



## **The GYLA files an application in the European Court of Human Rights on behalf of the family members of Giga Otkhozoria, who was killed near the occupation line**

On January 11, 2018, the Georgian Young Lawyers' Association (GYLA), in cooperation with its partner organization, the European Human Rights Advocacy Centre (EHRAC), filed an application against the Russian Federation in the European Court of Human Rights (ECHR) with regard to the case of Giga Otkhozoria.

Giga Otkhozoria, 30, was killed at the Khurcha-Nabakevi checkpoint near the

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



occupation line of Abkhazia on May 19, 2016. He had an argument with members of an armed group of the *de facto* Abkhaz authorities, so-called [ ] guards. To avoid conflict, Giga Otkhozoria left the territory of the checkpoint and headed towards the territory controlled by Georgia. He was chased by the so-called Abkhaz border guards, including by an armed border guard Rashid Kanji-Ogli, who, already in the Georgian-controlled territory, shot Giga Otkhozoria several times in the stomach and lower limbs. After this, Rashid Kanji-Ogli shot Giga Otkhozoria, who had fallen down, in the head, inflicting a final fatal wound. There is video footage that shows the aforementioned incident. As a result of the wounds he had sustained, Giga Otkhozoria died before being taken to the Zugdidi hospital.

After the incident, Rashid Kanji-Ogli, together with those accompanying him, fled and took shelter in the territory of the occupied Abkhazia.

The so-called military prosecutor [ ] office of the *de facto* Republic of Abkhazia launched an investigation into the killing of Otkhozoria. A court of the *de facto* Republic of Abkhazia sentenced the accused, Rashid Kanji-Ogli, to house arrest as a measure of restraint. On May 31, 2017, the Georgian authorities learned that the military prosecutor [ ] office of the *de facto* Republic of Abkhazia had discontinued the investigation and criminal prosecution in the case of Giga Otkhozoria, justifying its decision by lack of evidence.

On March 7, 2017, the Kutaisi Court of Appeals found Rashid Kanji-Ogli guilty of the murder of Giga Otkhozoria and of unlawful acquisition and carrying of firearms, and sentenced him to 14 years of imprisonment. Currently, Rashid Kanji-Ogli is on the wanted list of the Interpol. The *de facto* authorities of Abkhazia are refusing to hand over Rashid Kanji-Ogli to the Georgian authorities.

The GYLA argues in the application filed in the ECHR that the Russian Federation has violated Article 2 (Right to life) and Article 13 (Right to an effective remedy) of the European Convention in relation to the applicants.

The Russian Federation, as the state exercising effective control on the occupied territory of Abkhazia, bears the responsibility for violations of human rights provided for by the European Convention in the said territory, as well as for the actions of representatives of the *de facto* authorities of Abkhazia.