



Taras Kuzio

## **Authorities turn up heat on political opponents**

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On Feb. 18, Ukraine's Security Service (SBU), the successor to the Soviet KGB, attempted to raid the headquarters of opposition leader and ex-Prime Minister Yulia Tymoshenko. The incident occurred after the Feb. 3, 14-hour search of Magisters, a leading Ukrainian law firm, that had a contract with the Tymoshenko government.

The incident increases the existing repression by President Viktor Yanukovich of Batkivshchyna (Fatherland), the political party led by Tymoshenko. Politically motivated "corruption" charges have been leveled against Tymoshenko with the aim of removing her as the main threat to the current authorities. One government minister is in jail, another was given political asylum in the Czech Republic while 10 members of her 2007-2010 government are under criminal investigation.

That Yanukovich is involved in the planning of the anti-Tymoshenko campaign is obvious from his knowledge of the outcome of the still-to-be-held-trial which, the president already knows, will not imprison Tymoshenko. Imprisonment would be too much of a PR disaster in the West and therefore a suspended sentence is likely to be the outcome.

The resultant criminal record from a suspended sentence would bar Tymoshenko from standing as leader of Batkivshchyna in the 2012 parliamentary elections. Another strategic aim is more important for Yanukovich, who fears Tymoshenko's greater intellect and political acumen. Yanukovich scraped through in the 2010 elections by a mere three percentage points. After five years of growing opposition to his unpopular regime, Yanukovich is unlikely to win another presidential contest if he again faces Tymoshenko.

Popular support for the Party of Regions has halved in Yanukovich's first year in office. Indeed, the gap in

support between the Party of Regions and Batkivshchyna is smaller today than it was in the 2010 elections when Yanukovich was leader of the opposition and Tymoshenko was prime minister of a country that had just suffered a 15 percent collapse in gross domestic product.

Importantly, the attempted SBU raid on Tymoshenko's office sends four disturbing signals to Ukrainians and the outside world.

The first is that this is another signal of intentions to establish an authoritarian regime in Ukraine. The SBU has been strongly criticized by international organizations and the European Parliament for playing a central role in Ukraine's democratic regression since Yanukovich was elected president a year ago.

SBU Chairman Valeriy Khoroshkovsky was promoted in 2009 into that organization by President Viktor Yushchenko and then SBU Chairman Valentyn Nalyvaychenko. In March 2009, Khoroshkovsky ordered a SBU raid to be undertaken against the state-owned gas company Naftohaz Ukraine and thereby indirectly against the Tymoshenko government. Both Yushchenko and Nalyvaychenko, now leader of Our Ukraine, have not condemned the politically motivated drive against Tymoshenko or the SBU's central role in the country's democratic regression.

The second is the continued deception that the Ukrainian authorities are promoting. Typical of such deception is a Feb. 21 letter to the Wall Street Journal by Foreign Minister Kostyantyn Gryshchenko: "Since it took office nearly one year ago, the Yanukovich administration has worked tirelessly to advance Ukraine's democratic ambitions, improve the electoral process, expand the rule of law and begin major program of social and economic reform. For the first time in Ukraine's history, influential public figures— from the opposition and the government as well—have to actually face investigation for committing corruption."

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The foreign minister's views are further proof that the Ukrainian authorities have deluded themselves into believing that democracy and the rule of law are alive and well on their watch. This should not be surprising as Yanukovich continues to believe that there was no election fraud in 2004 and that he won the 2004 elections but was prevented from taking office by, according to a U.S. Embassy cable from Kyiv released by WikiLeaks, a "U.S. coup."

The third signal is that, as during the 2004 Orange Revolution, there are rumblings within the security forces over the undemocratic course of events in Ukraine. Deputy Parliamentary chairman Mykola Tomenko revealed that Batkivshchyna had received inside information about the impending SBU raid "from democratically inclined people in the SBU." In 2004, the allegiance of the SBU and military intelligence was with the democratic opposition and the SBU illicitly taped the Yanukovich election headquarters to collect data on election fraud.

Ukrainian military officers are also revealing in private their increasing concern at the anti-democratic drift of Ukrainian politics and the disintegration of Ukraine's long-standing cooperation with NATO and Western governments.

The final factor is that the Ukrainian authorities are not listening to Western criticism of democratic regression. Indeed, in a slap in the face to the United States, the attempted SBU raid on Tymoshenko's headquarters came only a day after the holding of the third session of the United States-Ukraine Strategic Partnership Commission where "both parties reaffirmed their commitment to enhance cooperation aimed at strengthening democracy, the rule of law, developing political pluralism, and promoting judicial reform, and combating corruption." The commission "discussed the importance of the protection of freedoms and individual rights in a manner in which civil society and stakeholders across the political spectrum will participate."

The SBU clearly sends a signal that the Ukrainian authorities will sign up to such documents and then

ignore the commitments enclosed within them.

In five areas - political repression, parliamentary independence, media censorship, abuse of the use of the security forces and quality of elections - democratic regression is already worse under Yanukovich than it was under President Leonid Kuchma.

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