

RFE/RL RFERL Media Matters

Vol. 3, No. 8, 28 February 2003

<http://www.rferl.org/mm/>

END NOTE

IS UKRAINE ANY NEARER THE TRUTH ON GONGADZE'S KILLING?

By Taras Kuzio

Last July, Svyatoslav Piskun replaced Mykhaylo Potebenko as Ukraine's prosecutor-general, and one of the issues he vowed to resolve within six months was the death of Ukrainian journalist Heorhiy Gongadze. Gongadze was abducted by unknown individuals on 16 September 2000, and his headless corpse was discovered in a Kyiv Oblast forest in early November 2000.

More than six months later, the case remains unresolved. Two weeks after Gongadze's body was discovered, Socialist leader Oleksandr Moroz announced in the Ukrainian parliament (Verkhovna Rada) that a portion of the tapes allegedly made illicitly in President Leonid Kuchma's office by former presidential security guard Mykola Melnychenko included a conversation about Gongadze. This was only one fragment of the hundreds of hours of tapes apparently made in 1999-2000 by Melnychenko, who defected to the United States in April 2001. The Ukrainian government has denied that the tapes are authentic. In the taped conversation, Kuchma is apparently heard ordering then-Interior Minister Yuriy Kravchenko to deal with Gongadze by deportation and violence. Parts of the tapes have been authenticated by a U.S. company specializing in such recordings. The FBI has also stated that a section pertaining to possible arms sales to Iraq is also authentic.

Because of the interconnection of the "Kuchmagate" tapes scandal and the Gongadze case, numerous conspiracy theories have emerged. Kuchma and many of his closest allies seem to back a theory first put forward by advisers close to Russian President Vladimir Putin that the entire Gongadze affair was a U.S. plot to replace Kuchma with then-Prime Minister Viktor Yushchenko. In November, Deputy Prosecutor-General Viktor Shokin supported the view that Gongadze was murdered as part of a plot to remove Kuchma from office.

Others figures in the Ukrainian elite are less convinced that the Gongadze affair was a U.S. plot against Kuchma. Former presidential administration head and current Verkhovna Rada speaker Volodymyr Lytvyn believes it was a domestic operation, not one inspired by a foreign intelligence organization. His suspicions are close to those of former Verkhovna Rada speaker Ivan Plyushch, who has said the Gongadze affair was undertaken to remove Yushchenko, not Kuchma, from office.

Last fall, Shokin put forward the theory that opposition leaders, including Moroz, were behind Gongadze's abduction and killing. A private telephone conversation on 10 September 2002 between former RFE/RL Ukrainian Service Director Roman Kupchinsky in Prague and "Ukrayinska pravda" Internet newspaper editor Olena Prytula in Kyiv on this topic was illegally taped and reprinted on the <http://www.kompromat.ru> website. Gongadze was "Ukrayinska pravda" co-editor with Pritula. Shokin's statement, though, might have been a bid to discredit the political opposition when mass anti-Kuchma rallies were set to begin just four days later on 16 September.

One of the more credible theories about Gongadze's murder that has surfaced repeatedly concerns the possible involvement of the special Interior Ministry (MVS) Eagles unit. In the portion of the transcript from the Melnychenko tapes released by Moroz to the Verkhovna Rada, then-Interior

Minister Kravchenko is heard bragging about the brutality of the Eagles. In August 2002, the newspaper "Segodnya," which is linked to the then-head of the State Tax Administration (DPA), Mykola Azarov, reported that officers in the MVS's Organized-Crime Directorate had cooperated with criminal gangs to form "death squads." This information was later confirmed by Piskun and MVS State Secretary Oleksandr Gapon. Piskun was deputy head of the DPA prior to his appointment as prosecutor-general.

Last August, the Ukrainian authorities denied that these "death squads" were the same as Kravchenko's Eagles. But in December, Hryhoriy Omelchenko, chairman of the Verkhovna Rada committee investigating Gongadze's death, announced that the Eagles squad was the same as the purported "death squads." Omelchenko added that one line of investigation that Piskun is pursuing in the Gongadze case is the possible involvement of the Eagles. Piskun denied this at the time, but two months later, in a February interview with the influential weekly "Zerkalo nedeli/Dzerkalo tyzhnya," Piskun admitted that the possible involvement of the Eagles squad was now one of the three theories he is investigating in the Gongadze case.

On 18 February, the Verkhovna Rada supported a motion by 121 deputies to further investigate the Eagles theory after a long letter reportedly from MVS officers who remain anonymous was published the day before in an abbreviated form by the <http://www.grani.kiev.ua> website, which is linked to Moroz's Socialist Party. A similar leak by MVS officers about alleged political murders occurred during the 1999 presidential-election campaign, when the then-anti-Kuchma candidate, Yevhen Marchuk, released a video interview with masked people claiming to be MVS officers who described how they had organized the fatal car accident of Rukh leader Vyacheslav Chornovil in March 1999. About 10 suspicious car accidents involving opposition politicians and members of the ruling elites who have run foul of the authorities have occurred in recent years in Ukraine.

The latest purported MVS letter reinforces the portion of the Melnychenko tape about Gongadze. It also endorses allegations in the 1999 video interview -- which has since been "lost" by Marchuk after he was co-opted by Kuchma in the second round of the 1999 elections -- that the MVS organized Chornovil's accident when Yuriy Smirnov was head of the MVS's Kyiv branch. Smirnov later replaced Kravchenko as interior minister when Kravchenko was forced to resign in February 2001 at the height of the "Kuchmagate" scandal.

The purported MVS letter claims that the special Falcon unit -- which are divided into subunits of 50 men that are subordinate to the regional branches of the MVS Organized-Crime Directorate -- are identical to Kravchenko's Eagles. The elite Falcon units are part of the MVS forces that are trained in antiterrorism tactics. This new evidence would seem to tie the August 2002 revelations on "death squads" to the Falcon -- or Eagles -- MVS unit. In the months prior to his abduction, Gongadze had filed an official report that he was being followed by unmarked cars whose license plates were verified as belonging to the MVS.

Where is the Gongadze investigation headed? Much circumstantial evidence points to the possible involvement of Kravchenko's Eagles in the abduction of Gongadze. An April 2002 BBC documentary called "Killing the Story" documented similar abductions seemingly intended to frighten and "warn off" other journalists, cases that have been documented in Ukraine and abroad. The portion of the Melnychenko tape released by Moroz seems to indicate that Kuchma authorized similar scare tactics against Gongadze. The recent letter by purported MVS officers alleges that Gongadze was accidentally killed during his abduction by nervous Eagles officers who shot him in the head. Gongadze's corpse might have been decapitated to hide any bullet wounds.

Piskun has admitted that the possible involvement of the Eagles is one of

three lines of inquiry into the Gongadze murder. However, there is little indication that Piskun is actually investigating the alleged illegal activities of MVS special units against journalists or the possibility that they were ordered to undertake those activities by senior government officials.

If former Interior Minister Kravchenko, acting on Kuchma's orders as the Melnychenko tape seems to indicate, ordered the Eagles to abduct Gongadze, then it will certainly be very difficult for Piskun to crack the case.

Kuchma reaffirmed his faith in Kravchenko's loyalty in December 2002 by appointing him DPA director. Because Kuchma will remain president until October 2004, it would seem unlikely that there will be any breaks in the Gongadze case anytime soon. As "Zerkalo nedeli/Dzerkalo tyzhnya" concluded in its 24-30 November 2001 issue, the Gongadze murder and "Kuchmagate" have "instilled a strong feeling among journalists that the police, the Security Service, and the Prosecutor-General's Office are no friends of the press."

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