

UKRAINE 2001:

DEMONSTRATIONS AND POLITICAL CRISIS

Introduction

Since September 2000, the ex-Soviet Republic of Ukraine has been rocked by a political crisis surrounding its president, Leonid Kuchma. The crisis stems from the mysterious disappearance of a Ukrainian journalist, Georgi Gongadze, who had allegedly published articles critical of Kuchma on the Internet website of an online newspaper, *Ukrainska Pravda*.

In November, a badly mutilated, headless corpse was found several miles outside the capital, Kiev. The body was reportedly wearing jewelry, later identified by the missing journalist's mother and wife as having belonged to Gongadze. After news of the uncovered corpse came to light, some leading Ukrainian politicians – as well as other political opponents – publicly accused Kuchma of responsibility for Gongadze's death, claiming the president had ordered the killing in retribution for Gongadze's publication of the critical articles on the Internet (www.pravda.com.ua). Kuchma strongly and consistently denied any involvement.

On November 28th, Ukrainian Socialist Party (SPU) leader and former Speaker of Parliament Alexander Moroz publicly revealed a series of audiocassette recordings allegedly of Kuchma in conversation with some of his associates. The many hours of tape recordings were supposedly made clandestinely by a former member of President Kuchma's security detail, Major Nikolai Melnichenko, and allegedly featured the voices of Kuchma and other senior figures discussing the elimination of Gongadze. Kuchma later admitted that his voice was on the tapes, but insisted that the recordings had been doctored, possibly to frame him. He denied having ever discussed killing Gongadze with anyone, and claimed to have never known the journalist. Opposition figures then began staging a series of demonstrations calling for Kuchma to resign over the Gongadze affair.

The crisis sparked heavy criticism of President Kuchma from Western governments, Western multilateral organizations, and the Western press. Members of the US Congress came to Ukraine expressing their concern, along with representatives of the Council of Europe, and called for a full investigation of the Gongadze case. American billionaire George Soros – who finances several non-governmental organizations in Ukraine – called on Kuchma to step down in an article in the *Financial Times*.ⁱ Some of the demonstrations have led to the police using force, heightening tension in relations between the Ukrainian president and Western states.

BHHRG sent a representative to Ukraine to investigate the crisis surrounding what some journalists have colloquially labeled "Kuchmagate."

The Gongadze Murder Scandal

Georgi Gongadze and *Ukrainska Pravda*

Georgi Gongadze, according to Ukrainians with whom BHHRG's representative spoke, was not a household name in Ukraine prior to the scandal of his disappearance. One of the reasons for his relative anonymity prior to the crisis was that his articles appeared almost exclusively on the Internet which only a small number of Ukrainians had access to at the time. Gongadze's name was unknown to the average Ukrainian.

According to a report by the World Socialist Website (www.wsws.org) on January 25th, 2001, "Gongadze had been active among various wealthy oligarchs and political parties before setting up *Ukrainska Pravda* (Ukrainian Truth) in April last year."ⁱⁱ The report describes the Gongadze website as having been designed to expose "cases of corruption within the highest levels of the ruling elite."ⁱⁱⁱ

BHHRG could obtain little reliable information concerning the nature of Gongadze's activity in "oligarchic" circles, but if Gongadze himself had first-hand knowledge of corruption from prior personal involvement with figures involved in corruption, he may indeed have used this knowledge to create a sensational website. Such a journalistic concept could garner a large readership in any country. However, based on the conversations of BHHRG's representative with several Ukrainians both within and outside political circles, few in the republic were familiar with Gongadze's publications prior to the murder scandal. The impression received by BHHRG was that, prior to his disappearance, Gongadze had been an inconsequential figure both to Kuchma and to Ukrainian politicians in general.

It should be noted that press reports have often explained Gongadze's use of the Internet to disseminate critical articles as an attempt to bypass Ukrainian media censorship. What makes this explanation strange is that, although Ukrainian television channels are apparently subject to "state control" by virtue of the fact that they are owned or managed by senior political allies of President Kuchma, the same cannot be said of the press. There are many printed newspapers available in Ukraine – including the weekly *Kyiv Post*, which is published in English and takes a highly critical editorial stand on Mr. Kuchma – and each major political party has its own newspaper sold widely and openly on newsstands. In many cases, these newspapers regularly criticize and mock the president and his administration. *Ukrainska Pravda's* use of the Internet as a medium cannot therefore be explained as a need to bypass censorship.

Gongadze's Disappearance and the Discovery of the Headless Corpse

According to press reports, Gongadze was last seen on September 16th, 2000 before, seemingly, disappearing on his way home from work. Some weeks later (reports vary, with dates ranging from November 2nd to mid-November), residents of Tarashcha found a decapitated corpse on the outskirts of town. The corpse was almost immediately reported to be Gongadze's.

Although most reports have stated that the body was found in a forest in Tarashcha, some confusion exists due to conflicting news reports. Tarashcha is a small town about 50 miles south of the Ukrainian capital, Kiev (about 75 miles by road). Yet *BBC News Online* has reported that the body was found "in a rubbish tip by the side of a road near Tarashcha, 75 miles north of Kiev" [emphasis added].^{iv} Other reports placed the body on the outskirts or suburbs of Kiev. *FT.com*, the online version of the *Financial Times* newspaper, reported that "a corpse believed to be that of Mr. Gongadze was found buried at a crossroads with one arm sticking out of the ground."^v Britain's newspaper *The Independent* has likewise reported that the body was discovered north of Kiev.^{vi} Conflicting reports in the Western media of the circumstances and location of the corpse's discovery have cast significant doubt on the credibility of official accounts.

Press reports further indicated that a bracelet and necklace were found on the body, and that Gongadze's friends and co-workers identified these as belonging to the missing journalist. However, the body was badly mutilated, and in many areas its skin had been burned off with acid, including the skin on the hands and fingers, presumably to prevent fingerprinting. Nevertheless, a forensic expert in Tarashcha declared that the body was that of Gongadze. This declaration was made solely on the basis of the jewelry and some metal fragments found in the body's right hand, which examiners speculated were from a wound Gongadze suffered – according to his friends – during the war between the Republic of Georgia and separatists from the Autonomous Republic of Abkhazia in the Caucasus in 1992-93. The forensic expert issued a death certificate and gave a copy to reporters without even allowing Gongadze's wife to first identify the body.

The circumstances surrounding the first forensic examination of the corpse cast immediate doubt on the true identity of the body. The next day, the corpse was transported to the Kiev municipal forensic department, which refused to identify it as Gongadze's body and ordered a complex examination, including a DNA test.

Procurator-General Mikhail Potebenko and the Gongadze Case

Much was initially made in the press about the moral turpitude of Ukrainian Procurator-General (the ex-Soviet equivalent of the US Attorney General), Mikhail Potebenko. Soon after the Gongadze affair had reached crisis proportions, calls arose from several anti-Kuchma quarters for the resignation of Potebenko for his poor handling of the Gongadze affair. It was alleged that Potebenko was covering up for Kuchma by refusing access to the corpse.

In mid-December, the Verkhovna Rada (“Supreme Council,” or Ukrainian Parliament) voted by a narrow majority that Kuchma should fire Potebenko along with Minister of Internal Affairs Yuri Kravchenko and Ukrainian Security Service (SBU) Chief Leonid Derkach. The vote carried advisory weight only, and Kuchma refused to comply with Parliament’s vote, saying the investigations were still in too early a stage.

On January 10th, Potebenko told the Verkhovna Rada that a DNA test had been conducted on the corpse, and that the test showed a 99.66% probability that the body was that of Gongadze. The DNA test was supposedly conducted at the Kiev headquarters of the Procurator General, and despite the high percentage probability, Potebenko refused to “categorically” state that the body belonged to Gongadze. He said that the body had decayed to an extent that left certain questions unanswered, and called for further tests to be conducted. Potebenko said that Ukrainian medical experts had “analyzed genetic codes” and that his Office had even “invited Russian experts.” Yet he insisted that further tests were needed. Interestingly, although Kuchma’s opponents and the Western press were immediately prepared to believe Potebenko was involved in a conspiracy to conceal the truth about the headless corpse, they were equally ready to accept that the results of the first DNA test – as officially reported by Potebenko – proved that the body was Gongadze’s beyond a reasonable doubt.

The Melnichenko Tapes

Less than two weeks after SPU leader Moroz publicized the audio tapes, three members of the parliamentary committee of inquiry in the Gongadze case – former Justice Minister Sergei Golovaty, former Procurator-General Alexander Shir, and former SBU Col. Viktor Shishkin – left Ukraine for the purpose of interviewing an ex-SBU officer. They made a videotape of the interview, which was shown in parliament in mid-December. The SBU officer in question was 34-year-old Major Nikolai Melnichenko, who claimed to have made recordings of Kuchma’s conversations by hiding digital recording equipment under a sofa in the president’s office. Melnichenko said his reasons for doing this were to put a stop to the criminal activities of the regime, and he said he had quit the SBU at the beginning of November (coincidentally, exactly at the time the decapitated corpse was discovered in Tarashcha) and gone into hiding abroad. In early January 2001, the Procurator-General’s Office brought an action against Melnichenko for violating Ukrainian state security.

The Melnichenko tapes document alleged conversations between Kuchma, presidential administration Chief Vladimir Lytvyn, SBU Chief Leonid Derkach, and Minister of Internal Affairs Yuri Kravchenko. On January 10th, the same day that he addressed the Ukrainian parliament on the examination of the headless corpse, Potebenko also reported on an analysis of the authenticity of the tape recordings. He said it was impossible to establish with any certainty what was said by whom on the tapes “due to the fact that the materials have been edited, individual fragments, words and sounds have been removed or added, and also because the recorded material is of a low quality.”^{vii}

Following the statement by Potebenko, the Melnichenko tapes were submitted to the Vienna-based International Press Institute (IPI) for independent examination to determine whether or not they had been doctored or edited. After several weeks, on February 28th, the IPI issued a report that it was “nearly impossible to detect manipulation with a nearly absolute level of certainty.” IPI

claimed that “as the total volume of recordings available covers hundreds of hours of conversations over the period of several months, it seems hard to believe that such a huge amount of documentary evidence may have been doctored or manipulated.” However, IPI also said that “[i]f the existing evidence had consisted only of the approximately 25-minute long recordings related to the Gongadze case, one could possibly imagine some manipulations or doctored by a ‘potential aggressor.’” In other words, the report of IPI and its partner in the analysis – US-based Freedom House – was inconclusive.

The Anti-Kuchma Demonstrations

Western media covered the demonstrations that occurred in Ukraine following the revelations of Gongadze’s disappearance and the Melnichenko recordings. Ukrainians with whom BHHRG’s representative spoke dismissed as absurd the numbers reported in the Western media. Figures such as 5,000, and 10,000 were regularly used to describe demonstrations that occurred in various cities, including Kharkov in eastern Ukraine. The demonstration in Shevchenko Park in Kiev on March 9th was described by several Western news agencies as having been in the range of 10,000-18,000 participants, yet BHHRG representatives counted about 2,000 in all, many of whom were either journalists or curious bystanders who had come to see what all the commotion was about. In the morning, the number of active participants at this demonstration – described as the largest up to that time – was no more than a few hundred.

The “Tent City” and Other Protests

On March 1st, Kiev police removed 44 tents from the city’s main avenue, Khreshchatik, in a sweep that took 20 minutes. The Tent City had been located on Khreshchatik since January 30th, and locals told BHHRG’s representative that the area around the tents had become extremely unhygienic over the course of a few weeks. Some resistance was evident by demonstrators, who were arrested and put into police vans. Western media appeared at pains to portray the move by the authorities as an example of police brutality, but in fact no injuries were reported among the 42 demonstrators who were later fined 8 times the minimum wage, but refused to pay.

Interestingly, leaders of the anti-Kuchma opposition were repeatedly shown on Ukrainian television – allegedly tightly controlled by Kuchma allies and biased in favor of the president – giving a press conference denouncing the police action. Sergei Golovaty, speaking in English, said that “practically, martial law exists” now in Ukraine. Yuri Lutsenko, organizer of the “Ukraine Without Kuchma” movement, was also shown vowing defiance, as was Nikolai Gaber of the Ukrainian Patriotic Party, which has no seats in the parliament.

On March 5th, a much smaller Tent City was set up in Shevchenko Park across from Kiev State University. A municipal court order instructed the students to immediately remove the camp because it was on a historical-cultural site. Although the protest was supported by the supposedly broad-based, grassroots “Ukraine Without Kuchma” movement, only one protester was guarding the Shevchenko Park Tent City when sanitation workers arrived to clean the area. After the tents were removed from Shevchenko Park, “Ukraine Without Kuchma” announced that it planned to prevent President Kuchma from laying flowers at the Shevchenko monument on March 9th, the birthday of the Ukrainian poet.

On March 9th at 9 am, a crowd of about 2,000 had assembled in front of the statue of Taras Shevchenko in Shevchenko Park. The flag of the extreme nationalist UNA-UNSO (Ukrainian National Assembly – Ukrainian People’s Assembly for Unity) – a black cross on a red background, with the letters U-N-S-O printed one on each of the four arms of the cross – was much in evidence. Some of the people attending the demonstration told BHHRG’s representative that earlier in the morning, at about 4 a.m., Kiev police had cordoned off the park before President Kuchma’s arrival. After daybreak, the president arrived with Prime Minister Viktor Yushchenko and lay flowers at the foot of the statue. He left quietly, without obstruction or any disturbance. Up to this time, conflict between the police and the few demonstrators who had

arrived never rose above verbal abuse, according to eyewitnesses. Only after Mr. Kuchma left, according to those at the scene, did the police clash with the demonstrators with both sustaining injuries. Later, some of the demonstrators proceeded to the presidential administration building where further clashes occurred, forcing the police to use tear gas.

Identity of the Demonstrators

A significant feature of the demonstrations in Ukraine has been the diversity of the participants' political affiliation. Apart from members of Alexander Moroz's Socialist Party, small nationalist groupings with no representation in parliament have played an active role. Parties such as the Ukrainian Patriotic Party and the Republican Party of Ukraine (RPU – sometimes called the Conservative Republican Party) have maintained a regular presence selling their parties' newspapers at the various demonstrations. The group that has received the greatest publicity has been UNA-UNSO (Ukrainian National Assembly – Ukrainian Popular Assembly for Unity), a Ukrainian nationalist paramilitary group. UNA-UNSO members typically wear red-and-black armbands and often patrol the demonstration areas in gangs, wearing bandanas across their faces. Their members have gained a reputation for drunken brawling, using children to collect money, and for granting interviews to journalists only for pay.

Comments of Western Governments

Following the removal of the Tent City on March 1st, representatives of Western governments were quick to criticize President Kuchma and the Ukrainian authorities. US Ambassador Carlos Pasqual immediately appeared on Ukrainian television, expressing concern over the police action and fear that the Ukrainian authorities would forbid such demonstrations in the future. US State Department Spokesman Richard Boucher called upon the Ukrainian authorities "to observe their international commitment to freedom of assembly," and criticized Kuchma for failing to observe his country's constitution.^{viii}

European Union Foreign Minister Anna Lindh even mentioned Gongadze when issuing the EU's statement, saying that the EU was "very worried about developments regarding political freedom, media freedom and the specific case of the disappeared journalist."

US President George W. Bush had weighed in to the affair some days before the March 1st police action, saying that "[t]he United States and Ukraine share the long-term goal of seeing Ukraine become an independent, democratic, market-oriented state committed to the rule of law and integrated with the Euro-Atlantic community." Several US Congressmen had visited Ukraine earlier and called upon the country's leaders to leave the Tent City alone.

American billionaire businessman George Soros, in an opinion in the *Financial Times* on March 1st, said: "If Mr Kuchma cares about Ukraine's survival as an independent democratic state, he must take responsibility for his actions and hand over duties to the prime minister, the constitutionally designated successor, pending the results of the investigation. The West must take a clear position, denouncing Mr Kuchma's behavior and his actions. There is no way for the international community to continue to do business with Mr Kuchma until an impartial investigation has been completed and those responsible are held to account."^{ix}

Soros is not a government official. It must strike any observer as the height of irresponsibility for someone claiming to be a promoter of the rule of law to demand that a sitting head of state resign over an accusation of murder that has not even come close to being proven. For Soros to suggest that Yushchenko assume President Kuchma's powers compounds the suspicion widely acknowledged in Ukrainian political circles that the West wishes to replace Kuchma with Yushchenko, and that the prime minister is therefore a political rival of sorts to the president.

There is no evidence, moreover, that any Western leaders properly gauged the opinion of ordinary Ukrainians or the inhabitants of Kiev concerning the Tent City or their attitudes to anti-

Kuchma demonstrators. By all accounts, the Tent City never attracted more than a few hundred people at the very most, and not because Ukrainians feared harsh reprisal from the government. BHHRG's representative found little evidence that the Tent City demonstrators enjoyed any significant popular legitimacy in Kiev. It seems odd, therefore, that representatives of the United States government should display such concern for such a small manifestation of opposition to the Ukrainian president – a manifestation which posed a health hazard to the city center – while simultaneously calling on the Ukrainian authorities to uphold democracy.

Views of Ukrainian Politicians

Communist Party of Ukraine

The CPU has the largest number of seats in the Verkhovna Rada, more than twice as many as the next largest parliamentary faction. The CPU has been among the most consistent and staunch opponents not only of President Kuchma, but of the most prominent members of Ukraine's ruling political elite – colloquially referred to as the "Oligarchs" – who have generally allied themselves with Kuchma.

The Oligarchs are politicians who have allegedly amassed tremendous wealth in post-Soviet Ukraine by using their political offices to gain control of the republic's most productive resources and enterprises. Some have formed corporations to siphon off natural gas from the Russian gas pipeline running through Ukraine and then to resell the gas at a large profit. Although the CPU has strongly opposed this state of affairs in the country, in the current situation it has not sided with the anti-Kuchma demonstrators.

CPU MP Oleg Grachev told BHHRG that CPU policy was couched in terms of a choice between Kuchma and Yushchenko, explaining that the Communists believed that a President Yushchenko would be the worse option for Ukraine. The CPU would call for Yushchenko's resignation in April, when there would be a vote of no-confidence in the Yushchenko government. Furthermore, all the factions in the Rada that supported Kuchma – such as those led by Viktor Medvedchuk (Social Democratic Party of Ukraine (United) or SDPU(O)), Alexander Volkov (Regional Revival), Sergei Tygipko (Labor Ukraine), Alexander Karpov (National Democratic Party) – would this time vote with the CPU. Grachev pointed out that the other factions had previously supported Yushchenko, but the CPU's position had never changed.

Grachev explained that a political compromise between Yushchenko and the Oligarchs – who were demanding that the prime minister bring some of their members into a coalition government – would be very difficult before April 5th. He claimed that the prime minister's hopes rested on Kuchma's resignation before April 5th, because at that point Yushchenko would become president for 3 months, giving him a tremendous advantage in presidential elections. Grachev also insisted, however, that President Kuchma would not step down because of demonstrations or the actions of the "Ukraine Without Kuchma" movement. However, he said, the US State Department might pressurize him to resign.

The means by which the US State Department would exert pressure on Kuchma, according to Grachev, involved ex-Ukrainian Prime Minister Pavel Lazarenko. Grachev believed that Lazarenko – currently in prison in America – would testify to Kuchma's corruption, resulting in Kuchma being forced to not only resign, but perhaps even go to jail. Kuchma would therefore request a pardon, as Yeltsin did, and Washington would install Yushchenko in the post of the Presidency after 3 months. If this plan were successful, Grachev speculated, Yushchenko would control all the media, resources, etc., for the elections, including all administrative connections and apparatus, and would be almost certain to win.

However, said Grachev, if Kuchma held onto the presidency until April 5th, then the Yushchenko government would be forced to resign, and Yushchenko's chances of winning a presidential

election would then be much more slim. The CPU could then put its candidate in the election with a big chance of winning because, although all the other candidates would have a lot of money, they would enjoy none of the other electoral advantages.

Grachev explained US opposition to Kuchma in terms of the Ukrainian president's failure to fulfill Washington's expectations in creating a favorable climate for Western business. He said that when Yushchenko became prime minister, the "next phase" of American policy began, which entailed attempting to make Yushchenko president. Grachev opined that such a serious operation had to involve foreign intelligence services, in particular the CIA, and said that the current political situation in Ukraine was the product of a CIA operation. From Grachev's perspective, "the hand of the CIA" was evident in all the methods and technology of the Melnichenko tape recordings, suggesting that Melnichenko was "Lazarenko's man" and Lazarenko had used Melnichenko to arrange the operation and improve his situation.

Grachev made clear that the CPU was approached about participating in the tape recording plot and refused, and that the Party later found out that Moroz was using the tapes. Moroz had gradually understood, said Grachev, that he was becoming a political outsider after his departure from the post of parliamentary speaker. So he seized the chance to propel himself into the limelight. However, Grachev said that an agreement had been concluded between Moroz and Yushchenko that if Yushchenko were to become president, Moroz would receive an important post. The CPU had warned Moroz that – as a leftist – he was making a mistake in going over to the right-nationalists and that Yushchenko would not award him a high position in the event of victory. Yet Moroz had ignored the CPU's warning and decided to go through with the scheme anyway.

Progressive Socialist Party of Ukraine (PSPU)

BHHRG's representative also spoke with PSPU leaders Natalya Vitrenko and Vladimir Marchenko. Vitrenko had been a leading candidate for president in 1999, and during her campaign she and Marchenko were injured by a grenade thrown into a campaign rally in the town of Krivoy Rog in the Dnepropetrovsk Region of eastern Ukraine.

Vitrenko told BHHRG that Gongadze was virtually unknown in Ukraine, and was "*no one* to Kuchma" prior to the scandal. She said that the PSPU was the "most anti-Kuchma party in Ukraine," but that the use of the Melnichenko cassettes was a trick, and the Party could not side with Moroz when he accused the president and said the tapes were authentic. She further commented that for people such as Golovaty, Moroz, and Anatoly Matviyenko – to accuse someone without proof was unacceptable.

Marchenko denounced the anti-Kuchma demonstrators for preventing the president from laying flowers at the Taras Shevchenko monument, saying that this had nothing to do with democracy. He said the PSPU would never use such methods versus Kuchma.

Concerning Western media coverage of political events in Ukraine, Vitrenko complained that not a single foreign newspaper or TV channel had covered the PSPU-sponsored demonstrations on November 10th. These demonstrations garnered about 120,000 people in cities across the country, and yet they were ignored while the "Moroz-sponsored acts" against Kuchma received massive coverage everywhere in the West. Furthermore, Vitrenko pointed out that the Council of Europe did nothing in response to the unfair presidential elections of 1999, yet for some reason had "blown up" about the Gongadze affair. Similarly, the US and Europe had done nothing when the PSPU called for Kuchma's resignation in 2000, but were full of sanctimony against Kuchma over something that, according to Vitrenko, was "obviously a provocation."

National Movement of Ukraine for Unity

BHHRG's representative also met with Bogdan Boyko, co-chairman of the National Movement of Ukraine (NRU) for Unity. NRU for Unity is one of three branches of a Ukrainian nationalist movement once collectively known as "Rukh" (meaning "movement" in Ukrainian). Shortly before its leader, Vyacheslav Chornovil, died in a car accident under suspicious circumstances in mid-1999, Rukh had split into two rival factions: the Ukrainian National Movement (UNR), now led by Yuri Kostenko, and NRU, now led by Gennady Udovenko. Still later, the NRU for Unity split off from the NRU under the co-chairmanship of Boyko, Krech and Vasyl Filipchuk.

Boyko decried what he called the "liquidation of presidential power" in Ukraine, alleging that the current crisis was the result of "criminal groups" in parliament using illegal methods to protect themselves. He identified three "criminal factions" in the Verkhovna Rada: (1) the faction of ex-Vice Premier Yulia Timoshenko (Fatherland); (2) the faction of Yuri Kostenko (UNR); and (3) the faction of Viktor Pynzennik (Reform & Order).

Boyko accused Pynzennik of stealing 170 million deutschmarks designated for "ostarbeiters" (eastern workers) and using the money to finance "political provocations" in Ukraine. According to Boyko, Pynzennik wanted to remove the Procurator-General so that he would be able to pay his replacement to have MPs put in jail.

Boyko charged the West with carrying out operations in Ukraine on behalf of Prime Minister Yushchenko without any concern for the interests of Ukraine. He said that there was an attempt underway to mechanically apply the Yugoslav model to Ukraine (meaning a Western-financed "coup d'etat" such as occurred in Serbia in October 2000), and claimed that Western intelligence services were being served by Kostenko, Pynzennik and Timoshenko, who he described as "thieves." However, Boyko also maintained that Kuchma would not abandon the Presidency as a result of demonstrations, but rather the "criminal" opposition would effectively do away with the Presidency by changing the Constitution. Concerning the Melnichenko cassette tape scandal, Boyko informed BHHRG that his party had analyzed the situation and concluded that before February 26th, Melnichenko was located in a military base somewhere in Sustenberg in The Netherlands.^x

Boyko expressed serious concern over the objectivity of the Western media, and was particularly critical of Radio Free Europe (RFE). He said that UNR leader Yuri Kostenko's wife, Irina Pereshela, was a RFE employee, and that Pereshela's friend Irina Lukonska was also with RFE. Another of Kostenko's allies, Viktor Linchevsky – who Boyko claimed went by the pseudonym "Berezanets" – was also a RFE employee, and Boyko asserted that RFE in Ukraine was actually an affiliate of Kostenko's UNR, a party financed by Lazarenko and Timoshenko. Boyko was also very critical of the fact that Pereshela's first husband, Rostislav Koten, worked for the British Broadcasting Corporation (BBC).

In the opinion of NRU for Unity, the effrontery of the US Embassy in Ukraine and of Ambassador Carlos Pasqual was greater than anything done by the Communists during the USSR. Boyko said that the Verkhovna Rada was considering expelling Pasqual from the country, and that even the "drunkard Yeltsin" was less impudent toward Ukraine than Pasqual. "If this continues," predicted Boyko, "Ukraine will become anti-American."

Labor Ukraine

On February 13th, Ukrainian MP Sergei Tygipko gave a talk at Radio Free Europe headquarters in Washington, DC. Tygipko is leader of "Labor Ukraine," the largest pro-Kuchma faction in the Verkhovna Rada and the largest after the Communists. His party has opposed the Yushchenko government since Tygipko resigned as Minister of the Economy in July 2000. Tygipko was also Deputy Prime Minister for Economic Reforms from April 1997 to December 1999 under the governments of former Prime Ministers Pavel Lazarenko and Valery Pustovoitenko. He also

founded “Privatbank” in Dnipropetrovsk in 1992, and he has been fingered by many as a possible successor to Yushchenko as prime minister. At RFE, Tygipko appeared with a colleague from his Labor Ukraine party, Inna Bogoslavskaya.

Swedish economist Anders Aslund – a former ally of Kuchma who recently became a harsh critic of the embattled Ukrainian president – asked Tygipko why he had consistently voted against sacking Procurator-General Potebenko and Internal Affairs Minister Kravchenko if he was not satisfied with their investigation of the Gongadze case. He also asked Tygipko why he had resigned from the government at a time when “reform was going ahead.”

Tygipko responded that, although his party admitted that the investigation had made some mistakes, there had also been “enormous political pressure” on those responsible. Furthermore, he maintained that it would have been very difficult for the Rada to confirm another nominee for Procurator-General in place of Potebenko, and that not a single potential candidate would have made it. He considered Potebenko to be more effective than some temporary acting Procurator-General. As to forcing Minister of Internal Affairs Kravchenko’s resignation, Tygipko said this decision had to come from the president.

As for his resignation from the Yushchenko government, Tygipko did not give an explanation other than his decision to “go into politics and become an MP.” He did claim, however, that “practically all existing reforms” were initiated before Yushchenko, and said his party was ready to support a Yushchenko coalition government with its 49 votes.

A representative of the Center for Strategic and International Studies (CSIS) asked for an exact definition of the “opposition” in Ukraine in light of violent demonstrations going on in the streets of Kiev. Inna Bogoslavskaya responded by pointing out that the Communist Party of Ukraine was a genuine opposition party, and yet it expressed its oppositionist views within the framework of parliamentary democracy and did not participate in the demonstrations. The demonstrators, she said, were “extremists and fascists” and composed of militant groups not registered with the Ministry of Justice. She also added that their members had participated in the wars in Chechnya, Georgia and Transnistria, and that their aims contradicted the Ukrainian Constitution. Those who had been detained on March 9th were *not* students, as reported in the Western press, but simply “thugs and hooligans.” She compared the emblem of the UNA-UNSO to a swastika and said that only a few hundred people were actually agitating for violence, despite the fact that there were 5,000 in the street. The intentions of UNA-UNSO, she said, did not correspond with the desires of the rest.

A representative of the US State Department asked Tygipko what exactly was the source of his disagreement with Yushchenko, to which Tygipko responded that although he agreed with Yushchenko’s “microeconomic policies,” he could not agree with Yushchenko’s refusal to form a coalition government. Concerning the Oligarchs, Tygipko said he thought it was expedient and “in the interests of the majority of Ukrainians” to allow the SDPU(O) to send its representatives to the cabinet of ministers. Among the parties Tygipko mentioned were the National Movement of Ukraine (NRU) and Reform & Order, both part of the opposition to President Kuchma. He stressed the necessity of “restrict[ing] the role of the Oligarchs by due process.”

A representative of an organization called the “Market Reform Group” asked Tygipko how he intended to address the fact that “all of Ukraine’s problems stem from domination by the Russians.” Tygipko responded that Ukraine needed to move *ahead* of Russia in the area of economic reforms, which he insisted would ensure political and economic independence from Russia similar to that enjoyed by the Baltics. He predicted that Ukraine would *never* be a second Belarus, but added that when the Russians offered more for Ukrainian economic assets than Westerners did, it was very difficult for Ukrainians to say no. With this, Tygipko said he offered a “challenge to Western investors.”

Finally, Radio Free Europe's representative asked Tygipko whether Labor Ukraine continued to support Leonid Kuchma. Tygipko replied that if the investigation into the Gongadze case produced no evidence of President Kuchma's involvement, his party would support the president, and he said he was sure this would be the case. He also said that although as a policymaker he understood the importance of cultivating an image as a "radical," Labor Ukraine would not "rock the political boat," which he viewed as destructive.

National Democratic Party

BHHRG's representative spoke with a member of the National Democratic Party, Valery Horoshkovsky who had apparently come to the United States as part of Tygipko's delegation but was very supportive of Prime Minister Yushchenko. However, he said he did not believe President Kuchma would resign before the end of his current term.

BHHRG's representative asked Horoshkovsky how he felt about Bogdan Boyko's allegations that Western intelligence agencies were responsible for the current crisis in Ukraine, and Horoshkovsky displayed minimal concern. He did not appear to believe that, even if the allegations were true, such interference in Ukrainian affairs was troubling for Ukrainian democracy or sovereignty. Rather, he said that if it were true that Western intelligence agencies were responsible for the crisis, the United States should examine its own actions in light of its commitment to democracy and the rule of law. He did not see it as a problem for Ukrainians. The NDP is headed by Alexander Karpov, one of the so-called "Oligarchs" of Ukraine. Since the Oligarchs are reportedly opposed to Yushchenko, it is interesting to note Horoshkovsky's firm support for the Ukrainian prime minister.

The Kyiv Post

The *Kyiv Post* is a weekly newspaper published in both English and Ukrainian. Its publisher, Jed Sunden, is an American, and none of the members of its editorial board are Ukrainian. One of the *Kyiv Post* staff writers, Peter Byrne, was active in Belarus prior to joining the staff of the *Kyiv Post*. The newspaper's articles are accessible on the Internet (www.kpnews.com), and its printed version carries a number of classified notices and advertisements in a section at the back, including advertisements for female "escort" and massage services – common euphemisms for prostitution.

The *Kyiv Post* has taken a very harsh editorial stand against President Kuchma in connection with the Gongadze affair. The March 1st edition features an editorial entitled "Right crime, wrong investigator," which reads:

[I]t appears the president is guilty as sin of all the grisly crimes exposed by the Melnychenko tapes. The International Press Institute came out with its report on the Melnychenko tapes on Feb. 28. The wording was ambiguous, but the point was clear: There is no way in the world those tapes are doctored.^{xi}

This editorializing and "creative interpretation" of the IPI report by the *Kyiv Post* is hardly objective journalism. The IPI report does not indicate that – in the opinion of the institute – there was "no way in the world" the recordings had been doctored or edited. In fact, the report says that nothing definite has, so far, emerged concerning the authenticity of the conversation referring to Gongadze which points to the very opposite being the case.

An op-ed on the same page entitled "Ukraine's New Cold War" by a Kiev resident named Chris Brown more or less calls on the republic's citizenry to rise up in revolution.

If the role of the disenfranchised masses is to take to the streets, the role of the elite minority is to be their mouthpiece, translating their actions into a common

vision. For the elite to flippantly criticize the disorderly throngs is to criticize themselves for shirking their duty.^{xii}

The March 7th "Opinion" section of the paper contained a commentary piece by Jake Rudnitsky "entitled "U.S. clout last hope for free Ukraine" begins:

Many ex-pats are quick to express their outrage at Ukraine's current political situation. Bizarrely, their consternation is not caused by the fact that Kuchma ordered Gongadze's murder [emphasis added] or even the president's horrid grammar... Rather, ex-pats simply can't believe that Ukraine's population could be so docile.^{xiii}

Stating as a matter of fact that President Kuchma ordered the killing of Georgi Gongadze goes beyond mere "opinion." Likewise, Mr. Rudnitsky's statement that "the United States still hasn't condemned Kuchma as the rampaging dictator that he is"^{xiv} should strike any reader familiar with Ukrainian politics as at least mild exaggeration. Finally, Mr. Rudnitsky explains that the United States "has the power to liberate Ukraine from the yoke of this murderer."^{xv}

An editorial entitled "The face of 'reform' defaced" in the March 15th edition harshly criticizes Sergei Tygipko, saying that the Labor Ukraine leader was "misleading" his audiences in Washington by criticizing Yushchenko's approach to reform. The editorial says that Tygipko's visit to Washington was an attempt "to burnish his image as he prepares to possibly steal Prime Minister Yushchenko's job this spring."^{xvi} The editorial uses strongly pro-Yushchenko language throughout, saying that "the hard reality behind the desire of Labor Ukraine and other oligarchic clans in the Rada to replace Viktor Yushchenko is the prime minister's insistence on privatization being conducted in a transparent manner with foreign investors on a level playing field."^{xvii}

While the precise source of funding for the *Kyiv Post* remains unclear, the "certified circulation" number of 25,000 printed on the masthead probably exaggerates the paper's total readership in Ukraine. The *Post* is available free in hotel lobbies in Kiev and its Internet website is also free. Few Ukrainians appear to read the *Kyiv Post* on a regular basis, and the 25,000 number is minute in a population estimated to be c. 52 million. It is fair to conclude, therefore, that the primary utility of the *Kyiv Post* is to disseminate certain viewpoints via its Internet website – much the way *Ukrainska Pravda* has done – with the aim of furthering the political agenda of outside interests. What interests, whether business or governmental, is open to speculation.

Conclusion

The haste with which Western governments and organizations have been prepared to accept the culpability of President Kuchma for the disappearance of Gongadze has been disturbing. The circumstances of Georgi Gongadze's disappearance cast doubt on the theory that he was murdered for his journalism. Reports that Gongadze was heavily in debt at the time he disappeared left open the possibility that – on the one hand – he may have fled Ukraine and gone into hiding to escape his creditors or – on the other – he was murdered by his creditors and not for any political motive. A recent DNA test conducted by a German laboratory, indicating that the decapitated body is not, in fact, Gongadze, has thrown further uncertainty over the case,^{xviii} and on March 22nd Ukraine asked the United States, Germany and Russia to conduct yet another DNA test on the body.^{xix} In other words, it is still possible that Gongadze is not even dead.

Not only were Gongadze and his work relatively unknown both among Ukrainian political circles and the public at large, but the headless body discovered in Tarashcha – and later claimed by Ukrainian and Russian authorities to be that of Gongadze – was not even concealed properly. A professional killing (as this has been reputed to be) would surely have disposed of the corpse efficiently – by very deep burial, incineration, pulverization, or some other more effective form of elimination.

The cassette tapes produced by ex-Speaker Moroz and allegedly prepared by SBU Major Melnichenko are equally – if not more – suspect, and must be viewed from the perspective of the prevailing geopolitical milieu in Ukraine. Several Ukrainians told BHHRG that Melnichenko was “Lazarenko’s man,” and suggested that Lazarenko had arranged for Melnichenko to create the cassette tape scandal to embarrass and weaken Kuchma. Whether or not it this was carried out at the behest of US authorities, it is certainly the case that some Ukrainians see it that way.

There is some evidence that President Kuchma has been moving closer to Russia in the past year and away from NATO and the West. Prime Minister Yushchenko, meanwhile, has been portrayed in the West as the sort of younger-generation, free-market reformer with whom Western governments can do business. Ukrainian politicians of all stripes expressed the view that the West was clearly attempting to position Yushchenko to succeed Kuchma as president.^{xx} The Gongadze murder scandal may have ultimately been a Western creation – aided by Pavel Lazarenko and intended to force Kuchma’s resignation and keep Ukraine out of Moscow’s sphere of influence. Lazarenko’s incentive for cooperation with US authorities would have been, obviously, an early release from prison. As might be expected the *Kyiv Post’s* Peter Byrne dismissed such theories as “paranoid”^{xxi}.

Revolution Without Reward

The present crisis has weakened and destabilized the Ukrainian state and damaged the image of the West among many of its citizens. BHHRG found no substantial evidence that a significant number of people outside high-level political circles believed Prime Minister Yushchenko to be a trustworthy politician acting in the country’s best interests. Many saw him as at best incompetent, at worst corrupt. A rumor had circulated among the politically aware that Yushchenko had funneled Western funds – intended for humanitarian purposes – into his own private bank account in Cyprus. The purpose of the transfers was, allegedly, to earn several million dollars in interest for himself.

The “Yabluko” Party – Ukrainian affiliate of Grigori Yavlinsky’s reformist “Yabloko” in Russia – commented in early March that the Yushchenko government was “incapable of running the country.” Yabluko accused the “reformer” Yushchenko of “ripping off” entrepreneurs with exorbitant taxes^{xxii} *Komsomolska Pravda* describes Yushchenko as a man of “indecisive” character who is “waiting for power to fall into his hands.”^{xxiii} Even the nationalist anti-Kuchma forces have expressed the view that Yushchenko is “spineless,” a “coward,” “inconsequential,” “not a leader,” and a figure who “cannot be taken seriously.”^{xxiv}

So far, the crisis has proved counterproductive as it has led many of Ukraine’s top politicians to force Yushchenko to accept a coalition government that includes opposition members – such as the powerful Deputy Speaker and SDPU(O) leader Viktor Medvedchuk – and to prevent Yushchenko from succeeding Kuchma as president. In any case, recent criticism from US Ambassador Pasqual of both the Ukrainian authorities *and* the violent demonstrators indicates that the West’s commitment to Yushchenko was never in fact as strong as it sometimes seemed. Yushchenko’s public admission on March 16th that he did not believe that Kuchma – as a “fellow Christian” – could be behind the killing of Gongadze seemed to deflate the campaign to pin blame on Kuchma for the murder of Gongadze. It will be interesting to see whether the *Kyiv Post*, in its enthusiastic support of Yushchenko and its scathing criticism of Kuchma, will now be prepared to concede that Kuchma may not in fact be Georgi Gongadze’s killer after all.

Western Double Standards

Less than a year ago, Kuchma was still viewed favorably by the United States and won a visit and commendation from US Secretary of State Madeleine Albright on the eve of his highly dubious April 2000 referendum on extending his powers as president. Radio Free Europe/Radio Liberty’s report of April 25, 2000, read as follows:

[O]ne more time Kuchma has demonstrated his unshakable position of the leader of a geostrategically important country... Taking into account the latest outburst of popular love for and confidence in the president during Ukraine's constitutional referendum, Kuchma may be said to be one of the most successful politicians on the post-Soviet territory.^{xxv}

Such lofty praise for Kuchma from RFE/RL as recently as a year ago not only makes the recent, bitter condemnation of the Ukrainian president barely credible, but also renders suspect the policy of attempting to force Kuchma to resign and replace him with Yushchenko. By proving its capacity for such an abrupt "about-face" regarding Kuchma, Radio Free Europe has cultivated an image for itself in Ukraine as a counterfeit mouthpiece for democracy and human rights, the colour of whose pronouncements are dependent on the extent to which the subject in question has created a favorable climate for Western businessmen, regardless of the extent of actual human rights violations in Ukraine.

PSPU leader Natalya Vitrenko said she believed that if the current situation continued, Ukraine would either have a "social revolution" or "fascism." Comparing the developments in Ukraine to the US-sponsored *coup d'état* in Serbia in October 2000, Vitrenko warned that Western attempts to apply the "Yugoslav model" to Ukraine would result in catastrophe for Europe, and she dismissed as futile US attempts to "use the politics of Western Ukraine to control the whole country."

NRU for Unity leader Bogdan Boyko is even more scathing in his criticism of the West. "We were always pro-Western and pro-US, but we are now reexamining our position." Also referring to the coup that toppled Yugoslav President Slobodan Milosevic in Belgrade, Boyko said he and his party believed that the US and its allies had decided to repeat the Yugoslav Revolution in Ukraine. However, he cautioned that ousting Kuchma would not bring Yushchenko to power, but rather the Communists, and that therefore his party would do everything possible to prevent Kuchma's removal. Boyko described the right opposition to Kuchma as an "opposition of thieves" and said that Yushchenko's coming to power would result in these thieves escaping jail sentences.

It is unfortunate that, through its double standards, the West has acquired an image as a purveyor of hollow sanctimony among Ukrainians in general. When the majority of politically-conscious inhabitants of a country come to believe that the West's *modus operandi* is to lecture their government on the subjects of human rights and democracy while simultaneously attempting to undermine their sovereign head of state through use of a grisly murder scandal, the concepts of international human rights and democracy become cheapened. It is to be hoped, that the West will adopt a more objective and moderate policies for promoting "reform" and "civil society" in Ukraine that it claims to hold in high regard.

ⁱ George Soros, "Step aside, Mr Kuchma," *Financial Times*, Mar. 1, 2001.

ⁱⁱ Andy Niklaus, "The death of Georgy Gongadze," *World Socialist Web Site*, Jan. 25, 2001.

ⁱⁱⁱ Ibid.

^{iv} "Ukraine Crisis Timeline," *BBC News Online*, Feb. 12, 2001.

^v Robert Cottrell, "A wasted country," *FT.com*, Feb. 15, 2001.

^{vi} Patrick Cockburn, "Headless corpse in Ukraine still a mystery as DNA tests queried" *The Independent*, Mar 23, 2001.

^{vii} "Tapes Impossible to Verify, Kiev PG," *Oreanda*, Jan. 11, 2001

(www.russiajournal.com/news/index.shtml#n3692?nd=3692).

^{viii} See *RFE/RL Newslines*, Mar. 1, 2001.

^{ix} Soros, *Financial Times*, Mar. 1, 2001.

^x See "Is Major Melnichenko being hidden on one of NATO's military bases?" *Fakty*, Feb. 28, 2001.

^{xi} "Right crime, wrong investigator" (editorial), *Kyiv Post*, Mar. 1, 2001.

^{xii} Chris Brown, "Ukraine's New Cold War," *Kyiv Post*, Mar. 1, 2001.

^{xiii} Jake Rudnitsky, "US clout last hope for free Ukraine," *Kyiv Post*, Mar. 7, 2001.

^{xiv} *Ibid.*

^{xv} *Ibid.*

^{xvi} "The face of 'reform' defaced" (editorial), *Kyiv Post*, Mar. 15, 2001.

^{xvii} *Ibid.*

^{xviii} See Patrick Cockburn, "Headless corpse in Ukraine still a mystery as DNA tests queried," *The Independent*, Mar. 23, 2001.

^{xix} "Ukraine asks for analysis of body," *The Independent*, Mar. 22, 2001

^{xx} See Yevgeny Anisimov, "The 'Empire' Inflicts a Retaliatory Blow?" *Komsomolska Pravda in Ukraine*, Feb. 22, 2001 ("Yushchenko is well-known in Ukraine for his pro-Western orientation. Furthermore, he is married to an American citizen of Ukrainian descent who, they say, is an employee of the US State Department.")

^{xxi} Peter Byrne, "Western community roundly criticizes latest display of force," *Kyiv Post*, Mar. 7, 2001.

^{xxii} "In Short: Going Nowhere," *Fakty*, Mar. 6, 2001.

^{xxiii} Anisimov, "Empire," *Komsomolska Pravda*, Mar. 7, 2001.

^{xxiv} Dmitro Dzhangirov, "Two Images Formed by the Premier," *Grani*, Feb. 26-Mar. 4, 2001.

^{xxv} Radio Free Europe/Radio Liberty Report, Apr. 25, 2000 (Vol. 2, No. 16).