

END NOTE

RUSSIAN PRESIDENT GIVES UKRAINIAN COUNTERPART A HELPING HAND AGAINST THE OPPOSITION

By Taras Kuzio

The same day that Ukrainian President Leonid Kuchma arrived in Moscow for his summit with Russian President Vladimir Putin on 8 August, the Moscow Garrison's Military Court ordered the Main Military Prosecutor's Office to rearrest the Russian Defense Minister's former chief financial officer, Colonel General Georgii Oleinik. Oleinik was accused of abuse of office that had cost the Russian state \$60 million. Oleinik was placed in custody because the Main Military Prosecutor's Office claimed he would flee the country. One month earlier, an old criminal case had been reopened against former Ukrainian Deputy Prime Minister Yuliya Tymoshenko, who heads the populist bloc named after her. The ostensible reason for Kuchma's visit -- to end a Russian-Ukrainian trade war -- was already resolved days before his visit by the economy ministers of both countries.

The synchronization of the reopening of the criminal cases against Tymoshenko and Oleinik dates back to 2001 when Putin began assisting Kuchma in his drive to neutralize the opposition that had grown up during the "Kuchmagate" scandal. As in most such cases in Russia and Ukraine, the charges are politically motivated. Tymoshenko was quoted by "Moloda Ukrayina" on 12 December 2001 as saying that that the presidential administration had offered to halt any criminal cases against her and stop destroying her business interests in return for cooperation with the authorities.

Tymoshenko was first charged on 5 January 2001 and arrested the following month. At that time, she was deputy prime minister in charge of energy in the Viktor Yushchenko government. Her reforms of the energy sector reduced the illegal revenues siphoned off by oligarchs, thereby releasing funds to clear wage and pension arrears. In September 2001 these charges against herself and her husband, Oleksandr, who was arrested in August 2000, were lifted.

But Tymoshenko's case was left open as different law enforcement bodies argued between themselves. Eventually she was given permission in February 2002 to leave Kyiv to conduct her election campaign and her bloc, despite the numerous obstacles placed in her way by the authorities, obtained the impressive result of 7.26 percent.

In August 2001, Russian prosecutors handed over evidence to their Ukrainian counterparts pertaining to two criminal cases against Tymoshenko on charges of "complicity in bribe giving." The alleged recipient of one bribe was Colonel General Oleinik. Tymoshenko was also accused of attempting to smuggle \$100,000 out of Russia in 1995.

The sum was confiscated by customs officials at Moscow's Vnukovo Airport.

On 9 August 2001, "Rossiiskaya gazeta" quoted Tymoshenko as saying that the attempt to link her to Oleinik was politically motivated. With regard to Oleinik, Tymoshenko claimed she had "never seen him or maintained any relations with him." "How can I bribe a man whom I have never seen?" Tymoshenko added.

The Social Democratic Party of Ukraine-united (SDPU-o) led by Viktor Medvedchuk, now head of the presidential administration, was hurt the most by Tymoshenko's energy reforms, as the SDPU-o controls the majority of oblast energy distributors. On 2 August, the same day that the criminal case was reopened against Tymoshenko, Medvedchuk, and the head of the Russian presidential administration, Aleksandr Voloshin, met in the Crimean port of Yalta to hatch plans for Russia to assist Kuchma against the opposition.

Since the "Kuchmagate" scandal unfolded in November 2000, President Kuchma has increasingly reoriented Ukraine's "multivector" Western-oriented foreign policy to an Eastern-leaning neutrality. Whereas 2001 was the first year that no U.S.-Ukrainian presidential summit was held, Kuchma and Putin met eight times in the same year. This year they have so far held five summits. During the run-up to the Ukrainian parliamentary elections in March, Russian officials openly backed the pro-presidential For a United Ukraine (ZYU) bloc, and helped fan an antinationalist campaign against Yushchenko's Our Ukraine. In addition, the SDPU-o hired Putin's image-maker, Gleb Pavlovskii and his Fund for Effective Politics.

Meeting in Sochi in May, Putin congratulated Kuchma on "a significant victory of the presidential bloc of forces." (In reality, ZYU only obtained 11.77 compared to Our Ukraine's 23.57 percent). The following month Russian State Duma First Deputy Chairman Lyubov Sliska signed an agreement on behalf of Russia's party of power Unified Russia with ZYU leader and parliamentary speaker Volodymyr Lytvyn.

As the weekly newspaper "Zerkalo nedeli/Dzerkalo tyzhnya" reported in its 10-17 August issue, "The Ukrainian authorities are taking unprecedented measures to neutralize Tymoshenko and Yushchenko, but they seem to have exhausted their own resources and to be relying on external help." Primarily this applies to Russia. But, Kuchma has also asked Azerbaijani President Heidar Aliev to put pressure on Turkey to extradite four former employees of Unified Energy Systems of Ukraine, which Tymoshenko headed in the mid 1990s, who were arrested on 1 June. All four face similar charges to those reopened against Tymoshenko.

In mid-August, Oleh Rybachuk, a leading member of Our Ukraine, claimed that the authorities had launched criminal cases against 20 businesses whose founders or shareholders are members of our Ukraine. Members of the Internal Affairs Ministry and Tax Police are demanding that they resign from Our Ukraine as the price for a halt to these investigations. As in the Tymoshenko case, Rybachuk alleged that these criminal investigations are being fabricated with the assistance of Russian law enforcement bodies. "Appropriate agreement was reached at the highest level" during the Yalta Voloshin-Medvedchuk meeting, Rybachuk claimed.

This renewed activity of the law enforcement bodies against Tymoshenko and Our Ukraine comes at the same time as a criminal case has been opened against popular Kyiv Mayor and head of the Association of Cities of Ukraine Oleksandr Omelchenko. Omelchenko is an ally of Yushchenko and both harbor a strong dislike for Medvedchuk and the SDPU-o. Omelchenko, re-elected by an overwhelming 73 percent of Kyiv residents in March, claimed in the 10-17 August issue of "Zerkalo nedeli/Dzerkalo tyzhnya" that oligarchic parties like the SDPU-o, which failed to win a single seat in the 90-member Kyiv council, are behind these moves.

The election results in the city of Kyiv could not have been what Kuchma was hoping for from his pre-election agreement with Omelchenko. Of the five blocs that made it through the 4 percent barrier in Kyiv, only one was pro-presidential -- the SDPU-o -- with 4.85 percent. Pro-Kuchma forces were squeezed out by Omelchenko's Unity bloc, which obtained 11.62 percent. The two most popular forces were Our Ukraine and the Yuliya Tymoshenko Bloc with 28.05 and 12.83 percent, respectively. ZYU, with only 3.97 percent, failed to surmount the 4 percent barrier.

Putin is assisting Ukraine's reorientation toward the East that has been taking place since 2000. The primary threats to Russia's game plan are Tymoshenko and Yushchenko. The latter is Ukraine's most popular politician with a stable, average rating of 30 percent. But Russia is already working to ensure that Yushchenko is not elected Ukrainian president in 2004.

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