Mikheil Saakashvili and Unsolved Murders

What are we talking about? Rule of law, democracy, human rights. Who are the parties to the discussion? The Western world and a developing country. What is the relationship between them? The Western world is the guardian and promoter of these values, the developing country is just learning about them.

So the Western world tells the developing country what to do, and the developing country listens, or risks ostracisation from the international community. Fine in theory. But let’s look at a concrete example.

It has been reported in the EU Observer, the official newspaper of the European Union, that the EU is urging Georgia not to prosecute its outgoing President, Mikheil Saakashvili, saying that “Georgia should resolve its problems by political means, for example elections, rather than through the courts”. At present, Mikheil Saakashvili has not even been questioned about any alleged crime, let alone arrested or charged. Therefore the EU is saying that Georgia, a developing country, is likely to resort, at some unspecified future date, to taking unjustified, illegal action against its former President because that is what “those sort of countries” do.

The statement is clearly meant as a criticism of Georgia. However, it actually provides the country with a golden opportunity. It can now increase its moral authority within the international community, and ultimately earn greater respect and influence, by demonstrating one fundamental truth: that Georgia KNOWS about democracy, rule of law, human rights etcetera and the EU, US, UN etcetera DON’T!

Mikheil Saakashvili, and various members of his government, have long been accused of crimes which no person, and no politician, would be allowed to commit under the laws of any EU member country. These include extrajudicial murder, embezzlement, misuse of administrative resources, misuse of public funds, false imprisonment of opponents, seizure of private property, electoral fraud, torture, political terrorism and war crimes. These allegations have long been supported by evidence which meets the standard required in every EU member country, much of which is publicly available. However, no arrests were made or prosecutions brought in connection with these alleged crimes whilst Saakashvili’s party was in power. Indeed, the same EU was happy to condone such conduct. To take one random example: EU observers repeatedly claimed that Georgian elections were free and fair, while independent observers said the opposite. In 2010 they said that the latest polls had shown a “great improvement” on previous ones. Is it possible to have a “great” improvement on a free and fair election? If previous elections really were free and fair, how much better can they get?

Saakashvili’s United National Movement is not in power now. In 2012 the new Prime Minister, Bidzina Ivanishvili, stated during an interview with Tbilisi-based Imedi TV that Saakashvili could face criminal proceedings over a number of cases, among them the death of former Prime Minister Zurab Zhvania in 2005. Cue howls of outrage from the EU, and warnings to the new government not to “persecute” political opponents. This is the same EU which was silent over the actual, not potential, prosecutions and jailing of Saakashvili opponents, often without due process or
evidence, for offences, such as “crossing the state border of Georgia” which in some cases were not even crimes. So what exactly does the EU mean by the rule of law, democracy and human rights it wants to introduce and defend?

As soon as Zhvania died the Tbilisi rumour mill declared that Saakashvili had been involved in his death. His publicists gave various explanations for it – the original story was that Zhvania had died from carbon monoxide poisoning as a result of a motorcycle idling outside his window. When this proved too difficult for anyone to swallow the official preliminary conclusion (formally the case has never been closed) stuck to the carbon monoxide story but blamed a faulty Iranian gas heater. Apparently this heater had been improperly installed in the flat where Zhvania’s body had been found in the early hours of February 3, 2005 in the Saburtalo district of Tbilisi. Deputy Governor of Kvemo Kartli Raul Usupov was also found dead in the same flat, allegedly also killed by the rogue heater – which did, of course, come from the country the US was seeking to attack at the time, on the grounds that it was a terrorist threat, though, to be fair, the US never specifically said that murdering other countries’ Prime Ministers with faulty gas heaters was one of the terrorist acts it was allegedly perpetrating.

The Tbilisi rumour mill is never a source to be discounted. Georgia has seen all this before. Many Georgians politicians and potential leaders, such as Merab Kostava, Giorgi Chanturia, Zviad Gamsakhurdia, Badr Patarkatsishvili etc., have died before their time. Georgia is not a very populous country and its political class is very small. During the 2008 war Georgia was killing its own citizens with the help of US funded snipers, even before the conflict broke out. One therefore wonders what the correct term for this succession of unexplained deaths of political figures is.

Of course, if the West wants to be believed it makes sure that the leading Western power, the US, says what it wants to say. The death of Zurab Zhvania was investigated by FBI experts. They studied investigation materials and then stated, through one of their agents, Brian Paarman, that “We see no evidence to consider that certain forces were involved in Zhvania’s death. We have no reasons to dispute the conclusions drawn by our Georgian colleagues.”

Paarmann added that 1,400 people had died of carbon monoxide in the US in the previous year. He also pointed out that the FBI agents who had investigated this matter were specialists in poison gas as well as carbon monoxide. The FBI agents took samples from the flat in which Zhvania had allegedly died back to the US. According to Jeffrey Silverman, an American journalist long resident in Georgia who has been questioned in detail about this allegation by Georgian law enforcement, Brian Paarmann was subsequently rewarded and promoted for covering up the murder of the Georgian PM and the destruction of forensic evidence. This is denied by the US Embassy.

The Georgian Prosecutor’s Office, which had not pursued this still-open case since the FBI had agreed with its initial, incomplete, findings, resumed the probe in November 2012 after the new government had taken power.

Since then the authorities have said a number of times, without giving specifics, how the investigation is progressing. MP Giorgi Zhvania said that the investigation will be concluded within the next few months and that some new evidence had become available.

Chief Prosecutor Archil Kbilashvili added without giving details that, “new evidence, new circumstances and consequently a new version” had emerged; he also said that not a single possible explanation of the death is being left uninvestigated.

Here is Jeffrey Silverman’s version. In May this year he was questioned and shared detailed lists of witnesses in the case.

At this time he said, as quoted in the Georgian media: “As you know, FBI employees arrived after Zurab Zhvania’s death. After a certain period of time, I spoke with an intimate friend of the FBI employee, who told me who had destroyed evidence in Zhvania’s murder case. It was agent Bryan Parmann, who destroyed the evidence by order of
Contrary to the EU’s insinuations, the present Georgian government obtained power in the parliamentary elections of 2012, not by any illegal or extra-constitutional means. It stood on a platform of ending this culture of impunity and bringing to justice any person in authority guilty of any crime. By winning the parliamentary election it gained a mandate from the people of Georgia to pursue this specific course of action. In order to fulfil its mandate, and its fundamental obligation to serve justice, it is obliged to investigate allegations against any person accused of a crime, including Mikheil Saakashvili, and arrest and prosecute those it believes have a case to answer, whilst at the same time giving them due legal process. This is what is called rule of law, democracy and human rights. The Georgian people have chosen these values as an antidote to those foisted on them by the EU for so long. So who knows what these terms mean: the people of Georgia, this developing country with limited experience of them, or the Western powers who justify any action by claiming that only they are the guardians of them?

As Nino Burjanadze, a former ally personally implicated in most of Saakashvili’s alleged crimes, says herself: “The regime will be brought to trial for sure, and not simply out of payback but so we can come to an understanding of ourselves as Georgians. What I mean is that during the last 20 years we have not been able to understand what has happened to us. The regime, starting from Shevardnadze and finishing with the National Movement, will be put on trial as one system. Unless we have trials similar to the Nuremberg trials, we will not be able to understand what has happened to us: we will not be able to teach future generations what is correct and what is wrong, what kindness is and what crime is. The country will not be able to progress. All cases will be investigated: starting from the death of the first President under unclear circumstances and finishing with all currently incomplete investigations. I mean the murders of Zhvania and Guram Sharadze, the Afrasidze special operation, the Sandro Girgvliani case and those of Vazagashvili, Robakidze etc.”

There is no legal system in any EU member country which forbids the investigation of crimes such as those alleged to have been committed by Mikheil Saakashvili - which undoubtedly exist, no matter who was responsible. Yet the EU, pre-empting any investigation, wants Georgia not to even begin applying the rule of law if it compromises this individual. He is above the law if the EU says so, as he has been throughout his tenure, with the EU’s active support and connivance. Georgia knows this is wrong, the EU apparently not. It will be interesting to those who live in EU countries, and live under its legislation and red tape, to hear what its real values are, and why they include supporting extrajudicial murder, embezzlement, misuse of administrative resources, misuse of public funds, false imprisonment of opponents, seizure of private property, electoral fraud, torture, political terrorism and war crimes, in the name of those same people.

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