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Meeting: 1577th meeting (December 2026) (DH)

Item reference: Action Report (13/10/2026)

Communication from Georgia concerning the case of Lanchava v. Georgia (Application No. 28103/11)
(Tsintsabadze group)

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Réunion : 1577^e réunion (décembre 2026) (DH)

Référence du point : Bilan d'action (13/10/2026)

Communication de la Géorgie concernant l'affaire Lanchava c. Géorgie (Requête n° 28103/11) (Groupe Tsintsabadze) **[anglais uniquement]**

The Government of Georgia

Action Report

LANCHAVA v. Georgia (no. [28103/11](#))

Decision (Friendly Settlement with Undertakings) of 23 June 2015

I. INTRODUCTION

1. The *Tsintsabadze* group of cases concerns various substantive (between 1999 and 2014) and procedural (between 1999 and 2020) violations of Articles 2 and 3 of the Convention on account of deaths in prison, during security or police operations, torture and other forms of ill-treatment, mostly imputable to law enforcement and prison agents, as well as ineffective investigations into these facts.
2. The Government hereby submit information on the individual measures adopted in the case of *Lanchava v. Georgia*, which forms part of the *Tsintsabadze* group of cases.

II. INDIVIDUAL MEASURES

(a) Payment of the Amount Stipulated in the Unilateral Declaration

3. The Government paid the amount stipulated in the declaration in full and within the prescribed three-month period. The payment was effected on 8 September 2015.

(b) Investigation

4. On 6 July 2009, the Investigation Unit of the Ministry of Corrections, launched an investigation into the criminal case №073090326 concerning the acts of juvenile inmates and convicted persons at Kutaisi №2 prison. In the context of the aforementioned case, on 4 August 2009, criminal case №073090386 was separated under first paragraph of Article 333 (exceeding official powers) of the Criminal Code of Georgia against the employees of Kutaisi №2 prison. Investigation Unit of the Ministry of Corrections investigated the case. Nevertheless, the case did not lead to any outcome and the investigative authorities of West Georgia Prosecutor's Office terminated it on 22 June 2011.

5. Based on the decision of the European Court, on 15 April 2016 the investigation was renewed. The criminal case was transferred to the Investigation Unit of the Office of the Prosecutor General of Georgia for investigation.
6. The previous action plans presented the information regarding interrogation of the applicant's father; the former inmate B.T.; the employees of Kutaisi №2 Prison; G.Kh. - former controller of Kutaisi №2 who explained that on 6 July 2009, a juvenile convict Lasha Lanchava organised a riot involving other juveniles. As a result of the above-mentioned, Special Force Unit of the Ministry of Corrections entered the territory and besieged the residence of juvenile convicts. According to the witness he did not take part in this process and nobody had been physically or verbally insulted by him. The similar information was provided by other former employees of the prison (N.Kh.; D.K.; G.Ts.; A.Z.). They all pointed out that the riot was suppressed by the members of the Special Forces Unit. Furthermore, the investigative authorities requested the information from the Ministry of Corrections in respect of all members of the Special Forces Unit serving at the material time which was followed by their interrogation.
7. The Government already provided that number of key witnesses have been questioned. One of the eyewitnesses of the incident, G.T. who was serving his sentence in Germany, refused to be questioned and to provide any kind of information in September 2017. Also, as the Committee is already aware, the information has been requested from the Ministry of Internal Affairs about the border crossing of the several other witnesses, former inmates, who participated in the incident. According to the official data, the State border of Georgia was crossed by 8 witnesses. The investigative authorities endeavoured to find out their whereabouts via their family members, though to no avail.
8. As the Committee is aware, the Public Defender of Georgia has been requested permission of interrogation of four employees of the Public Defender's Office (in accordance with the organic law on the Public Defender of Georgia), however negative response was received on 13 February 2018. It represented new obstacle for the investigation, since interrogation of neutral witnesses would have facilitated the investigation process.
9. The Former Director of Kutaisi №2 prison, Z.R. was questioned in the capacity of witness on 14 August 2018, who denied any fact of ill-treatment of the prisoners by the staff of Kutaisi №2 prison.

10. The investigation was underway under Article 333, paragraph 1 of the CCG, which implies exceeding of official powers.
11. It should be noted that there are other objective obstacles which hinder the present investigation. In particular, since long time has passed after the alleged crime, the witnesses find it difficult to recall the detailed factual circumstances. Some of the witnesses to be examined do not reside in Georgia and most of the family members do not have information about their location abroad. The majority of the witnesses are criminal authorities, members of a criminal underworld (some of them still serving their sentence) and they refuse to collaborate with the investigation. Some of them indicated that they will not provide any information until the applicant appears to the investigative bodies while others indicated that they do not possess any tangible information. The applicant himself was serving a sentence in Ukraine and has been released.
12. According to the information requested by the investigation from the Penitentiary Department, no data can be obtained which would help to identify the special forces who were sent to Kutaisi №2 prison on 6 July 2009. Notwithstanding this, in July 2009, the investigation sought additional information from the Penitentiary Department concerning all personnel who served with the special forces at the material time. One employee, the member of the special forces (west direction) was interviewed as a witness, who categorically denied the assertion that they were present in Kutaisi №2 prison on 6-7 July 2009, with other special force members.
13. In order to determine the whereabouts of L. Lanchava, the Special Penitentiary Department of the Ministry of Justice of Georgia was requested information on whether Lasha Lanchava has been placed to serve the sentence in any relevant institution of the Special Penitentiary Service.
14. On 3 February 2023, the investigator was in Kutaisi №2 penitentiary institution in order to interview Lasha Lanchava as a witness. Lasha Lanchava stated he does not want to participate in the questioning and to provide information regarding the incident of 6 July 2009. I.S., a lawyer defending his interests, was also present.
15. Lasha Lanchava was released from the Penitentiary Institution on 26 June 2023. Following his release, neither he nor his lawyer approached the investigative body to participate in the investigation process/provide information or request questioning (even though they had complete information about the investigation at the Office of the Prosecutor General). Additionally, the

information base of the Ministry of Internal Affairs (pol.ge) was analysed, revealing that Lasha Lanchava left the territory of Georgia on 10 July 2023, and is not currently residing in the country.

16. On 14 December 2023, the prosecutor issued a decree recognising Lasha Lanchava as a victim in the criminal case. The lawyer - I.S. was contacted to get familiar with the aforementioned decree and seek relevant clarifications regarding the rights and duties of the victim.
17. On the same day, the protocol of the telephone conversation with I.S. was drawn up. The lawyer I.S. was informed in detail that on 14 December 2023, the prosecutor issued a decree recognising his client, Lasha Lanchava, as a victim. Additionally, it was clarified that he would receive a copy of the mentioned decree and he possess the right to thoroughly acquaint himself with the materials of the criminal case. In this regard, I.S. stated that Lasha Lanchava left Georgia shortly after being released from prison and has no information where he might be. The lawyer clarified that in the event of any contact with the applicant, he will promptly inform him about victim status and will find out about the applicant's position as well as inform the investigative bodies respectively.
18. All necessary investigative and procedural actions were carried out in the course of the investigation. The investigation was as comprehensive as possible and consisted of all reasonable steps necessary to secure evidence. The information and evidence obtained during the investigation were evaluated fully and objectively, however, the fact of the possible commission of a crime by a specific person could not be confirmed by the appropriate standard. Thus, with the joint analysis of the information and evidence obtained during the investigation, a decision to terminate the investigation was adopted on 22 January 2024.
19. As the Committee was informed, since the applicant left the territory of Georgia and is not currently residing in the country, it was not possible to serve the decision on the termination of the investigation.
20. Furthermore, on 30 September 2026, an investigator went to Lasha Lanchava's residential address in order to serve him with the decision discontinuing the investigation. No one was found at the address and, following enquiries with neighbours, it was established that no one currently resides there.

III. CONCLUSION

21. In the light of the information set out above, the Government consider that no further individual measures are required in the present case and accordingly invite the Committee of Ministers to close the supervision of the execution of this case.
22. Information on the general measures adopted in the *Tsintsabadze* group, together with updated information concerning the investigations and/or other individual measures in the remaining cases, will be submitted by means of an updated action document.