

EURASIA DAILY MONITOR

Volume 5 , Issue 11 (January 21, 2008)

TYMOSHENKO AND YUSHCHENKO CLASH OVER BATTLING CORRUPTION

By Taras Kuzio

Ukrainian Prime Minister Yulia Tymoshenko has made combating corruption and strengthening the rule of law central elements in her government's policy. She is apparently starting at the highest levels of the government.

The issue of the lack of action against corruption led to a physical showdown on January 18 in the presidential secretariat. Interior Minister Yuriy Lutsenko struck Kyiv Mayor Leonid Chernovetsky over his alleged involvement in corrupt land schemes. Lutsenko said afterward, "I have no regrets for this incident and believe that it was a manly hit that should be undertaken by everybody who wants to live in an honest state."

On December 7, 2007, Lutsenko and Tymoshenko bloc (BYuT) deputy Svyatoslav Oliynyk introduced a parliamentary resolution to remove General Prosecutor Oleksandr Medvedko. The Rada was set to debate the resolution on January 18, but that was postponed when Medvedko conveniently checked into a clinic earlier in the week.

While Tymoshenko has backed the call for Medvedko's replacement, President Viktor Yushchenko has passed responsibility for the decision to parliament. According to the constitution, the president puts forward a candidate for general prosecutor while parliament has the right to demand a performance report and to follow this with a vote of no confidence.

The draft motion collected 180 signatures out of the 227 members of the pro-democratic orange coalition, consisting of BYuT and Our Ukraine–Peoples' Self Defense (NUNS). While all BYuT deputies signed the resolution, NUNS – specifically its pro-grand coalition wing, loyal to the president – is divided.

Medvedko's job is politically linked to that of Raisa Bohatryyova, the former Party of Regions parliamentary faction leader appointed secretary of the National Security and Defense Council (NSDC) on December 24. Both Medvedko and Bohatryyova are from Donetsk, the Party of Region's stronghold. Stepan Havrysh, legal adviser to the 2004 Yanukovych election campaign, was also appointed deputy head of the NSDC on January 18.

Having the trio in high posts reassures the Party of Regions that they have protection from the Tymoshenko government. Their appointments also conclude the deal cut between Yushchenko and the Party of Regions to end the spring 2007 political crisis. The grand coalition between Yushchenko and the Party of Regions that existed in early 2007 has de facto been recreated outside parliament.

Medvedko became general prosecutor in November 2005 and has remained in that position except for a brief period in April 2007. That month he was replaced by Sviatoslav Piskun, who had served as general prosecutor from December 2004 through October 2005, as well as earlier under President Leonid Kuchma in July 2002–October 2003.

Herein lies the dilemma. Yushchenko claims to support a break with the Kuchma era and a battle against corruption, but his choice of general prosecutors has been inconsistent with this statement. Maintaining Piskun in place for the first ten months of his presidency reassured the Kuchma-era elites of their immunity from prosecution, which had been negotiated during the Orange Revolution's roundtables in late 2004.

The anti-Medvedko resolution is highly critical of his record as general prosecutor. It calls for a vote of no confidence because of Medvedko's failure to resolve any of Ukraine's sensational crimes, such as the murder

of journalist Georgy Gongadze in 2000, Yushchenko's poisoning during the 2004 presidential election, and high-level involvement in election fraud that same year.

Under Yushchenko, no general prosecutor has done much to advance the rule of law or to combat high-level corruption and abuse of office among Ukraine's elites. As Zerkalo nedeli (December 15–21, 2007) wrote, "Fortunately, groundless political repressions are no longer an element of public policy. Unfortunately, deserved punishments are not, either."

Other parties have poor records as well. Two senior Socialists, (former interior and transport ministers Vasyl Tsushko and Mykola Rudkovsky), from the previous government of Party of Regions prime minister Viktor Yanukovich, are under investigation, but, based on past experience, they are unlikely to be prosecuted. As a recent Atlantic Council of the United States report pointed out, the Party of Regions has never expressed much interest in battling corruption. Ukrainians give very low marks to the second Yanukovich government (2006–2007) for failing to battle corruption.

Although most political parties claim they are in favor of combating corruption, especially at election time, Ukrainians remain skeptical. The 2007 Transparency International survey found that the majority of Ukrainians believe that the judiciary is the most corrupt institution in Ukraine, followed by political parties, parliament, and the Interior Ministry. When asked if there would be a breakthrough in overcoming corruption over the next three years, 44% of Ukrainians said "No," while 38% said corruption would increase. Only 18% of Ukrainians believed that corruption would decline by the end of Yushchenko's first term in office in 2010.

Some 70% of Ukrainians do not believe that the authorities are effective in their struggle against corruption. Another 22% saw no results from the campaign, while only 8% believed any campaign was effective.

Ukrainians are particularly disappointed with the president who, they believe, has continued Kuchma's virtual campaign against corruption. The Atlantic Council wrote, "While there are many reasons for the persistence

of corruption in Ukraine, polling suggests that public disappointment is particularly strong in the case of President Yushchenko, as many voters believe he is one of the few top politicians who is not tainted by corruption. Yet, Ukrainians believe he has done too little to fight it.” Only 21% of Ukrainians believe the president has shown the political will to combat corruption.

NUNS deputy and deputy head of the parliamentary Committee on Law Enforcement Volodymyr Stretovych said, “He [Yushchenko] has outlined a campaign against corruption that he repeated many times. But without cardinal cadre changes in the procuracy, nothing will change. In the current situation the procuracy is corrupt from bottom to top, from the raion to the general prosecutor.”

The Tymoshenko government is committed to battling corruption and reforming law enforcement, including in the procuracy. Tymoshenko has stated that she will not run in the 2009 presidential elections if her government’s reforms and campaign against corruption are successful; she believes they were blocked by the president in 2005 during her first government.

Yushchenko is caught between having to choose to protect the Party of Regions and further inaction against elite abuse of office or supporting the Tymoshenko government. The two are in direct contradiction.

(acus.org; transparency.org; president.gov.ua; rada.kiev.ua; Ukrayinska pravda, January 8–12; Zerkalo nedeli, December 15–21, 2007)

Email this article to a friend

1983–2007 © The Jamestown Foundation

Site by Johnny Flash Productions / Glimpse–Media