appeal on his behalf.

Relevant documents

- Mr Esvanjia's Georgian passport no. 0349460 containing an expulsion stamp dated 19 October 2006. The issuing authority of this stamp is not specified.

Name	First name (Patronymic name)	Date of birth	Place of birth
GOGIA	**Leila (Geno)**	**7 March 1972**	**Not specified**
Town: Togliatti, Samara Region			

Summary of statement – cassette 5, the date of recording is not specified.

A local police officer (*uchastkoviy*) visited Ms Gogia, a Georgian national, at home in Togliatti. Having taken her national passport, the police officer advised Ms Gogia that she could claim the document back at the local police station within the following two or three days. As disclosed by her submissions, at the material time, her Russian visa had expired.

Having appeared before the police at the convened time, Mrs Gogia was apprehended and taken to a court. The judge asked her several questions with respect to her residence status and issued an order for her expulsion. She did not have time to hire a private lawyer for that unexpected hearing, nor did the authorities offer the assistance of a public one.

Enforcing the court order, Mrs Gogia bought an airplane ticket to Georgia and left, on an unspecified date, together with her three minor children.

Relevant documents

- Ms Gogia's Georgian passport no. 0946619. The passport contains an expulsion stamp issued by the Toggliatti Branch of the Federal Migation Service on 30 September 2006.

Name	First name (Patronymic name)	Date of birth	Place of birth
GEGUCHADZE	**Gerasime (Leri)**	**12 January 1982**	**Not specified**
Town: St Petersburg			
Summary of statement – cassette 5, the date of recording is not specified.			

Mr Geguchadze, a Georgian national, entered the Russian Federation on 25 November 2004 on the basis of a visa valid for one year. Apparently, he was working in St Petersburg as a driver of either a taxi or minibus. Despite the expiration of his visa, the authorities had never questioned his residence status prior to the events in question.

On either 2 or 3 October 2006 the traffic police stopped Mr Geguchadze's car in a street and, having learnt of his Georgian nationality, took him to the Federal Migration Service office. On the same day he was brought before a court which ordered, in a hearing of 10 minutes, his expulsion. After the hearing, Mr Geguchadze was brought to a police station, as there were no more available places in the special detention centres in St. Petersburg. The provisional detention cell he was placed in measured 2-3 m^2. He shared it with three other persons, apparently also Georgians. There was a lack of space and fresh air. The inmates had to bang on the door for hours, before they were allowed to visit a toilet located outside the cell. Mr Geguchadze and his co-detainees had to bribe the police officers in exchange for food and drinking water. Allegedly, the officers often insulted the detained Georgians, i.e.: "You did not want to be with us?! … You will be with Americans! … Americans will fuck your women!"

Having spent 3 days in police custody, Mr Geguchadze was transferred to a special detention centre. He was placed in a cell measuring 8-9 m^2; four other persons were detained there. The inmates had to pay for mattresses and blankets. It was already cold in Saint Petersburg (-2 degrees Celsius), but the cell was not heated. A corner toilet was not partitioned. The quality of the food provided was deplorable. Despite having caught a cold and having a high fever, Mr Geguchadze was not provided with adequate medical care.

On 16 October 2006 Mr Geguchadze, along with other Georgians detained pending expulsion, were conveyed by the police *special forces* unit (*OMON*) from St Petersburg to Moscow. The escorting officers were drunk, morally harassing the detainees throughout the journey. An incident between several of the detained Georgians and the *special forces* officers ended in the Georgians being beaten with police truncheons and ill-treated with electroshock devices.

On 17 October 2006 Mr Geguchadze was expelled in a plane to Georgia.

Relevant documents

- Mr Geguchadze's Georgian passport no. 0986184.
- The passport contains a stamp confirming that the expulsion was carried out on 17 October 2006.

Name	First name (Patronymic name)	Date of birth	Place of birth
ARSENIDZE	**Makhaz (Ioseb)**	**12 October 1982**	**Kutaisi, Georgia**
Town: Moscow			

Summary of statement – cassette 5, the date of recording is not specified.

Mr Arsenidze, a Georgian national, had been unlawfully resident in Moscow since October 2005.

On an unspecified date in late September – early October 2006 Mr Arsenidze went to a police station to obtain the documents necessary for his return to Georgia. However, the police remanded him and opened an expulsion case. He was placed in a provisional custody cell – the so-called "*obezyannik*" – of station no. 44, located in the Vykhino District. The cell measured approximately 5-6 m^2 and some fourteen other persons of both sexes were kept there. The detainees took turns to sit on the few available chairs. The police officers would constantly insult the detained Georgians (i.e. "you, Georgians, you will suck American dicks!"). Whenever the officers heard the Georgians speaking their language, they would mock at the Georgian language by imitating the sounds of a barking dog. The inmates were allowed to visit a toilet located elsewhere in the police station only twice a day. In reply to their requests for drinking water, the officers would reply – "Drink from the toilet". The inmates could only rely on "food parcels" sent by their relatives.

Mr Arsenidze spent 48 hours in the police custody. Subsequently, he, along with other detained Georgians, was conveyed to a court. The minibus in which they travelled to the courthouse had a traffic accident; one of the Georgians received an injury to the head and started to bleed. No medical assistance was however provided by the escorting officers.

The court examination of Mr Arsenidze's case lasted 10-15 minutes. He tried to defend his cause but the judge did not listen to his arguments. Mr Arsenidze and other detained Georgians apparently requested legal assistance, but the authorities discouraged them by stating that the involvement of a lawyer would only result in useless protraction of the proceedings. The court ordered Mr Arsenidze's expulsion. He received a copy of the order and was informed of the right to lodge an appeal.

After the hearing, Mr Arsenidze was transferred to a special detention centre. He was placed in a cell together with Mr Gocha Khmaladze and Messrs Koba and Levan Kobaidze. His description of the conditions of the detention there coincides with those of the above-mentioned persons. Mr Arsenidze filmed the cell on the camera of his mobile telephone, which he had managed to bring in covertly.

Relevant documents

- A decision of 12 October 2006 of the Kuzminskiy District Court in Moscow, ordering Mr Arsenidze's expulsion (in Russian).
- A temporary travel permit, issued by the Georgian Consulate in Moscow on 16 October 2006, authorising Mr Arsenidze's return to Georgia.

Name	First name (Patronymic name)	Date of birth	Place of birth
ZHVANIA	**Inga (Apolon)**	**16 January 1969**	**Sokhumi, Abkhazian Autonomous Republic, Georgia**
Town: Moscow			
Summary of statement – cassette 5, the date of recording is not specified.			
Mrs Zhvania, a Georgian national, is the wife of Mr Kutelia. Both spouses are internally displaced persons from Abkhazia, a breakaway region of Georgia. They had been living in Moscow since 1993. After the Russian Federation introduced the visa regime with Georgia in 2003, their residence in Moscow apparently became unlawful. The spouses never applied to either Russian or Georgian authorities to regularise their residence status within the Russian Federation. However, even without any valid documents, they were able to live and work freely in Moscow until the escalation of the Russo-Georgian tensions in 2006.			
Relevant documents			
• A travel document, issued by the Georgian Consulate in Moscow, authorising Mrs Zhvania to enter the territory of Georgia.			

Name	First name (Patronymic name)	Date of birth	Place of birth
KEPASHVILI	**Irakli (Tamaz)**	**1979**	**Not specified**
Town: Derbent. Dagestan, Russian Federation			
Summary of statement – cassette 5, the date of recording is not specified.			
Mr Kepashvili, a Georgian national, is married to Ms Olessia Makluz, a Moldovan national. They have two children, the younger, Levan Kepashvili, being aged 6 months. The Kepashvili family live in Georgia. In September 2006 the Kepashvili family visited the parents of Ms Makluz, who lived in the Russian Federation. One of the reasons for that visit was to provide their younger child with medical treatment. On 2 October 2006, when the Kepashvili family was returning by train to Georgia, they were apprehended by Russian customs officers in Dagestan, a federal subject of the Russian Federation. The formal reason for the apprehension was that their younger child did not have a Russian visa. The family was requested to get off the train, and Mr Kepashvili was ordered to appear before the Russian Migration Office, located in Derbent, the administrative centre of Dagestan. The Kepashvili family spent the night in the street as there were no hotels at affordable prices. On the following day Mr Kepashvili appeared before the Federal Migration Service, where an expulsion case was opened against him. He was told that a court would decide on the matter. However, Mr Kepashvili himself was never brought before a judge. The Migration Service officer attended a hearing instead of him and later informed			

Mr Kepashvili that the judge had ordered his expulsion. Mr Kepashvili was not assisted by a lawyer throughout the above-mentioned proceedings
Relevant documents
• Mr Kepashvili's Georgian passport no. 1065689, containing a Russian single-entry visa valid until 2 October 2006. • The passport contains a stamp, according to which the expulsion of Mr Kepashvili was carried out on 4 October 2006.

Name	First name (Patronymic name)	Date of birth	Place of birth
KEPASHVILI	**Levan (Irakli)**	**19 April 2006**	**Not specified**
Town: Derbent, Dagestan, Russian Federation			
Summary of statement – cassette 5			
Levan Kepashvili, aged 6 months at the material time, is the son of Mr Irakli Kepashvili (see above).			
Relevant documents			
• Levan Kepashvili's Georgian passport no. 05AB16922, containing a Russian visa valid until 13 August 2006. • Certain other documents of minor relevance (in Russian).			

Name	First name (Patronymic name)	Date of birth	Place of birth
KLIMCHUK	**Levan (Guram)**	**28 February 1974**	**Kutaisi, Georgia**
Town: Moscow			
Summary of statement – cassette 5, the date of recording is not specified.			
Mr Klimchuk, a Georgian national, entered the Russian Federation on 21 March 2006 on the basis of a visa valid for one year. He was apprehended, together with his brother, in early October 2006 and taken to police station no. 66. They were allegedly told that the reason for their arrest was their Georgian nationality. Mr Klimchuk and his brother were placed in a provisional detention cell, pending expulsion proceedings. Two other persons were kept there. The cell measured 12 m^2. As there were no beds, the inmates slept on the ground. The police did not feed the inmates, who were obliged to rely on the food parcels sent by their friends and relatives. Visits to an outside toilet were unrestricted. Having spent three days in police custody, Mr Klimchuk and his brother were taken to a court which ordered their expulsion in a hearing of 5 minutes. Allegedly, the only question asked by the judge was – "Do you have natural gas and electricity in Georgia?"			

In reply to Mr Klimchuk's – "Yes" –, the judge murmured – "Soon, you will not have any." Neither of the detained brothers were told that they had the right to lodge an appeal. They were not offered the assistance of a public lawyer. A copy of the expulsion order was not served on them.

After the hearing, Mr Klimchuk and his brother were returned to police station no. 65. The police officers allegedly requested a bribe of 3,000 Russian roubles in exchange for a promise to transfer the brothers to a detention centre, where the conditions were relatively better.

Having spent three more days in police custody, the Klimchuk brothers were finally transferred to a special detention centre. In the centre they shared a cell, measuring 20 m^2, with four other persons. There was a corner toilet not partitioned from the rest of the cell. The inmates were not provided with elementary hygiene facilities.

On 17 October 2006 the Klimchuk brothers were finally expelled to Georgia.

Relevant documents

- Mr Levan Klimchuk's Georgian passport no. 0933716.
- The passport contains a Russian multiple-entry visa, valid until 15 February 2007.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 15 February 2007.
- The passport contains a stamp, according to which the expulsion of 17 October 2006 was carried out on the basis of a decision of 9 October 2006 of the Preobrazhenskiy District Court in Moscow.

Name	First name (Patronymic name)	Date of birth	Place of birth
KOBAIDZE	**Levan and Koba (Ushangi)**	**8 April 1986 (Levan) and 7 October 1988 (Koba)**	**Tbilisi (Levan) and Gagra (Koba), Georgia**
Town: Moscow			

Summary of statement – cassette 5, the date of recording is not specified

Messrs Levan and Koba Kobaidze are brothers, both Georgian nationals. The former entered the Russian Federation on 26 February 2006 on the basis of a visa valid for one year. The latter entered the country on 7 August 2004 and, at the material time, had his national passport submitted to the relevant Russian authorities for an extension of his visa. The brothers lived with their mother in Moscow and apparently had apparently registered their address with the relevant authorities. Both were working in Moscow.

On 12 October 2006 the Kobaidze brothers were apprehended by the police in the street on their way home from work, and taken to police station no. 44, where they found many other detained Georgians. According to their submissions, all the Georgians living in their neighbourhood in Moscow were, at that time, sought by the authorities with the aim of expulsion.

The police drew up minutes of the apprehension of Messrs Kobaidzes and opened an expulsion case. The brothers were placed in a provisional custody cell – the so-called "*obezyannik*" – where they stayed for the following 24 hours. That cell measured 6 m^2, and 8 other persons were detained there. There was hardly enough room in the cell, and the inmates being obliged to take turns to sit on the two available benches. Throughout the police custody, Messrs Kobaidze and their co-detainees were not provided with either food or drinking water. They had to insist for hours before the police officers would allow them to visit a toilet located outside the cell. The Georgian detainees were allegedly yelled at by the police officers, i.e. "Georgians, get out of Russia!"

On the following day the Kobaidzes were taken to a court. There were many other Georgians waiting for their cases to be examined. The brothers appeared before a judge in a group of twenty Georgians. The judge heard those twenty cases in approximately 10 minutes. Nobody from the group was assisted by a lawyer. The court ordered that the Kobaidze brothers be expelled from Russia. The order was served on them but was retained by the administration of the detention centre, to which the brothers were transferred after the hearing.

At the detention centre, the Kobaidze bothers were first placed in a cell measuring 15 m^2, where 30-40 persons were kept. There were only 11 beds in that cell, uncovered by mattresses. Two or three inmates were obliged to share one bed. Some of them even slept on the ground. A filthy corner toilet was not partitioned from the rest of the cell. The table around which the inmates ate was very close to it. The brothers submit that it was impossible to flush the toilet and an unbearable stench hung in the air. Having spent twenty-four hours in the cell, Messrs Kobaidzes were transferred to another, more spacious cell, where eleven persons were kept.

Throughout their stay at the centre, which lasted more than ten days, the Kobaidze brothers were not allowed to telephone their relatives. They were anxious about the fate of their mother who, they knew, had also been detained.

Messrs Levan and Koba Kobaidze were expelled to Georgia on 28 October 2006. The flight was arranged by the Georgian Government. They left all their personal belongings in Moscow.

Relevant documents

- A temporary travel document, issued by the Georgian Consulate in Moscow on 16 October 2006, authorising Mr Koba Kobaidze to enter Georgia.
- Mr Levan Kobaidze's Georgian passport no. 1568719, containing a Russian multiple-entry visa valid until 12 February 2007. The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 16 March 2007. The passport also contains a stamp according to which the expulsion of 28 October 2006 was carried out on the basis of an order of 12 October 2006 of the Kuzminskiy District Court in Moscow.

Name	First name (Patronymic name)	Date of birth	Place of birth
KUTELIA	**Koba (Tchitchiko)**	**3 July 1967**	**Sokhumi, Abkhazian Autonomous Republic Georgia**
Town: Moscow			

Summary of statement – cassette 5, the date of recording is not specified.

Mr Kutelia is the husband of Mrs Inga Zhvania (see also the summary of her interview above). Both spouses are Georgian nationals and internally displaced persons from Abkhazia, the breakaway region of Georgia.

The spouses lived in Moscow since 1993. After the Russian Federation introduced the visa regime with Georgia in 2003, their residence in Moscow apparently became unlawful. They never applied either to the Russian or Georgian authorities for the legalisation of their residence status in the Russian Federation. However, even without any valid documents, they were able to reside and work freely in Moscow, until the escalation of Russo-Georgian tensions in 2006. Subsequently the spouses applied to the Georgian Consulate in Moscow to obtain the necessary travel documents, as they had lost their Georgian passports.

As could further be inferred from Mr Kutelia's submissions, the Russian Federal Migration Service apprehended him in the street and issued an order of his removal from the country.

Relevant documents

- A temporary travel permit, issued by the Georgian Consulate in Moscow on 10 October 2006, for Mr Kutelia's return to Georgia.
- A letter of 27 October 2006 of the Moscow Branch of the Federal Migration Service, according to which Mr Kutelia was expected to leave the country by 29 October 2006 on the basis of an expulsion order of 19 October 2006 of the Perovskiy District Court in Moscow (in Russian).

Name	First name (Patronymic name)	Date of birth	Place of birth
BENIDZE	**Ineza (Nestor)**	**31 March 1948**	**Sokhumi, Abkhazian Autonomous Republic, Georgia**
Town: Moscow			

Summary of statement – cassette 5, the date of recording is not specified.

Mrs Benidze, a Georgian national, had lived in Moscow, together with her family, since 2000.

On 23 September 2006 she returned to Georgia for a short visit but was apparently unable to return to Moscow, due to the escalation of the tensions between the two countries.

She stated that her son, who remained in Moscow at the time of the interview, had been obliged to hide at home, fearing arbitrary apprehensions and expulsions. Another source of fear, according to Mrs Benidze, was the gangs of "skinheads" chasing Georgians in the streets of Moscow.
Relevant documents
• Mrs Benidze's Georgian passport no. 0664711 • The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 31 December 2004.

Name	First name (Patronymic name)	Date of birth	Place of birth
ARBOLISHVILI	**Valeri (Robert)**	**15 March 1973**	**Village of Garbani, Kazbegi District, Georgia**
Town: Vladikavkaz			
Summary of statement – cassette 5, the date of recording is not specified.			
Mr Arbolishvili, as a Georgian national residing in the Kazbegi region which borders the Russian Federation, had the right to enter the latter country without a visa and stay there for the maximum period of 10 days. In June 2006, he went to Vladikavkaz, the Russian Federation, crossing the land border in the North-East Georgia. Due to the subsequent escalation of the Russo-Georgian tensions and the consequential closure of all the borders with Georgia, he was unable to return home in due time. On an unspecified date the Vladikavkaz police apprehended Mr Arbolishvili in the street and took him to a police station. He was placed in a provisional custody cell, where he stayed for several days together with three other Georgians. The cell measured 15 m^2 and contained 2 beds. On an unspecified date, four detained Georgians, including Mr Arbolishvili, were brought before a court, which ordered their expulsion. The court examined their cases simultaneously, the hearing lasting approximately 40 minutes. The detainees were not assisted by a lawyer. Mr Arbolisvili was released after the hearing. He returned on an unspecified date to Georgia. He left his personal belongings and valuables in Vladikavkaz.			
Relevant documents			
• Mr Arbolishvili's Georgian passport no. 05AB13795 containing a stamp, according to which Mr Arbolishvili was expelled from the Russian Federation on 19 September 2006 by the Migration Office of the Republic of North Ossetia-Alania. • A decision of 19 September 2006 of the Sovetskiy District Court in Vladikavkaz ordering Mr Arbolishvili's expulsion from the Russian Federation and imposing a fine on him (in Russian).			

Name	First name (Patronymic name)	Date of birth	Place of birth
MAGHRADZE	**Gocha (Avtandil)**	**12 September 1983**	**Not specified**
Town: Moscow			
Summary of statement – cassette 5, the date of recording is not specified.			

Mr Magradze, a Georgian national, had been living in Moscow with his parents, since 1997. He did not have a Russian visa, since, firstly, there had been no visa requirements and, secondly, he had been a minor not entitled to a Georgian travel passport at the time of his arrival in Russia.

On 5 October 2006 the district police officer (*uchastkoviy*) apprehended Mr Maghradze in the street and took him to a local police station. Mr Maghradze spent twenty-four hours in a provisional detention cell.

On the following day Mr Maghradze was taken to a court. The hearing lasted 5 minutes, as "all the documents had already been prepared in advance". He was requested to sign certain papers after the hearing. That was how, in his words, "his deportation was decided". No assistance by a lawyer was offered.

After the court, Mr Maghradze was transferred to a special detention centre and placed in a cell, measuring 12 m^2 and containing 9 beds, together with fifteen other persons. The inmates were obliged to take turns to sleep. The cell, the walls of which were dilapidated, was short of elementary sanitary requirements. A corner toilet was not partitioned.

Within the following two or three days, "an inspector" visited Mr Maghardze's cell and explained to the inmates that they had the right to lodge an appeal against their expulsion. Mr Maghradze chose not to do so, as he wished to be released from the unbearable detention conditions and be sent back to Georgia as soon as possible.

On 18 October 2006 Mr Maghradze was finally expelled to Georgia.

Relevant documents

- A temporary travel permit, issued on 19 October 2006 by the Georgian Consulate in Moscow, authorising Mr Maghradze to enter Georgia.

Name	First name (Patronymic name)	Date of birth	Place of birth
TODUA	**Demur (Tchitchiko)**	**30 April 1951**	**Zugdidi, Georgia**
Town: St Petersburg			
Summary of statement – cassette 5, the date of recording is not specified.			

Mr Todua, a Georgian national, was apprehended in St Petersburg on an unspecified date. He acknowledges that, at that time, he no longer had valid residence documents.

Mr Todua was, first, detained in police custody and, after a court ordered his expulsion, was transferred to a special detention centre where he stayed for 17 days.

In the centre, he was placed in a cell measuring 10-11 m^2, where seven other persons were kept. The cell was not heated; the inmates had to sleep on the cement floor, as there were no beds.
The administration did not provide Mr Todua, who caught cold in such conditions, with appropriate medical treatment. A corner toilet was not partitioned from the rest of the cell and was as filthy as "a pigpen".

Mr Todua could not hire a private lawyer, as the legal fees amounted to USD 500, which funds he did not possess. The authorities themselves never offered the assistance of a public lawyer. The expulsion order was served on Mr Todua, who later misplaced it.

On an unspecified date Mr Todua was transferred, with many other detained Georgians, from Saint-Petersburg to Moscow in a bus, under the escort of the police special forces. In his bus, there was a man suffering from asthma. The sick man suffered throughout the journey on account of the escort's refusal to stop the bus and let him out for fresh air, and died on arrival in Moscow.

Relevant documents

- Mr Todua's Georgian passport no. 0682738.
- The passport contains an expulsion stamp signed by Mr Naumov, a representative of the St Petersburg Regional Branch of the Federal Migration Office, and dated 17 October 2006.
- A temporary travel document, issued on 16 October 2006 by the Georgian Consulate in Moscow, permitting Mr Todua to return to Georgia.

Name	First name (Patronymic name)	Date of birth	Place of birth
SAGHRISHVILI	**Giorgi (Toma)**	**9 September 1969**	**Kutaisi, Georgia**
Town: Moscow			

Summary of statement – cassette 5, the date of recording is not specified.

Mr Saghrishvili, a Georgian national, describes the problems that his child encountered in secondary school no. 662, where the child was a pupil.

Notably, on 3 October 2006 the administration of the above-mentioned school summoned Mr Saghrishvili's wife, requesting her to bring with her all possible identity and residence registration documents.

On 6 October 2006 the Saghrishvilis met with the Director of the school for the second time. The Director explained that the authorities were collecting information about the parents of Georgian pupils. He advised the Saghrishvilis to withdraw their child from the school, pending normalisation of the tense situation.

Subsequently, Mr Saghrishvili went (apparently together with his family) to the Georgian Consulate in Moscow and, with the help of the latter, obtained the documents necessary for travelling to Georgia. As disclosed by his submissions, at the material time his Georgian passport was misplaced.

Relevant documents
• A travel document, issued by the Georgian Consulate in Moscow on 16 October 2006, authorising Mr Saghrishvili to enter Georgia.

Name	First name	Date of birth	Place of birth
NODIA	**Nukri**	**9 June 1984**	**Not indicated**
City: Moscow			
Summary of the statement – cassette 6. Interview conducted in Russian.			

Mr Nodia, a Georgian national, held a Russian visa that was valid until 25 May 2007. Before his departure from Russia, Mr Nodia was studying in a Russian university. He left Russia of his own volition, as he could no longer support the multiple identity checks by the police. He was arrested in the street for the purpose of a check, and taken to a police station where he was held for 3-5 hours. He described an arrest by the police in the underground in which he and Abkhaz friends had been checked by the police. His friends had been released immediately, while he, as Georgian, had been taken to the police station and kept there for 3 hours. In response to his question concerning the reason for his arrest, the police stated that he should ask President Saakashvili.

He also claimed that he had been arrested when leaving the "Mziuru", a Georgian cultural centre. He was taken to a police station, where he had to wait 5 hours for an identity check. Such incidents had occurred on multiple occasions.

Mr Nodia had ultimately decided to leave Russia, given the impossibility of leaving his house, going to the university or walking about the streets without being stopped and checked on a permanent basis. He had cancelled his university registration.

Mr Nodia also described events he had witnessed at police stations: police officers destroying Russian passports belonging to Russian citizens of Georgian origin.

He also alleged that police officers demanded bribes from arrested Georgians in exchange for their release.

Mr Nodia claims to have left no property in Russia. Although he could return to Russia as his passport and visa were still valid, he had never been tempted to do so, on account of the absence of direct travel links between the two countries.

Relevant documents

- Georgian passport no. 1558211, valid from 25 April 2005
- Russian multiple-entry visa no. 2Б (В) 0 1284779, valid from 14 June 2006 to 25 May 2007
- Stamp in passport, certifying internal registration in Moscow. Entry no. 4489/228 of 15 December 2006.

Name	First name (Patronymic name)	Date of birth	Place of birth
NINIASHVILI	**Goderdzi**	**7 September 1964**	**Not specified**
Town: Moscow			

Summary of statement – cassette 6, recorded on 15 November 2006

Mr Niniashvili, a Georgian national, had lived in the Russian Federation for five years. He was working as a driver of a minibus. He claims to have possessed all the necessary residence documents at the material time.

On 3 October 2006 plainclothes agents of the Federal Migration Service stopped Mr Niniashvili's minibus in a street and ordered him to show his documents. Having learnt of his Georgian nationality, the agents took him to a local police station. An expulsion case was opened against him. He tried to protest, arguing that he had never had any similar problems. The police allegedly replied – "Go and ask Saakashvili".

Mr Niniashvili stayed in police custody for the following two days. His provisional detention cell measured approximately 3 m^2; 7-8 other persons were kept there. There was only one bed, the inmates being obliged to take turns to sit on it. The police did not provide Mr Niniashvili with food. Only one visit to an outside toilet was permitted during the twenty-four hours which he spent in custody.

Mr Niniashvili was taken to a court in a group of ten other Georgians, similarly detained on the grounds of allegedly irregular residence. The escorting officers allegedly commented that the Georgians would be expelled, "exactly as it happened to our officers".

The above-mentioned group of Georgians, including Mr Niniashvili, never met with the judge. The detainees waited in a corridor of the courthouse for approximately 30 minutes, until an escorting officer brought certain papers from the judge's room. The Georgians were then told that the hearing had been postponed. Mr Niniashvili was immediately transferred to a special detention centre.

At the detention centre, Mr Niniashvili was first placed in a cell measuring 9-10 m^2 and containing 6 beds, where some 30 persons were kept. A corner toilet was almost unpartitioned from the rest of the cell. The distance between the toilet and the table around which the inmates sat to take food was less than a metre. Having spent two days in that overcrowded cell, Mr Niniashvili was transferred to a larger cell, which measured 16m^2 and contained 11 beds. Ten other inmates were kept in the second cell.

On 10 October 2006 Mr Niniashvili was expelled to Georgia. He left all his personal valuables, savings and a minibus, the latter apparently constituting his property, in Moscow unattended.

Throughout the expulsion proceedings, Mr Niniashvili was not allowed to telephone his relatives. He was not assisted by a lawyer.

Relevant documents

- Mr Niniashvili's Georgian passport no. 1536216.
- The passport contains a stamp, according to which the expulsion was carried out on 10 October 2006 on the basis of a decision of 4 October 2006 of the Cheryomushinskiy District Court in Moscow.

Name	First name (Patronymic name)	Date of birth	Place of birth
TSITSILASHVILI	**Tamaz (Otar)**	**9 April 1969**	**Terjola, Georgia**
Town: Moscow			

Summary of statement – cassette 6, recorded on 15 November 2006

At the material time Mr Tsitsilashvili, a Georgian national, was unlawfully residing in the Russian Federation; his visa had expired.

In early October 2006, fearing a forced expulsion, Mr Tsitsilashvili surrendered himself to the Russian authorities and, on 8 October 2006, a court ordered his removal from the country. The hearing lasted an hour approximately. A copy of the decision was served on him. He knew that an appeal lay within the following 10 days but, apparently, did not wish to resort to that remedy. On 10 October 2006 he took a flight to Georgia.

Mr Tsitsilashvili claims that the Director of the secondary school, where his children were studying, warned the Georgian pupils that there was a risk of their apprehension by the authorities.

Mr Tsitsilashvili left all his valuables, savings and a car in Moscow.

Relevant documents

- Mr Tsitsilashvili's Georgian passport no. 0728573.
- The passport contains an expulsion stamp dated 10 October 2006.

Name	First name (Patronymic name)	Date of birth	Place of birth
CHAPICHADZE	**Gia (Avtandil)**	**3 May 1970**	**Not specified**
Town: Moscow			

Summary of statement – cassette 6, recorded on 15 November 2006

The last time Mr Chapichadze, a Georgian national, went to Moscow was either November or December 2003. He entered the country on the basis of a visa valid for one year.

Prior to the events in question, Mr Chapichadze was often apprehended by the Moscow police for the identity examination purposes. However, he would always be released, even after his Russian visa had expired (apparently by paying bribes).

It is not clear from Mr Chapichadze's submissions as to when and how exactly the expulsion proceedings started against him. On 8 October 2006 a court ordered his removal from Russia. The hearing, during which the cases of four or five other persons were also examined, lasted an hour approximately. A copy of the expulsion order was served on Mr Chapichadze. He knew that an appeal lay within the following ten days. However, he did not have enough time and facilities to resort to that remedy.

Mr Chapichadze further submits that the Director of the secondary school where his children were studying, warned the Georgian pupils that there was a risk of the authorities apprehending them.

On 10 October 2006 Mr Chapichadze was expelled to Georgia. He left his personal belongings, valuables and savings in Moscow.
Relevant documents
• Mr Chapichadze's Georgian passport no. 0534553. • The passport contains a stamp, according to which the expulsion was carried out on 10 October 2006.

Name	First name (Patronymic name)	Date of birth	Place of birth
EIRANOVA	**Julieta (Aleksandre)**	**11 December 1973**	**Not specified**
Town: Moscow			
Summary of statement – cassette 6, recorded on 14 October 2006			

Mrs Eiranova, a Georgian national, is married to Mr Zaur Davitadze, a Russian national. Their two children, aged 6 and 8, were born in Russia and, prior to Mrs Eiranova's sudden expulsion, were studying in a secondary school in Moscow.

On 5 or 6 October 2006 a district police officer (*uchastkoviy*) visited her at home. Without giving any explanations, the officer took her to a local police station. Having taken Mrs Eiranova's photographs and dactyloscopical records, the police officers, without informing her of the reasons for her arrest, stated that she were to be remanded in custody pending the examination of her case by a court. During the night she spent in a provisional custody cell, the officers were allegedly making jokes about how Mrs Eiranova would soon "say hi to Saakashvili".

On the following day, a court examined Mrs Eiranova's case in approximately 10-15 minutes and ordered her expulsion. The hearing judge did not provide any explanations nor asked her any questions. Mrs Eiranova was requested to sign a receipt paper. The expulsion order was briefly shown to her. She learnt that she could lodge an appeal. Not being assisted by a lawyer, she was however unaware of the procedures for lodging an appeal.

After the hearing, Mrs Eiranova was taken to a medical establishment for a blood analysis and, afterwards, to public baths. She recalls that those baths, apparently destined "for street vagabonds", were filthy. She was forced to undergo a gynaecological examination. Following all those compulsory procedures, the police brought her to a special detention centre. Due to the misspelling of her name in the expulsion order, the administration of that centre refused to accept her. She was brought back to the previous police station, where she stayed for the following two days.

Finally, after the judge had corrected the error in the expulsion order, Mrs Eiranova was transferred to a detention centre. She was placed in a cell, measuring 12 m^2 and containing 8 beds, where eight other women were detained. Everybody in that cell, except for Mrs Eiranova, was smoking; the ventilation was not functional. The cell was not heated and the blankets provided were not fit for that time of year in Moscow. As there was no toilet in that cell, the inmates had to request outside visits. The administration of the centre, however, never allowed such visits more often than twice a day; the rest of the time, the inmates were

invited to relieve themselves in a bucket. Once a week, the inmates were allowed to have a bath. Each morning, at 6.00 a.m., the administration would wake them up for the routine check-up. When the detainees from one cell were taken out for a toilet visit or to the cafeteria, they were strictly forbidden to speak to the detainees from another cell.

Mrs Eiranova stayed in the above-mentioned centre for eleven days. Except for the last night before the expulsion, she was not allowed to telephone her husband. The latter learnt of her whereabouts from the police. Mrs Eiranova was extremely frustrated by the fact of being treated as a dangerous criminal.

On 17 October 2006 Mrs Eiranova was finally expelled to Georgia. Soon thereafter, her husband, Mr Zaur Davitadze, also returned to Georgia, together with their children. Most of their family belongings, valuable and savings were left in Russia unattended.

In his submissions, Mr Davitadze describes how the authorities suddenly started discriminatory treatment against Georgian nationals in different facets of the Russian society – business sector, public education, etc. In his opinion, even ordinary public servants of the Russian Government could not stop the anti-Georgian campaign, as it was "an order from above".

Relevant documents

- Mrs Eiranova's Georgian passport no. 0507369
- The passport contains a stamp, according to which the expulsion was carried out on 17 October 2006 on the basis of a decision of 6 October 2006 of the Koptevskiy District Court in Moscow. The stamp is signed by Mr Bochkovskiy, the Director of the Special Detention Centre for Aliens no. 2.
- A temporary travel document, issued on 10 October 2006 by the Georgian Consulate in Moscow, permitting Mrs Eiranova to return to Georgia.

Name	First name (Patronymic name)	Date of birth	Place of birth
JALAGHONIA	**Nugzar (Giorgi)**	**21 August 1986**	**Sokhumi, Georgia**
Town: Moscow			

Summary of statement – cassette 6, recorded on 20 November 2006

Prior to the events in question, Mr Jalaghonia, a Georgian national, had lived in Moscow, together with his parents, for 6 years. He was studying at the Law Faculty of the Moscow Open State University.

In early September 2006 Mr Jalaghonia went to Tbilisi to attend the funeral of his late uncle. On 12 September 2006 he took a flight back to Moscow but, when passing through the passport control, the Russian customs officers refused him the entry. He was conveyed to a seperate room, where the officers informed him that he would immediately be expelled back to Georgia. Mr Jalaghonia protested against such arbitrariness, referring to the fact of having all the necessary documents for entering the country. The officers replied that they had an order to expel Georgians. As Mr Jalaghonia persisted with protestations, the airport police which forcefully placed him in the plane flying back to Georgia. Mr Jalaghonia, despite his requests, was not allowed to telephone his parents, who were waiting for him in Moscow.

Relevant documents
• Mr Jalaghonia's Georgian passport no. 0981660, containing a Russian multiple-entry visa valid until 29 September 2006. • The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 4 April 2006. • An airplane ticket from Tbilisi to Moscow. • Mr Jalaghonia's student card, issued by the Moscow Open State University.

Name	First name (Patronymic name)	Date of birth	Place of birth
JIKIA	**Natruli (Akaki)**	**27 May 1945**	**Senaki, Georgia**
Town: Moscow			
Summary of statement – cassette 6, recorded on 10 November 2006			
Ms Jikia went to Moscow was 4 April 2006. She entered the Russian territory on the basis of a visa valid for 6 months and was planning to leave the country on 4 October 2006. She had an airplane ticket to Georgia booked for the latter date. Ms Jikia was working as an independent vendor at a market located near the Universitetskaya Metro station. On 4 October 2006 the Federal Migration Service apprehended Ms Jikia at the workplace and brought her to the police station no. 110. The police interviewed her and opened an expulsion case. Ms Jikia tried to explain that she had both the valid Russian visa and internal registration and was, moreover, planning to return to, in support of which assertion she showed a document confirming the booking of an air ticket. Those arguments were left unanswered by the police. Ms Jikia was brought before a court which ordered that she be expelled within the following ten days. The hearing lasted approximately ten minutes, and she, not assisted by a lawyer, was unable to argue with the judge. The court order did not envisage Ms Jikia's detention pending the enforcement of expulsion. Ms Jikia returned to Georgia at her own cost. Due to the interruption of the direct transportation links between Russia and Georgia, she took a transit flight through Yerevan, Armenia.			
Relevant documents			
• Ms Jikia's Georgian passport no. 1745300 with a Russian multiple-entry visa, business type, valid until 25 February 2007. • The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 4 October 2006. • An expulsion order of 3 October 2006 of the Gagarinskiy District Court in Moscow (in Russian).			

Name	First name (Patronymic)	Date of birth	Place of birth
KBILASHVILI	**Tengiz (Anzor)**	**11 November 1964**	**Village of Baghdati, Georgia**
Town: Moscow			

Summary of statement – cassette 6, recorded on 11 November 2006

Mr Kbilashvili, a Georgian national, was working in Moscow as a construction worker. He had both a valid Russian visa and internal registration document.

On 30 September 2006 Mr Kbilashvili was apprehended at his workplace by the Federal Migration Service. His identity documents being retained, the authority issued him a temporary residence certificate. Mr Kbilashvili was summoned to appear regularly before the Migration Service.

On 3 October 2006 Mr Kbilashvili, visiting the Migration Service office to claim back his documents, was unexpectedly arrested, handcuffed and taken to a court. He was not however let to appear before a judge. At the courthouse, his armed convoy requested him to sign a certain document brought from the judge's room. No court decision was ever served on him, no explanations provided.

Subsequently, Mr Kbilashvili was taken to a police station, where he spent a night, sleeping on the cemented ground of the cell of provisional detention. On the following day he was transferred to a special detention centre located on the Dmitrovo highway. At that centre, Mr Kbilashvili was initially placed in a cell, measuring 12 m^2 and containing 9 beds, where some 50-55 persons were detained. Having spent four days in that detention centre, Mr Kbilashvili was deported to Georgia in a plane of the Russian Ministry of the Emergency Situations. His description of the conditions of the flight coincides with those of other interviewees.

According to Mr Kbilashvili's submissions, whilst in detention, he wished to hire a lawyer who could protect his interests. However, the only private lawyer who agreed to assist him requested USD 2,500 in legal fees, which sum Mr Kbilashvili did not possess.

Mr Kbilashvili left all his personal belongings and valuables in Moscow.

Relevant documents

- Mr Kbilashvili's Georgian passport no. 05AA92210 containing a Russian multiple-entry visa, business type, 10 August 2007.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 12 February 2007.
- The passport contains a stamp, according to which the expulsion was carried out on 6 October 2006 on the basis of a decision of 3 October 2006 of the Cheremushinksiy District Court in Moscow. The stamp is signed by Mr Gerasimov, the Director of the Special Detention Centre for Aliens no. 1.

Name	First name (Patronymic name)	Date of birth	Place of birth
KHABELASHVILI	**Lida (Otar)**	**1955**	**Village of Sveneti, Gori District Georgia**
Town: Krasnodar			

Summary of statement – cassette 6, recorded on 22 November 2006

Mrs Khabelashvili accounts for the circumstances surrounding the expulsion of her husband, Mr Aleksandre Khabelashvili, from Russia to Georgia (apparently, Mr Khabelashvili could not testify himself, due to the fact that, at the time of the interview, he was recovering from a heart stroke occurred to him shortly after the expulsion).

Mr Khabelashvili is a Georgian national who was born on 13 August 1955 in Gori, Georgia. Despite possessing all the necessary residence documents – visa and internal registration – the Russian authorities apprehended him in Port Kavkaz (a small harbour on the board of Black Sea) on an unspecified date in October 2006. He was placed in a special detention centre for aliens located in Krasnodar. Subsequently, a court ordered his expulsion.

According to Mrs Khabelashvili, her husband was anxious about being unable to prove the legality of his stay in Russia. His arguments were always left unanswered by the Russian authorities. It was equally stressful for him to be placed in "a prison" as "an ordinary criminal". Despite repeated requests, Mr Khabelashvili was not allowed to telephone either his relatives in Georgia or the Georgian Consul in the Russian Federation. He was not assisted by a lawyer throughout the proceedings; the expulsion order was not served on him.

It is not clear from Mrs Khabelashvili's submissions as to how long her husband was detained in Krasnodar. On 8 November 2006 he was expelled to Batumi, Georgia. Upon his arrival there, he suffered from a cerebral artery stroke, as a result of which he partly lost his memory. His speech abilities were disordered.

Relevant documents

- Mr Khabelashvili's Georgian passport no. 0883470 containing a Russian single entry visa, business type, valid until 1 November 2006.
- The passport contains an expulsion stamp dated 28 October 2006, issued by the Krasnodar Regional Office of the Federal Migration Service
- A medical certificate issued on 20 November 2006 by a hospital in Georgia, according to which Mr Khabelashvili had suffered from an acute cerebral artery stroke.

Name	First name (Patronymic name)	Date of birth	Place of birth
KHOSRUASHVILI	**Lili (Elguja)**	**30 August 1979**	**Not specified**
Town: Moscow			

Summary of statement – cassette 6, recorded on 10 November 2006

Mrs Khosruashvili, a Georgian national, was residing in Moscow together with her family – husband and two minor children, Zaza and Merab Kalashovi, aged 8 and 7 respectively. The children were studying in a school.

Prior to the events in question, Mrs Khosruashvili was apprehended by the police twice but both times was released, despite of holding an expired visa, after having paid administrative fine.

In the evening of 4 October 2006, the police visited the Khosruashvili family at home. They examined the identity documents of all the adults found there, including two guests of the family. Solely Mrs Khosruashvili was requested to go to a police station, in the custody of which she spent that night. In the following morning, the police released her, on condition of her appearnce before a court.

On the following day a court ordered Mrs Khosruashvili's expulsion. She was not allowed to meet the judge personally. A police officer delivered from the courtroom certain documents for her to sign. She was then informed of the oblgation to leave the country within the following 10 days. Mrs Khosruashvili was not assisted by a lawyer; a copy of the court order was never served on her.

After the court, the police transferred Mrs Khosruashvili to a special detention centre for aliens, where she stayed for the following twelve days. She was placed in a cell measuring 15 m^2, together with seven other women. The cell was filthy but heated. The inmates were provided with linen. There was no toilet, and the detainees were obliged to request permission to visit one located in the corridor. In order to avoid such requests, the staff of the center gave the inmates bucket to be used for the toilet purposes. The provided food was hardly edible, the inmates mostly relying on "food parcels" sent by their relatives. Throughout her detention there, Mrs Khosruashvili was allowed to telephone home only twice. She wished to hire a lawyer and lodge an appeal against the expulsion order but the administration of the centre allegedly discouraged her from such an undertaking, promising that she would be released shortly.

On 16 October 2006 the authorities reunited Mrs Khosruashvili with her two minor children in the detention centre. On the following day all three of them were expelled to Georgia.

Relevant documents

- Mrs Khosruashvili's Georgian passport no. 0317023.

Name	First name (Patronymic name)	Date of birth	Place of birth
KILADZE	**Giorgi (Valerian)**	**13 April 1962**	**Not specified**
Town: Moscow			

Summary of statement – cassette 6, recorded on 13 October 2006

Mr Kiladze, a Georgian national, had been visiting Moscow on a regular basis since 1997. The last time he went there, entering the country on the basis of a Russian visa, was June 2006. He immediately passed through the internal registration procedure, obtained a work permit and found a job in a Russian firm specialised in providing repairing cars.

On 3 October 2006 various Russian authorities – tax inspection agency, criminal police, Federal Migration Office, etc. – started a comprehensive examination of the activities of the

above-mentioned firm and, in particular, of the residence status of its staff members. Administrative proceedings bearing on the residence status were instituted with respect to all Georgians working there, including Mr Kiladze.

On 4 October 2006 a court found that Mr Kiladze had a false internal registration and administered a fine against him. He was released. However, in so far as his passport with the Russian visa had been lost by the police officers on 3 October 2006 and the above-mentioned firm was no longer willing to employ him, Mr Kiladze went to the Georgian Consulate and sought assistance in returning back to Georgia.

Along with his wife and children, Mr Kiladze took a flight, on an unspecified date, to Georgia via Yerevan, Armenia. The family left some of their belongings and valuables in Moscow.

According to Mr Kiladze's submissions, there were instances when Georgian children studying at various schools in Moscow were interviewed by the police with respect to the residence status of their parents.

Relevant documents

- Mr Kiladze's national identity card no. 0417947.

Name	First name (Patronymic name)	Date of birth	Place of birth
ADEISHVILI	**Juansher (Tariel)**	**9 September 1977**	**Abastumani, Georgia**
Town: Moscow			

Summary of statement – cassette 7, recorded on 29 November 2006

Mr Adeishvili, a Georgian national, went to Moscow on 29 May 2006 and, subsequently, found a job there.

On 6 October 2006 he was apprehended in a street by the police. Mr Adeishvili was immediately brought before a court, which ordered his expulsion, apparently, on the basis of the fact that he did not have a work permit. The hearing, during which the unrelated cases of six other Georgians were also examined, lasted approximately 4 hours. Mr Adeishvili was not offered the assistance of a lawyer. A copy of the expulsion order was served on him. He claims, however, that he was not informed of the right to lodge an appeal.

After the hearing, Mr Adeishvili was transferred to a special detention centre, where he spent the following several days. He was placed in a cell, measuring 35 m^2 and containing 8 beds, together with 11 other persons. A corner toilet was not partitioned. He was provided with soup and tea twice a day. The administration of the centre regularly cleaned up the cell, including the toilet. The provided linen were however filthy. Throughout all the period of his detention there, Mr Adeishvili was allowed to place only one telephone call.

Mr Adeishvili claims that he paid a bribe to the administration of the centre in the amount of USD 1,000, in order to be released and expelled to Georgia in October 2006. Otherwise, he would have been detained until December 2006. He did not leave any belongings and valuables in Moscow, as he had been allowed him to collect them prior to the departure.

Relevant documents
• Mr Adeishvili's Georgian passport no. 1024341 containing a Russian multiple-entry visa valid until 24 May 2007 • The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 30 November 2006 • The passport contains a stamp according to which the administrative removal of 11 October 2006 was carried out on the basis of the decision of 6 October 2006 of the Cheryomushinski District Court in Moscow. The stamp is signed by the Director of the Special Detention Centre for Aliens no. 8. • A decision of 6 October 2006 of the Cheryomushinskiy District Court in Moscow administering a fine against Mr Adeishvili's and ordering his administrative removal. The decision stated that Mr Adeishvili were to be remanded in a special detention centre until 6 December 2006 (in Russian).

Name	First name (Patronymic name)	Date of birth	Place of birth
ZHVANIA	**Eter (Not specified)**	**12 June 1960**	**Sokhumi, Abkhazian Autonomous Republic, Georgia**
Town: Moscow			
Summary of statement – cassette 7, recorded on 27 December 2006			

Mrs Zhvania, apparently a Georgian national, is a refugee from Abkhazia, a breakaway region of Georgia. Fleeing from the warfare in early 90-s, she settled Moscow in October 1992 and lived there for the following fourteen years. Throughout this period, the Russian authorities never challenged her residence status.

In 2000, Mrs Zhvania lost her old, Soviet passport. She never applied to the relevant authorities for the issuance of a new Georgian passport.

On 4 October 2006 Mrs Zhvania was apprehended, together with Mrs Manana Jabelia and three other Georgian women (see the interview of Mr Noko Kvaratskhelia), by the police. That incident took place at the marketplace, where the above-mentioned women were working as independent vendors. The Georgians were brought to a local police station. They were allegedly told that the reason for their arrest and the forthcoming expulsion was their Georgian nationality.

On the following day Mrs Zhvania, Mrs Jabelia and three other Georgians were brought before a court which ordered their expulsion in a hearing of 15 minutes. The detainees were not allowed to pose questions to the judge.

After the hearing, Mrs Zhvania was taken to a special detention centre. She was placed in a cell together with Mrs Jabelia and six other Georgian women. The cell measured approximately 6 m^2 and contained 8 beds. As there was no inside toilet, the inmates had to request permission to visit an outside one located in the corridor. There was also a bucket in the cell provided by the administration for the toilet purposes. The provided food was of extremely low quality; the inmates relied instead on food parcels sent by their relatives. In the course of their detention there, which lasted two months, the inmates were taken to baths four times.

Mrs Zhvania submits that Mrs Jabelia, one of her inmates, was often complaining of high blood pressure. However, the administration of the detention centre did not provide the latter with adequate medical care. From 6 to 12 November 2006, Mrs Jabelia went on hunger strike, in an attempt to protest against the poor conditions of detention and the refusal of the Russian authorities to examine her case fairly.
Relevant documents
• A temporary travel document, issued by the Georgian Consulate in Moscow on 4 December 2006, authorising Mrs Zhvania to enter the Georgian territory.

Name	First name (Patronymic name)	Date of birth	Place of birth
GASVIANI	**Leila (Terenti)**	**3 March 1960**	**Not specified**
Town: Saint-Petersburg			
Summary of statement – cassette 7, recorded on 4 December 2006			

Ms Gasviani, a Georgian national, was apprehended by the police *special forces* (*OMON*) on 3 October 2006 at her workplace – the Georgian café "Laghidze" – together with several other Georgians. She was brought to a local police office, in the custody of which she stayed for the following two days. She was not offered the assistance of a lawyer. There were two other women in her cell of provisional detention, the latter measuring approximately 6 m^2. As the police officers did not provide the detainees with food and drinking water, the latter had to rely on food parcels sent by their relatives. There was no bed in Ms Gasviani's cell, and the detainees slept, sitting on the only available long chair. They were allowed to visit a toilet located outside of the cell two or three times a day.

Subsequently, Ms Gasviani was brought before a court which ordered her expulsion. The hearing, during which the cases of two other Georgians were also examined, lasted approximately an hour. Ms Gasviani was served with a copy of the order and informed of the right to lodge an appeal. However, she considered that such a course of action was inutile in the circumstances. After the hearing, she was transferred to a special detention centre. Apparently, that transfer took place on 5 October 2006.

At the detention centre, Ms Gasviani was placed in a cell (its measurements are not known), in which a corner toilet was not partitioned. The provided food was of low quality. The detainees were not given the right to do outdoor exercises.

Ms Gasviani stayed in the detention centre until 17 October 2006. On the latter date she was transferred by the police *special forces* from Saint-Petersburg to Moscow in a bus, together with a group of other detained Georgians. There was a Georgian man suffering from an acute crisis of asthma in that bus who died upon arrival to Moscow. Ms Gasviani witnessed how the police officers mistreated that man throughout the journey. Her account of those events – the refusal of the police to stop the bus etc. – coincides with that of Mr Tkhilasihvili (see above).

Relevant documents

- Ms Gasviani's Georgian passport no. 0662843 containing a Russian multiple-entry visa valid until 2 September 2006.
- The passport contains a stamp, according to which the administrative removal was carried out on 17 October 2006 by the Saint-Petersburg Branch of the Federal Migration Service.

Name	First name (Patronymic name)	Date of birth	Place of birth
KOTSOLADZE	**Irma (Karlo)**	**4 May 1966**	**Not specified**
Town: Moscow			
Summary of statement – cassette 7, recorded on 27 December 2006			
Ms Kotsoladze was apprehended on 8 October 2006 in a Georgian café. She was first taken to a police station, where an expulsion case was opened against her. The police apparently accused her of holding a fabricated internal registration stamp. She tried to explain that she could not have known about the fabrication of the stamp, as it had been issued by the Russian authorities, and that the most of the Georgians residing in Moscow had exactly the same type of stamp. All her arguments were left unanswered. Subsequently, Ms Kotsoladze was brought before a court which ordered her expulsion in a hearing of 10 minutes. She was not offered the assistance of a lawyer. Apparently, Ms Kotsoladze was released after the hearing and pending the enforcement of the expulsion order. Ms Kotsoladze bought an air ticket to Tbilisi via Baku, Azerbaijan, and left Moscow on 10 August 2006. She left some of her personal belongings and valuables in Moscow.			
Relevant documents			
• Ms Kotsoladze's Georgian passport no. 1704325 containing a Russian multiple-entry visa valid until 14 December 2006. • The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 29 June 2006.			

Name	First name (Patronymic name)	Date of birth	Place of birth
KVARATSKHELIA	**Noko (Shakh)**	**28 March 1983**	**Not specified**
Town: Moscow			
Summary of statement – cassette 7, recorded on 27 December 2006.			
Mr Kvaratskhelia is the son of Mrs Manana Jabelia who died in a detention centre in Moscow. He describes the circumstances surrounding the expulsion proceedings against his mother. Mrs Jabelia and her family members are refugees from Abkhazia, a breakaway region of Georgia. The armed conflict in Abkhazia of 1992-94 forced the family to leave their home and settle in Moscow in 1994. According to Mr Kvaratskhelia, who lived with his mother in Moscow at the material time, the political tensions between Russia and Georgia deteriorated in early October 2006, following the arrest of four Russian military spies by the Georgian authorities. After that incident the Russian migration authorities started persecution of Georgian nationals living in Russia. The arrest and detention of Georgians with the aim of expulsion became routine.			

Mr Kvaratskhelia recalls that his mother was apprehended on 4 October 2006 at the marketplace, where she was working as an independent vendor. The son learnt about this fact in the evening of the same day, when his mother telephoned him from a police station. Mrs Jabelia asked her son not to appear at that police station under any circumstances, as the authorities had apparently been hunting for all Georgians living in Moscow. Later, Mr Kvaratskhelia was indeed apprehended in a street but the authorities released him, in view of his valid registration documents.

On the following day Mrs Jabelia was taken by the police to a court which ordered her removal from the country. The hearing, in the course of which the expulsion cases of four other Georgians were also examined, lasted approximately 15 minutes. Mrs Jabelia was not assisted by a lawyer. She was requested - but refused - to sign certain receipt papers and other documents. A copy of the expulsion order was not served on her, nor was she informed of the right to lodge an appeal. Mr Kvaratskhelia learnt about all those details when he visited his mother at the special detention centre, to which the latter was transferred after the hearing.

Mr Kvaratskhelia started searching for a lawyer who could assist his mother in lodging an appeal. Allegedly, five different lawyers refused their services, as they considered that any litigation would be ineffective, given the Georgian nationality of Mrs Jabelia. Finally, Mr Kvaratskhelia applied to a Russian non-governmental organisation specialised in human rights protection, which agreed to get involved in the case. Subsequently, when Mrs Jabelia lodged an appeal against the expulsion order on 13 October 2006, she was apparently assisted by counsel from the above-mentioned NGO.

Mrs Jabelia stayed in the detention centre from 5 October to 2 December 2006. Such an excessive length of detention was apparently the result of the fact that the appellate proceedings were pending. Mr Kvaratskhelia visited his mother in the detention centre several times. He learnt that his mother was kept in a cell, measuring approximately 6 m^2, together with seven other female inmates. Mrs Jabelia was often suffering from high blood pressure but the administration of the centre never provided her with adequate medical care. As the appellate proceedings were delayed by the Moscow Regional Court, Mrs Jabelia even resorted, in a sign of protest, to a week-long hunger strike. Mrs Jabelia formally requested the Russian authorities to release her pending the appellate proceedings but to no avail.

Finally, an appellate hearing at the Moscow Regional Court was held on 30 November 2006 in the presence of Mrs Jabelia. Mr Kvaratskhelia also assisted that hearing and noticed that his mother was extremely nervous. The Regional Court overturned the expulsion order; it did not however release Mrs Jabelia from the courtroom. The latter was returned to the same detention centre. Two days after, on 2 December 2006, Mrs Jabelia died. According to the post mortem medical examination, the cause of death was a heart attack.

Relevant documents

- Mrs Jabelia's Georgian passport no. 1760743 containing a Russian visa, valid until 23 December 2005.
- The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interior, valid until 23 December 2005.
- An order of 5 October 2006 of the Nagatinskiy District Court in Moscow ordering Mrs Jabelia's expulsion and administering a fine against her in the amount of 1,000 Russian roubles.

- The Moscow Regional Court decision of 30 November 2006, quashing the order of 5 October 2006 in the part concerning Mrs Jabelia's expulsion and upholding it in the part administering the fine against her.
- Mrs Jabelia's statement of appeal against the expulsion order of 5 October 2006, as well as her other complaints addressed to the Moscow Regional Court. Death certificates (all these are in Russian).

Name	First name (Patronymic name)	Date of birth	Place of birth
SALAKAIA	**Mzia (Konstantin)**	**13 September 1954**	**Not specified**
Town: Moscow			

Summary of statement – cassette 7, recorded on 30 November 2006

Mrs Salakaia, a Georgian national, is a refugee from Abkhazia, a breakaway region of Georgia. She lived and worked in Moscow since 1996 and, prior to the events in question never had any problems with the Russian authorities with respect to her residence status.

According to Mrs Salakaia, after her Russian visa expired, she was apprehended twice in September 2006 by the Moscow police. However, both times she was released after having paid bribes and showed a certificate, issued by the Russian authorities, confirming her refugee status.

After the Russo-Georgian relations deteriorated in early October 2006, Mrs Salakaia, as well as her Georgian acquaintances living in Moscow, felt that they were becoming a target for persecution.

On 26 October 2006, when she was buying bread in a local grocery store, Mrs Salakaia was apprehended. She was taken to a police station, where she spent the following two days. She was kept in a tiny cell of provisional detention (the so-called "*obezyannik*"). There was a bed in the cell, but Mrs Salakaia could not lay on it, since it was infected with vermin. The police refused to provide the detainees with any food or drinking water.

On the following day Mrs Salakaia was brought before a court which ordered her expulsion. In the course of the hearing which lasted of 5 minutes, not a single question was posed by the judge to Mrs Salakaia.

After the hearing, Mrs Salakaia was transferred to a special detention centre. The police apparently asked her to sign certain receipt papers and other documents, the content of which was not explained to her. Mrs Salakaia claims that she was not informed of the right to lodge an appeal against the expulsion order.

In the detention centre, Mrs Salakaia was placed, together with 7 other women, in a cell measuring approximately 7-8 m^2. Each detainee had a personal bed. An unbearable stench hang in the air. As there was no toilet in the cell, the detainees were allowed to visit a common one located in the corridor, twice a day. As to the rest of the time, the detainees were invited use for the toilet purposes a bucket provided by the administration .

Having spent almost a month in the above-mentioned detention centre, Mrs Salakaia was finally released and expelled to Georgia on 22 November 2006. A special charter flight from Moscow to Tbilisi was organised by the Georgian Government.

Relevant documents

Name	First name (Patronymic name)	Date of birth	Place of birth
SHIOSHVILI	**Lia (Roland)**	**14 January 1977**	**Not specified**
Town: Ruza, Moscow Region			
Summary of statement – cassette 7, the date of recording is not specified			

Mrs Shioshvili, a Georgian national, went to the Russian Federation on 29 May 2003 on the basis of a visa valid for a month. She settled in the town Ruza, the Moscow Region, together with her husband and four minor children.

Mrs Shioshvili claims that, after the Russo-Georgian relations deteriorated in early October 2006, the Russian authorities started massive persecution of Georgians residing in her town. She alleges to have seen stickers in the streets of the town calling for the locals to inform the authorities of the whereabouts of Georgian residents.

One of her children was frequenting a school, and, according to Mrs Shioshvili, the administration of the school started harassing its Georgian pupils. Another allegation of Mrs Shioshvili is that, being pregnant, she applied to a gynaecologist for a consultation, the latter however refused any assistance, explaining that it had become risky to treat a Georgian.

On an unspecified date of either October or November 2006 Mrs Shioshvili was apprehended by the police of Ruza. An expulsion case was opened against her. She was however released pending the proceedings.

On an unspecified date, a court ordered her expulsion. As there were no longer direct flight connections between Georgia and Russia, Mrs Shioshvili decided to return to Georgia, together with her four minor children, by train. She took off on 20 November 2006. Having travelled for two days and almost reached the border with Azerbaijan, Mrs Shioshvili was requested by the Russian customs officers to get off the train. Showing them the expulsion order, she tried to explain that she had already passed through the relevant proceedings and was simply enforcing the order. Mrs Shioshvili also referred to the fact of being pregnant and accompanied by minor children. All her appeals were ignored by the customs officers, and she descended from the train. The officers transferred Mrs Shioshvili and her children to the city of Derbent, Dagestan. The family was left unattended in a street. They spent that night in a train station. On the following morning, the Shioshvili family went to the Derbent office of the Russian Federal Migration Service, where she was apparently explained that the reason for her inability to leave the territory of the Russian Federation was the absence of travel documents for her minor children.

Having spent two weeks in Derbent (they apparently rented a flat there), the Shioshvili family managed to leave the Russian Federation only after the Georgian Ministry of Foreign Affairs interfered into the matter. On 6 December 2006 they finally returned to Georgia.

On 15 December 2006 Mrs Shioshvili gave birth to a dead baby. According to a medical opinion, the body of the newborn was slightly decomposed, as the foetus had died several weeks before the delivery. A possible reason of the miscarriage was the mother's emotional distress.

Relevant documents
• Mrs Shioshvili's Georgian passport no. 0355101. The passport contains the inscription showing the name, sex and date birth of her four children. It also contains the children's photographs. • The passport contains a Russian single entry visa valid until 6 June 2003 • The passport contains a stamp, according to which the expulsion was ordered on 7 November 2006. • A travel document issued on 25 October 2006 by the Georgian Consulate in Moscow to one of Mrs Shioshvili's children. The document was valid until 14 November 2006. • A medical certificate, according to which Mrs Shioshvili delivered a dead child on 15 December 2006.

Name	First name	Date of birth	Place of birth
TOGONIDZE	**Tengiz**	**28 February 1958**	**Not specified**
Town: Saint-Petersburg			
Summary of statement – see the Georgian Government's observations			
The circumstances surrounding the expulsion proceedings against late Mr Togonidze were summarised by the Georgian Government in their additional observations of 5 May 2008.			
Relevant documents			
• Mr Togonidze's Georgian passport no. 1075499 containing a Russian single-entry visa, valid until 9 February 2005. • A certificate confirming the fact of Mr Togonidze's death, issued by a civil register in Moscow on 19 October 2006. A post mortem medical certificate (both documents are in Russian).			

Name	First name	Date of birth	Place of birth
MUZASHVILI	**Zurab**	**unknown**	**unknown**
Town: not specified			
Summary of statement – see the Georgian Government's observations			
The circumstances surrounding the expulsion proceedings against the late Mr Muzashvili were summarised by the Georgian Government in their additional observations of 5 May 2008.			
Relevant documents			
• None submitted.			

Name	First name	Date of birth	Place of birth
JABELIA	**Manana**	**26 April 1955**	**Not specified**
Town: Moscow			
Summary of statement – see the Georgian Government's observations			
See the interview with Mr Noko Kvaratskhelia and the Georgian Government's observations of 5 May 2008.			
Relevant documents			
• See Mr Noko Kvaratskhelia's interview.			

Name	First name (Patronymic name)	Date of birth	Place of birth
KHVEDELIA	**Nato (not specified)**	**21 December 1953**	**Kutaisi, Georgia**
Town: Moscow			
Summary of statement – cassette 8, the date of recording is not specified.			
Mrs Khvedelia's submissions were summarised by the Georgian Government in their additional observations of 5 May 2008.			
Relevant documents			
• None submitted.			

Name	First name (Patronymic name)	Date of birth	Place of birth
KUBLASHVILI	**Zurab (Ioseb)**	**30 January 1954**	**Not specified**
Town: Saint-Petersburg			
Summary of statement – cassette 8, the date of recording is not specified.			
Mr Kublashvili's submissions were summarised by the Georgian Government in their additional observations of 5 May 2008.			
Relevant documents			
• Mr Kublashvili's Georgian passport no. 05AA69423 containing a Russian visa valid until 14 May 2007. • An expulsion order of 19 October 2006 of the Pushkinskiy District Court in Saint-Petersburg (in Russian).			

Name	First name (Patronymic name)	Date of birth	Place of birth
ZVEDELAVA	**Ghuda (Jaga)**	**2 February 1938**	**Not specified**
Town: Moscow			
Summary of statement – cassette 8, the date of recording is not specified.			
Mr Zodelava's submissions were summarised by the Georgian Government in their additional observations of 5 May 2008.			
Relevant documents			
• Mr Zodelava's Georgian passport no. 05AA6659 containing a Russian visa valid until 25 October 2006. • The passport contains an internal registration stamp, issued by the Moscow Branch of the Russian Ministry of the Interior, valid until 25 October 2006. • Several court decisions and Mr Zvedelava's statement of appeal (all in Russian) concerning the expulsion proceedings.			

Name	First name (Patronymic name)	Date of birth	Place of birth
GULUA	**Anzor (Valiko)**	**26 June 1946**	**Village of Dranda, Abkhazia, Georgia**
Town: Moscow			
Summary of statement – cassette 8, the date of recording is not specified.			
Mr Gulua's submissions were summarised by the Georgian Government in their additional observations of 5 May 2008.			
Relevant documents			
• Mr Gulua's Georgian passport no. 0431981 containing a Russian visa valid until 21 March 2007. • The passport contains an internal registration stamp, issued by the Moscow Branch of the Russian Ministry of the Interior, valid until 20 July 2006.			

Name	First name (Patronymic names)	Date of birth	Place of birth
BERIA	**Zurab (Shakro) and Zina (Aleksandre)**	**31 July 1952 (Zurab) and 16 April 1956**	**Not specified**
Town: Moscow			
Summary of statement – cassette 8, the date of recording is not specified.			
The Beria family's submission were summarised by the Georgian Government in their additional observations of 5 May 2008.			
Relevant documents			
• Mrs Zina Beria's Georgian passport no. 0910097 • A travel document, issued by the Georgian Consulate in Moscow on 29 March 2007, permitting Mr Zurab Beria to return to Georgia.			

Name	First name	Date of birth	Place of birth
GOGOLADZE	**Irina**	**19 June 1965**	**Akhaltsikhe, Georgia**
Town: Kemerovo			
Summary of statement – cassette 8, recorded on 14 December 2006			
Mrs Gogoladze's submissions were summarised by the Georgian Government in their additional observations of 5 May 2008.			
Relevant documents			
• Mrs Gogoladze's Georgian passport no. 0998965 containing a Russian visa valid until 10 May 2007. • The passport contains a stamp, according to which the expulsion was carried out on 28 October 2006 • Certain other documents, apparently of minor relevance, all in Russian.			

Interviews with persons who are not on the list of witnesses submitted by the Georgian Government in the application form and observations

Name	First name (Patronymic name)	Date of birth	Place of birth
TSKHAKAIA	**Mariam (Davit)**	**30 April 1988**	**Not specified**
Town: Moscow			
Summary of statement – cassette 6, recorded on 16 November 2006			
Ms Tskhakaia was a student of the Surikov Art Institute. On 22 September 2006 she went to Moscow to start her studies. She entered the country on the basis of a visa valid for one year. In her submissions, she describes how the administration of the Institute singled her out because of her Georgian nationality. Being unable to visit the lectures and afraid of the compulsory expulsion, Ms Tskhakaia decided to quit the studies and return to Georgia on her own.			
Relevant documents			
• Ms Tskhakaia's Georgian passport no. 0956306 containing a Russian multiple-entry visa valid until 7 June 2007. • The passport contains an internal registration stamp, issued by an agency of the Russian Ministry of the Interiror, valid until 30 December 2006.			

Name	First name	Date of birth	Place of birth
BIGVAVA	**Irakli**	**1 December 1985**	**Not indicated**
City: Moscow			
Summary of the statement – cassette 6. Interview conducted in Russian.			
Mr Bigvava, a Georgian national, lived in Russia from 1993. He had left Georgia on account of the armed conflict in Abkhazia. He had obtained Russian visas from the time that Russia and Georgia had introduced a visa requirement for inter-country travel. His most recent Russian visa had been valid until 19 October 2006. The registration of his address in St Petersburg had been valid until the same date. He had applied to the relevant body (*OVIR*)* for an extension of the registration, which was denied on the ground of the deterioration in relations between Russia and Georgia. As a student at the St Petersburg engineering and economics university, Mr Bigvava had asked his university to help him in his dealings with the administration, but a university official, far from helping him, had added that he had an order "from above" to expel Georgian students. It was suggested that he could choose to cancel his registration voluntarily, or to fail in the next round of examinations. Mr Bigvava wrote a letter requesting that his registration be cancelled, on the ground that administrative obstacles placed in his path, as a Georgian, by the Russian authorities had made it impossible for him to continue his studies. This version was not accepted by the university, and he had had to amend it to indicate that he was leaving the university "of his own free will". On 19 October 2006 Mr Bigvava left for Georgia.			

He also alleged that several identity checks had been carried out by the police. When they saw his Georgian passport, the police did not even look at his visa or internal registration document, but took him to a police station and held him for several hours.

Mr Bigvava's father and brother had remained in Russia. He stated that he had not left property in Russia.

* OVIR – department for visas and permits, attached to the Ministry of Internal Affairs

Relevant documents

- Georgian passport no. 0866308
- Russian multiple-entry visa no. O2Б (B) 48854948, valid from 19 October 2005 to 19 October 2006
- Certificate of internal registration in St Petersburg no. 0866308, done on 25 October 2005, valid until 19 October 2006
- Student card, issued on 6 September 2004 by the Engineering and Economics University, certifying successive inscriptions for three years of study : 2004-2005, 2005-2006, 2006-2007.
- Record book with marks for three years of study, issued on 6 September 2004.

Name	First name (Patronymic name)	Date of birth	Place of birth
DZIDZAVA	**Nino (Sergei)**	**21 December 1959**	**Not specified**
Town: St Petersburg			

Summary of statement – cassette 6, recorded on 16 November 2006

Mrs Dzidzava is the spouse of Mr Tengiz Togonidze who died in the Russian Federation pending the expulsion proceedings. Her submissions concern the events surrounding her late husband, which were summarised by the applicant Government in their additional observations of 5 May 1998.

Relevant documents

None submitted.

Annexe 1

I. B. + D. Summary of media coverage of events submitted by the applicant Government in their application of 27 March

- The applicant Government has submitted, on 32 DVDs, video recorded media coverage of events accounting for the relations between the Russian Federation and Georgia in September-October 2006.

- Only relevant excerpts from the submitted recordings are summarised below.

DVD 1	**Length: 01:10**

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 27 and 28 September 2006.

The broadcasts of 27 September 2006 account for the circumstances surrounding the arrest of Russian military officers in Georgia. Journalists report from various State agencies and take interviews from several Georgian officials. Press briefings of the Georgian Minister of the Interior, Mr Vano Merabishvili, are transmitted.

The broadcasts of 28 September 2006 disclose interviews with the Russian high-ranking officials. The Russian Defence Minister, Mr Sergei Ivanov, states that the arrest of the Russian officers on the charge of espionage is absurd and that "*the Russian reaction would be adequate and sound*". A Russian Parliamentarian, Mr Ilyukhin, states that "[…] *Saakshvili wishes a war. Saakshvili wishes escalated tensions* [...]" Another Russian Parliamentarian, Mr Aleksey Mitrofanov, states "[…] *One has to understand that the things lead to a war* [...]"

A report from the Russian Embassy in Georgia follows. It is reported that the Embassy ceased the issuance of Russian visas as of 28 September 2006.

DVD 2	**Length: 02:09**

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 29 September 2006.

The broadcasts account for the developments of the incident with the Russian military officers arrested in Georgia.

The Russian Ambassador to Georgia, Mr Vyacheslav Kovalenko, has been recalled by the Russian Ministry of Foreign Affaires. His pre-departure press briefing is transmitted. Statements of various Russian politicians and journalists, accusing "Saakashvili" of intentionally provoking a conflict with Russia, are reported.

The broadcasts transmit numerous political declarations of both Georgian and Russian officials and public figures.

DVD 3	Length: 00:47

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 30 September 2006.

The broadcasts account for the developments of the incident with the Russian military officers. The Georgian police cordon surrounding the headquarters of the Russian Military Forces in Tbilisi is filmed. A journalist reports that staff members of the Russian Embassy in Georgia are about to leave the country.

An interview with the Georgian Minister of the Energy Resources discloses that the Georgian authorities expect energy blockade from the Russian side.

The Georgian Ministry of Foreign Affairs issues a declaration condemning the "permanent and aggressive" manifestations in front of the Georgian Embassy in Moscow.

The broadcasts transmit telephone conversations of the Russian military officers accused of espionage, tapped by the Georgian Ministry of the Interior.

President Saakashvili's interviews given to CNN. He comments about the deteriorated Russo-Georgian relations (the interviews are in English).

The broadcasts report that the Russian army has started large-scale military exercises on the Russo-Georgian border, on which fact the Georgian Ministry of Foreign Affaires has issued a note of protest. Tensions in two conflict zones of Georgia, Abkhazia and South-Ossetia, have escalated. Shooting is reported to have taken place in the Abkhazian conflict zone, as a result of which several Georgian policemen were wounded.

DVD 4	Length: 01:06

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 1 and 2 October 2006.

Mobilisation of the Georgian army in the Abkhazian conflict zone is reported.

Russian President Putin blamed the Georgian authorities for provoking the crisis and conducting the anti-Russian policy.

An evening broadcast of "Courier", broadcast at 21:00 on 1 November 2006, reports that the Russian authorities have started persecution of Georgians living in Russia. According to the Georgian Consulate in Moscow, "*Some thirteen Georgian nationals have been detained on the basis of allegedly unlawful residence status* […] *These persons will first be transferred to special detention centres for aliens and, afterwards, be probably expelled* […]".

An analytical program of Georgian journalists, commenting on the activities of the Russian intelligence services worldwide, is reported.

An interview with Mr Gleb Pavlovskiy, Russian political analysts, concerning the deterioration of the Russo-Georgian relations is transmitted (in Russian).

Georgian journalists report on the developments of the criminal proceedings launched

against the Russian military officers accused of espionage.
Russian political talk-show "Voskresnyi Vecher" dedicated to the recent deterioration of the Russo-Georgian relations, is transmitted. Amongst the guests of the show, there are journalists, political analysts, military experts, writers, etc. Mr Mikhail Veller, a Russian writer, states:

"*Duma […] should put on its immediate agenda and review the following issues:*
1. Visa regime with Georgia;
2. Deportation of illegal Georgian residents from Russia […]"

The news broadcast, broadcast at 14:00 on 2 November 2006, reports that the Georgian authorities will soon transmit the detained Russian officers to the representatives of the Organisation for Security and Cooperation in Europe ("the OSCE"). This move is apparently aimed at the relaxation of the tensions between two countries.

The broadcast further reports that some ten Georgians, detained in Moscow, have been transferred to special detention centres. A Georgia lawyer, Ms Eliso Mindiashvili, comments: "*Prior to the entry into force of the expulsion orders, nobody has the right to expel them. An appeal lay within the following 10 days* […]" The Georgian Consul in the Russian Federation, Mr Zurab Pataridze, states that the Consulate is doing everything possible to arrange the Georgians' departure to Tbilisi as soon as possible.

The news broadcast further reports that the Russian Federation has suspended all types of transportation links with Georgia.

The President of the Duma (lower house of the Russian Parliament), Mr Boris Gryzlov, states that Georgian migrant workers in Russia have transferred to Georgia more than a billion US dollars in the preceding year. He continues: "*It would be correct, in my view, to charge the relevant Committees of Duma with drafting of legislative amendments* […] *authorising the Russian Government to limit, in extraordinary circumstances, bank and postal transferrals to certain countries and territories* […]"

The news broadcast transmitted at 15:00 on 2 November 2006 states that the Russian Federation has suspended postal wire and bank transferral operations with respect to Georgia.

A press briefing of the Chairman-in-Office of OSCE and Georgian President Saakshvili, concerning the incident with the arrested Russian military officers, is transmitted (in English).

DVD 5	**Length: 01:17**

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 2 and 3 October.

The broadcasts transmitted at 18:00 and 21:00 on 2 October 2008 mostly reiterate the information disclosed by the summary of DVD 5 above.

The news broadcast transmitted at 12:00 on 3 October 2006 reiterates that the Russian authorities cancelled all direct air links with Georgia. The formal reason for the cancellation of flights is the financial arrears of the Georgian airlines before the Russian civil air navigation services.

The suspension of the railway connection between the Russian Federation and Georgia is also reported. The formal reason, relied on by the Russian side, is the absence of sufficient demand on the train from Moscow to Tbilisi.

Maritime transportation links have likewise been suspended.

The news broadcast further reports that the Russian officers arrested in Georgia for espionage have finally been extradited to the Russian side.

The news broadcast of 15:00, 3 October 2006, transmits a statement of the Russian Minister of Foreign Affaires, Mr Sergei Lavrov. He comments: "[…] *The measure of suspension of transportation links and bank transfers are aimed at impeding the illegal outflow of money* […] *We are concerned by the continuous militarisation of Georgia* […]".

The news broadcast mostly comments on the transportation blockade of Georgia by the Russian Federation.

DVD 6	**Length: 01:10**

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 3 and 4 October 2006.

The broadcast of 18:00, 3 October 2006, reports that a hotel run by the Georgian Embassy in Moscow is being searched by the Moscow police. The Russian authorities have accused the administration of the hotel of illicit financial activities and tax evasion.

The broadcast of 21:00 reports that casinos in Moscow run by Georgian nationals have been closed down by the Russian authorities.

The broadcasts of 3 October 2006 mostly transmit the statements of various Georgian analytical commentators. The topic of discussions is Georgia's financial and economic blockade by the Russian Federation.

The news broadcast of 12:00, 4 October 2006, reports that the first flow of Georgians expelled by the Russian authorities is expected to arrive to Tbilisi any time soon. In view of the suspended transportation links between two countries, it is not clear how exactly the transferral of Georgians would take place. The Georgian Consul in the Russian Federation is reported to have stated that most of the Georgians have been detained and expelled unlawfully and that they will lodge appeals against the relevant court orders.

The news broadcast of 14:00, 4 October 2006, reports that two Georgian ships have been arrested in the Russian port of Novorossyisk.

Mr Sergei Mitrofanov states that "[…] *No measures against Saakashvili have been taken. Instead, Georgians are being arrested in streets* […]"

The news broadcast of 17:00, 4 October 2006, reports that the premises of the Georgian Ministry of Foreign Affairs in Moscow are being searched by the Moscow police. Two Georgian casinos in Moscow, "Golden Palace" and "Cristal", have been closed down by the Russian fiscal authorities.

The broadcast transmits a session of the Russian Duma concerning the Russo-Georgian relations (in Russian).

The news broadcast of 18:00, 4 October 2006, shows an interview with a Georgian expelled from Moscow. The interviewee, Mr Misha Pantskhava, who is already in Tbilisi, states that "around 800 Georgians still remain in detention" in Moscow.

DVD 7	**Length: 00:50**

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The news broadcast at 21:00, 4 October 2006, report that the Duma (lower house of the Russian Parliament) has passed a resolution condemning the Georgian Government and envisaging the introduction of a package of socio-economic sanctions against Georgia. The relevant session of the Duma is transmitted (in Russian).

Mr Kokoshin, a senior Russian Parliamentarian, is shown to state: "[…] *Russia has the right to effectuate a number of measures aimed at the protection of its security and life and health of the Russian citizens. This means, first of all, the introduction of financial and economic sanctions against Georgia. In the event of the continuation of the anti-Russian policy by the Georgian Government* […] *Russia has the right to resort to other, more severe measures* […]".

Another Russian Parliamentarian, Mr Voronin, is shown to state: "[…] *When a* [Georgian] *voter sees that things have become worse, that he no longer has any money, as he has always been living at the cost of Russia, then this voter would think twice prior to voting for another Fuhrer with the chicken-sheep-like brain*."

According to Georgian journalists reporting from Duma, certain Russian Parliamentarians were unofficially discussing the possibility of resorting to such sanctions, as the expulsion of Georgians residing in Russia.

The first flow of expelled Georgians arriving from the Russian Federation to Tbilisi via Azerbaijan is shown.

The Russian Federal Migration Service is reported to have reduced in half the quota of migrant workers allocated for Georgian nationals. As the Deputy Head of the above-mentioned Russian agency explains: "*It would be preferable if the Georgian nationals abided by the Russian laws. One out of every hundred of Georgian nationals* [residing in Russia] *breaches the Russian legislation. This is a very high percentage in comparison to other countries* […]"

Another report reiterates the incident of closure of two Georgian casinos in Moscow. The center of Georgian culture in Moscow "Mziuri" was likewise invaded by the Russian law-enforcement authorities.

The Georgian Consul in the Russian Federation, Mr Zurab Pataridze, is reported to have visited the Georgians detained in a special detention centre in Moscow. The Consul is shown to state: "[…] *We work efficiently in order* [...] *to issue the documents necessary for returning to Georgia* […] *Either this evening or tomorrow morning a special plane of the Russian Ministry of Emergency Situations will bring the expelled Georgians home* […]"

DVD 8	**Length: 01:35**

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 6 and 7 October 2006.

In the broadcast of 12:00, 6 October 2006, a Georgian journalist, referring to an article of the Russian editorial "Komersant", reports that the Russian authorities have started persecution of Georgian schoolchildren. The law-enforcement agencies visit schools in Moscow and collect data about the parents of those children whose last names end on "*-dze*" and "*-shvili*" and thus disclose the Georgian origin.

The journalist further reports that approximately 100 Georgians are about to return to Tbilisi in a plane of the Russian Ministry of Emergency Situations. These are the persons expelled by the Russian courts. They would be banned from re-entering the Russian Federation for the following five years. The Russian nationals who have been on visit in Georgia would be able, the journalist continues, to return home in the same plane.

The broadcast transmits a Russian talk show (in Russian), with the participation of several Russian and Georgian politicians and public figures. One of the guests of the show, Mr Boris Nadezhdin, a leader of a political party in Russia, exclaims that *"*[…] *Instead of an adequate reaction* […] *our State closes down Georgian restaurants,* […] *denies the Georgian children entry to schools!*"

The broadcast of 15:00, 6 October 2006, transmits a session of Duma (in Russian). Mr Volodin, the Deputy President of Duma, states "[…] *We are the nation with self-esteem. Go to the United States and try, without having the US nationality, to subscribe your child in a school,! Do you want to turn Russia into a passageway?!* […]"

The broadcast of 18:00, 6 October 2006, reports that the Russian authorities started the investigation of the financial activities of the Russian Academy of Art, the Director of which institution is of Georgian origin. It is further reported that two casinos in Saint-Petersburg "Konti" and "Olimpia", owned by Georgians nationals, have recently been closed down by the Russian authorities.

The broadcast reports that 132 Georgian nationals expelled from the Russian Federation have arrived to Tbilisi in a cargo type of plane. Scenes of these persons descending, without an appropriate passenger staircase, from the bulky back exit of the cargo plane are transmitted. The broadcast then adds that the Russian nationals wishing to leave Georgia will fly back in the same plane.

The news broadcasts of 7 October 2006 report that the police *special forces* unit (OMON) has entered the Georgian Consulate in Moscow. The OMON has started apprehension of

Georgian nationals on the premises of the Consulate. It is further reported that the Moscow police has also visited a Georgian church in Moscow, searching for illegal residents.

The broadcasts also report that the famous Russian writer, Mr Boris Akunin, and vocalist, Mr Zurab Sotkilava, both of Georgian origin, have suddenly been approached by the Russian authorities. In interviews, these persons confirm the above-mentioned fact and state that they have never been disturbed by the authorities before.

DVD 9	**Length: 01:25**

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 8 October 2006.

The broadcast of 12:00 reports that another plane of the Russian Ministry of the Emergency Situations will bring some 130 Georgian nationals from Moscow within the following days.

The broadcast of 15:00 reports that a demonstration has been held in the centre of Moscow by some 300 Russian nationals in protest against the Russian Government's anti-Georgian campaign. According to some of the interviewed demonstrators, the recent developments in Russia resemble the acts of the Nazi regime in Europe in 1930s. There are scenes of the protesters wearing on their hands yellow stickers in the form of a star with the inscription "I am Georgian".

The broadcast of 21:00 transmits a statement of Georgian President Saakashvili. The Presidents states that he is outraged to see that the Russian Government expel Georgians in cargo planes, which more look like "carriers for cattle". It is likewise unacceptable, in the President's words that the Russian nationals return home in the same "shameful" planes. He publicly orders the Georgian Government to ensure the decent transportation of the expelled persons in the future.

DVD 10	**Length: 00:53**

BBC

President Saakashvili's interview given to the BBC program "Have Your Say". The interview concerns Russo-Georgian relations (in English).

DVD 11	**Length: 00:32**

Russian talk-show "*Svoboda slova*"

Ms Burjanadze, (then) President of the Georgian Parliament, condemned the Russian State's anti-Georgian policy. In particular, she was outraged by the measures taken by the Russian authorities against Georgian citizens who were resident on Russian territory.
In this connection, Ms Burdjanadze referred to the order to refuse to educate Georgian children in a Russian school in Tbilisi belonging to the Russian armed forces based in Georgia, and to the arrests of individuals with Caucasian features in the streets of Russia's

towns. Ms Burdjanadze described as scandalous the identification of illegal Georgian migrants by collecting information from Russian schools attended by their children. She did, however, express satisfaction that, fortunately, the Russian Ministry of Education was opposed to this measure.
The Parliamentary Speaker commented on other issues related to Russian-Georgian relations, and in particular to the Russian policy in Abkhazia and South Ossetia.

DVD 12	**Length: 01:52**

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 9 October 2006.

The broadcasts report that expulsion of Georgian nationals from the Russian Federation is ongoing. Pursuant to President Saakashvili's order, the Georgian side has stated that it would no longer receive cargo planes from the Russian Federation. The Russian Government is thus expected to allocate normal, passenger type of aircraft for transporting the expelled persons.

An advisor to the Administration of the Russian President is reported to state: "[…] *I do not possess information about expulsion of each and every Georgian. The expulsion concerns only those Georgian nationals who have breached the relevant legislation of the Russian Federation* […]"

The broadcasts mostly report on comments and statements of various political and public figures of Russia and Georgia.

DVD 13	**Length: 01:12**

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 10 October 2006.

The broadcasts report that expulsion of Georgian nationals from the Russian Federation is ongoing. Another plane of the Russian Ministry of Emergency Situations is to bring to Tbilisi some 113 expelled persons. Interviews with some of these persons are transmitted.

The broadcasts mostly report on comments and statements of various political figures in Georgia, as well as on the international assessment of the deterioration of the Russo-Georgian relations.

DVD 14	Length: 00:41

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 11 October 2006.

The broadcasts report that expulsion of Georgian nationals from the Russian Federation is ongoing. Another plane of the Russian Ministry of Emergency Situations is to bring to Tbilisi some 108 expelled persons. Interviews with some of these persons are shown.

The Georgian Minister of Justice, Mr Gia Kavataradze, is reported to state that the Government intend to lodge an application with the European Court of Human Rights, challenging violations of the rights of the Georgian nationals arbitrarily expelled from the Russian Federation.

The broadcasts mostly report on comments and statements of various politicians, businessmen and other public figures in Georgia. Except for the expulsion of Georgians, many other aspects of the deteriorated Russo-Georgian relations are at issue.

DVD 15	Length: 00:12

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 12 October 2006.

The broadcasts report that the Georgian HGV drivers have been detained in the Russian port of Novorossiysk. Elementary procedurals rights have allegedly been denied to the detainees.

A Georgian journalist refers to an article of the British editorial "Guardian". According to that article, after the arrest of four Russian military officers, ordinary Georgians have been living in fear in Russia. They hide at their homes, fearing arbitrary arrests; their children are not allowed to attend schools.

The broadcasts transmit short interviews with several persons expelled from the Russian Federation.

DVD 16	Length: 00:31

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 13 October 2006.

The broadcasts mostly concern the tense situation in two conflict zones of Georgia – Abkhazia and South Ossetia. The UN Security Council is expected to pass a resolution on the Abkhazian issue. Some other internal issues – such as the consequences of the Russian economic blockade – are also discussed. Interviews with various Georgian political figures are reported.

DVD 17	Length: 00:33

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The news program "Courier", broadcast at 12:00 on 13 on 13 October 2006, transmits an interview with the Georgian Ambassador to the United Nations, Mr Irakli Alasania (in English).

DVD 18	Length: 00:29

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 14 October 2006.

It is reported that some 50 Georgians were detained in Saint-Petersburg with the view of their expulsion from the Russian Federation. The Georgian Consul, Mr Zurab Pataridze, states that the conditions of detention in the only available special detention centre for aliens in St. Petersburg is much worse than in those of Moscow. Cells are not heated; there are problems with nutrition of the detained Georgians. The Georgian Consulate is doing its best to arrange the detainees' return to Georgia as soon as possible.

It is reported that Giorgi Tskipurishvili, 14 years old, was arrested in a street in Moscow and, after several days of detention, managed to return to Georgia only with the help of the Georgian Consulate.

The latest developments in the Abkhazian conflict zone are discussed.

DVD 19	Length: 00:40

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 15 October 2006 recounts the story of a well-known skater of Georgia origin, Ms Elene Gedevanishvili, who has made her sport carrier in Russia. She has also been expelled by the Russian authorities.

The broadcasts further report on details of the expulsion of 14 years old Giorgi Tskipurishvili, who was detained in Russia for 16 days, without his parents being informed of his whereabouts.

DVD 20	Length: 00:33

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 16 October 2006 covers the discussion of the Russo-Georgian crisis at the European Union. Interviews with various Russian and Georgian high-ranking public and military officials, concerning the situation in the Abkhazian conflict zone, are transmitted.

DVD 21	Length: 00:57

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast in the morning of 17 October 2006 report on the death of Mr Togonizde, a Georgian national, pending the expulsion proceedings in the Russian Federation. Apparently, the cause of the death was an acute attack of asthma. Interviews with the relatives of the late person disclose that the Russian authorities have kept him in detention for approximately 20 days.

Several Georgians who were conveyed for expulsion from Saint Petersburg to Moscow in a bus together with Mr Togonidze assert that, despite the latter person's numerous requests, the convoying officers refused to stop the bus and allow him to get some fresh air.

A Georgian journalist reports that another cargo plane of the Russian Ministry of Emergency Situations is about to land in Tbilisi, carrying on board approximately 148 expelled Georgian nationals.

The Georgian Consulate in Moscow is reported to have issued an official statement condemning the ill-treatment of detained Georgians. The Consulate requested the Russian authorities to honour the obligations arising from the human rights treaties.

The evening broadcasts of the news program report that the transferral of the body of late Mr Togonidze from Moscow to Tbilisi remains to be a problem, as the Russian authorities refuse to allocate the necessary funds. The broadcast further reports that another Russian plane, carrying on board some 150 expelled Georgians, have just landed in Tbilisi.

It is reported that some of the Georgians who were conveyed from Saint-Petersburg to Moscow together with Mr Togonidze bear on their persons the traces of ill-treatment inflicted by electroshock devices and police truncheons.

DVD 22	Length: 00:49

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 18 October 2006 report that the transferral of the body of late Mr Togonidze from Moscow to Tbilisi still remains to be a problem. The Georgian Government shall cover all the costs associated with the transferral.

A Georgian journalist reports that another Georgian national fell seriously ill during the expulsion proceedings in the Russian Federation. Only after the involvement of the Georgian Consul, did the Russian authorities transfer the sick person to a medical establishment.

The remainder of the broadcasts report on the assessment of the expulsion of Georgian nationals, as well as on the recent developments in the Abkhazian conflict zone, by various Russian, Georgian and American political figures.

DVD 23	Length: 00:45

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 19 October 2006 report that the body of late Mr Togonidze's has been transferred from Moscow to Yerevan, Armenia and will soon be brought to Tbilisi. It is further reported, in reference to the information provided by the Georgian Consulate in the Russian Federation, that some 150 Georgians have been detained with the aim of expulsion in the Primosrkiy Region (Far East) of the Russian Federation.

The remainder of the broadcasts report on the assessment of the expulsion of Georgian nationals, as well as on the recent developments in the Abkhazian conflict zone, by various Russian, Georgian and American political figures.

DVD 24	Length: 00:40

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 20 October 2006 report that, along with late Mr Togonidze, the body of another Georgian, Mr Revaz Berulava, has also been transferred from Moscow to Tbilisi. Allegedly Mr Berulava also died pending the expulsion proceedings in the Russian Federation.

The broadcasts mostly report on the preparation by the Georgian Government of an inter-State application against the Russian Federation which is to be lodged with the Court. Some other aspects of the Russo-Georgian relations are also at issue.

DVD 25	Length: 00:55

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 21 October 2006 report that a train coming from Moscow to Baku was stopped and checked by the Russian customs officers and the police *special forces* unit on the border between the Russian Federation and Azerbaijan. All passengers of Georgian nationality were ordered to get off the train; their personal belongings were allegedly confiscated by the Russian police. Some of the Georgian passengers were even battered.

It is reported that a famous Russian actor, Mr Stanislav Sadalskiy, has formally requested the Georgian nationality, in a sign of protest against the persecution of Georgians by the Russian State.

The broadcasts mostly cover the public statements of the Russian and Georgian Presidents and other political figures of both countries.

DVD 26	**Length: 00:46**

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 22 October 2006 report that the Georgians kept in various special detention centres in Moscow request an acceleration of the expulsion proceedings, given the unbearable conditions of their detention.

It is reported that the journalists of the broadcasting company "Rustavi 2" have obtained a copy of a classified order issued by a high-ranking police officer of Saint-Petersburg (this document is filmed). According to the terms of that order, the district police officers were requested to effectuate large-scale measures of search and arrest of Georgian nationals with the aim of their expulsion.

It is further reported that in the period between 5 and 11 October 2005, the Russian courts have examined the cases of 600 Georgian nationals. Out of this number, only 12 persons were released, whilst the remaining 588 were expelled.

Comments of several Georgia lawyers concerning the chances of the inter-State application which is to be lodged with the Court by Georgia against the Russian Federation are reported. Interviews with several Georgians expelled from the Russian Federation are also transmitted.

DVD 27	**Length: 00:32**

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 23 October 2006 report that the Georgian Parliament has created an *ad hoc* commission which would study the cases of expelled Georgians. The findings of this commission would then be submitted to the relevant international institutions. Interviews with the members of the above-mentioned commission are transmitted.

It is reported that well-known Russian public figures has published an open letter to the Russian authorities, condemning the persecution of Georgians.

DVD 28	**Length: 00:30**

Georgian Broadcasting Company "Rustavi 2". News program "Courier".

The hourly news broadcast of 24 October 2006 report that several Georgian non-governmental organisations provide legal assistance to those Georgian nationals expelled from the Russian Federation who wish to lodge individual applications with the Court. A lawyer is reported to state that the potential applicants would first have to apply to the Russian courts, in order to exhaust the available domestic remedies. The Georgian NGOs hope that their Russian counterparts would assist the Georgian nationals with the relevant proceedings in the Russian Federation.

It is further reported that, in parallel to potential individual applications, the Georgian Ministry of the Justice is working on an inter-State application which is to be lodged with the Court any time soon.

DVD 29	Length: 00:24

Georgian Public Broadcasting Company

Excerpts from the daily news program, transmitted between 9 and 15 October 2006, show short interviews with different Georgian nationals expelled from the Russian Federation. The interviewees account for the circumstances surrounding their arrest, conditions of detention and the manner of expulsion.

DVD 30	Length: 00:22

Georgian Private Broadcasting Company "Imedi"

The cases of several Georgian individuals and families expelled from the Russian Federation are accounted for.

Short interviews with the President of the Russian Duma, the Russian Minister of Foreign Affaires and the Russian Minister of Defence are reported (in Russian).

Note: the dates of the recorded broadcasts are not specified.

DVD 31	Length: 01:35

Georgian Private Broadcasting Company "Mze"

Excerpts from the daily news program account for the events surrounding the arrest of four Russian military officers and the subsequent deterioration of the Russo-Georgian relations, including the massive expulsion of Georgian nationals from the Russian Federation. Short interviews with various political and public figures from both countries are reported.

These excerpts mostly reiterate the same facts and show the scenes identical to those reported by the news program of "Rustavi 2" (see DVDs 1-28 above).

DVD 32	Length: 00:42

International News Agency "Reuters"

The report contains several sequences showing Tbilisi airport, the Russian consulate in Tbilisi, or a Russian military unit in Georgia, a Georgian school, and the street in front of the Georgian General Procurator's Office.
In the majority of cases, these sequences are not accompanied by commentary. In certain cases, short comments are made by unidentified Russians or Georgians. Some of them express concern about the tensions between Russia and Georgia, others (the Russians) say they are safe in Georgia and see no reason to leave, in spite of the recent events. The comments are nonetheless very piecemeal and the speakers are not identified.
The report contains a sequence on the expulsion procedure for the Russian officers suspected of spying. The scene takes place in front of the Georgian Procurator General's Office. Four handcuffed officers, surrounded by male and female Georgian police officers, are notified of the charges made against them, namely spying, and of the sentence of expulsion from Georgia and the prohibition on re-entering the country. The officers were then placed in vehicles marked "OSCE" and were evidently taken to the airport, where they are seen getting into a plane belonging to the Russian Ministry of Emergencies and Civil Protection.
Another sequence shows a visit by President Saakashvili to a Georgia school. In an interview given to a foreign television channel, Mr Saakashvili expresses his concern about the instances of ethnic discrimination to which the Georgians in Russia have been subjected. He declares his intention to submit an application to the European Court of Human Rights, alleging ethnic discrimination.
The President expresses his concern that the Georgians were transported on cargo planes to Moscow for the purpose of expulsion.

Annex 1

II. Summary of documents in Georgian / Russian submitted by the applicant Government in their observations in reply of 5 May 2008

Summary of the documents in Georgian

Annex 1	Document type	Date
	Letter	16 October 2006
Summary		
A letter was filed by Mrs Leila Martiashvili, a Georgian national, with the Georgian Ministry of the Foreign Affairs ("the GMFA") on 16 October 2006. It was addressed to the Director of the Consular Relations Department, Ms Diana JGHENTI. Mrs Martiashvili informed the GMFA that her husband, Mr Avtandil Martiashvili (holder of the Georgian passport no. A0076627) had been apprehended by the Russian authorities in Novorossiysk. She claimed that her sick husband had been detained in Russia for 10 days, without being informed of any reasons thereof. The Russian authorities had seized his identity documents. Mrs Martiashvili requested the Director of the Consular Relations Department to take measures aimed at liberating her husband. The letter is signed by Mrs Martiashvili and bears the receipt stamp of the GMFA, dated 16 October 2006.		

Part of Annex 4	Document type	Date
	Travel permit	27 November 2006
Summary		
A temporary travel certificate, issued by the Georgian Consulate in Moscow on 27 November 2006, authorised Mr Kakha Lomaya, a Georgian national born on 15 August 1976, to enter the territory of Georgia. The certificate was valid until 15 January 2007. Its registration number is 3682.		

Part of Annex 4	Document type	Date
	Travel permit	
Summary		
A temporary travel certificate, issued by the Georgian Consulate in Moscow on 27 November 2006, authorised Mr Irakli Lomaya, born on 15 August 1976, to enter the territory of Georgia. The certificate was valid until 15 January 2007. Its registration number is 3683.		

Part of Annex 4	Document type	Date
	Medical certificate	30 April 2008
Summary		
A medical opinion accounts for Ms Nato Shavshishvili's state of health. It was issued by a private medical establishment in Georgia on 30 April 2008. According to that opinion, Ms Shavshishvili suffers from a number of neurotic disorders: paresis of a facial nerve, astheno-depressive syndrome … [*the rest is illegible*]. As disclosed by the opinion, Ms Shavshishvili considered that the cause of her disorders had been a psychological stress, received in September 2006, and the continuous high blood pressure		

	Document type	Date
	International agreement	
Summary		
The applicant Government submitted an Agreement between Georgia and the Russian Federation on Terms and Rules of Temporary Functioning and Withdrawal of the Russian Military Bases and Other Military Facilities of the Group of Russian Military Forces in South Caucasus Deployed on the Territory of Georgia. The Agreement was made in the Russian and Georgian languages. It was signed by both Parties in Sochi, the Russian Federation, on 31 March 2006. The Agreement was ratified by the Georgian Parliament on 13 April 2006.		

number	Document type	Date
2	**Letter from the Russian federal agency for maritime and fluvial transport**	**2 October 2006**
Summary		
In a letter of 2 October 2006, the head of the agency stated that, from 1 October 2006, the agency would carry out inspections of vessels to assess their compliance with the International Convention MARPOL. Vessels flying the Georgian flag were forbidden from entering Russian ports on the Black Sea if they had not gone through this inspection.		

number	Document type	Date
3	**Medical documents**	
Summary		
This annex contains a photocopy of a medical record for Mr Tenguiz Togonidze, containing the opinion of a cardiologist, an electrocardiogram, the results of medical examinations and other documents. All the documents are handwritten and are almost illegible.		

number	Document type	Date
4	**Judicial decisions, text of appeal, requests for review**	
Summary		
1. Photocopy of the decision of 17 October 2006, issued in respect of Kakha Demurovich Lomaya. In this decision, the Vyborgskiy District Court of St Petersburg established that Mr Kakha Demurovich Lomaya, a Georgian national, had been unlawfully resident in Russia since 1999. Thus, in breach of the domestic law, he had not registered his address. Mr Lomaya attended the hearing and acknowledged the accusations. He had waived the right to an interpreter and a lawyer. On the basis of Article 18.8 of the Code of Administrative Offences, the court fined him and ordered his administrative expulsion from Russian territory. The text of the decision notes that the individual concerned is entitled to contest this decision by lodging an appeal with the St Petersburg City Court within ten days. **2. Photocopy of the decision of 27 October 2006, issued in respect of Mr Demuri Valerianovich Lomaya.** The content of this decision by the Vyborgskiy District Court of St Petersburg in respect of Mr Demuri Valerianovich Lomaya is identical to that issued in respect of Mr Kakha Demurovich Lomaya. **3. Photocopy of the decision of 27 October 2006, issued in respect of Mr Irakliy Demurievich Lomaya.** The content of this decision by the Vyborgskiy District Court of St Petersburg in respect of Mr Irakliy Demurievich Lomaya is identical to the two preceding decisions. 4. Two requests for review were lodged by the St Petersburg prosecuror in favour of Messrs Irakliy Demurievich and Kakha Demurovich Lomaya. The prosecutor relied on the absence of reasoning for the decisions convicting the two individuals mentioned and asked the court to cancel the decisions and terminate the proceedings on the ground that they were time-barred.		

number	Document type	Date
5	**Medical documents**	
Summary		
This annex contains a photocopy of medical records for Mr I.D. Lomaya. The documents are handwritten. Given the poor quality of the photocopy and the handwriting, the records are illegible.		

number	Document type	Date
	Photograph of an unidentified woman	
Summary		

Annex 2

I. Summary of the documents in Russian submitted by the respondent Government in their observations of 26 December 2007

Number 1	Document type	Date
	Message from the Ministry of Foreign Affairs of the Russian Federation.	**27 September 2006**

Summary/translation

On 27 September 2006 the Russian Ministry of Foreign Affairs expressed to the Georgian Ambassador to Russia its deep concern about the arrest of four Russian officers belonging to the Russian troops situated in the Transcaucasus, namely Mr Kazantsev, Mr Saava, Mr Zagorodniy and Mr Baranov. The Ministry emphasised that these four officers were participating in the withdrawal of Russian military troops from Georgia, in accordance with the Russian-Georgian Agreement.
The diplomatic note with this content was handed in to the Georgian Ambassador, with a demand that the Russian officers be immediately released.

Number 2	Document type	Date
	Letter from the Federal Migration Service	**3 August 2007**

Summary/translation

In response to a request from the Representative of the Russian Federation at the European Court of Human Rights, the Federal Migration Service prepared an information note on the application Georgia v. Russia (I).

1. According to statistics from the Russian Ministry of Internal Affairs, the Russian courts issued the following decisions ordering the administrative expulsion of foreign citizens in the following numbers (extract from the table):

Etat	2002	2003	2004	2005	2006	Premiers six mois 2007
Armenia	86	716	2,261	1,615	884	176
Azerbaijan	208	1,536	3,370	2,747	1,496	278
Belarus	6	62	364	2,747	1,496	278
Georgia	1,095	1,467	2,522	2,879	4,022	848
Kazakhstan	15	44	177	161	95	25
Kirgizstan	67	754	3,030	3,362	2,285	511
Moldova	28	1,575	7,040	2,898	1,012	205
Tajikistan	213	4,193	12,553	10,462	4,960	919
Turkmenistan	38	110	510	328	151	72
Uzbekistan	179	2,009	9,745	9,950	6,089	1,259
Ukraine	55	1,674	6,653	2,421	693	161
China	1,100	1651	1,538	1,881	1,396	1,113

The Service was unable to reply to the question concerning the conditions of detention of the Georgian citizens who were held in special Interior Ministry establishments pending expulsion in autumn 2006.
With regard to the press conference held on 5 October 2006 with Mr Tiurin and Mr Zhakupov, officials from the Service, the Service considered that they had presented Russia's migration policy, had set out the measures intended to improve Russian legislation in this field and had not made any comments that could be regarded as reflecting "anti-Georgian policy".
The expulsion of Georgians was carried out in compliance with Russian laws, particularly the law of 15 August 1996 on the arrangements for departure from the Russian Federation and entry into the Russian Federation; the law of 25 July 2002 on the Status of Aliens in the Russian Federation, and order no. 533 of 26 August 2004 from the Ministry of Internal Affairs on the organisation of the functioning of bodies of internal affairs and of the Federal Migration Service when carrying out deportations or administrative expulsions of foreign citizens or stateless persons. The administrative expulsion of foreign citizens was carried out only on the basis of individual decisions by the Russian courts in respect of each Georgian citizen. It was to be noted that all the deported individuals had expressed their wish to leave Russia voluntarily.
At the same time, given the absence of direct traffic between Russia and Georgia and, inspired by humanitarian concerns, the Russian Ministry of Internal Affairs and the Federal Migration Service, in agreement with the Georgian Embassy in the Russian Federation, in cooperation with the Ministry of Emergencies and Civil Protection and the Ministry of Foreign Affairs, had organised a number of flights on planes belonging to the Ministry for Civil Protection (flights made on 6, 10, 11 and 17 October) and a plane made available by the Georgian side (flights made on 28 October and 6 December) in order to enable the rapid return of Georgians against whom expulsion decisions had been taken.

Number 3	**Document type**	**Date**
	Information note from the Russian Ministry of Emergencies and Civil Protection	**4 September 2007**

Summary/translation

In response to a request from the Representative of the Russian Federation at the European Court, the Service prepared an information note on the application *Georgia v. Russia*.
Between 29 September and 17 October 2006 the Ministry's aviation department carried out 9 flights to evacuate Russian citizens from Georgia. At the same time, the Ministry transported, on the same planes, Georgian citizens who were unlawfully present on Russian territory. To this end, the Ministry used IL–62 and IL 76TD planes. The Ministry informed the Representative that the planes mentioned had been equipped with the necessary material for transporting passengers and that security standards had been complied with.

Number 4	Document type	Date
	Statements signed by Georgians pending administrative expulsion.	**12 and 13 October 2006**
Summary/translation		
In these statements Ms Irina Vladimirovna Chekheli and Ms Inga Anzoevvna Gigashvili asked that their return to Georgia be brought forward, stating that they had no wish to contest the decisions issued against them. They also confirmed that they had no complaints against Russia. The handwritten statements were signed on 13 and 12 October 2006 respectively. The statement of 12 October 2006, written by Mr Levan Giramovich Klimchuk, born on 28 February 1974 in Georgia, was addressed to lieutenant Gerasimov, the head of detention centre for aliens no. 1, part of the Moscow department of internal affairs. Mr Klimchuk stated that he was aware of the decision by the Preobrazhenskiy District Court, did not wish to contest that decision and confirmed that he had no complaints against Moscow detention centre no. 1.		

Number 5	Document type	Date
	Judgment by the Moscow City Court, on an appeal by Ms Manana Jabelia	**30 November 2006**
Summary/translation		
The Moscow City Court, ruling on an appeal by Ms Manana Jabelia against a decision of 5 October 2006 by the Nagatinskiy District Court of Moscow, sentencing her to an administrative fine and administrative expulsion for unlawful residence, amended the decision of the first-instance court. On 30 November 2006 the court, ruling on the appeal, held that Ms Jabelia, a Georgian national, had been unlawfully resident on Russian territory since 23 December 2005, in violation of Article 18.8 of the Code of Administrative Offences. In this part, the City Court thus upheld the first-instance court's evaluation of the evidence and conclusions. At the same time, the court amended the contested decision in the part ordering the appellant's expulsion, since she had family ties in Russia. The appellant's husband and children lived in Russia. Given these circumstances, the court partially upheld the decision of 5 October 2006 and imposed a fine of 1,000 Russian roubles, without expulsion from the Russian Federation.		

Number 6	Document type	Date
	1. Decision of the Preobrazhenskiy District Court of Moscow in respect of Ms Mkhivilidze; **2. Decision of the Preobrazhenskiy Court;** **3. Medical certificate;** **4. Report of 6 October 2006.**	**12, 13, 2, 6 and 17 October 2006**
Summary/translation		
1. Decision of 12 October 2006. On 12 October 2006 the Preobrazhenskiy District Court of Moscow, examining a request from the police station of the Golianovo district of Moscow, held that Ms Inga Rezoevna		

Mkhivilidze, sentenced on 30 September 2006 by the same court for unlawful residence in Russia to administrative expulsion and an administrative fine, was in fact Ms Inga Rezoevna Mskhivilidze, born on 9 October 1974. The court found that the appellant had communicated false information about her identity.
The court amended its decision of 30 September 2006.

2. Decision of 13 October 2006.
The Preobrazhenskiy district court of Moscow, ruling on a request by the Golianovo district police station, Moscow, ordered the transfer of Inga Rezoevna Mskhivilidze, convicted on 30 September 2006 of unlawful residence in Russia, and her underage son, Nodar Tarielovitch Mskhvilidze, born on 23 February 1996, from detention centre for aliens no. 2 to the State establishment "Kanachikovo".
Ms Mskhivilidze's son was to be placed in children's hospital no. 21.

3. A **medical certificate of 2 October 2006**, issued by the doctor at detention centre for aliens no. 2, states that Ms Inga Rezoevna Mskhivilidze was in good health at the time she was admitted to the centre.

4. Report of a meeting between Inspector Sokolova and Ms Mskhivilidze. During a meeting on 6 October 2006, Ms Mskhivilidze, who was held in detention centre for aliens no. 2, indicated that she had a child, Nodar, who was born on 23 February 1996. She indicated that Nodar was with his natural father, Mr Tariel Nodarovich Kvirikashvili.
5. Report of 17 October 2006. The police officer of detention centre for aliens no. 2 informed his manager that Ms Mskhivilidze had left Russian territory at 2 p.m. on 17 October 2006, on a Moscow-Tbilisi flight.

Number 7	**Document type**	**Date**
	Letter from the Federal Migration Service	27 August 2007
Summary/translation		
In response to a request by the Representative of the Russian Federation at the European Court of Human Rights, the Service stated that during the period from October to December 2006, the regional departments of the Federal Migration Service of Moscow, St Petersburg and the Leningrad and Samara regions had not asked the courts to issue decisions in absentia for the purpose of ordering the expulsion of Georgian citizens in their absence. The order of the St Petersburg and Leningrad Region Department of Internal Affairs had not been coordinated (4 October 2006, no. 0215) with the department of St Petersburg and the Leningrad Region.		

Number 8	**Document type**	**Date**
	Letter from the Russian Ministry of Defence	**26 January 2007**
Summary/translation		
Secondary schools no. 9 and no. 17, attached to the military units based in Tbilisi and Batumi, were set up in conformity with order no. 285 of the Ministry of Defence of the Russian Federation, dated 11 August 2003.		

Under the agreement signed at Sochi on 31 March 2006 between Russia and Georgia, the Ministry ordered the withdrawal of Russian military troops.
The closure of the schools resulted from the withdrawal of the above-mentioned military units, in accordance with orders no. 506 of 27 November 2006 and no. 182 of 8 May 2007 of the Ministry of Defence.

Number 9	**Document type**	**Date**
	Information letter from the Moscow city department of internal affairs	**3 August 2007**

Summary/translation

The deputy head of the department, police general Chugunov, informed the Ministry of Internal Affairs that the department had carried out a check of the information that had appeared in the media in the first ten days of October 2006 concerning collection by the police of information about Georgian children and their parents from Moscow schools.
Following this check, two such instances were confirmed: the first request was submitted by the Vernadskiy Avenue police station to secondary schools in the district, and the second – by the head of police of the Taganskiy district, to school no. 1650.
Describing these actions as an abuse of power, the police department had ordered that the officials who had signed the alleged requests be removed from their posts (orders no. 1496 of 9 October 2006, no. 161 of 2 November 2006 and no. 1739 of 13 October 2006).
In a telegram of 6 October 2006, the head of department ordered that police staff be reminded of the prohibition on infringing human rights on the basis of nationality, religion, political convictions or other grounds.

Number 10	**Document type**	**Date**
	Letter from the Russian Ministry of Foreign Affairs; **Handwritten reports of interviews with police officers A. Karmolin and A. Mikhaylev**	**Without a date**

Summary/translation

In response to a request by the Representative of the Russian Federation at the European Court of Human Rights concerning the *Georgia v. Russia* application, the working group set up at the Ministry submitted its comments on the Georgian television report on the "Rustavi-2" channel concerning the raid on the Tbilisi Hotel in Moscow.
The Ministry stated that the first part of the report had in fact been filmed in May 2005 inside the Tbilisi Hotel, and was aimed at checking the identity of Chechens in this hotel. However, according to the commentary accompanying this part of the report, the aim was an inspection of the hotel's financial operations.
The second part of the report was filmed outside the hotel, and presented by the journalists as the end of the inspection at the hotel. In reality, a meeting organised by the Georgian Embassy in Moscow had taken place in October 2006 and been filmed. The police officers present were maintaining public order during the event.
According to the Ministry, the lack of coherence between these two parts of the film was seen in the fact that police officer A. Karmolin, filmed in close-up both parts, appears initially with the grade of staff sergeant and, in the second part, with that of sub-lieutenant.

The police department's letter is accompanied by minutes of interviews with police officers Alexey Karmolin and Alexey Mikhaylev, confirming the department's explanations.

Number 11	Document type	Date
	Letter from the Federal Agency for Press and Communications	**19 July 2007**
Summary/translation		
The Agency denied the allegations that in 2006-2007 works by Georgian authors had been withdrawn from libraries and bookshops. According to its statistics, the two largest Moscow bookstores, "Biblio-Globus" and "Moskva" had sold some 6,564 copies of B. Akunin's books, 217 copies of G. Daneliya's books and 166 books by B. Okudzhava in 2007. They were currently selling works by these Georgian authors and also works by 33 other authors of Georgian origin.		

Number 12	Document type	Date
	Letter from the Russian Ministry of Internal Affairs	**20 October 2007**
Summary/translation		
The letter contains relies to six questions asked by the Representative of the Russian Federation at the European Court concerning the *Georgia v. Russia* application. 1. The question *What measures were taken by bodies within the Ministry of Internal Affairs with regard to private enterprises and public establishments with a view to obtaining information on the nationality of pupils, students and other categories of people, particularly those who are Georgian nationals? Are there legal reasons for collecting such data, particularly in Moscow, St Petersburg and in the Samara Region?* The Russian Ministry neither planned nor carried out such measures. At the same time, it has been learned that in October 2006, departments of internal affairs in Moscow and Togliatti (Samara Region) asked educational establishments for such information. These requests have been declared illegal. Disciplinary sanctions have been imposed on the heads of these departments. *2. Did the Department of Internal Affairs for St Petersburg and Leningrad Region issue circular no. 0215 of 30 September 2006, ordering a daily report on the number of arrested Georgians? If so, was the circular in compliance with the law of the Russian Federation? The Ministry is invited to submit a copy of this circular.* With a view to improving the fight against ethnically-based criminal groups, including those made up of Georgian nationals, the department issued circular no. 0215 on 30 September 2007 [note: this is certainly a typing error: 2006]. This circular does not require the entities answerable to the Ministry of Internal Affairs to carry out actions that would infringe the rights of Georgians on Russian territory. It is impossible to submit the text of this circular, which has been classified as a "State secret".		

3. *Was there an agreement between the Department of Internal Affairs for St Petersburg and Leningrad Region and the Presidents of the courts in these federal entities, with a view to ordering the expulsion of Georgian citizens who were unlawfully resident? If so, was this agreement in compliance with the legislation of the Russian Federation in force?*

No such agreement existed. The text of the letter from the Department of Internal Affairs for St Petersburg and Leningrad Region is enclosed.

3-1. Did the Russian Ministry of Internal Affairs issue circular no. 849, which allegedly contained a requirement that the entities of the Federal Migration Service take measures to identify the Georgian citizens present on Russian territory? If so, the Ministry is invited to submit a copy of this document.

The Ministry's circular of 18 October 2007 (?) does not require the entities of the Federal Migration Service to take actions that would infringe the rights of Georgians on Russian territory.
It is impossible to submit a copy of this circular, which has been classified as a "State secret". The copy of an information note from the Federal Migration Service of 18 October 2007, submitted by the Georgian party and providing information on the results of the application of the circular in question, is forged.

4. Which (police) departments were responsible for the escort of Georgian citizens who had been expelled from the Russian Federation during their transportation to the airports? Did they use special equipment (for example, electric shocks) against the deportees during transportation? If so, when, by whom, and on what basis?

Foreign citizens who have been sentenced to expulsion are escorted by the police responsible for maintaining public order, under the supervision of the Federal Migration Service. Special equipment is not used against foreign citizens during transportation. In addition, the public-order police of St Petersburg and the Leningrad Region were not equipped with electric shock devices and could not have used them during the transportation of the Georgians, as alleged in the application.

5. Question: *Did the organs of the Ministry of Internal Affairs inspect the tax files of the writer Grigory Chkhartishvili (Boris Akunin). If so, what decision was taken following this inspection?*
In October 2006 the tax offences department inspected Mr Chkhartishvili's publisher. This inspection revealed no violation of the tax laws in force.

6. Question: *Did the organs of the Ministry of Internal Affairs carry out an inspection with regard to Mr Zurab Lavrientievich Sotkilava, singer at the Bolshoi Theatre in Moscow. If so, what was the nature and the legal basis for such an inspection?*

No inspection was carried out by the organs of the Ministry of Internal Affairs in 2006-2007.

With a view to gathering information further to the allegations by the Georgian party, the Ministry has verified the lawfulness of the arrests of Georgians made by the Ministry's territorial organs in autumn 2006 – winter 2007. In particular, the work of the Departments of Internal Affairs of Moscow, St Petersburg and the Samara region was inspected.

According to statistics from the Information Centre of the Russian Ministry of Internal Affairs, between 1 October 2006 and 1 April 2007 Georgians committed 11,030 administrative offences in the form of unlawful residence. The Russian courts issued 2,862 decisions ordering their expulsion from Russia.
During the period indicated, 115 offences were committed against Georgians. Georgians committed 1,112 offences.
In 2006-2007 the Ministry did not plan or carry out any operation in buildings belonging to the Georgian Embassy.
No request asking the courts to take decisions in private on the expulsion of Georgians has been found.
The Ministry has received no complaint from the arrested and expelled Georgians alleging the theft of their property.
The time-limits for the detention of the Georgians arrested for administrative offences were respected; equally, the norms governing the conditions of their detention were respected.
With regard to the allegation of an act of vandalism in Marat Gelman's gallery on 21 October 2005, the Yakimanka district police department in Moscow instigated a criminal investigation for assault and intentional destruction or degradation of another's property. The investigation is ongoing.
Mr Alexandre Dzhikia, whose paintings were damaged, did not request the opening of an investigation.
No complaint was lodged with the Ministry alleging an assault at Mr Gelman's gallery on 10 October 2006.
The Ministry has no information on the allegation that an organisation named "Against illegal immigration" had promised a financial reward for burning the Georgian flag.

Number 13	**Document type**	**Date**
	Letter from the Mayor of Moscow	**24 July 2007**

Summary/translation

In response to a request by the Representative of the Russian Federation at the European Court of Human Rights concerning the *Georgia v. Russia* application, the Mayor of Moscow stated that, with regard to the allegation that Moscow medical establishments had refused medical assistance to Georgian nationals, the above-mentioned application contained no tangible facts. With regard to Mr P. Sh. Chkhartishvili, the mayor stated that the latter individual had been cared for since 2001 in hospital no. 167 of the health department in Moscow's Yugo-Zapadniy district.

Number 14	Document type	Date
	Letter from the Federal Migration Service	**19 September 2007**
Summary/translation		
Lieutenant-colonel Kukhtin, head of the Federal Service's information and analysis department, states that Ms Elena Guramovna Gedevanishvili, born in 1990, a Georgian national, entered Russian territory with visa no. TBC921387 on 22 January, 24 February, 27 March, 13 June and 6 May 2006. The Service had no information that this person had committed an administrative offence in the form of unlawful residence in Russia. Nor did the Service have any such information with regard to another Georgian national, Nato Shavshishvili, born in 1956.		

Number 15	Document type	Date
	Letter from the department of internal affairs for the Murmansk region	**18 July 2007**
Summary/translation		
In this letter, the deputy head of the department informed the head of the department for international cooperation at the Federal Ministry of Internal Affairs that no investigation had been conducted with regard to Mr Zurab Lavrentievich Sotkilava. Mr Sotkilava had not been charged.		

Number 16	Document type	Date
	Letter from the Audit Chamber	**23 July 2007**
Summary/translation		
In response to a request by the Representative of the Russian Federation at the European Court of Human Rights, the Audit Chamber of the Russian Federation stated that, in accordance with the legislation in force, the Audit Chamber carried out annual inspections of the implementation of the federal law "On the Federal Budget" by the executive bodies and other State entities who were the main authorisers of expenditure from the federal budget and beneficiaries of it. In August 2006 the Audit Chamber carried out an inspection of implementation of the federal law "On the Federal Budget in 2005" by the Russian Academy of Fine Arts, in its capacity as a main authoriser and beneficiary of the federal budget. In 2006 the Chamber had not carried out a financial inspection of the Academy's activity.		

Number 17	Document type	Date
	Letter from the Federal Ministry of Internal Affairs	**17 October 2007**
Summary/translation		
After analysing its internal mail, namely complaints by citizens lodged during the period November 2006 to September 2007, the Ministry's administrative department stated that it had never been alerted, in particular by Georgian nationals, that an organisation named "Against Illegal Immigration" had promised a financial reward for burning the Georgian flag (see the press release of 22 October 2006).		

Number 18	Document type	Date
	Information note from the Department for the Protection of State Secrets, at the Federal Ministry of Internal Affairs	**3 August 2006**
Summary/translation		
Based on the information available to it, the Ministry denied having issued circular no. 849, allegedly obliging the Federal Migration Service to identify all Georgian citizens. The Ministry also denied having ordered a census of pupils, students and other categories of citizens with Georgian nationality. Finally, the Ministry denied having received an information note allegedly prepared by the Federal Migration Service (no. 849 of 29 September 2006), with a request to the migration inspection authorities (immigration) to strengthen measures with a view to identifying and expelling Georgians.		

Number 19	Document type	Date
	Letter from the Russian Ministry of Internal Affairs.	**18 September 2007.**
Summary/translation		
The Ministry stated that it had neither planned nor carried out an operation entitled "Terek" in 2006-2007.		

Number 20	Document type	Date
	Information note from the Russian Ministry of Information Technologies and Communication	**26 July 2007**
Summary/translation		
In response to a request by the Representative of the Russian Federation at the European Court of Human Rights, the Ministry had prepared an information note on the suspension of postal exchanges between Russia and Georgia. In accordance with Article 167 of the Rules on Written Correspondence of 28 January 2005, where a party is obliged to interrupt postal exchanges, it is required to inform all of the postal administrations concerned.		

In view of the diplomatic tensions between Russia and Georgia, and the suspension of aerial, rail and motor traffic between the two countries since 3 October 2006, on 10 October 2006 the Ministry, in its capacity as Russia's postal administration, informed the Universal Postal Union that, given the exceptional circumstances, it was suspending postal exchanges with Georgia.
By a letter of 6 October 2006, the Russian Post Office informed the Georgian Post Office that it was impossible to conduct postal exchanges on account of major shortcomings in the organisation of the work of the Georgian Post Office. The latter was invited to submit proposals concerning the shortcomings indicated.
The Ministry indicated that the Georgian side had not submitted any proposals.
In contrast, telephone communications between Russia and Georgia had been maintained.

Number 21	**Document type**	**Date**
	Letter from the criminal investigation department at the Russian Ministry of Internal Affairs	**2 August 2007**

Summary/translation

In response to a request by the Representative of the Russian Federation at the European Court of Human Rights, the Ministry confirmed that there had been an attack against a gallery belonging to Marat Gelman on 21 October 2007. On 21 October 2006 the Yakimanka district police department had opened a criminal investigation with regard to assault and the intentional destruction of or damage to another's property. For the moment, the crime had not been solved.
The Ministry also stated that the percentage of offences committed by Georgian nationals was 4.1%. However, according to the Ministry, the Georgians were the most criminalised of all the nationals of the Commonwealth of Independent States. Thus, between 2002 and 2006, the number of offences committed by Georgians increased by 57 %.

Number 22	**Document type**	**Date**
	Letter from the criminal investigation department at the Russian Ministry of Internal Affairs	**24 August 2007**

Summary/translation

The department provided information on the status of the investigation into an act of vandalism in Marat Gelman's gallery.
The Yakimanka district police department in Moscow had opened a criminal investigation into acts of assault and the intentional destruction of or damage to another's property. The assault had been committed by 5 unknown individuals. The damage caused to the gallery owner, Mr Gelman, was estimated at 2.4 million roubles.
Mr Alexandre Dzhikia, whose paintings were damaged, had not requested the opening of the investigation.

Number 23	Document type	Date
	Letter from the Russian Ministry of Transport	**26 July 2007**
Summary/translation		

In response to a request by the Representative of the Russian Federation at the European Court of Human Rights, the Ministry provided information on the situation concerning the alleged suspension of traffic between Russia and Georgia.
1. With regard to air traffic, the permit for flights to Russia by Georgian airlines had been withdrawn on 3 October 2006. The Georgian side had previously been invited to submit documents confirming compliance with rules on security and the effective inspection of airlines by the State.
In a note of 5 October 2006, the Russian Ministry of Foreign Affairs had asked Georgia to pay a debt owed by Georgian airlines for the air navigation service. The Georgian side had not taken the necessary measures to resolve this problem.

2. With regard to maritime transport, the Ministry claimed that Russia had not taken any special measure against vessels flying the Georgian flag, nor against their crews.
The seizure of vessels flying the Georgian flag in Russian ports resulted from a failure on the part of these vessels to comply with technical standards.

3. Road traffic between Russia and Georgia had never been suspended, whether passenger or freight traffic. On account of the closure of the Verkhniy Lars checkpoint at the Russian border, some of the coaches operating along scheduled routes had been transferred to other checkpoints.

Number 24	Document type	Date
	Letter from the Federal Customs Service	**28 September 2007**
Summary/translation		

In response to a request by the Representative of the Russian Federation at the European Court of Human Rights, the Service stated that October 2006 it carried out customs inspections of vessels, including vessels flying the Georgian flag, in accordance with the provisions of the Customs Code of the Russian Federation, with no discrimination, particularly any based on national registration.
On 4 October 2006, on board the vessel “Sretetz”, flying under the Georgian flat, a vehicle was found belonging to the Georgian company “Apex LTD”. This vehicle concealed 670 kg of merchandise that had not been declared to customs, which amounted to a violation of Article 16.1 of the Code of Administrative Offences of the Russian Federation. On 2 November 2006, after all customs and administrative formalities had been carried out, the merchandise underwent a customs inspection and was registered.

Number 25	Document type	Date
	Decision of the department of internal affairs in the town of Engels	**24 September 2007**
Summary/translation		
On 25 January 2007 Mr Z. Muzashvili, a detainee in the Engels temporary detention centre for aliens awaiting deportation or administrative expulsion Saratov region, died. On 15 February 2007, the procurator of the town of Engels opened a criminal investigation against persons unknown for refusal to provide medical assistance. After conducting an investigation, the police inspector of the Engels district in Saratov region closed the investigation, in the absence of evidence of a crime. After hearing several witnesses, co-detainees, doctors from the hospitals in which the patient was examined, and the pathologist, the investigator established that Mr Muzashvili's death had resulted from advanced cavernous pneumonia, in conjunction with the pulmonary tuberculosis from which the patient had been suffering well before his arrest and detention. According to the forensic medical report on which the inspector based his conclusions, there was no causal link between the acts in question and Mr Muzashvili's death. Given the stage of the illness, little could have been done to assist the patient and his death had been inevitable. The text of the decision mentions that it may be challenged before the prosecutor's office, the head of the investigation department and the court, in accordance with Chapter 16 of the Code of Criminal Procedure.		

Number 26	Document type	Date
	Decision by the prosecutor of the Tverskoy district in Moscow, refusing to open a criminal investigation into the death of Ms Jabelia	**9 January 2007**
Summary/translation		
After studying the case file, the prosecutor established that Ms Jabelia had died at 5.40 a.m. on 2 December 2006, while held in detention centre for aliens no. 2 in Moscow, following acute cardiac insufficiency, which had developed as a result of ischaemic cardiopathy combined with high blood pressure. The prosecutor also established that the staff of the detention centre had carried out all necessary acts of medical assistance in such a situation, and had called an ambulance for emergency medical assistance. In view of the information received, the prosecutor concluded that there were no grounds for opening a criminal investigation into Ms Jabelia's death on a charge of murder, in the absence of the acts complained of. As to Ms Jabelia's detention following the judgment of the Moscow court ordering her release, the prosecutor established that the management of the detention centre had not been informed of the content of that judgment. At 2 p.m. on 30 November 2006 Ms Jabelia was transported under police escort from the "Orekhovo-Borissovo Yuzhnoye" district department of internal affairs to the Moscow Court for a hearing, in which the appeal against		

the first-instance court's decision, ordering her expulsion, was examined. At 7.40 p.m. Ms Jabelia, again under police escort, was returned to detention centre no. 2. The text of the judgment was not given either to her or to the police. The prosecutor established that the Moscow Court, after giving its judgment ordering Ms Jabelia's release, sent a copy of the judgment to the Nagatinskiy District court, which received it on 1 December 2006 and sent it to detention centre no. 2. The copy of the judgment reached the detention centre on 5 December 2006, after Ms Jabelia's death.

The prosecutor concluded that there was no causal link between the late submission of the copy of the judgment and Ms Jabelia's death and that, consequently, it was not necessary to open a criminal investigation for serious negligence against the head of detention centre for aliens no. 2, in the absence of corpus delicti.

Number 27	**Document type**	**Date**
	Decision of the Moscow city prosecutor, refusing to open a criminal investigation into the death of Mr Togonidze	**14 August 2007**

Summary/translation

After studying the case file concerning Mr Togonidze's death, the Moscow City Prosecutor established that, by a decision of 4 October 2006, Mr Togonidze was sentenced to administrative expulsion for unlawful residence on Russian territory. On 16 and 17 October 2006, he and a number of his compatriots were transported under police escort from St Petersburg to Moscow's "Domodedovo" airport for further transit to Tbilisi.

During the journey Mr Togonidze felt very ill and was short of breath. Resuscitation measures taken on arrival at the airport were unsuccessful.

According to the pathologist's report, the cause of Mr Togonidze's death was intoxication by methadone, a narcotic medicine that is not allowed in free circulation in the Russian Federation. The deceased's body showed traces of several injections, indicating prolonged and voluntary use of drugs.

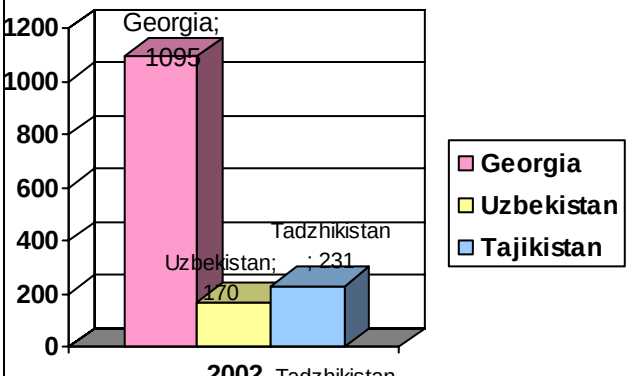
The fracture of six of the deceased's left ribs had probably resulted from the resuscitation measures and had no causal link to his death.

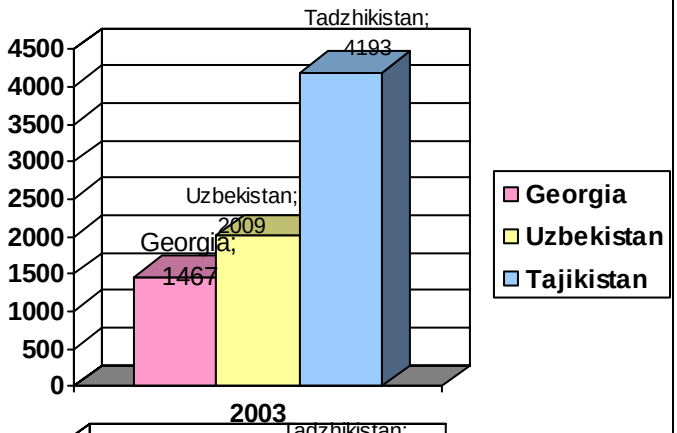
The prosecutor concluded that death had resulted from intoxication by methadone, taken through negligence. There was no information indicating that Mr Togonidze had been intentionally killed. In consequence, the prosecutor refused to open a criminal investigation into the murder of Mr Togonidze. He also decided to publish his decision in the media, given the wide press coverage of the message of Mr Togonidze's death.

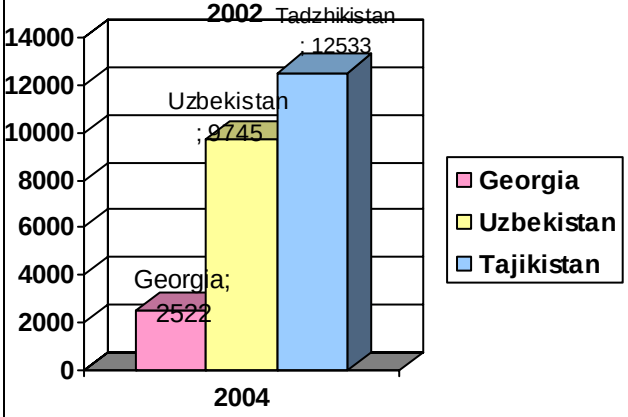
Number 28	Document type	Date

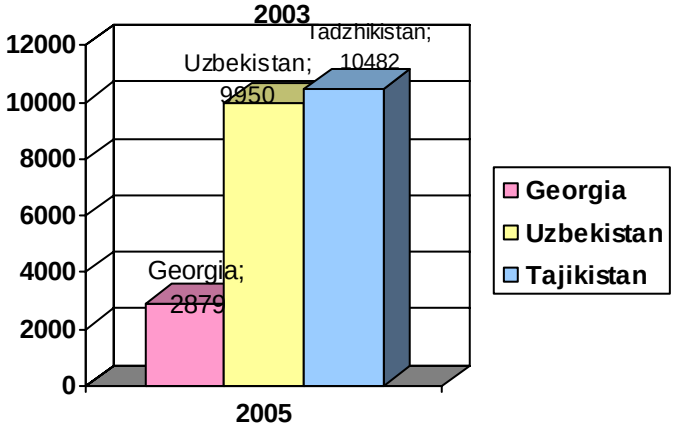
Summary/translation

Number of persons expelled between 2002 - 2005

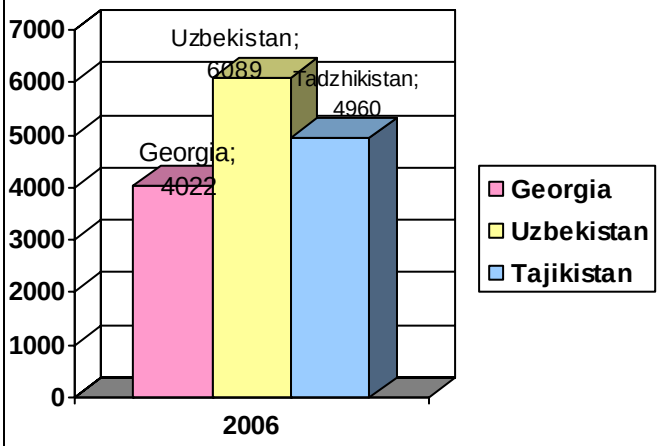


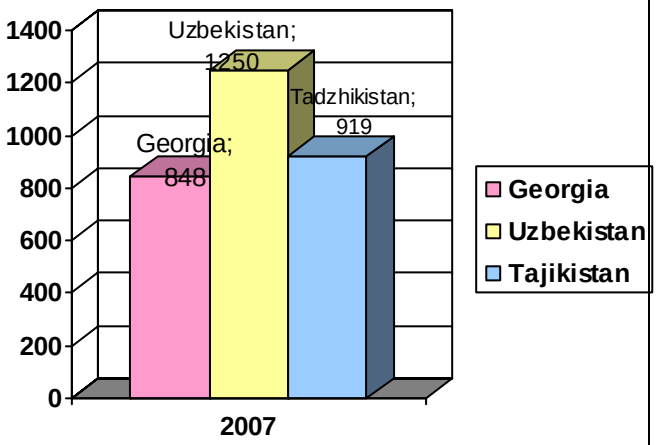






Number of persons expelled in 2006 and first 6 months of 2007





Annex 2

II. Summary of the documents in Russian submitted by the respondent Government in their additional observations of 23 September 2008

number	Document type	date
1		

Summary/translation

This annex contains 33 police reports drawn up following administrative offences committed by Georgian citizens. All the information concerning the suspects appears in the handwritten report forms. This form indicates that the person concerned was informed of his or her rights under Articles 25.1-25.10 of the Code of Administrative Offences of the Russian Federation (see below for their content). If the person concerned had indeed been informed of these Articles, he or she was required to sign beneath that paragraph. Equally, the suspect was to sign the form to confirm that he or she had received a copy of the report. The individual concerned was able to add his or her explanations on the subject of the case in a part of the form specified for this purpose.
The information submitted in the forms is summarised in the following table*:

Personal data of the suspects (surname, first name, nationality, date of birth)	**Date and place of the report, position of the officer who drew up the report, suspected offence(s) (reference to the Code of Administrative Offences)**	**Signature confirming that the suspect had been informed of Articles 25.1-25.10 the Code of Administrative Offences and had received a copy of the report**	**Presence of an interpreter**	**Explanations by the person concerned**
Phailodze Otar, born on 31 January 1955, Georgian	18 September 2006, Mytischi (Moscow region), employee of the Federal Migration Service; Art. 18.8 of the Code	Yes/yes	No	Yes, attached on a separate sheet of paper (not included in the annex)
Phailodze Manana, born on 27 December 1955, Georgian	18 September 2006, Mytischi (Moscow region), employee of the Federal Migration Service; Art. 18.8 of the Code	Yes/yes	No	Yes, attached on a separate sheet of paper (not included in the annex)

Kunatadze Avtandil, born on 13 June 1983, Georgian	5 October 2006, Balashikha (Moscow region), employee of the Federal Migration Service, Art. 18.8 of the Code	Yes/yes	No	Yes, attached on a separate sheet of paper (not included in the annex)
Zakhrian Samvel, born on 9 June 1979, Georgian	10 January 2006, Moscow, employee of the Federal Migration Service, Art. 18.8 of the Code	Yes/yes	This section is empty	No
Lomidze David, born on 28 April 1978, Georgian	4 October 2006, Moscow employee of the Federal Migration Service, Art. 18.8 of the Code	Yes/yes	This section is empty	No
Tsitsilashvili Tamaz, born on 10 April 1969, Georgian	9 October 2006, Reutov (Moscow region), employee of the Federal Migration Service, Art. 18.8 of the Code	Yes/yes	No	Yes
Gogoladze Irina, born on 19 June 1956, Georgian	October 2006, Kemerovo, employee of the Federal Migration Service, Art. 18.8 of the Code	Yes/yes	No	Yes
Chikovani Dato, born on 1 September 1964	4 October 2006, Moscow, employee of the Federal Migration Service, Art. 18.10	Yes/yes	No	Yes
Zvedelava Guda, born on 2 February 1938, Georgian	8 November 2006, Moscow, employee of the Federal Migration Service, Art. 18.8	Yes/yes	No	Yes
Kublashvili Zurab, born on 30 January 1954	18 October 2006, Moscow, employee of the Federal Migration Service, Art. 18.8	Yes/yes	No, sufficient knowledge of Russian	Yes
Kobaidze Levan Usmanovich, born on 8 April 1986, Georgian	11 October 2006, Moscow, police officer, Art. 18.8	Yes/yes	No	Yes
Voronov Gennadi, born on 24 November 1978, Georgian	6 October 2006, Moscow, police officer, Art. 18.8	Yes/yes	No	No, as the suspect refused to sign the report
Hosruashvili Lala, born on 30 August 1979, Georgian	6 October 2006, Moscow, police officer, Art.18.8	Yes/yes	No	Yes

Chokheli Irina Vladimirovna, born on 22 August 1967	11 October 2006, Moscow, police officer, Art. 18.8	Yes/yes	No	Yes	
Gvalavadze David, born on 15 January 1956	5 October 2006, Moscow, employee of the Federal Migration Service, Art. 18.8	Yes/yes	No	Yes	
Kintsurashvili – Pantskhava Khatuna, born on 12 July 1970	29 September 2006, Moscow, employee of the Federal Migration Service, Art. 18.10	Yes/yes	No	Yes	
Akhaladze Irina, born on 25 April 1968	29 September 2006, Moscow, employee of the Federal Migration Service, Art. 18.10	Yes/yes	No	Yes	
Sivakashvili Zurab, born on 2 July 1957	11 October 2006, Moscow, police officer, Art. 18.8	Yes/yes	No, sufficient knowledge of Russian	Yes	
Narmania Susana, born on 21 April 1952	4 October 2006, Moscow, employee of the Federal Migration Service, Art. 18.10	Yes/yes	No	Yes	
Abshilava Maya, born on 11 February 1966	5 October 2006, Moscow, employee of the Federal Migration Service, Art. 18.8	Yes/yes	No	Yes	
Klimchuk Levan, born on 28 February 1974	7 October 2006, Moscow, employee of the Federal Migration Service, Art. 18.10	Yes/yes	No	Yes	
Magradze Goga, born on 9 December 1983	5 October 2006, Moscow, employee of the Federal Migration Service, Art. 18.10	Yes/yes	No	Yes	
Kharava Djemal Amiranovich, born on 10 September 1962	3 October 2006, Moscow, employee of the Federal Migration Service, Art. 18.8	Yes/yes	No	Yes	
Arsenidze Malkhaz Iosefovich, born on 12 October 1982	11 October 2006, police officer, Art. 18.8	Yes/yes	No	Yes	
Salakaya Mzia Konstantonivna, born on 18 September 1954	26 October 2006, police officer, Art.18.8	Yes/yes	No	Yes	

Zhvania Eteri Grigorievna, born on 12 June 1960	4 October 2006, Moscow, employee of the Federal Migration Service, Art. 18.8	No/no	No	No
Khvandikia David Aleksandrovitch, born on 1 December 1959	4 October 2006, Moscow, police officer, Art. 18.8	Yes/yes	No	Yes
Adeishvili Juansher, born on 9 September 1977	4 October 2006, Moscow, employee of the Federal Migration Service, Art. 18.10	Yes/yes	No	Yes
Mkhvilidze Inga Rezoevna, born on 9 October 1974	29 September 2006, Moscow, employee of the Federal Migration Service, Art. 18.8	Yes/yes	No	Yes
Rachvelishvili Gocha, born on 25 January 1941	7 October 2006, Moscow, employee of the Federal Migration Service, Art. 18.8	Yes/yes	No	Yes
Gogberashvili Manana, born on 12 January 1964	6 October 2006, Moscow, employee of the Federal Migration Service, Art. 18.8	Yes/yes	No	Yes
Gubeladze Merabi, born on 12 January 1971	October 2006, Moscow, employee of the Federal Migration Service, Art. 18.10	Yes/yes	No	Yes
Gigashvili Inga, born on 29 September 1969	11 October 2006, Moscow, employee of the Federal Migration Service, Art. 18.8	Yes/yes	No	Yes

* Given that the reports are handwritten, some names are almost illegible. There may be transcription errors.

number	**Document type**	**date**
2	**Judicial decisions ordering expulsion**	

Summary/translation

The annex contains decisions by Russian courts of first instance, the names of which are given in the table below, sentencing* (with the exception of Mr Gennadiy Voronov, where proceedings were held to be time-barred) Georgian citizens to to a fine and administrative expulsion for unlawful residence on Russian territory, an administrative offence defined in the Code of

Administrative Offences. Copies of the decisions were supposed to be given to the persons concerned. These decisions contain pre-printed entries certifying that the document was handed over and the date on which this occurred. Equally, some decisions contain pre-printed paragraphs indicating that the convicted persons had waived their right to a lawyer and to legal assistance. The handwritten signature and date confirm this information.

The following table contains information on the court which took the decision, the date of delivery, the surname and names of the convicted individuals, whether they signed the decision (thus certifying that they had received a copy) and, where appropriate, their refusal to request the assistance of an interpreter and a lawyer. All the decisions inform the convicted persons of their right to lodge an appeal within 10 days before a higher court.

Surname, first name of the convicted person	**Date and name of the court which gave the decision, charge (Article of the Code of Administrative Offences)**	**Signature certifying that a copy was received; date of receipt**	**Signature certifying waiver of right to lawyer/ interpreter**
Phailodze Manana	Decision of 18 September 2006, Mytischi Municipal Court (Moscow region), unlawful residence in Russia, Art.18.8 of the Code	No signature	No signature
Phailodze Otar	Decision of 18 September 2006, Mytischi Municipal Court (Moscow region), unlawful residence in Russia, Art.18.8 of the Code	No signature	No signature
Sartana Malkhaz	Decision of 5 October 2006, Balashikha Municipal Court (Moscow region), unlawful residence, Art. 18.8 of the Code	No signature	No signature
Todua Demur	Decision of 4 October 2006, Gatchina Municipal Court (Leningrad region), unlawful residence, Art.18.8 of the Code	Signature with a handwritten note "I received a copy of the decision on 6 October 2006"	In the text of the decision the judge notes that, given the suspect's command of Russian, no interpreter was required.
Shubitidze Irakli	Decision of 5 October 2006, Balashikha Municipal Court (Moscow region), unlawful employment (no work permit), Art. 18.10 of the Code	No signature	No signature
Kupatadze Avtandil	Decision of 5 October 2006, Preobrazhenskiy District Court (Moscow), unlawful residence, Art.18.8 of the Code	The copy is signed; no date	No signature

	Lomidze David	Decision of 4 October 2006, Zuzinskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	The copy was handed over on 4 October 2006, Mr Lomidze's signature has been added	An interpreter was present at the hearing
	Tsitsilashvili Tamaz	Decision of 9 October 2006, not final, Reutov Municipal Court, unlawful residence, Art.18.8 of the Code	The copy has been signed by the accused, undated.	No signature
	Gogoladze Irina	Decision of 18 October 2006, Zavodskoy District Court, Kemerovo, unlawful residence, Art.18.8 of the Code	Copy handed over on 18 October 2006, accused's signature appended	No signature
	Chikovani Dato	Decision of 5 October 2006, Gagarinskiy District Court of Moscow; unlawful employment (no work permit), Art. 18.10 of the Code	Copy handed over on 5 October 2006, accused's signature appended	No signature
	Goulua Anzor	Decision of 7 October 2006, Preobrazhenskiy District Court of Moscow; unlawful employment (no work permit), Art. 18.10 of the Code	Copy handed over on 7 October 2006, accused's signature appended	Yes, the accused waived the right to a lawyer and an interpreter
	Dzhichkariani Shota	Decision of 9 October 2006, Derbent District Court (Republic of Dagestan), unlawful residence in Russia, Art.18.8 of the Code	No signature	No signature
	Zvedelava Guda	Decision of 8 November 2006, Babushkinskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	The copy is signed, no date	Yes, the accused waived the right to a lawyer and an interpreter
	Kublashvili Zurab	Decision of 19 October 2006, Pushkinskiy District Court, St Petersburg, unlawful residence, Art.18.8 of the Code	No signature	No signature
	Kobaidze Levan Uchangoevich	Decision of 12 October 2006, Kuzminskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over on 12 October 2006, accused's signature appended	No signature
	Voronov Gennadi	Decision of 6 October 2006, Khamovnicheskiy District Court of Moscow; unlawful residence, Art.18.8	The judge noted that the accused had refused to sign the document	Refusal to sign
	Voronov Gennadi	Decision of 22 December 2006, Khamovnicheskiy District Court of Moscow – court to which case was transferred; proceedings closed as time-barred		

Khosruashvili Lilia	Decision of 6 October 2006, Babouchkinskiy District Court of Moscow, unlawful residence, Art.18.8	Copy handed over, accused's signature appended, undated	Waiver of interpretation, information provided on the right to legal assistance
Chokheli Irina Vladimirovna	Decision of 12 October 2006, Kouzminskiy District Court of Moscow, unlawful residence, Art.18.8	Copy handed over on 12 October 2006, accused's signature appended	No signature
Tvalavadze David	Decision of 5 October 2006, Khorochevskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over, accused's signature appended, undated	No signature
Kintsurashvili – Pantskhava Khatuna	Decision of 30 September 2006, Preobrazhenskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over on 30 September 2006 against accused's signature	Yes, the accused waived the right to a lawyer and an interpreter
Akhaladze Irina	Decision of 30 September 2006, Preobrazhenskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over on 30 September 2006 against accused's signature	Yes, the accused waived the right to a lawyer and an interpreter
Sivakishvili Zurab	Decision of 6 October 2006, Simonoskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over against accused's signature, no date indicated	Waiver of interpretation, information provided on the right to legal assistance
Narmania Sussana	Decision of 4 October 2006, Chertanovskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over against accused's signature, no date indicated	This paragraph is missing
Abshiliava Maya	Decision of 6 October 2006, Savelovskiy District Court, Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over on 6 October 2006 against accused's signature	Waiver of interpretation, information provided on the right to legal assistance
Klimchuk Levan	Decision of 9 October 2006, Preobrazhenskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over on 9 October 2006 against accused's signature	Waiver of interpretation, information provided on the right to legal assistance
Magradze Gocha	Decision of 6 October 2006, Savelovskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over on 6 October 2006 against accused's signature	The accused confirmed that he had been informed of his right to legal assistance

	Horava Dzhemal Aranovich	Decision of 4 October 2006, Perovskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over against accused's signature, no date indicated	The accused confirmed (by his sibnature) that he had been informed of his rights	
	Arsenidze Malkhaz Iosifovich	Decision of 12 October 2006, Kouzminskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over on 12 October 2006 against accused's signature	No signature	
	Salakaya Mzia Konstantinovna	Decision of 27 October 2006, Nagatinskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over against accused's signature, no date indicated	No signature	
	Zhvania Eteri Grigorievna	Decision of 5 October 2006, Nagatinskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over against accused's signature, no date indicated	No signature	
	Esvandzhia David	Decision of 5 October 2006, Simonovkiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over on 5 October 2006 against accused's signature	Waiver of interpretation	
	Deyshvili Dzhuansher	Decision of 6 October 2006, Cheremushkinskiy District Court of Moscow, unlawful employment, Art.18.10 of the Code	Copy handed over on 6 October 2006 against accused's signature	No signature	
	Mkhvilidze Inga Resoevna	Decision of 30 September 2006, Preobrazhenskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over on 30 September 2006 against accused's signature	No signature	
	Rachvelishvili Gocha	Decision of 10 October 2006, Nagatinskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Refusal to sign	Refusal to sign	
	Gogberashvili Manana	Decision of 6 October 2006, Gagarinskiy District Court of Moscow, unlawful residence, Art.18.8 of the Code	Copy handed over on 6 October 2006 against accused's signature	Waiver of interpretation	
	Gubeladze Merabi	Decision of 6 October 2006, Cheremushkinskiy District Court of Moscow, unlawful employment, Art.18.10 of the Code	Copy handed over on 6 October 2006 against accused's signature	No signature	
	Gigashvili Inga	Decision of 11 October 2006, Tverskoy District Court of Moscow, unlawful residence, Art. 18.8 of the Code	Copy handed over against accused's signature, no date indicated	Waiver of interpretation	

number	Document type	date
3	**Handwritten certificates**	**Différentes dates : Toutes en octobre 2006**

Summary/translation

The annex contains 16 handwritten certificates, signed by accused persons in the administrative cases. The accused confirm that they were informed of the provisions the Code of Administrative Offences guaranteeing their procedural rights, namely the right to inspect the administrative file, to attend the hearing in person, to submit evidence, to request that it be submitted to the court, to provide explanations, to have free assistance from an interpreter, to have free legal assistance from a lawyer, and the right not to incriminate themselves. After being informed of these rights, the accused signed the certificates. Some also specified that they did not require assistance from either an interpreter or a lawyer.
Some certificates confirmed only the receipt of a copy of the judicial decision.
The accuseds' names* and nature of the information are indicated in the following table:

Surname, first name	**Information contained in the certificates/date**	**Signature confirming waiver of lawyer/ interpreter**
Kobadze Levan	Procedural rights /12 October 2006	Yes
Kublashvili Zurab Iosefovich	Procedural rights /19 October 2006	No
Tsitsilashvili Tamaz Otarovich	Procedural rights /9 October …5 (illegible)	No
Sartania (first name illegible)	Procedural rights /5 October 2006	Yes/interpreter
Phailodze Manana	Procedural rights /18 September 2006	Yes
Phailodze Otar	Procedural rights /18 September 2006	Yes
Surname illegible: signed Khosru	Procedural rights /undated	No
Khocheli I.V.	Procedural rights / 12 October 2006	Yes
Kharmania S.	Procedural rights /4 October 2006	No
Klimchuk L.	Procedural rights /9 October 2006	Yes/interpreter
Arsenidze M.I.	Procedural rights /12 October 2006	Yes
Surname illegible	Handing over of a copy of the decision /30 September 2006	-
Kischoyurashvili	Handing over of a copy of the decision /30 September 2006	-
Kublalishvili Zurab Iosefovich	Handing over of a copy of the decision / 19 October 2006	-
Shubitidze Irakli	Handing over of a copy of the decision /5 October 2006	-
Shartania	Handing over of a copy of the decision /5 October 2006	-

*** The names, which are handwritten, are barely legible (transcription errors are possible)**

number	Document type	date
4	**Police reports**	
Summary/translation		
This annex contains reports by officers of the Federal Migration Service who arrested Georgians whose papers were not in order (absence of valid internal registration document) and were working without a valid permit. The names of the arrested persons and the place of their arrest are listed below: - Gogoladze Irina – city of Kemerovo (Kemerovo region) - Chikovani Dato – Moscow - Koblashvili Z. – Moscow - Kobaydze Levan – Moscow - Adeishvili Juansher – Moscow - Rachvelishvili Gocha – Moscow - Gubeladze Merabi – Moscow - Gigashvili Inga – Moscow. The officers suggested that the files of the individuals mentioned be submitted to a court, since their acts (omissions) contained elements amounting to the offences set out in Articles 18.8 and 18.10 of the Code of Administrative Offences.		

number	Document type	date
5	**Letters of gratitude**	
Summary/translation		
This annex contains three letters, dated 16 November and 6 December 2006, from the Georgian Embassy in Russia, in which the First Secretary and the Councillor of the Embassy expressed their gratitude to the Federal Migration Service and to the regional department of Dagestan for their cooperation with the Georgian consular services and for the assistance provided to Georgians with a view to obtaining the necessary documents to return to Georgia. In these letters, the Embassy thanked especially the head of the Dagestan department, Mr Abdulatipov.		

number	Document type	date
6	**Photographs**	
Summary/translation		
This annex contains 5 photographs taken in the cells set aside for police custody (signed: head of police, Moscow Airport district – S.H. Sultanov).		

number	Document type	date
7	**Explanation by the deputy head of police for the Moscow Airport district**	**4 August 2008**
Summary/translation		
Mr Abramov, the deputy head, explained that the cells for detained persons were equipped with a metal door (without bars), and the floor was covered in wood (there had never been a concrete floor). Persons placed in these cells were kept there for a maximum of 3 hours.		

number	Document type	date
8	**Explanation by the head of police, Moscow Airport district**	**14 August 2008**

Summary/translation

In his explanatory note, Mr Sultanov, the head of the police, denied the information communicated by Mr Nato Shavshishvili in the context of the inter-State application *Georgia v. Russia*. Mr Sultanov stated, in particular, that the names of Nato and Levan Shavshishvili were not recorded in the register of persons detained at the police station of the Moscow Airport district between 22 October 2005 and 1 November 2006.
The Savelovskiy District Court of Moscow examines, in accordance with the procedure set out in the Code of Administrative Offences, case files concerning administrative offences committed on the territory of the Moscow Airport district.

He also denied that the cell doors in the police station had bars and that the floor was made of concrete.

number	Document type	date
9	**Judicial decisions**	

Summary/translation

This annex contains a list of judicial decisions issued in respect of foreigners unlawfully resident or employed in Russia. In these decisions, the Russian courts ordered the expulsion from Russia of the foreigners whose names are listed below.
After lodging an appeal against these decisions, the accused won their cases, as the higher courts either set aside the contested decision or cancelled the expulsion order.

Surname, first name and nationality of the person concerned	**Name of the court ruling on the case; date of the decision**	**Nature of the decision made following examination of the administrative case file**
Kharayshvili Gayoz Omarovich, Georgian	Priazhinskiy District Court, Republic of Karelia, 5 February 2004	The sanction imposed by the court was an administrative fine and expulsion for unlawful residence.
As above	Court of the Republic of Karelia, 19 February 2004	Quashing of the first-instance court's decision for lack of corpus delicti.
Chogovadze Gocha Anzorovich, stateless person	Naberzhniye Chelny Municipal Court, Republic of Tatarstan, 18 May 2006	Sanction: administrative fine and expulsion for unlawful residence.
As above	Court of the Republic of Tatarstan, 23 November 2006	Quashing of the first-instance court's decision; discharge on ground of expiry of time-limit for prosecution.
Katamadze M.G., Georgian	Court of the Republic of Komi, 10 January 2007.	Amendment of the first-instance court's decision ordering an administrative fine and expulsion for unlawful residence. The court quashed the expulsion order.
Porchkhidze Inga, Georgian	Moscow City Court, 6 July 2006	The court amended the first-instance court's decision. In particular, it ruled out the additional sanction, namely administrative expulsion.

Komakhidze Paakha, Georgian	Moscow City Court, 23 May 2006	The court amended the first-instance court's decision. In particular, it ruled out the additional sanction, namely administrative expulsion.
Shoyev Marsaid Boboevich, Uzbek	Moscow City Court, 26 October 2006	Quashing of the first-instance court's decision; discharge on ground of expiry of time-limit for prosecution.
Odikeme Mikhael Povede, Nigerian	Moscow City Court, 21 November 2006	The court amended the first-instance court's decision. In particular, it ruled out the additional sanction, namely administrative expulsion.
Khan M.M.U., Bangladeshi	Moscow City Court, 16 November 2006	The court amended the first-instance court's decision. In particular, it ruled out the additional sanction, namely administrative expulsion.
Etera Okroya, Georgian	Otradnenskiy District Court, Krasnodar region	The sanction imposed by the court was an administrative fine and expulsion for unlawful residence.
As above	Krasnodar Regional Court, 31 January 2008	The court amended the first-instance court's decision. In particular, it ruled out the additional sanction, namely administrative expulsion.
Mukhankov Alex, Georgian	Leninskiy District Court, Krasnodar, 27 April 2007	The sanction imposed by the court was an administrative fine and expulsion for unlawful residence.
As above	Krasnodar Regional Court, 17 May 2007	The court upheld the first-instance court's decision.
Mukhankov A.I., Georgian	Krasnodar Regional Court, 7 August 2007	The court amended the first-instance court's decision. In particular, it ruled out the additional sanction, namely administrative expulsion.
Logua Lekso Zurabovich, Georgian	Yoshkar-Ola Municipal Court, Republic of Mariy El, 12 December 2007	The sanction imposed by the court was an administrative fine and expulsion for unlawful residence.
As above	Court of the Republic of Mariy El, 25 December 2007	The court amended the first-instance court's decision. In particular, it ruled out the additional sanction, namely administrative expulsion.
Dzhinchadze Gocha Otarovich, Georgian	Moscow City Court, 28 November 2006	Quashing of the first-instance court's decision; discharge on ground of expiry of time-limit for prosecution.
Lemondzhava Teymuraz Arkhipovich, Georgian	Kopteyvskiy District Court of Moscow, 21 April 2008	The sanction imposed by the court was an administrative fine and expulsion for unlawful residence.
As above	Moscow City Court, 5 May 2008	The court quashed the first-instance court's decision and remitted the case to it for further investigation.

Sadunishvili Nani, Georgian	Moscow City Court, 29 September 2006	The court quashed the first-instance court's decision and held that the proceedings were time-barred.
Gulbekian Ararat	Moscow City Court, 26 May 2008	The court quashed the first-instance court's decision and held that the proceedings were time-barred.
Chobanov Vali, Georgian	Nizhekamsk Municipal Court, Republic of Tatarstan, 5 October 2006	The court imposed an administrative fine and administrative expulsion for unlawful residence.
As above	Tatarstan Republican Court, 2 November 2006	The court amended the first-instance court's decision in the part concerning expulsion. It removed this sanction from the text of the decision.
Gasparian Edouard, Georgian	Lyublino District Court of Moscow, 15 January 2007.	The court imposed an administrative fine and expulsion for unlawful residence.
As above	Moscow City Court, 15 February 2007.	The court amended the first-instance court's decision and lifted the additional sanction, namely administrative expulsion.
Shkinina A.N., Georgian	Moscow City Court, 25 May 2006.	The court quashed the first-instance court's decision and terminated the proceedings.
Lomidze D.A., Georgian	Moscow City Court, 21 September 2007.	The court quashed the first-instance court's decision and terminated the proceedings on the ground that they were time-barred.
Mindzhoray Murtazi Gramitovich (Malania Bejane), Georgian	Moscow City Court, 30 November 2006.	The court quashed the first-instance court's decision and terminated the proceedings on the ground that they were time-barred.
Gamkrelidze Yago Otarovich, Georgian	Moscow City Court, 5 September 2006.	The court amended the first-instance court's decision and lifted the additional sanction, namely administrative expulsion.
Garnikian E., Armenian	Moscow City Court, 10 October 2006.	The court amended the first-instance court's decision and lifted the additional sanction, namely administrative expulsion.
Beliakova Olga Vassilievna, Kirghiz	Moscow City Court, 11 October 2006.	The court amended the first-instance court's decision and lifted the additional sanction, namely administrative expulsion.
Gelashvili Guram, Georgian	Babushkinskiy District Court of Moscow, 12 September 2007.	The court imposed an administrative fine and administrative expulsion for unlawful residence.

As above	Moscow City Court, 9 October 2007.	The court quashed the first-instance court's decision and remitted the case for fresh examination.
Jabelia Manana, Georgian	Babouchkinskiy District Court of Moscow, 5 October 2006.	The court imposed an administrative fine and administrative expulsion for unlawful residence.
As above	Moscow City Court, 30 November 2006.	The court quashed the first-instance court's decision and remitted the case for fresh examination.
Agamalov Anara Gumbat ogly, Georgian	Timiryazevskiy District Court of Moscow, 8 August 2007	The court recognised that the essential elements of the offence set out in Article 18.8 of the Code had not been shown; it terminated the proceedings.
Komakhidze Paat, Georgian	Timiryazevskiy District Court of Moscow, 6 May 2006	The court imposed an administrative fine and administrative expulsion for unlawful residence.
As above	Moscow City Court, 23 May 2006.	The court amended the first-instance court's decision and lifted the additional sanction, namely administrative expulsion.
Poshkhua Irod, Georgian	Moscow City Court, 2 November 2006.	The court quashed the first-instance court's decision and remitted the case for fresh examination.
As above	Kuzminskiy District Court of Moscow, 7 November 2006.	The court, to which the case had been referred, terminated the proceedings on the ground that they were time-barred.
Kubarov Dilshod Umarovich, Uzbek	Supreme Court of Russia, 28 May 2008.	The Court quashed the decision to extradite Mr Kubarov to Uzbekistan.
Dzhagalonia Zurab Yosifovich, Georgian	Moscow City Court, 18 April 2006.	The court amended the first-instance court's decision and lifted the additional sanction, namely administrative expulsion.
Nadareyshvili Miranda, Georgian	Moscow City Court, 2 November 2006.	The court amended the first-instance court's decision and lifted the additional sanction, namely administrative expulsion.

number	**Document type**	**date**
10	**Information notes prepared by the relevant services with regard to the issues raised by the application**	

Summary/translation

In its information note, the Moscow City Court informed the Representative of the Russian Federation at the European Court of Human Rights of the following:

1. The Moscow City Court submits information to the effect that it examined 19 applications for a retrial lodged by the prosecutor's office, seeking annulment of the decisions sentencing the persons concerned

for administrative offences. The court found in favour of 17 of the 19 requests, by quashing erroneous decisions by the first-instance courts. The court either remitted the administrative files to the first-instance courts for re-examination, or terminated the proceedings on the ground that they were time-barred.

The names of the persons concerned are as follows:
- Mindzhoraya Murtazi Gramitovich;
- Shkinina A.N.
- Shalamberidze Varlam Temurovich
- Gevorkian Manuk Surenovich
- Makia Zaz Mokhaylovich
- Tamgia Temuri Khutayevich
- Gagadze Avtandil Vitalievich
- Labadze Khatuna
- Zhvania Tea Abesalomovna.

Certain individuals communicated erroneous information about their identity. The court received applications for a retrial, seeking to correct the relevant decisions in the light of new information on the identity of the persons concerned.

2. The Moscow City Court denies the allegation that the persons concerned did not have remedies against the administrative decisions or were not informed of them.
The court confirms that all the individuals who were charged with unlawful residence were informed of their procedural rights as set out in Article 25.1 of the Code of Administrative Offences. This provision guarantees, *inter alia*, the right to challenge the administrative court's decision and the procedure for such an appeal. The individuals listed below signed the original version of the decisions, confirming that they had been informed of their rights. Equally, certain individuals consciously renounced the services of a lawyer and an interpreter, as their knowledge of Russian was sufficient to understand the proceedings.
The names of the persons concerned are as follows:
Dzhemal Khorava
Malkhaz Arsenidze
Gocha Magradze
Levan Klimchuk
David Esvandzhia
Dzhuansher Adeyshvili
Eteri Zhvania
Salakaya Mziya.

The court further informs [you] that the staff of the courts and of the detention centres are not considered to be participants in proceedings concerning an administrative offence within the meaning of Article 25 of the Code of Administrative Offences. For this reason, their presence in the hearing rooms is not recorded in any procedural document.
Under the terms of Articles 22.1, 29.7 and 29.8 of the Code of Civil Procedure, the case is examined by a single judge, and minutes of the proceedings are not required.

Article 25.1 of the Code sets out the right of the accused person to legal assistance. However, this provision cannot be interpreted as an obligation on a judge to ensure the obligatory presence of a lawyer at the hearing, especially a lawyer appointed by the court. It is for the individual in question to concern

himself with the presence of his or her defence lawyer at the hearing.
Under Article 24.4 of the Code, only written requests by accused persons require the judge to examine them immediately.
According to the information available to the court, no written request was submitted to the court by the above-mentioned individuals.

3. The Moscow court disputes the information that examination of the administrative case files of Georgian citizens took between 5 and 10 minutes.
As an example, the court refers to the case of Mr Guda Zvedelava (by a decision of 8 November 2006, issued by the Babushkinskiy District Court of Moscow, Mr Zvedelava was found guilty of unlawful residence in Russia. The court sentenced him to a fine, accompanied by administrative expulsion). He complied with the court's decision and paid the fine on 14 November 2006. The court informed Mr Zvedelava of his procedural rights, including, *inter alia*, the right to appeal against the decision. However, Mr Zvedelava failed to appeal against the decision with a view to expressing his complaint about the short duration of the hearing.

The court cites the example of Anzor Gulua, who also complains that his hearing lasted 10 minutes. According to the court's information, Mr Gulua lodged an appeal against the decision of the first-instance court (decision of 7 November 2006, Preobrazhenskiy District Court of Moscow). By a decision of 14 December 2006, the Moscow Court, ruling on appeal, amended the decision with regard to the amount of the fine and upheld the remainder of the decision. However, Mr Gulua did not submit a complaint concerning the length of the hearing before the appeal court.

Finally, the court informs [you] that no court in Moscow examined the administrative case files of Zurab and Zina Beria, or ordered their expulsion from Russia.

4. The court denies that copies of the decisions were not handed over to the individuals concerned.
The table below shows the dates on which copies of decisions were handed over to the following individuals:

Surname, first name	Date of the hearing/ date on which copy handed over
Inga Mskhvilidze	30.09.06/30.09.06
Gocha Rochvelidze	10.10.06/10.10.06
Irina Akhaladze	30.09.06/30.09.06
Zurab Sivakashvili	06.10.06/06.10.06
Inga Gigashvili	11.10.06/11.10.06
Khantuna Kintsurashvili-Pantskhava	30.09.06/30.09.06
Manana Gogberashvili	06.10.06/06.10.06
Maya Abshilava	06.10.06/06.10.06
Susanna Narmania	04.10.06/04.10.06
Dzhemal Khorava	04.10.06/04.10.06
David Esvandjia	05.10.06/05.10.06
Gocha Magradze	06.10.06/06.10.06
Levan Klimchuk	09.10.06/09.10.06
Mzia Salakaya	27.10.06/27.10.06
Eteri Zhvania	05.10.06/05.10.06

Ms Zhvania and Mr Rochvelidze refused to sign the register certifying that a copy had been handed over, and this refusal was confirmed by two eyewitnesses.

With regard to Ms Lilia Khosruashvili, a copy of the decision – issued on 6 October 2006 by the Babushkinskiy District Court of Moscow – was handed over to her at the detention centre for aliens, where she was being detained pending her expulsion.

Equally, copies of the decisions were sent to the detention centre for aliens, the entity responsible forexecuting the decisions.

5. The court considers unfounded the allegations of the Georgian authorities that there were not reasons to expel Mr Dzhaunsher Adeyshvili, Mr Merabi Gubeladze, Ms Inga Gigashvili, Ms Irina Chokheli and Ms Manana Gogberashvili.

Under section 20 of the Status of Foreign Citizens Act (law of 25 July 2002), a foreigner is required to register his or her presence, in accordance with the procedure set out by the Act, within three working days of her or her arrival in Russia.
Under section 13 § 4 of the same Act, a foreigner is entitled to work in Russia provided that he or she obtains a work permit.
Section 33 of the Act provides that any violation of the Act will be punished in accordance with the law.
Articles 18.8 and 18.10 of the Code of Administrative Offences provide for administrative liability for violation of the provisions of the above-mentioned provisions of the Status of Foreign Citizens Act.

After analysing the administrative case files of the above-mentioned individuals, the court confirms that the essential elements of the offences set out in Articles 18.8 and 18.10 of the Code were present.
The relevant information is set out in the following table:

Surname and first name of the person concerned by the decision on an administrative offence	**Legal classification of the offence**	**Relevant facts established by the courts**
Tvalavadze* David (in the application, the name is spelled as Tvaladze)	18.8 of the Code of Administrative Offences	No internal registration document, as confirmed by a certificate 5 October 2006 submitted by the Moscow Department of the Interior
Tevsadze* David	18.8 of the Code of Administrative Offences	Expiry of validity of internal registration document, which ran from 14.04.2006 to 27 August 2006
Kobalia (Kobaidze) Levan	18.8 of the Code of Administrative Offences	Visa was valid from 5 July 2006 to 3 August 2006. Mr Kobalia neither extended the visa after its expiry nor completed the formalities to register his address.
Voronov Gennadi	18.8 of the Code of Administrative Offences	The decision of 6 October 2006 was quashed by the Moscow City Court. On 22 December 2006 the court to which it was remitted terminated the proceedings on the ground that they were time-barred.

Dzhaunsher Adeyshvili	18.10 of the Code of Administrative Offences	The accused was working without a work permit. The Cheremushkinskiy District Court of Moscow, which examined the case, made no allegation concerning the validity of the accused's Russian visa.
Gigashvili Inga	18.8 of the Code of Administrative Offences	The accused had not registered her place of residence in Russia. The Tverskoy District Court of Moscow, which examined the case, made no allegation as to the validity of the Russian visa (valid between 3 August 2006 and 2 August 2007)
Gogberashvili Manana	18.8 of the Code of Administrative Offences	The accused had not registered her place of residence in Russia, as was confirmed by a certificate from the Lomonosovkiy district department of Interior of Moscow, attached to the Federal Migration Service.
Gubeladze Merabi	18.10 of the Code of Administrative Offences	The accused was employed without a work permit. The validity of the visa had not been contested.
Chokheli Irina	18.8 of the Code of Administrative Offences	The accused recognised in writing that she had never contacted the relevant authorities with a view to obtaining an internal registration document for Russia. The accused's claim that she had a document dated 16 March 2007 is unfounded.

* Following possible typing errors in the surname Tvaladze, the court has analysed all decisions concerning individuals whose surnames sound similar (Tvalavadze, Tevsadze).

6. The Moscow court disagrees with the statement that the remedies provided for under domestic laws were ineffective.
The administrative case files analysed includes evidence that the individuals in question were informed of their procedural rights, in particular of the right to challenge the decisions by lodging an appeal.
There is nothing in the case files to suggest that any eventual requests by the individuals concerned were not examined by the competent courts.

The court also notes that some of those found to have committed administrative offences did in fact take advantage of their right of appeal (for example, Ms Sevindge Abdyeva, Mr Guram Gelashvili, Mr Teymuraz Lemondgava), and some received the assistance of lawyers in order to lodge an appeal (for example, Ms Khatuna Kintsurashvili – Pantskhava and Ms Irina Akhaladze – lawyer, Mr Mindiashvili, Mr Gennadi Voronov – lawyer, Mr Yeremeyev, Mr Takhidze Gela Revazovich – lawyer, Mr Astakhov).
Thus, the court concludes that it is misplaced to complain, as the Georgian Government do, of the ineffectiveness and inaccessibility of the remedies available and legal assistance.

7. Under Article 30.5 § 3 of the Code of Administrative Offences, a court to which an appeal concerning a decision ordering an individual's expulsion or detention has been submitted is required to examine it within 24 hours of the appeal being lodged.
The court confirms that, in the majority of cases, this time-limit was respected, with the exception of situations in which examination of the arguments and of the case file required a longer time-frame. If a new examination of the facts was required, the appeal court remitted the file to the first-instance court for a new examination.
The court refers to the case of Ms Mindiashvili, in which the latter complained of the "unfair decision", without however submitting arguments which would require an additional examination. She lodged the appeal on 19 October 2006. On the same day the Moscow City Court, ruling as the appeal instance, examined it.

8. The argument of the Georgian authorities that no remedy in Russian law guaranteed compensation for damage (damage and interest) sustained by the Georgian citizens is considered by this court to be unfounded.
According to information gathered from the district courts in Moscow, the latter received no applications from Georgian citizens seeking damages from the Federal Ministry of the Interior, the Federal Migration Service or the detention centres for foreigners. Equally, no actions were brought under Chapter 59 of the Russian Civil Code seeking compensation for non-pecuniary damage.

Information note submitted by the Federal Security Service: 11 August 2008.

The Service informs [you] that Russian law does not authorise the confiscation of the property of foreign citizens who leave Russia.
Furthermore, the Service's border department has received no complaints from foreign citizens making reference to such allegations.

Analysis note submitted by the Russian Legal Academy, 28 July 2008.

The Rector of the Academy submitted the result of a study carried out by the faculty of the right to information, computing and mathematics on media activity, for the purpose of identifying racist and xenophobic expressions.
More than 400 regional and national media sources, including press articles, periodicals, radio and television broadcasts and Internet articles were studied. 268,319 articles published or broadcast in the period from January to June 2008 and referring to Georgia, its institutions, Georgian citizens and Russian citizens of Georgian origin were analysed. The experts discovered only 45 articles, or less than 0.5 % of the total, in which there were negative evaluations with regard to Georgian citizens.

Information note submitted by the Russian Ministry of Transport: 25 August 2008.
The Ministry of Transport informs the Representative of the Russian Federation at the European Court of the following:

1. The inspections of vessels flying the Georgian flag were carried out in accordance with the requirements of the Memorandums of Understanding of Port State Control (hereafter, *Memorandum*) of Tokyo, Paris and the Black Sea, of which Russia is a member.
The vessels selected for an inspection are the most dangerous from the perspective of navigational safety. The selection is carried out automatically by computer systems on the basis of agreed criteria.
In the annual reports of the Paris and Tokyo Memorandums, vessels flying the Georgian flag are classified as "high risk". Taking into account the decision taken by the Secretariat of the Black Sea

Memorandum to carry out an inspection campaign of vessels to ensure compliance with the International Convention MARPOL 73/78, the Ministry, in letters of 2 and 5 October 2006, prohibited the entry into Russian ports of vessels flying the Georgian flag which had not successfully gone through the inspection in question.

According to information submitted by the Secretariat of the Black Sea Memorandum, three vessel inspections were carried out. Two out of three vessels were held in the port of Novorossiysk for failure to comply with the Convention.

Finally, the Ministry refers to a letter, similar to that concerning the inspection of Georgian vessels, ordering the inspection of vessels flying the Cambodian flag. Vessels flying the flag of that State are also classified as "high risk" under the MARPOL Convention.

Thus, it is evident that the inspection measures for vessels are not targeted at one State in particular, but are intended to implement the international obligations of the Russian Federation, undertaken through international conventions for navigational safety.

2. With regard to the suspension of coach transport, the Ministry notes that this was limited to the closure for maintenance work at the border checkpoint Verkhny Lars.
This work, planned in 2003, was carried out in accordance with the federal programme "State Border of the Russian Federation 2003-2010". The suspension of traffic was planned, and the Georgian Embassy was informed of it by a letter of 2 October 2006.

3. As to the allegation of lack of safety on the aeroplanes belonging to the Ministry of Emergencies and Civil Protection, the Ministry notes that these planes, which transported Georgian citizens from Russia to Georgia, were equipped with safety equipment for passengers, in compliance with the recommendations of the manufacturer, Ilyushin. This equipment included passenger seats, individual oxygen masks and seatbelts.

number	**Document type**	**date**
11	**File concerning the naturalisation request of Mr Zurab Beria, Mr Paat Beria, Mr Zviadi Beria and Ms Zinaida Beria**	

Summary/translation

The file contains a favourable opinion from the relevant service of the Russian Ministry of the Interior to the naturalisation request submitted by the Beria family. The individuals concerned were invited to go the relevant service to complete the file.
In a decision of 28 June 2007, however, the head of the Moscow department of the Federal Migration Service dismissed the request, on the ground that the individuals concerned had not replied to the request to complete the file and had left their address.
By a letter of 19 March 2001, the Ministry of Internal Affairs returned the naturalisation file to the individuals concerned, informing them that examination of their file would only be possible following presentation of the additional documents.
A report of 6 August 2008, prepared by the Moscow regional department of the Federal Migration Service confirms that the Beria family was not expelled from the Russian Federation and was not charged in administrative proceedings with unlawful residence.

number	Document type	date
12	**Documents concerning the judgment against Mr Zakharian in administrative proceedings**	

Summary/translation

This annex contains the appeal lodged by Mr Zakharian against the decision of 10 January 2006 by the Perovskiy District Court of Moscow, ordering his administrative expulsion from Russia for unlawful residence. The appellant referred to his family situation (his wife and children lived in Russia), the lack of an interpreter at the hearing and, finally, the lack of grounds for the decision in so far as it concerned the absence of an internal registration document for Russia.

After carrying out checks with regard to the information communicated by the appellant (requests for information of 8 February 2006 and 15 February 2006, undated reply from the Ministry of Internal Affairs, telephone message of 17 February 2006), the Moscow City Court established that, according to the information submitted by the Ministry and the Federal Migration Service, the appellant had not declared his real address.
By a decision of 21 February 2006, the Moscow Court dismissed the appeal as being unfounded since the appellant had not legitimised his residence as required by the law, and, in particular, had not registered his address [and] had not substantiated his allegations concerning the presence of his family in Russia.

number	Document type	date
13	**Administrative case file of Mr Demir TODUA**	

Summary/translation

The annex contains the case file pertaining to the administrative offence, unlawful residence in Russia, committed by Mr Demir Todua, namely:

- police report of 3 October 2006 on the administrative offence, drawn up by the police department of the town of Gatchina, Leningrad region;
- police report of October 2006 (the exact date is illegible) on the administrative arrest, drawn up by the same police department;
- Mr Todua's explanation, entered in a police report by an office of the Gatchina police;
- report of 3 October 2006, drawn up by the police officer who arrested Mr Todua;
- information about the accused, collected for statistical purposes;
- decision of 4 October 2006, issued by Gatchina municipal court, sentencing Mr Todua to an administrative fine and expulsion for unlawful residence;
- copy of Mr Todua's Georgian passport.

It is clear from the file that Mr Tdoua was resident in Russia with an out-of-date visa, and without an internal registration document.
According to the text of the judicial decision, the accused was informed of his procedural rights, including, in particular, the right to assistance from an interpreter, legal assistance from a defence lawyer, and the right not to incriminate himself.
After being informed of these rights, Mr Todua signed the confirmation statement and also stated that he did not require either an interpreter or a lawyer. He also confirmed that he had received a copy of the decision on 4 October 2006.

According to the information note submitted by the trial judge, the decision was not challenged by the

accused and the administrative case file was never consulted.

According to the information note submitted by the President of the Leningrad Regional Court, no court in the region had given a decision concerning unlawful residence in respect of Ms Leyla Gasviani, Georgian citizen, born on 3 March 1960.

number	Document type	date
14	**Payment certificates in respect of fines**	
Summary/translation		
This annex contains two payment certificates for Mr Malkhaz Sartania and Mr Zurab Kublashvili in respect of the administrative fine imposed by judicial decisions for administrative offences.		

number	Document type	date
15	**Judicial decisions, texts of appeals**	
Summary/translation		

The annex contains decisions by courts of first instance, sentencing the individuals whose names are listed in the table to an administrative fine and expulsion for unlawful residence.
The individuals concerned, or their lawyers, lodged appeals, the texts of which have been added to the case file, putting forward either the appellants' family situations or contesting the merits of the decisions. The appeal courts upheld the contested decisions with regard to Ms Khatuna Kintsurashvili–Pantskhava and Ms Irina Akhaladze. The decision issued with regard to Mr Gennadi Voronov was set aside. His case file was remitted to the first-instance court. In the case of Mr Anzor Gulua, the Moscow City Court amended the decision in the part concerning the amount of the fine, and upheld the remainder of the decision by the first-instance court.

Surname and first name of the individual concerned.	Documents submitted concerning the administrative offence	Judicial decision issued with regard to the individuals concerned: type, court
Anzor Gulua	Appeal judgment	By a judgment of 14 December 2006, the Moscow City Court dismissed the appeal on the ground that the appellant's wife and children were Georgian citizens and were also unlawfully resident.
Voronov Gennadi	Appeal lodged by a lawyer, appeal judgment	By a judgment of 19 October 2006, the Moscow City Court quashed the decision by the first-instance court, since the lack /existence of the registration address was open to dispute. The court invited the court that would re-examine the case to establish this fact through admissible evidence.
Khatuna Kintsurashvili – Pantskhava	Appeal lodged by a lawyer, appeal judgment	On 19 October 2006 the Moscow Court upheld on appeal the decision of the first-instance court; the appellant was working without the permit required by law.

Irina Akhaladze	Appeal lodged by a lawyer, appeal judgment	On 19 October 2006 the Moscow Court upheld the decision of the first-instance court; the appellant had not registered her address, and had worked without the permit required by the law. The court dismissed the lawyer's argument that the appellant did not have sufficient knowledge of Russian, since she had signed records confirming the opposite.

number	**Document type**	**date**
16	**Declarations issued by the Federal Migration Service**	
Summary/translation		
This annex contains three declarations issued by the regional departments of the Federal Migration Service, certifying that Ms Gogberashvili Manana, born on 12 January 1964, Mr Kublashvili Zurab, born on 30 January 1954, and Mr Kobaydze Levan Uchagovich, born on 8 April 1986, were not registered at an address in Moscow, St Petersburg or even the Leningrad region.		

number	**Document type**	**date**
17	**Authorisation to act**	
Summary/translation		
The annex also contains an authorisation to act from Mr Gennadi Voronov, dated 9 October 2006 and issued by the Moscow Bar to Mr Zarbeyev.		

number	**Document type**	**date**
18	**Statement from the Ministry of the Interior**	
Summary/translation		
Moscow detention centre for aliens no. 2 informs the police department of the Golianovo district of Moscow that it had taken in an individual without identity papers who had identified herself as Inga Rezoevna Mkhivilidze, born on 9 October 1974. On 30 September 2006 she was sentenced by the Preobrazhenskiy District Court of Moscow to administrative expulsion for unlawful residence in Russia. After checks, it was established that Ms Inga Rezoevna Mkhivilidze was in fact Ms Inga Rezoevna Mskhivilidze. The court established that the complainant had communicated false information about her identity. The head of the detention centre invited to police department to request the court to correct its decision in the part concerning the identity of Ms Mskhivilidze.		

number	Document type	date
19	**Explanations from the detained persons**	

Summary/translation

This annex contains 19 handwritten explanations submitted by persons detained for unlawful residence. Some have been written on plain unheaded paper. In other cases, pre-printed forms have been filled in appropriately. Officers of the Federal Migration Service entered the information in the forms. After inspecting the texts, the persons concerned had signed and dated them. They were entitled to make corrections to the forms.
The names of these persons and a summary of their explanations are given in the table below:

Surname, first name of the person concerned, date of birth, date of the explanation*	**Summary of explanations**	**Other important information**
Sartana Malkhaz, 8 February 1972	The detainee arrived in Russia on 12 December 2006 to look for employment. He had worked in Russia without a work permit.	His procedural rights were explained, and the right not to incriminate himself. He stated that he had sufficient knowledge of Russian.
Kumatadze Avtandil, born on 13 June 1983	The detainee arrived in Russia on 25 November 2005 to look for employment. Hhe had not regularised his situation with the relevant authorities. He currently wished to leave Russia.	His knowledge of Russian was sufficient to understand the proceedings.
Zakharian Samvel Arturovich, born on 9 June 1979. 10 January 2005	The detainee had arrived in Russia 4 months previously. He had registered his address, but the internal registration document had expired on 29 December 2005.	-
Lomidze David, born on 29 April 1978. 4 October 2006.	The detainee arrived in Russia on 3 September 2006 with a visa that was valid until 12 September 2006. He had obtained a forged internal registration document and was not legally resident in Russia.	The detainee's procedural rights were explained to him, as well as the right not to incriminate himself.
Gogoladze Irina Zhukoyevna. 13 October 2006.	The detainee arrived in Russia on 28 May 2006 to see her husband and child. The visa was valid for one month. The detainee was unlawfully resident in Russia.	Her knowledge of Russia was sufficient to understand the proceedings.
Chikovani Dato, born on 1 September 1969. 4 October 2006.	The detainee arrived in Russia on 9 August 2006 to look for employment. He had worked as a labourer without a work permit. He had registered at an address in Moscow.	-
Gulu Anzor, born on 29 June 1946. 3 November 2006.	The detainee had come to Russia. He had lived there without registering his address since July 2006. The detainee did not have the resources to return to Georgia.	His knowledge of Russia was sufficient to understand the proceedings.

Zvedelava Guda, born on 2 February 1938. 8 November 2006.	The detainee was unlawfully resident in Russia, with a forged internal registration document and without an immigration card.	-
Kublashvili Zourab, born on 30 January 1954. 18 October 2006	The detainee arrived in Russia on 2 June 2006 to search for employment. His entire family was in Georgia.	-
Kobaydze	The text is illegible.	The detainee was informed of his right not to incriminate himself.
Phailodze Otar, born on 31 January 1955. 18 September 2006.	The detainee arrived in Russia on 13 November 2004. He had taken no steps to obtain an internal registration document.	The detainee's procedural rights were explained to him, as well as the right not to incriminate himself. The detainee stated that he had sufficient knowledge of Russian.
Phailodze Manana, born on 27 December 1955. 18 September 2006.	The detainee arrived in Russia on 25 July 2005. She had taken no steps to obtain an internal registration document. Since her visa expired on 20 October 2004, she had been unlawfully resident in Russia.	The detainee's procedural rights were explained to her, as well as the right not to incriminate herself. She stated that she had sufficient knowledge of Russian.
Tvalavadze David, born on 15 January 1956. 5 October 2006.	The detainee arrived in Russia with a work permit. In order to regularise his position, he had lodged documents for an address at 42, Pokrovka street, in order to obtain an internal registration document. Ten days later, he had collected his passport, in which the stamp certifying registration of his address had been entered.	-
Abishlava Maya, born on 11 February 1966. 5 October 2006.	The detainee arrived in Russia in 2001. Since 2004 she had worked in Russia without a work permit. She had obtained an internal registration document with the help of a police officer, for 3,000 roubles. She lived with her sister.	The detainee's procedural rights were explained to her, as well as the right not to incriminate herself. The detainee stated that she had sufficient knowledge of Russian.
Adeyshvili Dzhuansher, born in 1977.	The detainee arrived in Russia in August 2006. He worked as a bus conductor without a work permit.	The detainee stated that he had sufficient knowledge of Russian to take part in the proceedings. He waived the services of an interpreter.
Rachvelidze Gocha, born on 25 January 1941. 6 October 2006.	Mr Racheshvili arrived in Russia on 5 April 2006. He obtained an internal registration document through an intermediary, in exchange for remuneration.	-

Gogberashvili Manana, born on 12 January 1961. 6 October 2006.	The detainee arrived in Russia on 12 August 2006. She had worked in Russia without a work permit. She had obtained an internal registration document through the services of a "broker". She was not aware that the internal registration document had been forged.	The detainee's procedural rights were explained to her, as well as the right not to incriminate herself. The detainee stated that she had sufficient knowledge of Russian to take part in the proceedings.
Gubeladze Merabi, born in 1971. The document is dated October 2006.	The detainee arrived in Russia on 26 August 2006 with a working visa. On arrival, however, he was recruited by another company. He worked as a bus conductor without a work permit. He had no fixed address and slept in the bus.	The detainee stated that he had sufficient knowledge of Russian to take part in the proceedings.
Gigashvili Inga	The detainee arrived in Russia on 12 August 2006 to visit her family. She had obtained an internal registration document through the intermediary of a "company". She was unaware that the registration had been forged.	The detainee stated that she had sufficient knowledge of Russian to take part in the proceedings.

* Since the documents are handwritten, certain names are not very legible. It is possible that there have been transcription errors.

number	**Document type**	**date**
20	**Statements by foreign detainees**	**10 July 2007**

Summary/translation

The annex contains 10 statements by individuals detained in Moscow detention centre no. 1. The detainees, whose names are listed below, attested that the detention conditions in the centre were satisfactory. Meals of a sufficient quality were served three times a day, the bed linen was clean and changed every 10 days, medical care was available on request, newspapers and fictional works were available. They were able to take a shower regularly, and to walk outside every day. Family visits were authorised. They all stated that they had not complaints against the staff of the centre.
The names of the signatories are as follows*:
- Yevtodoy Stanislav Nikolayevich, Ukrainian,
- Ursu Valeriy Vlassovich, Moldavan,
- Khristenko A.N., Ukrainian,
- Yakub S.N., Moldavan,
- Gladych Miron, Ukrainian,
- Tukishev Rovert Mamanovich, Uzbek, (2 copies of the same statement),
- Begov Zhurabek Ruzibayevich, Uzbek,
- Zaripova Zulfia Zamirovna, nationality not specified,
- Gostevskikh Liudmila Mikhaylovna, nationality not specified.

* Since the statements are handwritten, some of the names are badly written. It is possible that transcription errors have occurred.

number	Document type	date
21	**Visit requests**	
Summary/translation		
These forms, filled in by family members of detainees and addressed to the head of detention centre no. 1 at the Moscow department of internal affairs, contain requests for authorisation to visit detainees, whose names are given below: Magradze Gocha Kobaidze Levan Kobaidze Koba Ushangoevich Arsenidze Malkhan Yosifovich		

number	Document type	date
22	**Requests from detainees' relatives**	
Summary/translation		
Family members requested that parcels containing food products, clothing or medicines be transmitted to their relatives. To this end they completed the forms attached to this annex, for the attention of the head of detention centre no. 1 at the Moscow department of internal affairs, with a detailed description of the parcel contents. The names of the parcel addressees are listed below: Magradze Gocha Kobaidze Levan Arsenidze Malkhan Yosifovich Kbilashvili Tenguiz Klimchuk Levan Esvanndzhia Davit Natelashvili David		

number	Document type	date
23	**Disinfection certificates**	
Summary/translation		

The certificates were issued by the Moscow Disinfection Centre, located at 9 Yaroslavskoe Avenue in Moscow. The Centre certified that it had carried out pediculosis disinfection (de-lousing) of the individuals whose names are listed below. The persons concerned were subjected to a blood test in order to diagnose venereal disease. Following the medical tests, the hospitals certified that the individuals concerned were able to be placed in the detention centre for aliens

Surname of the tested person, date of his/her birth	Pediculosis disinfection (de-lousing)	Blood analysis; medical test
Matrandze; 9.12.1983	Yes	Yes (Wassermann reaction)
Tvalavadze Davis; 15 January 1956	Yes	A police officer asked Moscow hospital no. 27 to conduct medical tests with a view to diagnosing venereal disease. Diagnosis: no disease
Kharava	Yes	-

Rachvelishvili G.; 25 January 1941	Yes	-
Kbilashvili Tenguiz	Yes	-
Dzulakidze M.S.; 14 May 1976	Yes	Certificate that the individual was in good health
Lomidze D.N.; 29 April 1978	Yes	Blood test. Diagnosis: no venereal disease
Niniashvili G.G.; 7 September 1964	Yes	A police officer asked the hospital to conduct medical tests with a view to diagnosing venereal disease. Result: the patient was examined by a venereologist, The result of blood tests was pending.
Kobakhidze V.S.; 27 years old	Yes	Medical test: in good health
Tskinurshvili K. G.; 25 June 1971	Yes	Medical test. Diagnosis: no venereal disease
Nadzhadze Vakhtang; 12 May 1975	-	A police officer asked Moscow hospital no. 27 to conduct medical tests with a view to diagnosing venereal disease.
Bauzhadze V.; 31 December 1951	Yes	-
Natelashvili D.	Yes	A police officer asked Moscow hospital no. 21 to conduct medical tests with a view to diagnosing venereal disease.

number	**Document type**	**date**
24	**Records of the medical assistant**	**10 July 2007**

Summary/translation

In his report of 10 July 2007, Mr Ageyev, medical assistant, informed the head of the Moscow detention centre for aliens no. 1 that he had examined the following persons during the period 28 October to 31 December 2006:
- 6 October 2006: Tskinurishvili, born in 1953: diagnosis of hypertension. Treatment: antihypertensive medicine;
- 20 October 2006: Khmalaydze G.V., born in 1968;
- 27 October 2006: Kobaidze L. U., born in 1986.

The last two patients on the list complained of headaches. They were offered analgesic tablets.

An extract from the medical assistant's register for the months of September, October, November, December 2006 and January 2007 is attached to the report, with a description of visits by the detainees and the treatment given.

The schedule for disinfecting the centre's premises (September - December 2006) and the opening hours of the doctor's office (October - November 2006) were also attached.

number	Document type	date
25	**Daily record of the menus offered to detainees in Moscow detention centre for aliens no. 2**	**Between 28 September 2006 and 1 January 2007**
Summary/translation		
Meals were served three times daily. The menu included cereal-based dishes (buckwheat, corn, oat) with tinned meat or fish, vegetable soups, bread and tea. The record also indicates that regular checks of food quality were carried out. According to the information entered in the record, the quality was always satisfactory.		

number	Document type	date
26	**Daily records of boiler operators.**	
Summary/translation		
This annex contains a voluminous register of 89 pages. The register contains information on daily checks of the state of boilers, water and air temperature readings, and comments by the technicians.		

number	Document type	date
27	**CD –press articles**	
Summary/translation		
The annex contains a large number of Russian press articles selected from the Internet using very general criteria such as, for example, the words “Georgia”, “Georgian”, “Russia + xenophobia, racism”, etc. The majority of the selected articles do not concern the subject of the present application. The total volume of the documents exceeds 10,000 pages.		

Annexe 3

Report of 22 January 2007 by the monitoring committee of the Parliamentary Assembly

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22 January 2007
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COMMITTEE ON THE HONOURING OF OBLIGATIONS AND COMMITMENTS BY MEMBER STATES OF THE COUNCIL OF EUROPE (MONITORING COMMITTEE)

Current tensions between Georgia and Russia

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Information note of the co-rapporteurs following their fact-finding visits to Tbilisi (20-22 November 2006) and Moscow (28-30 November 2006)

1. INTRODUCTION

1. Tensions between Georgia and Russia are a long-lasting political problem in which the 27 September 2006 incident in which Georgia expelled four Russian military intelligence officers is only one episode. It is for the first time since 1994, however, that the tensions between the two countries have reached the bottom line, triggering a number of serious unilateral sanctions by the Russian authorities against Georgia and its citizens residing in Russia. It is for that reason that the issue requires attention from the Council of Europe and our Assembly in particular.

2. Following that incident, the Russian Federation accused the Georgian authorities of state terrorism; recalled its Ambassador in Tbilisi for consultations, resorted to full economic blockade and started applying selective punitive measures against citizens of Georgia and ethnic Georgians residing on the territory of Russia. On 2 October 2006, Russia stopped all air, automobile, sea and railway communication, postal traffic and money transfers with Georgia.

3. On the same day, the EPP/CD group requested a current affairs debate to be held at the PACE October part-session, which was turned down because of more imminent discussions requiring plenary debate under the same procedure. However, the Assembly President met with both delegations during the part-session. At its meeting on 3 October, considering that both countries are member States of the Council of Europe and that both are subjected to the monitoring procedure, the Monitoring Committee decided to include the issue of current tensions on its agenda. At a further committee meeting in Yerevan on 16 October, the two of us in our capacity as co-rapporteurs on Russia and Georgia respectively were commissioned to carry out a fact-finding visit to both capitals in order to report back on our findings at the committee meeting of 13 December with a view to assessing whether it would be necessary to request an urgent debate on this matter at the Assembly's January 2007 part-session.

4. We visited Tbilisi from 20 to 22 November where we met with all the key personalities in Georgia, including President Mikhail Saakashvili, Prime Minister Mr Nogaideli and the Speaker of the Georgian Parliament Mrs Burjanadze, and with many ministers, deputy ministers and high officials. A week later, from 28 to 30 November, we visited Moscow and held talks with Deputy Foreign Minister Mr Karasin, Deputy Minister of Defence Mr Baluevskiy, Deputy Minister of the Interior, Mr Ovtchinnikov, Deputy Head of the Federal Migration Service Mr Turkin and many other high officials. We regret not having had the opportunity to discuss these important issues with the Presidential administration of President Putin, the Prime Minister or the Speakers of either chamber of the Russian parliament. Similarly, we regret not having been aware that a Chargé d'Affaires of the Russian Embassy to Georgia was present in Tbilisi during our visit.

5. At its meeting of 13 December 2006, the Monitoring Committee, having listened to our observations and held a lengthy exchange of views on the issue, decided to request a plenary debate under urgent procedure. On 22 January 2007, the Bureau of the Assembly decided against holding an urgent debate, yet encouraged the Monitoring Committee and us as co-rapporteurs to continue to follow up on the issue.

6. Owing to wide international press coverage, immediate critical reactions and statements from various international organisations (UN, EU, European Parliament, NATO Parliamentary Assembly, etc.) and Russian civil society representatives alike as well as many mediation attempts by international key players, the further escalation of tensions has been prevented. There have been small steps taken from both ends to re-establish dialogue. Some high level bilateral contacts have taken place in the margins of international events, e.g. President Saakashvili attended the CIS Summit in Minsk on 28 November instead of the NATO

Summit held in parallel in Riga in the hope of meeting President Putin on bilateral grounds[10]. We particularly appreciate the fact that, on 25 December, the last personnel of Russia's garrison in Tbilisi and the Headquarters of the Group of Russian Forces in the Transcaucasus (GRVZ) were withdrawn from Georgia's capital ahead of the foreseen deadline and that, on 18 January 2007, the Russian Ministry of Foreign Affairs announced the return of the Russian Ambassador to Tbilisi. We also thank the General Prosecutor's office of the Russian Federation for providing us with information on their inquiry into the wrongful acts by representatives of law enforcement agencies of the Russian Federation in respect of citizens of Georgia, which we will study in due course.

7. Nevertheless, regardless of the perceived anti-climax in the acuteness of this conflict, the relations between the two states remain far from normal. The borders between the two countries are closed, economic sanctions persist, the detention and expulsion of Georgians from Russia continues, though in a "silent" way, and there has been no breakthrough for the leaders of the two countries to sit down at the negotiations table. The adoption by the State Duma of two statements on 6 December regarding the two breakaway regions – on the "appeal of the People's Assembly of the Republic of Abkhazia to the Russian President and Federal Assembly on the recognition of the Republic of Abkhazia to establish associated relations between Abkhazia and Russia" and "on the results of the referendum in South Ossetia on the issue of granting it independence and the results of the election of president of South Ossetia on 12 November 2006" which called for recognition of Abkhazia's and South Ossetia's secession from Georgia and their potential incorporation into Russia, has further harmed the prospects of re-establishing normal relations.

8. In today's world that is characterised by increasing instability and growing threats of terrorism, promoting good-neighbourly relations, security and stability in Europe and its vicinity is very valuable, not only for the region but for the whole world's democratic community. The Council of Europe is established on the principles of respect, tolerance, peace and prosperity, and no member State should remain unconcerned when hidden tensions and unsolved conflicts between two of its members spiral all of a sudden into massive accusations, expressions of hatred and human rights violations. Inability to solve conflicts – believing that it is enough to freeze them and hope for time to sort things out – almost always brings new problems. Precisely for this reason, we believe that PACE should contribute by providing a constructive forum of parliamentary diplomacy and offering its unique platform for dialogue to help its two member states come out of the political deadlock.

9. In view of these endeavours, we wish to approach the analysis of the ongoing conflict from two different angles: the **political aspects** of conflict resolution and the **human rights aspects** related to the core values of the Council of Europe and the obligations and commitments of its member states.

2. POLITICAL ASPECTS

10. In order to enable the members of the Monitoring Committee to get a clear view of the different facets of the conflict, and notably of the background and main obstacles to finding a solution, we summarise the arguments as they were presented to us without prejudice to either side.

[10] There was no bilateral meeting between Georgia and Russia at the Minsk CIS summit on 28 November. However, a brief discussion of Russian-Georgian relations took place during a meeting of the heads of states, involving also the Presidents of Georgia and Russia without the item being officially placed on the agenda.

2.1. Causes of the conflict: different beliefs and assertions

2.1.1. On the Georgian side:

2.1.1.1. The roots of the current crisis lie in:

11. disrespect by the Russian Federation of its sovereignty, independence and territorial integrity within its internationally recognised borders, related on the one hand to differing perceptions of the collapse of the Soviet Union and on the other hand to the frozen conflicts in the regions of South Ossetia and Abkhazia; the situation in the latter carries a permanent threat of renewed hostilities and casts a shadow on ongoing democratic reforms in Georgia;

12. disagreement by the Russian political leadership with Georgia's foreign policy aspirations, and notably its closer integration with European and Euro-Atlantic structures. By telling Georgia's European and American partners that Georgia is militarising itself and preparing to solve its frozen conflicts through military means, Russian authorities try to undermine Georgia's credibility as a trustworthy partner;

13. opposition to ruling Georgian government attempts to oust the current leadership;

14. Russia's reluctance to see Georgia as an alternative energy route towards Europe.

2.1.1.2. Prelude to the current crisis:

15. referred to by President Saakashvili as a "very deliberate policy for the last two years"

Economic sanctions:

16. Closure of the main road linking the two countries by closing of the only legitimate border-crossing point (BCP) "Kazbegi-Zemo Larsi" on 7 July 2006 on the pretext of completing works for an indefinite period of time.

17. The Georgian authorities maintain that the closing of this BCP, controlled bilaterally by both sides to the conflict in accordance with the agreement "On Customs' Border-Crossing Points" signed on 8 October 1993, is a violation of the aforementioned agreement and reroutes the passenger and cargo flows to illegal crossing points such as "Roki-Nizhni Zaramag" and "Gantiadi-Adler", which not only function without restriction but nourish the Georgian side's suspicion of an attempt by Russia to draw the actual state border with Georgia to the administrative border of the Tskhinvali region

18. Ban on import of products from Georgia:

– *December 2005:* Russia prohibited importing products of vegetable origin from Georgia under the pretext of violation of phyto-sanitary norms
– *March 2006*: Russia prohibited the import and sale of Georgian wine, wine materials, brandy and sparkling wines on the territory of the Russian Federation
– *April 2006*: the import ban was extended to mineral water produced in Georgia

19. The Georgian authorities consider that the above decisions have been adopted unilaterally without submitting specific facts (justifying the non-compliance of products with sanitary norms applied in Russia) and in violation of the provisions of the Free Trade Agreement between the Government of Georgia and the Government of Russia. The political nature of those bans is further demonstrated by the adoption by the Duma of resolution No 154 of 21 March 2006 "On Introduction of Amendments to the Resolution No 1223 of 5 November of the Government of Russian Federation", which abolished the restrictions for the Abkhazian segment of the Georgian-Russian state border

Support to the separatist Georgian regions of Abkhazia and South Ossetia seeking independence from Georgia

20. issuing Russian Federation passports to Abkhazians and South Ossetians permanently residing in those regions (as opposed to the Abkhazian refugees residing in Russia since the end of the armed conflict in 1994). In July 2006, the Russian Duma passed a resolution authorising Russian troops to serve anywhere in defence of Russian citizens – presumably including those who reside permanently in Abkhazia or South Ossetia

21. Activities of the Russian intelligence services on the Georgian territory: testing the limits; Georgian authorities claim that other presumed Russian spies have been previously caught but expelled more discreetly, nonetheless by informing their international partners.

22. Referendum on independence on 12 November 2006 in South Ossetia

23. Functioning of the peacekeeping forces in South Ossetia, seen by Georgia as a tool of Russian influence

2.1.2. On the Russian side:

2.1.2.1 The roots of the current crisis lie in:

24. The fact that Georgia's military budget rose in 2005 at a rate higher than any other country in the world is perceived as a threat to Russia's security (indirect hints to Georgia's possible NATO membership).

25. Lack of guarantees from Georgia that it will not employ military force to solve the conflicts in Abkhazia and South Ossetia

26. Belief that – irrespectively of Russia's influence – the Abkhazian and South Ossetian people do not want to live under Georgian rule and that they want Russian peacekeepers deployed on their territory, at least until Georgia convinces them that they will refrain from any military solutions.

27. Opposition to the attempt by the Georgian side to replace the existing negotiations and peacekeeping format for the peace process in Abkhazia and South Ossetia

2.1.2.2. Prelude to the current crisis:

28. Hurt feelings by the offensive talk and bellicose statements by some Georgian leaders/ lack of respect and responsibility towards "old friends"

29. Georgian special operation in the upper Kodori Valley in July 2006, which was perceived by the Russian side as employment of military force to solve the conflict in Abkhazia; presumption that Georgia is preparing new military actions in Gali in spring 2007

30. The humiliating way the arrest of the Russian military officers was carried out on 27 September 2006 with them being displayed on video tapes

2.2. Reactions by the two states to the detention and expulsion of the Russian military intelligence officers

2.2.1. Georgia

31. provocative statements by several state officials, including President Saakashvili, Foreign Minister, Minister of Defence, Minister of European Integration and the Speaker of the parliament

32. no discriminatory acts reported against any Russian citizen in Georgia

2.2.2. Russia

33. calling back its Ambassador in Tbilisi for consultation in Moscow; no visas issued to Georgian citizens[11];

34. imposing disproportionate unilateral economic sanctions on Georgia: apart from the earlier-imposed wine, juice and water ban from Georgia, cutting all air, automobile, sea and railway communication and postal traffic with Georgia; ceasing activities of small-scale and medium-scale businesses run by or employing Georgian nationals;

35. provocative statements by several state officials, including President Putin, Prime Minister, Foreign Minister, Speaker of the State Duma, etc. On 4 October, the State Duma adopted a statement, referring to the actions by the Georgina authorities in the Georgia-Abkhazia and Georgia-South-Ossetia conflict zones as "state terrorism with corresponding conclusions and consequences";

36. launching a general anti-Georgian campaign, including mass checks of Georgian nationals, detention and expulsion from the territory of the RF;

37. Announcement of increase of gas price from 110 USD to 230 USD per 1000 cubic meters as from January 2007.

[11] According to Mr Karasin, Deputy Foreign Minister of the RF, some Georgian politicians have been issued visas to enter the territory of Russian Federation for international events.

2.3. Preparedness and stumbling blocks for resuming dialogue and co-operation

2.3.1. Georgia's view:

38. All Georgian leaders that we met asserted that they are committed to a peaceful resolution of their internal conflicts and are continuously appealing for dialogue both with the Russian authorities as well as with the *de facto* authorities of Abkhazia and South-Ossetia.

39. Some high level bilateral contacts have taken place in the margins of international events, e.g. Mrs Burjanadze, Speaker of the Georgian Parliament met with Mr Mironov, Speaker of the Russian Federation Council in St Petersburg at the beginning of November. The foreign ministers of the two countries met on 1 November. President Saakashvili requested a bilateral meeting with President Putin during the CIS summit in Minsk on 28 November.

40. The difficulty in re-establishing relations with Russian authorities is due to the lack of communication of concrete objectives that Russia would like to see Georgia fulfil, the usual rhetoric reply received from Moscow being "you know what we want" (which the Georgian side presumes means a fundamental change of its foreign policy and change in the country's political leadership).

41. Communication with the *de facto* authorities of Abkhazia and South Ossetia is hampered by the numerous preconditions imposed by the latter for starting the talks.

42. At ministerial or consular level, communication is quasi non-existent. Particular concerns relate to the impossibility for the Georgian Ministry of Education to receive copies of school certificates of deported children from their counterpart ministry in Russia or for the Consular Service of the Georgian Embassy in Moscow to receive information on the Georgian nationals in detention awaiting expulsion.

2.3.2. Russia's view:

43. According to the Russian Ministry of Foreign Affairs, dialogue is not stopped, just slowed down. The Russian authorities would prefer to take a step by step approach, through sober-mindedness and taking time to think.

44. Russia is ready for dialogue but Georgia will need to first show respect and responsibility towards Russia. Both countries have to responsibly think of what is in their interest. Being a friend means not making fool of the other and political backing wherever necessary.

45. Russia does not need external mediators in this matter. It would be counter-productive to tell Russia with whom it has to be friends with. Any public discussion would lead to heightening of tensions. If someone wants to repair relations between the two countries, he should avoid publicity.

46. With regard to daily relations with Georgian authorities since the beginning of the conflict, the Ministry of Interior enjoys close relations with the Georgian Ambassador and Consul in Moscow, who have participated in the "humanitarian acts" to "save people from custody by expulsion". The Georgian Consul in Moscow, Mr Pataradze, has personally participated in the inspection of detention premises and in the deportation procedures together with the Federal Migration Service of the Russian Federation. He has even personally thanked the Director of the FMSRF in a letter dated 1 November 2006 for their co-operation (see Appendix IV)

2.4. International community representatives in the two capitals on the current conflict

47. The current conflict of Russia with Georgia is a pretext. The election campaign has been launched in Russia ahead of the 2007 and 2008 elections. The wave of anti-Georgian feelings has been used for the benefits of Russia's internal policies.

48. There are no winners in the current conflict. Both sides have provoked themselves to the corner and do not know how to get out of the situation without hurt pride and major compromises. For the Russian side, the ultimate hope is a change of government in Georgia; however, their cards have been played in too "transparent" a way and overplaying the "spy-scandal" has rather made President Saakashvili win support in the west. Nonetheless, the only way out of the deadlock situation for both sides is for the two Presidents to sit down at the bilateral negotiations' table.

49. Neither Russia nor Georgia (nor the international community) has a clear strategy for conflict resolution in Abkhazia and South-Ossetia. Moreover it serves Russia's interests to keep those conflicts frozen by maintaining a *status quo*, for authoritarian regimes preserve seeming stability for Russia. The frozen conflicts also offer a good leverage for Russia to control Georgia. Keeping conflicts alive is also an additional guarantee for Russia to fend off NATO from the area.

50. Russia is using the economic sanctions in order to get its hands over gas pipelines running on Georgia's territory to Russia.

3. HUMAN RIGHTS AND OTHER MAJOR CONCERNS

51. During our two visits, we held discussions with the members of the ad hoc Commission of the Parliament of Georgia on Studying Acts, Committed by the Russian Federation towards Citizens of Georgia, the deputy Ombudsmen and representatives of the civil society in both countries, including the Georgian Orthodox Church in Moscow. Our delegation members also interviewed a dozen of Georgian nationals, deportees from the Russian Federation, in Tbilisi. On the basis of the information and factual evidence collected, a number of general observations can be made.

52. The massive campaign launched as from the end of September against Georgian citizens and persons of Georgian ethnicity (thereafter "the campaign") was a political campaign, which emerged as a direct sequel to the provocative statements made by both countries' political leaders. Those statements were perceived locally as a call for action, which triggered the organisation of persecution of representatives of Georgian nationality. Although in our discussions with various Russian ministries and the Public Prosecutor's office no official instance acknowledged having received any orders from above or having themselves given any instructions to their regional departments, we were given copies of some internal orders issued by competent departments under those ministries with regard to massive expulsions or discriminatory measures to be taken against Georgian citizens (see Appendix III). These copies were also quite widely published in the Russian press and have been sent by the Commissioner of Human Rights of the Russian Federation for expertise of their authenticity to the Public Prosecutor's Office. When confronted with those copies, public officials in Moscow denied having ever seen them, yet admitted that some "administrative excesses" took place during the expulsions; in Deputy Foreign Minister

Karasin's words, "Every country has its share of idiots". The underpinning point is, however, that although the executive orders may have come from lower administrative instances, it is the President of the Russian Federation that is the constitutional guarantor of rights and liberties of the citizens under Russian jurisdiction. Thus he has to accept the burden of responsibility. On 25 October 2006, in a TV interview, he called on all law enforcement agencies and administrative bodies to refrain from ethically motivated actions, which he qualified as "inadmissible" (see Appendix VI). It is also inadmissible to use the foreign policy situation between the two states to organise baiting of the citizens of these countries or of certain ethnic groups.

53. "The campaign" was from its outset a selective and intentional persecution campaign based on ethnic grounds, which clearly goes against the spirit of Article 14 and Protocol 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). Although justified by Russian officials as part of the routine fight against illegal immigration and "ethnic criminality", and neither side denying the fact that a considerable number of Georgian citizens live in the country without a legal status or that a high number of Georgians engaged in organised crime take refuge in Russia, the selective persecution of an ethnic group whereby this group is clearly targeted through special militia operations to hunt down its population on streets, markets or in front of strategic places (Georgian Consulate in Moscow, Georgina Orthodox Church), tax inspections inspecting overnight most Georgian small businesses, vandalising art galleries of Georgian art, or schools not admitting Georgian children from one day to another is totally inadmissible. This can by no means be regarded as lawful means of fighting illegal migration and all the more, can not serve for establishing order in this sphere, since as a result corruption is increasing.

54. The issue of the great number of Georgians living in Russia illegally today is linked to a structural problem of Russia's immigration policies. Namely, before the visa regime with Georgia was introduced and the law "On legal status of foreign citizens" adopted in 2002, Georgian citizens were residing in the Russian Federation perfectly legally. Just like all other citizens of the CIS, they were registered in bodies of the interior Ministry in accordance with the rules applying to the Russian Federation citizens as well. In case of absence of registration they could only be fined, but not expelled. However, in 2002 their situation changed drastically: people who had been living in Russia for years suddenly became illegal migrants. The law "On Legal status of foreign citizens" did not contain any transitional provisions which could have helped hundreds of thousands of people from the former USSR countries residing in Russia without Russian citizenship to legalise their status. At the same time the new Administrative Code created a mechanism of expulsion of foreign citizens for violations of the rules of residence, i.e. for absence of registration. It also provided for expulsion of a foreign worker in case of illegal labour. However, the procedure for hiring foreign manpower in Russia practically excludes an opportunity of legal employment as there are very few organisations authorised to employ foreign workers. Thus by the time the anti-Georgian campaign began in October, repressive mechanisms against foreign citizens had already been created in Russian legislation.

55. In certain regions the campaign appears to have been well co-ordinated between the executive and legal branches of power. For instance, a secret order N°02-15 of the Chief Department of Interior Affairs of St Petersburg (GUVD) reads: ***"conduct...large-scale measures to detect and deport the maximum number of Georgian citizens illegally staying on the territory of Russia.// Also in the course of the courts considering the cases on violations of the rules of sojourn of foreign citizens to initiate decisions ONLY to deport the***

above-mentioned category of citizens with preliminary detention in reception and detention centre of the GUVD.// The realisation of these measures is approved by the St. Petersburg and Leningrad region Department of the Federal Migration Service, and the delivery of decisions is coordinated with the court of St Petersburg and the court of the Leningrad region" (see Appendix III). The putting into practice of the above order and others of its kind is attested by many deportees who have been forced to sign – often under threat of lengthy prison sentences – ready-made court decisions which they have not been able to contest. Agreements of this kind whereby courts rubber-stamp arbitrary executive decisions violate the principles of separation of powers and independence of the judiciary as guaranteed by Article 120 of the Constitution of the Russian Federation, deprive legal proceedings of any sense, and undermine the credibility of the whole justice system in Russia. They also go directly against the principle of fair trial guaranteed by Article 6 of the ECHR.

56. Articles 3 and 4 of Protocol No. 4 to the ECHR, which Russia ratified on 5 May 1998, prohibit the expulsion of nationals and the collective expulsion of aliens respectively. And yet, between 1 October and 20 November 2006, Administrative Courts of the Russian Federation made decisions on expulsion of **3297** citizens of Georgia, Russian citizens of Georgian ethnicity or Russian citizens with Georgian family name acquired through marriage[12]. More than 1550 of those persons had been deported as of 28 November 2006[13], among them a number of those resided lawfully on Russian territory.

57. Altogether 440 Georgian citizens[14] were deported by direct flights from Moscow to Tbilisi at the beginning of the conflict. At this initial stage (the first two flights), the deportees were transported by cargo flights in violation of the norms of the International Civil Aviation Organisation as such transportation of passengers poses threat to life. The later departures have been organised via third countries such as Azerbaijan and Ukraine. However, many Georgian citizens are facing great difficulties with their departure as not only air ways but also other transport routes are closed to them. In compliance with the legislation of the Russian Federation, when a foreign citizen or organisation that has been invited to Russia is devoid of financial means to return to their native country, deportation is funded by the Russian Federation. According to the evidence gathered from the deported citizens of Georgia and information received from civil associations, the expelled people are obliged to leave the territory of the Russian Federation at their own expense, and refusals often resulted in law enforcement representatives threatening to bring those people to account.

58. Article 1.1. of Protocol 7 to the ECHR provides procedural guarantees relating to expulsion of aliens, according to which "*an alien lawfully resident in the territory of a State shall not be expelled therefrom except in pursuance of a decision reached in accordance with law and shall be allowed; a. to submit reasons against his expulsion, b. to have his case reviewed, and c. to be represented for these purposes before the competent authority or a person or persons designated by that authority*." According to Article 1.2. of the same Protocol, an alien may be expelled before the exercise of his rights when such expulsion is necessary in the interests of public order or is grounded on reasons of national security.

[12] Data provided by the Georgian Embassy in Moscow
[13] Idem.
[14] Data provided by the Georgian Ministry of Justice.

59. It is doubtful that the majority of the Georgian citizens legally residing in Russia, who were arrested on the streets and thereafter deported, posed a major threat to public order or national security. And even if the majority of the expelled persons were illegally residing in Russia, the principles of fair trial as guaranteed under Article 6 of the ECHR apply to them as well. However, the "routine of expulsions" followed a recurrent pattern all over the country: Georgians stopped in the streets under the pretext of examination of their documents were detained no matter whether their documents were in order or not and taken to the Militia stations where they were gathered in large groups and delivered to courts, where decisions on administrative penalty with expulsion of the territory of Russia were made in accordance with preliminary agreement with the courts, with no lawyers and without the court's looking into individual circumstances, the entire procedure taking from 2 to 10 minutes[15]. Often people, subjected to these measures, were not admitted to the trial room, detainees were kept in corridors or even in cars in which they were delivered there. Courts did not consider the circumstances of the cases, ignoring both the fact that a person might be married to a Russian citizen, might have a family and children who grew up in Russia and have Russian citizenship (often the case with refugees from Abkhazia), and the fact that those to be expelled had not committed any offences.

60. Although we had no possibility to inspect any detention facilities, and there is not even any clear information of how many Georgian citizens are currently detained in the various temporary holding facilities of the Ministry of Internal Affairs around the country[16], according to all evidence the conditions in most of those places are unimaginably "overcrowded", "unbearable" and "inhumane". The detainees have not only been deprived of medical assistance but also of any possibility to satisfy the primary necessities of life.
This has led to the death of a 48-year-old Georgian citizen, Tengiz Togonidze, who according to witnesses was suffering from asthma and who after two weeks of detention without any medical assistance or even a possibility to be out in the fresh air, died after many hours of transportation from the detention centre in St. Petersburg to the Moscow International Domodedovo Airport on 17 October 2006[17]. The Deputy Head of the Federal Migration Service, Mr Turkin, reassured us that the detention facility where Mr Togonidze had been held was being closed down altogether. We have been saddened to learn, however, that a second Georgian citizen, a 52-year-old Manana Jabelia, has died in Moscow detention centre N°2 on 2 December after two months of inadequate medical assistance and refusal of urgent medical aid[18]. We remind the Russian authorities that the right to life is the most fundamental of human rights.

61. Behind every deportation there is a human tragedy. In many cases, the right to family life (Art. 8 of the ECHR) has been violated by separating spouses and children. Children born to the Abkhazian refugees have automatically been entitled to Russian citizenship, whereas their parents (in many cases bread-winning family fathers) have been expelled from the country. Also, in breach to the right to property (Art 1 of Protocol No 1 to ECHR), the deportees have had to leave their possessions behind and were prohibited from returning to Russia within at least five years. Several of the deportees that our colleagues interviewed complained that their possessions such as cars and businesses were arbitrarily confiscated by the law enforcement agents during their detention.

[15] Data provided by the Ministry of Justice of Georgia; confirmed by individual interviews with witnesses.
[16] According to the estimation of the Georgian Consul in Moscow, around 150 persons are currently awaiting expulsion in detention. These are generally persons without any documents or having no means to bribe themselves out of detention.
[17] The results of the autopsy presented in Court Medical Act No 2138 issued on 3 November 2006 by the Moscow Bureau of Court-Medical Expertise, Department of Drugs claim that Mr Togonidze died of an overdose of metadon, a heroin substitute drug.
[18] According to M. Jabelia's lawyer and relatives, she was seriously ill and was often in need of urgent medical aid during her detention. However, her needs were totally neglected by the Russian officials. Moreover, M. Jabelia remained illegally in custody as from 30 November 2006 since the Moscow City court (Judge T. Zibeleva) had revoked the ruling of the district court concerning her expulsion. The three days could have saved her life.

62. This persecution campaign has most affected Abkhazian refugees, who arrived in Russia in 1992-1993 in connection with the armed conflict. They cannot return to Abkhazia and have no real alternative of settlement in Georgia. According to the statistics of the Georgian consulate there are about 50,000 Abkhazians in Russia, of whom about 30,000 reside in Moscow. They have never received any governmental support nor been officially registered as refugees or provided with accommodation or humanitarian aid[19]. However, they have been living in Russia for many years, found their home there and lost whatever ties they had with Georgia. After the adoption of the law "On legal status of foreign citizens" and the new Administrative Code in 2002, most Abkhazian refugees have found themselves threatened by deportation, but until two months ago this threat was only enforced in a few cases. Although according to some information, instructions had been issued to the militia officers carrying out the operations not to touch refugees, the only specification was the presence of a Georgian passport: Georgians with old Soviet passports issued in Abkhazia should not be touched, while Georgians with new Georgian passports should be deported. The paradox is that many refugees had obtained Georgian passports with a view to legalisation of their status, which was impossible with the obsolete old Soviet passports.

63. Finally, we are deeply concerned about the nationalistic and xenophobic attitudes of some Russian officials that we encountered, especially by the deep-rooted belief expressed by the Deputy Prosecutor General and the representatives of the Ministry of the Interior on the ethnic roots of crime and migration. It is therefore no surprise that fear continues to reign among representatives of Georgian nationality residing in Russia, but also among other Caucasian and Central Asian nationals, for there is no guarantee that the methods applied today to Georgians would not be repeated on other ethnic groups tomorrow. Ethnic minority groups have no trust towards the judiciary either, which explains why very few complaints on the recent human rights violations have been lodged with the courts. People are simply afraid of further harassment and persecutions. However, Russian authorities will have to understand that is impossible to build up a multi-ethnic society with such attitudes, especially as Russia with its rapidly declining demography will have to accept labour migrants in the mid- and long-term future. Already today, Russia's labour market needs an annual influx of about one million migrant workers. Russia should therefore consider how to facilitate its legalisation of the migrant workers arriving from the former Soviet space rather than to encourage an atmosphere of hatred, discrimination and xenophobia towards guest workers.

4. CONSEQUENCES OF THE CONFLICT ON GEORGIAN AND RUSSIAN SOCIETIES

4.1. Georgia:

64. Economic sanctions negatively influence potential as well as current investors in Georgia. Many of the currently biggest investors do not want to complicate their relationship with Russia, and for that reason might curtail their business affairs with Georgia as well. Short-term economic losses; long-term potential benefit of diversification of markets and improvement of quality of export products.

65. Heavy burden on the already difficult IDP situation (former residents of Abkhazia, who arrived in Russia in 1992-1993 in connection with the armed conflict find themselves in an especially difficult situation, since they cannot return to Abkhazia and have no real alternative of settlement in Georgia). The Georgian state is not ready to receive a considerable supplementary number of ex-refugees from Abkhazia to add to the already over 200,000 IDPs waiting for the normalisation of their situation. However, the state has a moral responsibility towards these people.

[19] According to the data of the Civic Assistance Committee, the Russian authorities actually stopped accepting refugees after the Armenian-Azerbaijan conflict. The number of people declared refugees has been going down rapidly and by today has reached a trifling number of 409 people for the whole of Russia.

4.2. Russia:

66. the anti-Georgian campaign launched on the territory of Russia has brought about an increase of xenophobic actions not only against Georgian nationals but also against anybody looking Caucasian. This poses a serious threat for the internal stability of the country.

5. MAIN FINDINGS AND RECOMMENDATIONS

67. Independently of difference in size, Georgia and Russia are equal members of the Council of Europe; both have equal rights and equal obligations. These obligations include the commitment to respect human rights, to good neighbourly relations and to peaceful solution of conflicts.

68. Georgia needs to realise that its aspirations towards further European and Euro-Atlantic integration should not mean turning its back to its neighbour with whom it shares long historic, cultural, economic and personal ties. Behaving in a spirit of cooperation and good will is a much better way of marking the end of its political dependence on the former "big brother" than acting provocatively and revengefully.

69. Russia has the right to ask for "respect and responsibility" from Georgia and, in its turn, should show the same attitude towards its neighbour. It should accept that the time of the "near abroad" is over and that the choices of its sovereign neighbours are to be respected regarding both their internal policy within their internationally recognised borders, and foreign policy.

70. Sanctions, boycotts or deportations are no tools for resolving conflicts. The same goes for verbal provocations. Both countries should find new ways of cooperation and communication, and start without further delay a dialogue on the re-establishment of normal communications and economic relations.

71. The selective actions taken against people on an ethnic basis currently practiced by Russian legal and administrative authorities and the whole concept of "ethnic criminality" are incompatible with the principles of human rights and the rule of law and are therefore inadmissible. We are glad that our colleagues from the Russian delegation unanimously condemned the use of administrative and legal measures on ethnic grounds. The massive anti-Georgian campaign that has unfolded in many regions of Russia since the beginning of October, with its arbitrariness and illegal collusion between the executive and judicial branches of power, has not only had a negative influence on the multiethnic Russian society but also a damaging effect on Russia's reputation as a state committed to the rule of law. It has ruined people's lives, broken up families and destroyed their economic foundation.

72. We welcome the responsible attitude that part of the Russian civil society has shown in this matter by strongly reacting to the massive instigation of anti-Georgian feelings in state-owned media and administration. One of the best positive examples is the statement of the Civil Society Institutions and Human Rights Council under the President of the Russian Federation "with regard to the anti-Georgian campaign unfolding within Russia". This attitude contributed to the prevention of a further escalation of tensions.

5.1. Immediate steps to be taken:

73. By Georgian authorities:

– Make every effort at every level to resume communication and dialogue;

– Refrain from any unilateral action or inflammatory or aggressive statements that would unreasonably provoke the Russian authorities;

– Provide proper moral, legal and financial assistance to its nationals returning from Russia;

– Introduce a long-term integration policy of its IDPs instead of acting on short-term emergency solutions;

74. By Russian authorities:

– Promptly re-establish dialogue with the Georgian authorities at all levels;

– Lift the economic embargo against Georgia;

– Re-establish all means of transport and communications links with Georgia;

– Immediately take all the necessary measures to halt all acts of repression and harassment carried out against the Georgian population on its territory;

– Investigate all administrative, legal and human rights violations that have occurred since the beginning of the anti-Georgian campaign launched on the territory of Russia in October 2006 with an aim to bringing all those responsible to justice. To this end, set up a temporary investigative committee in the State Duma/ Federation Council;

– Declassify all the executive orders and instructions on the basis of which harassment of residents of Russia of foreign origin has been conducted;

– Restore the rights of persons who suffered unlawfully and unreasonably, especially in the cases of separation of families, loss of property and business activity, and appropriately compensate any damage caused;

– Review its immigration policies in compliance with the European Convention of Migrant Workers.

75. With reference to Opinion 193 (1996) paras. 10.vii., viii and ix. and Resolution 1455 (2005) Para 14.ii. on the honouring of obligations and commitments by the Russian Federation and to Resolution 1415 (2005) Paras. 2 and 3, we call upon the authorities of Georgia and Russia

– to commit themselves publicly to a peaceful resolution of the conflicts in Abkhazia and South Ossetia;

– to set up an inter-parliamentary group serving as a forum for dialogue and seeking ways of finding mutual understanding.

APPENDIX I

Council of Europe

Note to Editors NEWS

tel : +33 (3)88 41 25 60 / fax : +33 (3)88 41 39 11 / e-mail : pressunit@coe.int

Monitoring Rapporteurs call for dialogue between Georgia and Russia

Tbilisi, 22 November 2006: The Rapporteurs of the Monitoring Committee of the Parliamentary Assembly, Matyas Eorsi, co-Rapporteur for Georgia and leader of the ALDE group and Luc van den Brande, co-Rapporteur for Russia and leader of the EPP group, today called for dialogue between Georgia and Russia as a key to the solution of the current tensions between the two countries. They also reasserted the role of the PACE as a forum for dialogue and parliamentary diplomacy.

Speaking at a press conference in Tbilisi, the two Rapporteurs shared their preliminary impressions of the first part of their fact-finding visit, which will be followed by a visit to Moscow on 28-30 November. The Monitoring Committee will then discuss their findings on 13 December in Paris.

On the basis of their meetings in Tbilisi on 20-22 November, the Rapporteurs have the impression that the tensions between Georgia and Russia are a long-lasting political problem in which the issue of the presumed Russian spies is only one chapter.

‘Conflicts between states can happen, but they can only be resolved through dialogue. Economic sanctions, transport and postal blockage, deportations and other similar measures are not a tool for conflict resolution; they can only increase tension and are therefore unacceptable', the Rapporteurs stated.

The Rapporteurs saw as a very encouraging sign the readiness for dialogue with Russia, on all issues and at all levels, that was expressed by all Georgian interlocutors. They were also positively impressed by the general consensus amongst political parties, including the parliamentary opposition, about the direction Georgia needed to follow.

During their visit, the Rapporteurs were given several reasons for the present conflict, and in particular the aspirations of Georgia for closer integration with European and Euro-atlantic structures, as well as the frozen conflicts in the regions of South Ossetia and Abkhazia. The Rapporteurs expressed the hope that these conflicts could be resolved together by Georgia and Russia, with the assistance of the international community.

The Rapporteurs were alarmed by the reported violations of human rights of ethnic Georgians deported from Russia and called for full protection of their rights.

"Independently of difference in size, Georgia and Russia are equal members of the Council of Europe; both have equal rights and equal obligations. These obligations include the commitment to respect for human rights, to good neighbourly relations and to peaceful solution of conflicts", MM Eorsi and van den Brande stated.

"The relations between Georgia and Russia are important not only for the two countries, but for the peace and stability in Europe", the Rapporteurs concluded .

During their visit, MM Eorsi and van den Brande met with the President of the Republic, the Prime Minister, the Speaker of Parliament, members of the government and parliament.

Council of Europe Note to Editors NEWS
tel : +33 (3)88 41 25 60 / fax : +33 (3)88 41 39 11 / e-mail : pressunit@coe.int

PACE rapporteurs call for mutual respect and responsibility in Georgia-Russia relations

Strasbourg, 30.11.2006 – Russia is right to ask for "respect and responsibility" from Georgia and should show exactly the same attitude towards its neighbour country, according to two rapporteurs of the Council of Europe Parliamentary Assembly (PACE), speaking during a press conference at the end of a three-day visit to Moscow to discuss current tensions between the two countries.

Luc van den Brande (Belgium, EPP/CD) and Matyas Eörsi (Hungary, ALDE), monitoring co-rapporteurs for Russia and Georgia respectively, visited Tbilisi on 20-22 November and Moscow on 28-30 November 2006. Both countries are members of the Council of Europe and under monitoring procedure regarding their obligations and commitments to the Organisation.

"Present relations between Georgia and Russia are too heavily charged with negative emotions and are not worthy of the long historic, cultural and personal ties between the people of the two countries," the co-rapporteurs said. They called on politicians, including at the highest level, to "stop exchanging verbal provocations and show the same wisdom as their societies".

They called for specific steps aimed at defusing the tension. Russia should lift the economic sanctions against Georgia, end the transport blocade and send back its ambassador to Tbilisi. Georgia should seek new ways of communicating and co-operating.

The co-rapporteurs said they were "highly worried" by reported violations of the human rights of Georgian nationals, including some with Russian citizenship, as part of efforts by the Russian authorities to combat illegal immigration. They demanded that all such violations be thoroughly investigated and all legal measures taken against perpetrators.

The co-rapporteurs re-affirmed that xenophobia and racism, outbursts of which have also affected Georgian nationals in the past two months, are incompatible with the values and standards of the Council of Europe.

In meetings, both the authorities of Georgia and Russia have "expressed readiness for dialogue", the co-rapporteurs pointed out. In order to make this dialogue a reality, they expressed their intention to use the parliamentary forum provided by PACE. As a first step, they will report their findings to the meeting of the Monitoring Committee on 13 December 2006 in Paris.

APPENDIX II

Parliamentary Assembly
Assemblée parlementaire

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

COMMITTEE ON THE HONOURING OF OBLIGATIONS AND COMMITMENTS BY MEMBER STATES OF THE COUNCIL OF EUROPE (MONITORING COMMITTEE)

Programme of the fact-finding visit to
GEORGIA
20-22 November 2006

Members of the Delegation:

Co-rapporteurs: Mr Mátyás EÖRSI (Hungary, ALDE)
Mr Luc van den BRANDE (Belgium, EPP/DC)

Secretariat: Mrs Bonnie THEOPHILOVA-PERMAUL, Co-Secretary, Monitoring Committee of the PACE
Mrs Ivi-Triin ODRATS, Co-Secretary, Monitoring Committee of the PACE

Monday, 20 November

12.00-14.00 Meeting with the NGOs

16.00-18.00 Meeting with deported persons
(Meetings organised by the Office of the Special Representative of the Secretary General of the Council of Europe to Georgia)

Tuesday, 21 November

04.50 Arrival of Mr van den BRANDE and Mr EÖRSI from Vienna

11.00-12.15 Meeting with the Parliamentary opposition

12.30-13.30 Meeting with Mr Konstantine KORKELIA, Deputy Minister of Justice

13.30-14.45 Lunch hosted by Mr Grigol GIORGADZE, Chief of the Ombudsmen's Monitoring Department

15.00-15.50 Meeting with Mr Giorgi BARAMIDZE, State Minister for European and Euro-Atlantic Integration

16.00-16.50 Meeting with Mrs Bela TSIPHURIA, Deputy Minister of Education and Sciences

17.00-18.00	Meeting with Mr Mikheil SAAKASHVILI, President of Georgia
18.00-20.00	Meeting with Ms Eka ZGHULADZE, Deputy Minister of Interior
20.00	Working dinner with representatives of the International organisations

Wednesday, 22 November

11.15-12.15	Meeting with Mr Ruslan ABASHIDZE, Deputy State Minister for Conflict Resolution
12.30-13.45	Lunch hosted by Mr Valery CHECHELASHVILI, Deputy Minister of Foreign Affairs
14.00-14.45	Press conference
15.00-16.00	Meeting with Mr Giorgi KHEVIASHVILI, Minister on Refugees and Settlement
16.15-17.00	Meeting with Mr Zurab NOGAIDELI, Prime-Minister
17.15-18.00	Meeting with Mr Nika GVARAMIA, Chairman of the Temporary investigative commission on acts committed by Russian Federation towards Georgian citizens
18.00-20.00	Meeting with Mrs Nino BURJANADZE, Speaker of the Parliament of Georgia, and with members of the Georgian Delegation to the PACE
20.00	Working dinner with representatives of the diplomatic missions

Parliamentary Assembly
Assemblée parlementaire

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

COMMITTEE ON THE HONOURING OF OBLIGATIONS AND COMMITMENTS BY MEMBER STATES OF THE COUNCIL OF EUROPE (MONITORING COMMITTEE)

Programme of the fact-finding visit to
RUSSIA
28-30 November 2006

Members of the Delegation:

Co-rapporteurs: Mr Luc van den BRANDE (Belgium, EPP/DC)
Mr Mátyás EÖRSI (Hungary, ALDE)

Secretariat: Mrs Ivi-Triin ODRATS, Co-Secretary, Monitoring Committee of the PACE
Mrs Bonnie THEOPHILOVA-PERMAUL, Co-Secretary, Monitoring Committee of the PACE

Tuesday, 28 November

16.00-17.30 Meeting with NGOs*

18.00-19.00 Meeting with Mr Givi SHUGAROV, *Chargé d'Affaires* of the Embassy of Georgia in Moscow*

19.30-22.30 Dinner meeting hosted by H.E. Mr Marco FRANCO, Head of the European Commission Delegation in Moscow*

Wednesday, 29 November

8.30-10.00 Meeting with RF residents of Georgian nationality and Georgian citizens*
(ul. B. Gruzinskaya, 13, Georgian Orthodox Church)

10.30-11.30 Meeting with Mr Grigory KARASIN, Deputy Minister for Foreign Affairs

12.00-13.00 Meeting with Mr Alexander BUKSMAN, First Deputy Prosecutor General of the Russian Federation

13.30-14.30 Working lunch on behalf of Mr Konstantin KOSACHEV, Chairman of the Delegation of the Federal Assembly of the Russian Federation to the PACE (with participation of the State Duma Deputies and members of the Federation Council)

* meetings organised by the delegation.

15.00-16.00	Meeting with Mr Yury BALUEVSKIY, Deputy Minister of Defence, Chief of General Staff
16.30-17.30	Meeting with Mr N. OVTCHINNIKOV, Deputy Minister of the Interior and Mr Mikhail TURKIN, Deputy Head of the Federal Migration Service of Russia
18.00-18.45	Meeting with various representatives of the Russian society *
19.30	Dinner meeting with diplomatic representatives, hosted by H.E. Mr Vincent MERTENS DE WILMARS, Ambassador of Belgium in Moscow*

Thursday, 30 November

9.00-9.30	Meeting with Mr Gennady ONISHENKO, Chief Sanitary Inspector of the Russian Federation, Federal Supervision Service for Consumer Rights Protection and People Wellfare
10.00-10.45	Press-conference at *INTERFAX*
11.00-11.45	Interview with Mr Luc van den BRANDE at *RUSSIA TODAY*
12.00-13.00	Meeting with Mr Vasily LIVANOV, Deputy Minister of Education and Science of the RF
14.30-15.30	Meeting with Mr Georgy KUNADZE, Deputy Chief of Staff, Human Rights Ombudsman's Office

APPENDIX III

САНКТ-ПЕТЕРБУРГ ГУВД 122721/08 02/10 17-00=

Начальникам подразделений аппарата ГУВД,
горрайорганов внутренних дел Санкт-
Петербурга и Ленинградской области=

В целях повышения эффективности выполнения требований приказа ГУВД N 0215 от 30.09.2006 (п.п. 6.1., 6.2., 7.)

ТРЕБУЮ:

1. В течение 02.10. - 04.10. 2006 года, во взаимодействии с территориальными подразделениями УФМС по Санкт-Петербургу и Ленинградской области с привлечением сотрудников всех структурных подразделений провести широкомасштабные мероприятия по максимальному выявлению и депортации граждан республики Грузия, незаконно пребывающих на территории России.

2. Инициировать перед судами при рассмотрении дел о нарушении правил пребывания иностранных граждан принятие решений только о депортации указанной категории граждан с содержанием в ОПР ГУВД.

Проведение данных мероприятий согласованы с УФМС по Санкт-Петербургу и Ленинградской области, а принятие решений - с судом города Санкт-Петербурга и судом Ленинградской области.

3. Предупреждаю о персональной ответственности за организацию и результаты проведения мероприятий=

И.о. начальника ГУВД
Санкт-Петербурга и Ленинградской области
генерал-майор милиции В.Ю. Пиотровский-

Unofficial translation

St. Petersburg GUVD* 122721/08 02.10. 17.00
To: Heads of the departments of GUVD, district Departments of Internal Affairs of St. Petersburg and Leningrad region=

For effective fulfillment of GUVD order No. 0215 from 30.09.2006 (p.p. 6.1.,6.2.,7)

I hereby order:

1. During the period of 02.10.- 04.10.2006, working together with territorial divisions of Department of the Federal Migration Service (UFMS) of St. Petersburg and Leningrad region embracing all officials of those institutions, to conduct large-scale measures to detect and deport the maximum number of Georgian citizens illegally staying on the territory of Russia.

2. to initiate the courts considering the cases on violations of the rules of sojourn of foreign citizens only to deport the above-mentioned category of citizens with preliminary detention in reception and detention centre of the GUVD.

The realisation of these measures is approved by the St. Petersburg and Leningrad region Department of the Federal Migration Service (UFMS), and the delivery of decisions is coordinated with the court of St Petersburg and the court of the Leningrad region.

3. For any organised meetings the organisers will be personally responsible=

On behalf of Head of GUVD
St. Petersburg and Leningrad Oblast
Militia General V.J.Piotrovskiy

**GUVD = Chief Department of Interior Affairs of St Petersburg (GUVD)*

APPENDIX IV

საქართველოს საელჩო რუსეთის ფედერაციაში

ПОСОЛЬСТВО ГРУЗИИ В РОССИЙСКОЙ ФЕДЕРАЦИИ

121069, მოსკოვი, მალი რჟევსკის შეს. №6
ტელ.: (095) 203 14 78; ფაქსი: (095) 291 21 36

121069, Москва, Малый Ржевский пер. 6
тел.: (095) 203 14 78; факс: (095) 291 21 36

№ 2/178
01.11.2006

Директору Федеральной Миграционной
Службы Российской Федерации
господину Ромодановскому К. О.

Уважаемый Константин Олегович,

Позвольте выразить свое уважение Федеральной миграционной службе Российской Федерации и поблагодарить за плодотворное сотрудничество и оказанную помощь в оформление выездных документов гражданам Грузии находящихся в г. Дербент Республики Дагестан, которые намеривались покинуть территорию Российской Федерации через контрольно-пропускной пункт Яраг-Казмаляр.

Также, позвольте выразить особую благодарность Начальнику Управления Федеральной Миграционной Службы по Республике Дагестан господину Абдулатипову Раджабу Гаджимурадовичу и возглавляемому ему коллективу за плодотворную работу и сотрудничество, за теплый прием сотрудников Посольства, находящихся в служебной командировке в Республике Дагестан с целью решения возникшей сложной ситуации с гражданами Грузии с 27 по 30 октября с.г.

Одновременно, выражаем большую признательность Начальнику Поста иммиграционного контроля «Белиджи» в г. Дербент Алирзаеву Джамалу Исмайловичу, Начальнику отдела виз и регистраций Магомедову Икраму Мурадовичу, Начальнику Поста в аэропорту г. Махачкала Абдуллаеву Абдулкериму Абдулкадыровичу.

Надеемся на дальнейшее взаимное сотрудничество с Вашим ведомством.

С уважением,

Советник Посольства
Грузии в Российской Федерации
Руководитель консульской деятельности З. Патарадзе

Unofficial translation

The Embassy of Georgia to the Russian Federation
6, Maly Rzhevsky Per., 121089 Moscow
Tel. (095) 203 14 73, Fax. (095) 291 21 36

01/11/2006

Mr Konstantin O. Romodanovski,
Director of the Federal Migration Service
Of the Russian Federation

Dear Mr Romodanovski,

I would like to express our respects and gratitude to the Federal Migration Service of the Russian Federation for their fruitful cooperation and help with the paperwork for the Georgian citizens, who were going to leave the territory of the Russian Federation through the checkpoint Yarag-Kazmalyar.

Furthermore, let me express our special gratitude to the Head of the Federal Migration Service in the Republic of Dagestan, Mr Razhdab G. Abdulatipov and his staff for their fruitful cooperation and warm reception of the representatives of the Embassy, who were on the mission in the Republic of Dagestan with the goal to resolve the difficult situation with the Georgian citizens during the period from 27th to 30th of October 2006.

Likewise, we are very thankful to the Head of the Immigration Control "Belidzhi" in the town of Derbent, Mr Dzamal I. Alirzaev, the Head of the Registration Department, Mr Ikram M. Magomedov, and the Head of the Airport in Mihhachkala, Mr Abdulkerim A. Abdullaev.

We hope to continue our cooperation with your Office in the future.

Respectfully,

Z. Pagaradze,
Counsellor at the Embassy of Georgia in the Russian Federation,
The Head of the Consular Services

APPENDIX V

a)

В целях обеспечения правопорядка и соблюдения законности, предотвращения террористических актов и агрессивных настроений между детьми жителями Москвы и детьми грузинской национальности, прошу предоставить в ОВД Таганского р-на г. Москвы следующую информацию:

- Ф.И.О., дата и место рождения и жительства детей грузинской национальности, в каком классе обучается.
- Ф.И.О., дата и место рождения и жительства родителей, место работы и должность, состав семьи.
- Взаимоотношения детей грузинской национальности с другими учениками, случаи неприязненных отношений между детьми, так и по отношению к ним, факты неповиновения грузинских детей учителям, факты антиобщественных действий, противоправных деяний.

Данную информацию прошу направить в наш адрес до 09.10.2006 года (г. Москва, Ведерников переулок д.9).

Начальник ОВД
Таганского района
г. Москвы
полковник милиции

Г.С.Захаров

670-0033 Дежурный
911-8691 Гарнит

With an aim to enforce law and order, preventing terrorist acts and aggressive attitude between the children residing in Moscow and children of Georgian nationality, the Moscow Tagan district Department of Internal Affairs is requesting following information:

- Family, fathers' and first names, dates and places of birth and residence of Georgian students, the school grade they attend;
- Family, fathers' and first names, dates and places of birth and residence of parents, places of employment, composition of families;
- On Relations of Georgian children with other children, incidents of hostile attitude between the children, as well as towards them, facts of disobedience of Georgian children to their teachers, cases of bad social behaviour, unlawful acts.
-

You are kindly requested to forward the specified information to our address by 09.10.2006 (Moscow, Vedernikov St. 9).

Head of the Department of Internal Affairs
Tagansk District of Moscow
Militia Colonel G.S. Zacharov

b)

Директору ГОУ СОШ №

Запрос

Прошу Вас предоставить списки лиц грузинской национальности, учащихся вашей школы, с предоставлением сведений: ФИО учащегося, даты его рождения, адреса проживания, домашнего телефона, ФИО родителей. Сведения прошу предоставить до 15.00. часов 04.10.2006 г. Ответ на запрос прошу выслать по факсу 431-30-11. Телефон ПДН 431-30-13

И.о. начальника ОВД
Проспект Вернадского
УВД ЗАО г. Москвы
подполковник милиции Комаров А.В.

Inquiry

You are requested to provide us with lists of all Georgian students at your school together with following information; Family name, fathers' name and first name of a student, date of birth, addresses of residence, home telephone numbers; family, father's and first names of the parents. The information should be submitted by 15:00 on 04.10.2006 to the following fax: 431-30-11. Tel: 431-30-13

Acting Head of the Department of Internal Affairs
Vernandsk Ave.
Internal Affairs Office of Western Administrative District of Moscow
Militia Lieutenant Komarov A.V.

APPENDIX VI

25 October 2006 – TV Hotline of President Putin with the press

SERGEI BRILYOV: Thanks to Caspiisk and to Dagestan. And we have some other cities coming up.

Now a question from the Internet. Vladimir Vladimirovich, I would like to explain why this question struck my attention. Our television programmes talked about this theme in the last few weeks – I am referring to the anti-Georgian sentiment at the household level. We already said that it was next to Okudzhava's books disappearing from shops. Our programme talked about how Moscow policemen looked very zealously for Georgian kids in schools. And the question somewhat intersects with these issues, even if it's a little bit different. It seems as if a hunt for Georgians was declared. But there are real stories here. Mafia bosses, snipers, car thieves and pickpockets are being caught by the hundreds, casinos that were owned by Mafiosi from that country are being closed. With which other country do we have to spoil our relations so that our law enforcement agencies start doing their jobs? And along with this I emphasise that in this case their jobs involve fighting real criminals and not with the unfortunate schoolchildren we talked about.

VLADIMIR PUTIN: You even know the terminology better than I do, for snipers and so on. Of course the law enforcement agencies must constantly fight against criminal activities. Ethnic criminal communities existed in the Soviet Union, exist in Russia today, and the fight against them has already been going on for a long time. There should be no selectiveness here. There is a well-known Russian saying that goes: 'Do not force a fool to pray to God – he will bang his forehead on the ground'. Of course I cannot approve of actions that are ethnically motivated. On the contrary, I call on all law enforcement agencies and administrative organs to refrain from taking these actions. I consider that these actions are inadmissible, especially since they affect people that are living legally in Russia and, moreover, are Russian citizens. This must be absolutely forbidden.

And the struggle against criminality must take place permanently and at all times. And in the Georgian case it has simply drawn a great deal of attention because the problem is particularly acute. At the same time I want to say something in connection with, shall we say, expelling citizens

from other republics who were illegally in Russia, in infringement of Russia's migration legislation. I am not even going to name names but the citizens of one republic that were expelled from Russia numbered 15,300 and those from another republic numbered, I think, around 13,400. And the number of Georgian citizens were five thousand. Do you see the difference? And therefore to say that this process is merely selective is wrong. That is not true. And this work should continue. But of course we need to improve legislation – and I have already spoken about this – so that we can categorically protect the priorities and interests of Russia's indigenous population both in the labour market and in trade.

территориях у граждан Российской Федерации. Я уже не говорю про Северную Осетию, но и в Дагестане, и вообще на Северном Кавказе очень много связей. Это естественно, это понятно. Более того, у нас существует еще такое понятие, как солидарность между горскими народами Кавказа. Это тоже объективный фактор нашей жизни. Это мы должны, конечно, учитывать и будем это учитывать обязательно.

Что касается Грузии, то грузинский народ всегда был наиболее близок к России. Напомню, что Грузия добровольно вошла в состав Российской империи. И тогда, когда она входила в Российскую империю, у нее не было этих территорий: ни Южной Осетии, ни Абхазии. Но это сейчас уже даже не важно – важно то, что мы с огромным уважением относимся к грузинскому народу. Это действительно так, это подтверждается всей историей нашего совместного существования. Посмотрите, в военной сфере, в искусстве, в науке – в любой сфере грузины внесли огромный, а подчас просто неоценимый вклад в развитие российской государственности. Не случайно у нас и памятники стоят грузинам в Москве и в других регионах Российской Федерации – все это наше общее достояние. Нас очень тревожит курс, взятый нынешним руководством на решение своих территориальных проблем с помощью силы. Вот что нас беспокоит прежде всего. Вот что мы должны предотвратить. Это мы делаем как в диалоге с грузинскими нашими коллегами, так и на международном уровне, в ОБСЕ. Мы принимаем активное участие в миротворческих операциях там, стараемся предотвратить конфликт. Напомню, что многие наши военнослужащие погибли, исполняя этот интернациональный долг, погибли, отдали свою жизнь для решения этой задачи.

Ну и наконец, совсем недавно, вы знаете, была принята соответствующая резолюция Совета Безопасности ООН. Надеюсь, что грузинские власти не будут уподобляться другим государствам, которые игнорируют мнение международного сообщества, прислушаются к мнению международного сообщества и примут все необходимые меры для того, чтобы решать свои проблемы мирными средствами. А мы со своей стороны, как и раньше, готовы к тому, чтобы отношения с таким близким народом, как грузинский народ, вошли в нормальную колею.

С.БРИЛЕВ: Спасибо Каспийску, Дагестану. А у нас на подходе еще несколько городов.

Сейчас вопрос из Интернета. Владимир Владимирович, я хотел бы объяснить, почему он привлек мое внимание. Программы на наших каналах к этой теме обращались последние недели: речь идет об антигрузинских настроениях на бытовом уровне. Уже говорилось о том, что чуть ли не книжки Окуджавы исчезают из магазинов. Наша программа рассказывала о том, как столичные милиционеры особо ретиво искали школьников-грузин по школам. И вопрос, где-то пересекающийся, хотя чуть-чуть другое. Кажется, будто объявили охоту на грузин. Но есть реальные истории. Воров в законе, домушников, угонщиков и барсеточников ловят сотнями, закрывают казино, которые принадлежали мафиози из этой страны, – с какой еще страной надо испортить отношения, чтобы правоохранительные органы занялись бы своим делом? Причем свое дело, я подчеркиваю, в данном случае – борьба с реальной преступностью, а не с несчастными школьниками, о которых мы говорили.

В.ПУТИН: Вы лучше меня знаете даже терминологию – барсеточники и так далее. Конечно, правоохранительные органы постоянно должны вести борьбу с криминалом. Этнические преступные сообщества существовали и в Советском Союзе, и в России существуют, и борьба с ними ведется давно. Никакой избирательности здесь быть не должно. Известная русская поговорка: «Заставь не очень умного человека Богу молиться – он рад лоб расколотить». Я, конечно, не могу одобрить выборочные действия по этническому принципу. Наоборот, призываю и правоохранительные органы, и административные органы не только воздержаться от этих действий – считаю, что эти действия недопустимы, особенно если это касается людей, которые проживают в России легально, и тем более касается российских граждан. Должно быть абсолютно исключено.

Что же касается криминала, то борьба с ним должна вестись постоянно и всегда. Ну а в грузинском случае это просто привлекло особое внимание, поскольку носит наиболее острый характер. Вместе с тем хочу сказать, что, скажем, то, что касается выдворения из России граждан других республик, которые находились в Российской Федерации незаконно, с нарушением миграционного законодательства, – не буду даже называть, но граждане одной республики выдворены из России в количестве 15 300 человек, из другой республики – 13 400 человек, по-моему, а граждан Грузии – пять тысяч. Разницу чувствуете? Поэтому говорить о том, что это исключительно избирательно, – неправильно, это неправда. А работа эта должна вестись и дальше. Но нужно, конечно, совершенствовать законодательство, с тем чтобы (я уже об этом говорил) безусловно обеспечить приоритет и интересы коренного населения России и на рынке труда, и в сфере торговли.