

To: Georgian Public Defender

Mr. Giorgi Tugushi

Explanation

By the condemned placed in the #8 prison establishment

Malkhaz Arkania

22.06.2011

I would like to inform you that on February 5, 2011 I was arrested by the head of Zugdidi IA regional department, Ruslan Shomakhia and other cooperators whose names and surnames I do not know. I was arrested near Enguri Bridge when I was coming from Gali region.

While arresting I was put in "Hyundai" mark jeep and was taken to unknown place for me where there were tea bushes. I could not see because they wrapped something around my head, in particular the black clothes. They took me out of the car and showed me "Shotiko Sadunishvili"'s testimony where it was written that I was taking part in explosion of 2008-2010 with Temuri Arkania, Mamuka Arkania and Denis Kishmaria.

I refused everything. Then they used physical and word abuse against me, they swore and spit in my face and threatened me with guns. They hit the metal hand-bat in my back and legs. Physical and word abuse against me continued for about 30-40 minutes. Then they took me by car and on the way of village Rukhi we met investigator whose name I do not know but they called him "Bukho." They searched me and took 1500 GEL from me, two mobile phones, 80 Russian Rubles and two sim-cards. But in the search-record they wrote that in spite of these things, they took drugs from me which I did not have and did not see. I was so afraid that I signed this search-record. After all I was taken to the City Hall and on the second floor I was beaten by them. Among them were inspector and policeman Temur Toria whose nickname was "Loko." Then they took me in the room where they continued beating and threatening me. They also spitted on me. They mainly beat me in the area of kidneys because of what I became ill and lost my consciousness. Then they made me drink some water in which (I understood later) there was drugs. After about two hours they took me to the hospital where they found drugs in my blood. I have never used drugs and do not know

what kind of drug it is. Then they took me in the temporary insulator where there was no pressure against me. On the third day Zugdidi regional court arrested me for 3 months. As they took me in the #4 establishment of Zugdidi, my escort told to prison cooperators that it was a drug addict, car taker and Arkania's relative. After all, the prison cooperators began beating me. During my beating, there were two men whose names and surnames I do not know and then I was taken to the cell.

About two days they did not beat me or abuse me, but then the regional head "Megisi Kardava" questioned me and asked me about the cars I was buying and selling and also about the drugs as if it was taken from my socks but then he stopped asking me these questions and began asking if I knew Zviad Arkania. As I understood he was declared wanted by the investigation. I told him that I did not know Zviad Arkania and because of this I was put in punishment room. On the second day they began beating me and swearing at me and asking if I want to say something. Then they took me in the cell and after about 30 minutes they rushed into the cell and began beating me again, took me into the punishment room again and after two hours they took me in the cell again.

After this fact no more facts of beating or swearing occurred in #4 Zugdidi prison.

On May 29th of 2009, I was taken to #8 prison where I am today. On the second day after taking me into #8 prison, they took me into the cabinet of director where I saw "Megisi Kardava" who told me to write testimony of avowal of guilt connected to the terrorist acts happened in Zugdidi. I explained him that I have no connection with the facts happened in Zugdidi. He told to two people unknown for me to talk me to take me to quarantine. During my taking they were beating me. Then they took me to one of the cells where I saw how one man was raping another. They were telling me to look and remember it well. If I did not write a testimony of avowal of guilt they would do the same with me. After this they gave me a pen and a paper and told me to write it. To save my life I wrote what I have heard from TV about the terrorist acts and noted that I did take part in them. This letter was taken to "Megisi Kardava" and after some time, they took me to him too. When I entered he was reading my testimony of avowal of guilt. He told me that it was not what he needed and compelled me to eat the paper by beating me. Then he told them to take me down and fuck me. He called me "the bitch of Abkhazia." They took me down, put me in quarantine and closed a door. After all, a door of toilet opened and two men in mask came from there. They rushed me and told me to take off my paints. But I resisted them. One of them was telling another to take me better for fucking me.

Suddenly a window of the room opened where there were Megisi Kardava's two men who were taking photos. Other two dropped me on the floor and took off my pants telling "give him in his mouth firth and then fuck him." I began blowing my head on the floor. Then those two men came from outside and put their leg on my throat and that one put his genital organ into my mouth and another one screened a shot. Then they left me. Those two men in mask went away and other ones told me if I do not write right letter of recognition they would fuck me and put the photos in internet. They made me write a letter by scaring me with fucking and beating. I have written it as if I were witness.

I will answer on your question: after that they did not beat or did something wrong with me anymore but when the investigator "Lasha Kobalia" came I asked him by questioning to be let my lawyer attend my questioning. At night about 4-5 times they took me to the hospital where "Mamuka Arkania" and "Shotiko Sadunishvili" were. I got acquainted with them in the beginning of August 2010 when they were introduced to me by my friend Temur Arkania. I had no connection with them till 2010 and could not take part in terrorist acts. In hospital they confronted me with Mamuka Arkania and Shotiko Sadunishvili and the last one was approving as if Denis Kishmaria, Temur Arkania, Avto Kakalia, Mamuka Arkania and me were planning to take part in terrorist act.

I ask you to do anything in your competences and react on these facts and also ask to give the copy of this letter to my lawyer Lekso Arkania. I also ask you to pay attention to me because my life is under risk.

This explanation letter is written by me and my signature is correct.

22.06.2011