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## **Investigation of the Criminal Case on the Death of Mountain Climbers on Elbrus Has Been Completed in the Kabardino-Balkarian Republic**



The investigating authorities of the Investigative Committee of the Russian Federation for the Kabardino-Balkarian Republic completed the investigation of the criminal case on the death of climbers on Mount Elbrus on September 23, 2021. The organizer of the ascent and four guides have been accused of committing a crime under Part 3 of Article 238 of the Criminal Code of the Russian Federation (providing services that do not meet the requirements for the safety of life and health of the consumer, committed by a group of persons, resulting in the death of two or more persons through negligence).

According to the investigation, around September 2021, the organizer of the ascent, in order to derive material benefits through the provision of tourist services, decided to establish and launch a series of tourist products, including climbing to the western peak of Mount Elbrus from September

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16 to September 25, 2021. He posted data on the ascent on a website to promote the tourist product and attract those wishing to take part in the journey. The organizer determined the procedure for transferring climbers from the collection point to accommodation facilities, the algorithm and timing of the passage of individual stages of the route by climbers, and the ratio of the number of guides to the number of climbers. The organizer also selected guides and instructed them to accompany the group for a monetary reward. At the same time, he was aware of the fact that some of the persons he had invited as guides did not meet the competence requirements for mountaineering and mountain tourism guides. Unaware of the inconsistency of the provided services with the requirements for the safety of life and health of consumers, including the lack of proper competences among guides, twenty people expressed a desire to take part in the journey and paid the organizer the cost of the trip in the amount of 31,000 to 39,000 rubles (later on, four tourists refused to climb before the start of the route).

According to the Mountain Peaks Rout Classifier, the climbing route to the western peak of Mount Elbrus from the south has a difficulty category of “1 B”. To ensure the safety of participants when climbing routes of this category, it is permissible for one guide to accompany no more than three participants; that is, at least six guides should have been involved to accompany a group of climbers in the amount of sixteen people. Also, when organizing a tourist trip, weather and climatic features were not taken into account, according to which the most favorable timing for the route to the western peak of Mount Elbrus from the south is the period from June to August. At the same time, in September, the weather conditions on the route are unfavorable for climbing. In addition, the organizers of the ascent did not assess the preparedness of the group to climb in terms of their skills, individual equipment and health status.

On September 23, 2021, at about 2 a.m., the defendants, violating the above safety requirements, also ignoring the adverse weather conditions on the route, decided to start climbing together with a group of sixteen people. During the ascent, at an altitude of more than 5000 meters above sea level, a participant of the ascent reported that for health reasons she could not continue the ascent. One of the guides accompanied her on their way back to the starting point of the ascent. Later on, the woman died during the descent from hypothermia. Despite the worsening weather, the remaining three guides continued to accompany the group of fifteen climbers along the route, neglecting safety considerations, on the basis of which the ascent should have been stopped and the descent of all climbers to the starting point should have been immediately started. Under such circumstances, due to the sharply worsening weather conditions and the deterioration of the health status of the unprepared climbers, the guides failed to provide services for the descent of the entire group to the starting point on their own, as well as organize the evacuation of the climbers in a timely manner, as a result of which five climbers died, and nine received various injuries.

For the time being, the criminal case has been sent for approval of the indictment and subsequent transfer to the court for further consideration on the merits.

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