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IS UKRAINE RETURNING TO KUCHMA-ERA REPRESSION?

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In a television interview on May 20 Prime Minister Yulia Tymoshenko raised the stakes in her worsening relations with President Viktor Yushchenko by bringing up the question of impeaching the president if a continuing investigation into the Vanco contract (see EDM, May 21) finds proof of corruption. Two days later the prosecutor's office filed criminal charges against Davyd Zhvania, a key organizer of the Orange Revolution, senior leader of the Peoples Self Defense wing of the Our Ukraine-Self Defense bloc (NUNS) and chief financier of Self Defense (NS).

Tymoshenko asked all members of the orange coalition to "place their hands on the table and say that these hands had never stolen." The issue of corruption within the orange coalition as a pretext for its undoing is nothing new. In September 2005 the Tymoshenko government fell after presidential secretariat head Oleksandr Zinchenko accused the president's advisers, drawn from big business, of abuse of office.

The spring 2008 crisis resembles the crisis in September 2005 in three respects.

First, the National Security and Defense Council (NRBO) was used on both occasions as a surrogate (anti-Tymoshenko) government.

Second, in both instances the presidents' deep personal dislike of Tymoshenko was unbridled in both words and actions.

Third, economic policy, privatization, social policies, corruption and energy divided Tymoshenko and the president

The major difference between the two orange crises lies in the different constitutions in place at the time. Currently, the president has no right to remove the prime minister, and therefore the disintegration of the government and coalition will be evolutionary, not revolutionary as it was in 2005.

A more dangerous aspect to the Tymoshenko-Yushchenko rivalry rests over the return to Kuchma-era repressive tactics with one small caveat. If in the Kuchma era the regime launched a diversity of repressive policies against the opposition, today the presidential apparatus is repressing its own ostensible coalition partners.

Repressive policies have been launched along three fronts.

First, former Security Service chairman and NRBO secretary Yevhen Marchuk was appointed presidential adviser on May 19. Marchuk is suspected of being the brains behind the Mykola Melnychenko recordings in Kuchma's office in 1999 and 2000 to force Kuchma into early retirement. Marchuk was instrumental in coordinating parliamentary opposition to then Deputy Prime Minister Tymoshenko's policies against energy corruption in the 2000-2001 Yushchenko government that ultimately brought the government down.

Second, criminal charges against the government and the Tymoshenko bloc (BYuT) over its privatization plans are defended, because the privatization is attacked for being politically motivated to compensate Ukrainian citizens for money lost in Soviet savings and thereby win political dividends for the BYuT. Such accusations heated up in an April 14 statement by deputy head of the presidential secretariat Ihor Pushkin, followed by a very critical counter-attack two days later by the BYuT.

In almost daily attacks, the head of the presidential secretariat Viktor Baloha has retorted by accusing Tymoshenko of being a "cowardly charlatan," Ukraine's "Eva Peron," and an "uncultured pigmy" and has said that her constitutional proposals were "directed toward the introduction in Ukraine of a regime similar in nature to that of Hitler's Germany." A return to the use of such Soviet era rhetoric against opponents resembles the language used in a February 2001 statement accusing the opposition, including Tymoshenko, of being "fascists."

Third, proceedings to strip Davyd Zhvania of his Ukrainian citizenship. Ukraine does not recognize dual citizenship, and Zhvania gave up his Georgian citizenship when he became a citizen of Ukraine. He complained of double standards, accusing First Lady Kateryna Yushchenko of maintaining her American citizenship after she received a Ukrainian passport in 2005 (she married Yushchenko in 1998). U.S. sources, however, told Jamestown that the first Lady gave up her US citizenship in autumn 2007, when the legal procedure was to give up foreign citizenship before taking Ukrainian.

Further criminal charges may be fabricated against Yuriy Lutsenko. Tymoshenko and Interior Minister Yuriy Lutsenko, head of the NS, link the charges to the presidential secretariat's plans for replacing the orange with a grand coalition and to Lutsenko's demand, made a week earlier, for Viktor Baloha's replacement. "I believe that this was politically ordered by Mr. Baloha as a way of responding to objective criticism of his work," Lutsenko said.

Lutsenko and the NS, which controls 18 of NUNS's 72 deputies, have long been at odds with Baloha and his allies in NUNS. The pro-Baloha United Center party accuses Lutsenko's NS of being a "pro-Tymoshenko fifth column" inside NUNS and sees the BYuT as its main opponent, rather than the Party of Regions. Lutsenko recently stated that the NS would never again run jointly in an election with Our Ukraine.

Lutsenko is at odds with Baloha and Yushchenko over the May 25 Kyiv mayoral and council election with Lutsenko, who heads the NUNS bloc in the elections, supporting the Tymoshenko and Vitaliy Klichko blocs in their opposition to Mayor Leonid Chernovetsky. Meanwhile, Baloha and Yushchenko have switched their support to the mayor after NUNS refused to agree to Yushchenko's demand that it form an alliance with Chernovetsky. Yushchenko reportedly told NUNS of his hope that the Kyiv elections would become "Tymoshenko's Stalingrad."

Another aspect to the Zhvania case relates to Yushchenko's poisoning in September 2004. Zhvania was the only Orange Revolution leader, other than Yushchenko, present at the dinner where the poison was allegedly administered. Ukrainian media with links to the presidential secretariat have recently published unsubstantiated rumors that Zhvania was a suspect in the poisoning.

Repression instituted by the president through the NRBO and presidential secretariat is seen as a return to tactics used in the Kuchma era. Our Ukraine political analyst Ihor Zhdanov wrote, "In recent times the law enforcement structures have been actively used as an instrument of political struggle similar to that used under former President Leonid Kuchma."

These developments illustrate Yushchenko's and Tymoshenko's divergent views about how to relate to the Kuchma era. Tymoshenko was astounded when the president appointed Kuchma a member of the council of advisers of Kyiv University this month.

On the day her faction blocked the president's annual address to parliament, Tymoshenko said, "Today's authorities, who came to high positions after the Maidan [Independence Square, known for mass protests during the Orange Revolution], are in no way better than those we struggled against--the Kuchma authorities." Tymoshenko, whose government has been blocked by a two-month parliamentary blockade by the Party of Regions and daily interference by the president and Baloha, said that reforms since the Orange Revolution have been simply "empty chatter."

The Tymoshenko-Yushchenko rivalry is becoming even more intense. A presidential secretariat official said that, "Your Yulia has created bedlam in the last three years, and it's about time we finished once and for all with her." Comments such as this cast suspicion on whether Yushchenko is now convinced that the only way he can win a second term is by destroying Tymoshenko, as Kuchma attempted to do in 1991 and 1994 (www.pravda.com.ua, May 1-15, www.byut.com.ua, April 14, www.president.gov.ua, May 19, www.nso.org.ua, May 12, www.5.ua, May 20).