

CRIMINAL CHARGES REACH SENIOR LEADERS OF UKRAINIAN OPPOSITION

By Taras Kuzio

Ukrainian Interior Minister Yuriy Lutsenko has publicly announced that he is seeking to strip 16 parliamentary deputies of their immunity from prosecution (Interfax-Ukraine, June 28). All 16 figure in criminal cases that are not connected to the 2004 presidential election. However, Lutsenko added that parties loyal to former president Leonid Kuchma had extorted funds from businesses and then given the money to charities they controlled. These charities were often used to transfer funds to Viktor Yanukovych's election campaign.

This new development confirms that corruption, election fraud, and separatism charges reach into the highest levels of the Kuchma camp. All 16 names on Lutsenko's list, which was quickly leaked to obkom.net.ua (June 29), are former Kuchma allies. Eleven are from the two main centrist opposition parties, four are unaffiliated deputies, and one is from parliamentary speaker Volodymyr Lytvyn's People's Party.

Four of the 11 are high-ranking members of Viktor Medvedchuk's Social Democratic Party-United (SDPUo). Two are long-time Medvedchuk allies: Nestor Shufrych, who faces separate criminal charges of bribing voters to win his seat in 2002, and Hryhoriy Surkis, chairman of Kyiv's Dynamo football club.

Seven deputies on the list are from Yanukovych's Party of Regions, including Vasylyi Horbal and Andrei Kluyev. Kluyev headed Yanukovych's dirty-tricks team (see EDM, September 22 and 23, 2004) and his voice is heard on the Security Service tapes transferred to President Viktor Yushchenko's coalition after round two of the contentious 2004 presidential election (EDM, December 3, 2004).

Other deputies on the Lutsenko list, although unaffiliated, are well known. Tatiana Zasukha took control of Peasants Party in July 2004 (EDM, July 27, 2004). She is married to the former governor of Kyiv oblast, Anatoliy Zasukha. Both Tatiana and Anatoliy Zasukha are long-time Kuchma allies, reputedly involved in widespread corruption in Kyiv oblast. Tatiana is also close to former first lady Ludmilla Kuchma.

Since Yushchenko's election, criminal charges have gradually diffused from the lower to the middle ranks of former Kuchma officials. Lutsenko's list

indicates that charges will now spread to the senior levels over the summer parliamentary recess and be driven home in the fall. As parliament goes into recess on July 8, it is unlikely to strip the 16 of their immunity by that date.

High-ranking former Kuchma officials are uneasy because of other signals sent by the authorities. During Yushchenko's February visit to Donetsk, a Yanukovych stronghold, he "spoke with Donetsk in the language of force and not compromise" (glavred.info, February 14). He "behaved like a conqueror who had come to a subjugated territory" (glavred.info, April 5).

After the February visit, Yushchenko allegedly ordered Prosecutor Sviatyslav Piskun to "destroy" the Donetsk clan and break up its monopoly in the region (glavred.info, April 7). Two months later Boris Kolesnykov was arrested on extortion and separatism charges. Kolesnykov headed the Donetsk oblast council and the Donetsk oblast's Party of Regions. He was widely regarded as a key Party of Regions ideologue and was close to Ukraine's wealthiest oligarch, Renat Akhmetov.

Kolesnykov's arrest was widely seen as a "declaration of war" against the Donetsk elites (glavred.info, April 7). During the Kuchma era the region had been allowed de facto autonomy in return for political loyalty. Consequently, the region allegedly had the highest crime rate in Ukraine. During the Kuchma era the region saw 40 high-ranking officials murdered in a turf war that only ended after Yanukovych became governor.

Yanukovych was intimately involved in these developments. Akhmetov and other clan leaders accumulated their greatest capital during Yanukovych's six-year stint as Donetsk governor (1997-2002). Serhiy Kornych, head of the Interior Ministry's Directorate to Combat Organized Crime, is convinced that Yanukovych will eventually face criminal charges for abuse of office and corruption. Kornych also publicly described Donetsk oligarch Akhmetov as the "real organizer of an organized crime group" (Ukrayinska pravda, June 23).

Interior Minister Lutsenko and Prime Minister Yulia Tymoshenko caution that there is no evidence to prove Akhmetov's links to organized crime -- yet. Nevertheless, many of the businesses that are under criminal investigation are linked to Akhmetov (Ukrayinska pravda, June 28 and 29).

These growing trends are leading to two contradictory responses.

The pro-Kuchma camp is loudly complaining of "political repression." Russia raised this very issue at the Parliamentary Assembly of the Council of Europe (PACE) in June to deflect criticism of its own democratic failings. Yet the hysterics of former President Leonid Kravchuk -- now the SDPUo parliamentary leader -- betray a fear that the SDPUo could bear the brunt of these future criminal charges. In parliament he made the outlandish statement that he would not have supported Ukrainian independence if he

had known that it would have led to "political repression." Kravchuk recently claimed that there are numerous cases of "political repression" that amount to "political terror" (Interfax-Ukraine, June 28).

However, neither Western governments nor international organizations nor Ukrainians themselves believe these allegations. Few members of PACE supported the Russian motion condemning "political repression" in Ukraine. Among Ukrainians there is little sympathy for the tribulations of the former pro-Kuchma camp. Only 30% believe that criminal charges target the opposition (Ukrayinska pravda, June 23).

When asked what the new opposition is defending, Ukrainians reveal their cynicism. Thirty percent (the largest group) believe the new political opposition is merely defending its own interests, while another 25% see them defending their business interests. Only 13% see the opposition defending citizens and 10% party interests. A mere 7% are convinced that the opposition is really defending Ukraine's national interests (Ukrayinska pravda, June 23).