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**WITH PARLIAMENT IN RECESS, YUSHCHENKO MOVES TO ASSERT
AUTHORITY**

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Ukraine's President Viktor Yushchenko has used the past week, with parliament closed for summer recess, to assert his authority in key state institutions. Yet these latest moves have failed to dispel the growing opinion that Yushchenko is not making use of the extensive powers he will lose after the March 2006 parliamentary election.

Despite his efforts, three obstacles impede progress in reform.

First, administrative capacity is weak. Under former president Leonid Kuchma, reformist legislation and decrees were never meant to be implemented, and some senior officials and middle-level bureaucrats simply ignore Yushchenko's decrees and demands.

Second, there remains a widespread view among senior officials that nothing has changed. In other words, Yushchenko's rhetoric against corruption and reform should be ignored just as they were under Kuchma.

Third, senior officials continue to believe they should be above the law. When charged with crimes, they cry "political persecution," although Interior Minister Yuriy Lutsenko insists: "There is prosecution for crimes and abuse of office" (Channel 5 TV, July 18).

These three types of blockages have manifested themselves in six areas.

First, the government cannot push important issues through parliament, such as the legislation required for WTO membership. This is also evident in the lack of discipline within Yushchenko's Our Ukraine parliamentary faction.

Second, the Prosecutor's Office does not follow through on investigations by the Security Service (SBU) and Interior Ministry (MVS). Files seem to become "lost" in the Prosecutor's Office.

Third, former Kuchma officials routinely ignore subpoenas from the Prosecutor's Office or the MVS, details of which are widely disseminated through the media. Donetsk oligarch Renat Akhmetov and the leaders of the Social Democratic Party-United (SDPUo) and Regions of Ukraine, Viktor Medvedchuk and Viktor Yanukovych, have ignored such writs.

Fourth, Kuchma continues to act as an elder statesman. The Ukrayina Foundation he

heads publicizes its work in the media. However, 64% of Ukrainians have a negative view of Kuchma, with only 6% regarding him as positive. Some 45% would like him out of politics, and 35% would like to see him placed on trial (Tovarysh, March 11-14).

Fifth, Yushchenko's party of power, People's Union–Our Ukraine, has not been successful in encouraging national democratic parties to merge with it. National democratic parties are campaigning to create a bloc of parties to support Yushchenko that would resemble Our Ukraine in the 2002 election. First Deputy Prime Minister Roman Bezsmertny, whose responsibilities includes the establishment of the new party, threatened to resign this week, but Yushchenko refused to accept his resignation.

Sixth, new governors have come under criticism from both People's Union-Our Ukraine and Yushchenko himself for adopting no reforms or not implementing changes in cadres. Yushchenko warned Donetsk governor Vadym Chupryna that he would be removed if the entire leadership in the region's law enforcement and tax offices is not be changed by September 1 (Ukrayinska pravda, July 15).

Yushchenko was highly critical of the Prosecutor's Office headed by Sviatyslav Piskun, a holdover from the Kuchma era. Yushchenko accused the Prosecutor's Office of taking bribes to block investigations of high-ranking officials transferred to them by the SBU and MVS.

Details of these cases are regularly leaked to the media. These officials then flee abroad, usually to Moscow, where MVS Minister Lutsenko believes there is now a "government-in-exile," consisting of former SBU deputy chairman Volodymyr Satsiuk, Odessa Mayor Ruslan Bodelan, the head of the Directorate on State Affairs Ihor Bakay, and former Kyiv governor Anatoliy Zasukha (Ukrayinska pravda, July 18).

Lutsenko has promised that investigations into fraud in the 2004 presidential election would be completed by August. If the inquiry reaches up to senior officials, such as Medvedchuk, Yanukovych, and Central Election Commission (CEC) chairman Serhiy Kivalov, the opposition would be decapitated ahead of the 2006 election.

Yushchenko has drawn particular attention to the violence provoked by the Kuchma authorities at an opposition rally outside the CEC on October 23, 2004. Recently released information showed the Yanukovych camp had hired organized crime thugs to initiate violence against rally participants in order to draw the Yushchenko leadership outside the CEC. They were then refused re-entry into the building so that the Yanukovych camp could try and force through an expansion in the number of polling stations inside Russia for the October 31 vote.

Yushchenko has heavily criticized the MVS, complaining that the lack of progress in some regions was due to close ties between the MVS and organized crime. Yushchenko has complained that the MVS in certain regions was a protective krysha (roof) for organized crime. Four regional MVS heads were asked to resign, as well as the head of the Department to Combat Narcotics. Yushchenko also followed Georgian President

Mikheil Saakashvili's lead in disbanding the highly unpopular traffic police, whom Yushchenko admitted could not be cleaned up (president.gov.ua, July 20).

Yushchenko has also targeted organized crime. He complained that details of the 78 organized crime groups in Ukraine were known and yet they were still allowed to operate. Yushchenko ordered MVS Minister Lutsenko to "liquidate" these organized crime groups by December 31. In the Kuchma era, organized crime worked closely with oligarch clans in Trans-Carpathia (through the SDPUo) and in Donetsk (through Regions of Ukraine).

The Customs Service has also come under heavy criticism. The director, his first deputy, and the heads of two west Ukrainian regional Customs offices were forced to resign.

Yushchenko was visibly angry when making these recent statements. The only organization that he praised was the SBU. If these deadlines are acted upon, organized crime, former Kuchma officials, and opposition party leaders will face tougher treatment in the fall.