

Q6 Legal/Reference 5_6

Declaration of Enver Babutsidze

My name is Enver Babutsidze. I am 62 years old. I was previously a major in the Soviet Army where I specialized in artillery. I lived in the village of Kvemo Achabeti until 9 August 2008 when I was taken hostage and held for the next 18 days in Tskhinvali.

During the first few days of August Kvemo Achabeti was repeated shot at and shelled by Ossetian separatists. Then, on August 7 and 8, our village was bombed by airplanes, and two of my neighbors' houses were damaged. By August 7 only men from around 30 families were still in the village, since most of the men, women and children had fled by that time due to the attacks we had received from the Ossetian forces in the previous days. I was the only member of my family to remain in the village. Only 4 men, all of them around my age, remained on the street near my house.

On August 9, I received a phone call from my son who told me that the Georgian army had withdrawn from Tskhinvali and that I should leave immediately because it would become very difficult for me. He told me to walk through the mountains to the village of Eredvi where he would wait for me with a car. I told my son that I would not leave my brother alone in the village and that I would try to persuade him to leave with me. I went to my brother, who lived about 300 meters away, and told him about the call from my son. My brother refused to leave the village, saying that "this is our home."

I then went to check on my uncle, who is 82 years old. This required me to go to the main road. At about 8 a.m. I looked down the road and saw a huge column of tanks. The tanks were accompanied by soldiers walking on foot and holding weapons in their hands. Because of my experience with tanks as a major in the Soviet Army I decided to follow the column, walking in the direction they were coming from, towards the village of Kekhvi. I estimate that the column of tanks extended approximately 5 kilometers.

At about 5 p.m. I was alone at my house when I saw a detachment from the Russian army coming down my street. There were many Russian soldiers, and they had Russian flags on their vehicles. They were accompanied by Ossetians wearing black and military green. Some Ossetians wore civilian clothes. The tanks stopped and the soldiers approached by foot.

A very large green Russian tank stopped about 30 meters from my house. I witnessed soldiers from this tank break into a neighbor's house while other Russian soldiers remained outside. I then saw the soldiers who had run into the house return with a stereo and put it into the tank. After the Russian soldiers finished looting the house they set it on fire. Nobody tried to put the fire out. The Russian soldiers were led by an officer with the rank of senior lieutenant who had three stars on his shoulders. This Russian officer coordinated the soldiers in collecting the stolen items and putting them into the tank.

I then saw my uncle who told me that Russian soldiers had seized my neighbor, Vazha Vazagashvili. Vazha is a civilian who is about 55 years old. I asked my uncle where they had taken him. My uncle pointed to about 15 meters away where I saw a group of Russian soldiers kicking and beating Vazha. At that moment a Russian soldier suddenly jabbed me in the back

with the point of his rifle and then hit me with the butt. He ordered my uncle and I to go with him. About ten more soldiers, mostly Russian soldiers with some Ossetians, came over and ordered my uncle to go inside the house. They ordered me to follow them. The soldiers took me to where Vazha was lying on the ground and ordered Vazha to stand up. Speaking in Russian, they called us “Georgian pigs” and shouted “what are you doing here!” They then forced us to walk for about 100 meters to where there was a dead Georgian soldier lying in the garden near a burning house. They asked who the soldier was, and I said I didn’t know. The dead soldier’s eyes were still open so I tried to close them. A Russian soldier kicked me and shouted in Russian “this Georgian pig doesn’t need to be buried!” I pleaded with them in Russian that we are all Christians and begged to be given five minutes to bury him. They responded by shouting “we will take care of Georgian pigs!” The soldiers then threw his body into the burning house. The soldiers shouted that “the ground in this area is ours!” and that “you need to go away from here!”

Vazha and I started out for Tskhinvali on foot in the custody of a group of Russian and Ossetian soldiers. The number of soldiers varied between 5 and 20, since soldiers came and went. The leader was a lieutenant in the Russian army. While walking to Tskhinvali the soldiers saw some of my neighbors standing near their houses. The soldiers detained these people and put them into a zhigli model car.

After we walked for a while, my captors stopped another car, a velisi model car, and the Russian lieutenant ordered Vazha and me to get into the car. Two Ossetian soldiers were in the car. One said “we are going to kill these Georgians.” I prepared myself to be killed. However, the other Ossetian soldier said they should not kill us. Instead, they drove us to Tskhinvali. On the way, one of the Ossetians said to us “do you think you will ever come back to live in this place! God will decide which of us is right!”

These soldiers drove us to the police building in Tskhinvali. There were 5 or 6 steps leading up from the ground into the building. Someone had placed the flag of Georgia on the steps so that people would be forced to walk on it. Russians and Ossetians in military uniforms with stars stood on both sides of the steps. One of them hit me in the face and insulted me in Russian.

Our captors placed Vazha and I alone in a windowless cell with only a small hole for air to enter. They later brought to our cell two more prisoners who had been taken hostage in Kurta. One of these hostages had been badly beaten with an automatic weapon. More hostages were then added to the cell. There were three of these cells, and we could hear the voices of hostages in the other cells. I heard the voice of my 56 year-old sister.

We were guarded by Ossetians in the prison. Russian soldiers were located immediately outside the prison. The Ossetians who were guarding us said that we were hostages and would be held until there was an exchange. They claimed that the Georgians had captured one of their leaders and were holding prisoners-of-war.

There was a place in the prison where Russians and Ossetians interrogated the hostages. My interrogation was mostly carried out by Russian officers. I recall they had stars on their uniforms but I do not recall their ranks. “Russia” was written on their badges. The Ossetians in the room wore black tee-shirts. The interrogators asked: “Who are you?” “Who have you helped?”

“What are the names of your family members?” “Where is your son?” “Is your son fighting?” They wrote information on a piece of paper and demanded that I sign it. There was a blank space on the bottom part of the page. When I signed the document I wanted to draw lines through this blank space to prevent anything else from being written there after I had signed it. However, my interrogators refused to let me do this.

The guards often beat hostages. On one occasion they took 4 men and I could hear them being beaten. Another time a guard brandished a knife and shouted “I wish I could drink your blood and that I never see Georgians.” I also remember a brutally beaten 94 year-old man being thrown into the cell. This man said that he had been beaten by Russian soldiers. Another time, an 82-year old hostage who had children in the Georgian militia was interrogated. I was told by his sister that his interrogators had tried to beat him but they didn’t because there were Red Cross representatives present.

We were subjected to horrific conditions in the prison. Our captors gave us very little to eat or drink. We were given only cereal, small slices of bread, and slightly sweetened tea,. This was not enough to feed everyone. We had to cut the small pieces of bread into even smaller pieces, and even then there sometimes was not enough bread to feed all the hostages. The guards also did not give us nearly enough water. Sometimes they gave us no water at all. On a few rare occasions a priest gave us water. The sanitary conditions in the prison were also extremely unhealthy since there was only one toilet for all the hostages.

I estimate that there were more than 200 hostages at the prison, including a significant number of women. When the number of hostages had grown so large that there were too many to be kept in the cells, they kept prisoners in the corridor as well. They also put some of us outside in cages.

I have examined the photograph attached to this testimony. This photograph shows a cage outside the prison building. I myself was placed in this cage. I recognize many of the hostages in the photograph, including Gaioz Babutsidze, Kukuri Babsidze, a man named Otinashvili, and a man called Robik. In the background of the photograph one can see people attending a concert. I recall this concert and witnessed it when I was taken outside the prison to do work. One can see also see located just a few meters from the cage a large green object that is temporary housing where Russian soldiers stayed. I frequently saw Russian soldiers standing in this area.

I often saw the South Ossetian separatist official Mikhail Mindzaev at or around the prison giving order to people, including ordering hostages be taken to different places. I recognized him from television. I have examined the photograph that is attached to this testimony. I can identify the man in this photograph as Mikhail Mindzaev.

When I was taken to work outside I often saw Mikhail Mindzaev speaking with General Kulakhmetov, the commander of the Russian peacekeeping forces in South Ossetia. I recognized General Kulakhmetov because I had previously seen him leading peacekeeping activities near my village. I witnessed Mikhail Mindzaev and General Kulakhmetov speaking together from about 4-5 meters away in the area near the cage. General Kulakhmetov saw the hostages being taken in and out of the prison when they were being taken to work.

While I was being held hostage I also saw Boris Chochiev in the vicinity of the prison, who I recognized from television as a senior South Ossetian official.

I, along with many other hostages, were forced to perform work, including cleaning the streets of Tskhinvali and collecting the bodies of dead Georgians. When the guards took us outside to work we could see Russian soldiers walking around in the area immediately around the prison. The bodies of the dead Georgian soldiers we were forced to collect were decomposed because the Russians and Ossetians had not buried them even though the fighting had ended much earlier.

I found the bodies of 7 or 8 Georgian soldiers close together in a schoolyard. From the way they were lying I believe they had been executed. Each soldier had been shot in the head or heart.

I was released on August 27 and taken by bus to Gori. From Gori I was taken to Tbilisi.