

Q6 Legal / Reference 7

Protocol of a Victim Testimonial

Tbilisi

August 21, 2008

According to the articles 294-303, and 309 of Criminal Procedural Code of Georgia, I, *the Prosecutor of Tbilisi Gldani Nadzaladevi Prosecutor's Office, Zaza Tsulaia, in the premises of Tbilisi Prosecutor's Office, and regarding the Case # 074088079, have examined as a victim*"

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|---|--|
| 1. Name, father's name, surname | Makvala Melanashvili (patronymic Zakaria) |
| 2. Date of birth (y/m/d) | 1926 / August / 15 |
| 3. Place of birth | Village Kekhvi |
| 4. Nationality & citizenship | Georgian |
| 5. Education / profession | Incomplete secondary |
| 6. Civil status | Widow |
| 7. Place of residence | Gori district, village of Kekhvi |
| 8. Place of work & occupation | Unemployed |
| 9. Previous trials | N/A |
| 10. Any kind of immunity | N/A |
| 11. State awards | N/A |
| 12. Other notes | |
| 13. What relationships with the accused | N/A |

Before the examination, the victim **Ms. Makvala Melanashvili** was introduced to her/his rights, as well as his responsibilities over his duties according to the articles 294-303, and 309 of Criminal Procedural Code of Georgia, and was given a written list of her responsibilities and duties.

Signature of the victim - signed

Examination started at 17:50 and ended at

On the offer to tell everything she knows about the case –**Makvala Melanashvili** – testified to the following:

I have lived in the village of Kekhvi since my birth. After my husband's death I lived in the village together with my daughter Shushana Melanashvili, who got married and moved to Java district. My grandchild Lidia Melanashvili stayed with me.

During these events word spread in the village of Kekhvi that Ossetians were going to burn down the entire village. That is why all children, young people, and women left the village and started towards Gori. On August 10, 2008, my grandchild Lidia Melanashvili left the village together with our neighbors to avoid contact with Ossetian separatists and Russian soldiers. I stayed at home to take care of the house. On the same day, August 10, armed people entered the village and started burning down the houses of the Georgian population. They did not care if the owner of the house was there or not. Ossetian gangs did most of the robberies and house-burning; as for Russian soldiers, they watched the situation and did not prevent or suppress the raids against the Georgian population.

I personally watched how they burned down the houses of my neighbors, saying that they would root out Georgians from the area so that we would never be able to come back again.

I had a wooden house, so the Ossetians who came to burn it said there is no sense to burn a wooden house and went away. All my neighbors' houses were robbed and burned. They did not beat me, but I underwent as much abuse and outrage as other Georgians did. They insulted us and shouted that the whole territory from Tskhinvali to Mtskheta [the old Georgian capital near Tbilisi] belonged to them and they intended to clear it of Georgians.

Ossetians killed the livestock and took the meat to Russia on huge trucks.

On August 19, 2008 armed Ossetians came to my house and said I had to go to Gori. But they took me to one of the buildings in Tskhinvali, told me I was detained, and put me into a cell.

There was over 150 Georgians there – mainly the civilian population of the Georgian villages.

In prison they gave us only bread and water and they forced the Georgian men to work on street cleaning and digging graves.

In response to your question I would answer that the Ossetian separatists and Russian troops did their best to make the Georgian population abandon the Georgian villages and make sure they will never have the possibility of returning. For example, in the village Kekhvi there is no Georgian house left that was not robbed and burned. Their intention was to expel the Georgian population.

In the village I left my house, farm, and all my belongings, and I became an IDP. The material losses I met can be estimated at 20,000 Gel, as for the moral losses, it cannot be calculated. On August 21, 2008 Ossetians took us to Gori and let go.

I cannot add anything now. If I remember new facts I will let you know.

The testimonial is written under my dictation. I have read it and found it correct, and I certify it with my signature.

Victim – signed

Prosecutor – signed.