



Gorshenin *Weekly*

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**Ukraine's
Constitutional Court
strikes down provision
of law on
parliamentary
elections concerning
candidate's ability to
simultaneously run on
party lists and in
single-seat
constituencies**

On 10 April 2012, the Constitutional Court of Ukraine (CCU) announced its decision on several provisions of the law on electing MPs.

In particular, the court ruled that the law provision allowing candidates to simultaneously run on party lists and in single-seat constituencies was unconstitutional.

The CCU received a request to consider the constitutionality of this provision from representatives of the parliamentary majority in February 2012.

The Ukrainian news and analysis website Lb.ua reported that before the CCU pronounced its verdict, on 9 April 2012, the head of the pro-presidential Party of Regions parliamentary faction, **Oleksandr Yefremov**, said that the law provision on simultaneous running on party lists and in single-seat constituencies would be annulled. At the same time, he noted that there was no need to approve such a ruling of the CCU by parliament.

On 11 April 2012, the presidential representative in parliament, MP of the Party of Regions **Yuriy Miroshnychenko**, said that his party would not gain any advantage from the cancellation of the law norm on candidates' simultaneous running on party lists and in single-seat constituencies.

In its turn, the opposition Yuliya Tymoshenko Bloc (YTB) parliamentary faction said that this ruling of the CCU demonstrated that the government had launched a large-scale revision of the election law. "The court adopted the decision which shook the balance of the platform on which a compromise had been achieved," a statement issued by the YTB said. The opposition faction expressed its intention to recall its votes for the adopted law on elections although it admitted the impossibility of such a step later.

For his part, the head of the opposition party Front for Change, **Arseniy Yatsenyuk**, said that the CCU had made this ruling following an order from Ukrainian President **Viktor Yanukovich**. In his opinion, the ban on the ability of candidates to simultaneously run on party lists and in single-seat constituencies will complicate the process of compiling a single list of candidates from the opposition for single-seat districts.

The Udar party headed by **Vitaliy Klitschko** believes that the CCU ruling is logical.

In the opinion of the scientific director of the School of Political Analytics, **Oleksiy Haran**, the annulment of the provision on simultaneous running on party lists and single-seat constituencies will complicate the situation for the opposition and, first and foremost, for middle-sized parties which may edge towards the five-percent electoral threshold.

We shall remind you that on 9 April 2012, the Ukrainian Central Electoral Commission distributed the number of electoral districts for the parliamentary election slated for October 2012.

We would like to note that during a roundtable held by the Gorshenin Institute on 12 April 2012, experts drew the conclusion that the opposition had a chance to win the election although it was not obvious that it had a possibility of forming a parliamentary majority. You can find more details on page 14.

Ukraine's Central Electoral Commission initiating parliamentary debate on amendments to law on electing MPs

The Central Electoral Commission (CEC) is initiating a parliamentary debate on the adoption of amendments to the law on electing MPs, the CEC deputy head, Andriy Mahera, said on 13 April 2012.

According to Mahera, the ruling of the Constitutional Court of Ukraine (CCU), which declared unconstitutional the provision of the election law giving Ukrainian citizens who reside abroad the right to vote for candidacies from Kiev's single-seat constituencies, requires legal regulation (following this CCU decision, Ukrainian nationals living abroad will be able to vote only for candidates running on party lists).

Earlier, the CEC head, **Volodymyr Shapoval**, said that this ruling of the CCU might challenge legitimacy of future parliamentary elections if parliament does not make a decision on this CCU verdict or if the CCU does not provide additional explanations.

We would like to note that 37 public organizations representing the most recent wave of the Ukrainian immigration opposed the CCU ruling which restricts electoral rights of Ukrainian citizens residing abroad.

Party of Regions calls for ban on lawmakers' immunity

Parliament might consider in the nearest future a draft law banning immunity for lawmakers.

"We have a proposal to consider this document this week or next week," the head of the pro-presidential Party of Regions parliamentary faction, **Oleksandr Yefremov**, said on 9 April 2012.

Later, MP of the Party of Regions **Volodymyr Oliynyk** clarified that the issue was not about a ban on immunity for MPs but rather about the so-called change of immunity. "In other words, one can open an investigation against an MP. There might be a trial but the lawmaker cannot be arrested," Oliynyk explained, adding that the issue about imprisonment would be debated by parliament.

In the opinion of an MP of the opposition Our Ukraine-People's Self-Defence, **Yuriy Hrymchak**, by rising the issue of annulling lawmakers' immunity the current government is attempting to develop an instrument for pressuring MPs. "This is one of the options with the help of which they will attempt to form a majority in the next parliament," Hrymchak explained.

At the same time, Yefremov believes that there will be no 300 MPs in parliament willing to cast their vote for a revocation of lawmakers' immunity.

Parliament adopts decree on implementation of PACE resolution without references to Yuliya Tymoshenko, Yuriy Lutsenko

On 11 April 2012, parliament adopted a document laying out an action plan to implement the most recent resolution of the Parliamentary Assembly of the Council of Europe (PACE).

The document envisions the setting up of an interdepartmental work group for analyzing the experience of member countries of the Council of Europe with the issues of differentiating between political and criminal responsibility, regulating the judicial system and activity of political parties.

At the same time, the parliamentary majority refused to amend the document as proposed by the opposition. In particular, the amendments dealt with the decriminalization of Article 364 and 365 of the Ukrainian Criminal Code under which former Prime Minister **Yuliya Tymoshenko** and former Interior Minister **Yuriy Lutsenko** were convicted.

We would like to note that in the opinion of the Helsinki Human Rights Committee, Ukraine has failed to implement the requirements laid out in the PACE resolution.

It is known that in its resolution of 26 January 2012, the PACE urged the Ukrainian authorities to refrain from political persecution and to ensure access of the opposition leaders to a parliamentary election, which will be held in October 2012.

The deputy director of the Razumkov Center, **Valeriy Chalyy**, believes that attempts of the Ukrainian government to implement the PACE resolution are a positive thing. "The other issue is the way it is done. It looks more like a dragging out of time rather than actual actions to implement the recommendations," he noted.

Parliament adopts Criminal Procedure Code

Late at night on 12 April-early hours of 13 April, the Ukrainian parliament adopted the Criminal Procedure Code (CPC).

Following the CPC adoption, Ukrainian President **Viktor Yanukovych** said that he would send the document to international experts for a re-examination. After the experts draw their conclusions, the president will make a decision on whether to sign the document.

The newly adopted CPC defines major directions for reforming criminal proceedings as the creation of equal opportunities for each of the parties in a criminal process and an actual introduction of the adversarial principle in criminal proceedings.

Under the new CPC, an investigator and a prosecutor are actually stripped of their monopoly right to present evidence because each of the sides in criminal proceedings will have an equal opportunity to collect evidence.

Additionally, inquiry and pretrial investigation, which had been separate stages, will be combined into a process of a pre-trial investigation. Furthermore, the CPC provides for the elimination of the possibility of sending cases back for a further investigation.

During the second reading, MPs introduced 3,700 amendments to the CPC text. However, lawmakers did not back the amendments proposed by the opposition which wanted to exclude from the document Article 364 and Article 365 under which former Prime Minister **Yuliya Tymoshenko**, former Interior Minister **Yuriy Lutsenko** and a number of other officials from the previous government were convicted.

The opposition argued that the CPC had been adopted with "flagrant violations of the constitution and procedures". Thus, in particular, 271 voting cards were recorded in favor of the document, while the opposition counted nearly 30 representatives of the pro-presidential majority in the parliamentary chamber during the vote. The opposition intends to challenge the unconstitutional adoption of the CPC with the Constitutional Court of Ukraine.

In his turn, the head of the pro-presidential Party of Regions parliamentary faction, **Oleksandr Yefremov**, stated that although fewer than 60 MPs voted for the CPC while the screen in the parliamentary chamber showed 271 votes, it was not a violation.

In an interview with the Ukrainian analytical weekly Dzerkalo Tyzhnya, one of the authors of the Ukrainian constitution, Pr **Viktor Musiyaka**, pointed out that the new CPC contained a number of provisions that contradicted the Ukrainian legislation. Thus, in his opinion, the provision that only a lawyer can defend the rights of a defendant contradicts the previous ruling of the Constitutional Court, which said that other individuals such as relatives can defend one's rights. Musiyaka also mentioned that the status of prosecutors in a criminal process was raised.

Opposition demands prosecutor-general's dismissal

On 9 April 2012, the opposition demanded that Ukrainian Prosecutor-General Viktor Pshonka and his first deputy Renat Kuzmin be dismissed.

According to the deputy head of the Yuliya Tymoshenko Bloc (YTB) parliamentary faction, **Serhiy Sobolev**, by accusing former Prime Minister **Yuliya Tymoshenko** of being involved in businessman **Yevhen Shcherban's** killing in 1996, the leadership of the Prosecutor-General's Office (PGO) is intentionally launching "political repression in the country".

On 12 April 2012, the head of the YTB faction, **Andriy Kozhemyakin**, stated that the opposition had collected 150 signatures required for the beginning of the procedure of expressing the vote of no confidence to Pshonka.

The director of the sociological research company Ukrainian Barometer, **Viktor Nebozhenko**, believes that the parliamentary majority will not back Pshonka's dismissal since, first and foremost, he satisfies President **Viktor Yanukovych**.

Another minister from Yuliya Tymoshenko's former cabinet convicted

On 12 April 2012, the Kiev Pechersky district court sentenced the former acting defence minister, Valeriy Ivashchenko, to five years in prison.

Hence, Ivashchenko was found guilty of abuse of power.

The former acting minister's lawyers intend to challenge the verdict with a court of appeals.

We would like to note that on 9 April 2012, Ukrainian ombudsman **Nina Karpachova** attended Ivashchenko's trial. Following this, she said that it had been held with flagrant violations of human rights.

On 13 April 2012, the USA called on the Ukrainian authorities to release Ivashchenko from prison.

In the opinion of the Helsinki Human Rights Committee, Ivashchenko's verdict is not a result of a fair trial in a judicial system respecting the supremacy of law and basic principles of human rights.

Ukrainian ex-governor, head of regional branch of opposition party Arsen Avakov to wait under house arrest for Italian court's decision on extradition

On 12 April 2012, an Italian court released a former governor and the head of Kharkiv Region's branch of the Fatherland opposition party, Arsen Avakov.

The Prosecutor-General's Office (PGO) said that the court kept Avakov under house arrest. This measure will be applied to him until the court decides on the issue of extraditing the opposition politician to Ukraine.

Avakov denied the PGO's statement. "Rome's court ruled to release me unconditionally," he said. Later, he added in an interview with the Ukrainian news and analysis website Lb.ua that he did not see the need to seek political asylum at the moment.

In the opinion of the Gorshenin Institute's expert **Volodymyr Zastava**, "Avakov's release from custody is a very good signal. However, it does not mean yet an ultimate victory for the defence."

We shall remind you that in January 2012 the former Kharkiv Region governor was announced to be internationally wanted. In March 2012, he was detained in Italy. Ukrainian prosecutors accused Avakov of exceeding his authority.

Ex-interior minister diagnosed with viral hepatitis, wife says. German physicians visit hospital where Yuliya Tymoshenko will be treated

Former Ukrainian Interior Minister Yuriy Lutsenko has been infected with viral hepatitis during a blood transfusion in a remand centre, his wife has said.

Iryna Lutsenko added that the disease had been diagnosed back in September 2011 after a medical check-up and that the State Penitentiary Service (SPS) had hidden this information.

The SPS denied this information. The chief physician of the Kiev city clinic for emergency aid, which carried out Lutsenko's medical examination, said that the former interior minister had no life-threatening diseases.

For over a year, Lutsenko had been under arrest in the Lukyanivske remand center.

We shall remind you that on 12 April 2012, doctors from the German hospital Charite visited the hospital where a specialized ward for treating former Prime Minister **Yuliya Tymoshenko** had been set up.

Kiev prosecutors inquire into detention conditions in Lukyanivske remand center

A criminal case against employees of the Lukyanivske remand center over professional negligence has been opened, the Kiev prosecutor's office said on 12 April 2012.

The Ukrainian news and analysis website Lb.ua reported that a reason for the launch of the investigation was a documentary about the life of the detained in this remand center broadcast by the Ukrainian TV channel TVi on 2 April 2012. The documentary features videos filmed by the detainees themselves with the help of cell phones. The documentary talks about the facts of bribery demanded by the remand center's employees from the detained for allowing them to receive forbidden items (cell phones and alcohol) and their transfer to less-crowded cells. At the same time, the life conditions of the detained are significantly below even prison standards. They are forced to eat low-quality food and drink low-quality water. A dangerous kind of bacteria is detected in certain cells. Furthermore, the documentary says that a detained individual died because he was not provided with proper medical treatment.

At the same time, on 12 April 2012, the head of the Ukrainian State Penitentiary Service (SPS), **Oleksandr Lysytskov**, said that "90 percent of the facts in the documentary have not been conformed." He also called the film "a hoax."

The author of the documentary, **Kostyantyn Usov**, claims that the SPS management knows very well what really happens in the remand center but does not wish to change anything since it is a profitable business.

We would like to note that the German government's commissioner for human rights, **Marcus Lening**, who visited the Lukyanivske remand center on 12 April 2012, said that its detention conditions were not different from those in foreign remand centers.

**Ukrainian TV channel
says pressured by tax
authorities**

On 13 April 2012, the director-general of the Ukrainian TV channel TVi, Mykola Knyazhytskyy, said that the tax authorities were putting pressure on his media outlet.

Currently, the TV channel was undergoing a tax inspection, Knyazhytskyy added. The Tax Service intended to carry out one more extraordinary inspection in the nearest future.

“Carrying our two simultaneous inspections will lead to the blocking of the channel’s normal functioning,” Knyazhytskyy said. The TV channel’s director also requested the leadership of the Ukrainian Interior Ministry and the Tax Service to take measures regarding the situation.

We would like to note that a sociological survey carried out by the Gorshenin Institute in November 2011 suggests that the majority of Ukrainian (76.7 percent) prefer TV as a chief source of information about developments in Ukraine.

**Ukrainian prime
minister faces
accusations of
exceeding authority**

The Ukrainian opposition has demanded that Prime Minister Mykola Azarov face criminal responsibility for allegedly exceeding his authority.

We have learned that on 5 April 2012, an MP of the Yuliya Tymoshenko Bloc parliamentary faction, **Serhiy Teryokhin**, sent a letter to the Prosecutor-General’s Office of Ukraine (PGO) accusing Azarov of exceeding his authority when he signed an agreement on a free trade area (FTA) with the Commonwealth of Independent States (CIS) in October 2011.

The MP explained that the prime minister acted singlehandedly and without corresponding directives from President **Viktor Yanukovych**, which, according to him, constitutes a violation. In Teryokhin’s opinion, this is a crime which falls under Article 365 of the Ukrainian Criminal Code – this is the same article dealing with “exceeding authority” under which former Prime Minister **Yuliya Tymoshenko** was convicted six months ago.

The lawmaker insists that since the actions of one politician were considered by the criminal legislation, then the actions of another politician should be treated the same way.

Furthermore, the Russian newspaper *Nezavisimaya Gazeta* reported that the text of the agreement signed by Azarov differed from the text of the previously agreed document. “For some reasons, in the process of preparation for signing, 50 categories of goods, which are subject to exceptions and restrictions from Russia’s side, have been added to the text,” *Nezavisimaya Gazeta* quoted a Ukrainian official as saying. This is the exact reason why the agreement on an FTA with the CIS somehow fails to be sent to the Ukrainian Verkhovna Rada for ratification, the Russian newspaper added.

It is known that on 3 April 2012, Russian President **Dmitriy Medvedev** signed a law on the ratification of the FTA agreement with the CIS. Earlier, he called on his Ukrainian counterpart to simultaneously ratify the document.

We would like to note that the Gorshenin Institute carried out a poll among Ukrainian MPs in March 2012. Half of 152 respondents (50.6 percent) admitted that they were not familiar with the text of the agreement to set up an FTA with the CIS.

**Ukrainian Energy
Ministry denies
information on
Russia's proposal of
10-percent gas
discount**

Ukraine has not been offered a gas discount.

On 11 April 2012, Ukrainian Energy and Coal Industry Minister **Yuriy Boyko** said that the draft of the gas contract which the speaker of the Russian State Duma, **Sergey Naryshkin**, brought to Kiev in March 2012 did not include a provision on a 10-percent discount for Ukraine.

Earlier, Ukrainian Prime Minister **Mykola Azarov** talked about such a discount.

On 12 April 2012, the prime minister said that Ukraine would achieve a fair price for Russian gas, which, in his opinion, should be around 210 dollars per 1,000 cu.m.

Later, on 13 April 2012, Azarov also said that Ukraine was continuing negotiations with Azerbaijan and Turkey on alternative gas deliveries.

**Ukrainian state-run
energy company
allowed purchasing
gas without tenders**

On 12 April 2012, the Ukrainian parliament adopted a governmental draft law on amending the procedure of state natural gas purchases.

Hence, MPs endowed the Ukrainian state-run oil and gas trader Naftohaz Ukrayiny with the right to buy natural gas without following the procedure of tenders. Additionally, gas transportation, distribution, delivery and storing no longer require to adhere to the tender procedure.

Earlier, on 11 April 2012, Ukrainian Energy and Coal Industry Minister **Yuriy Boyko** said that the abandoning of tenders when carrying out gas operations could be explained by the need to align the Ukrainian legislation with European norms. At the same time, he added that the adoption of this draft law will allow Naftohaz Ukrayiny to purchase gas on European markets where the price is drastically lower than the one Ukraine pays when buying gas from Russia.

MP of the Yuliya Tymoshenko Bloc parliamentary faction, **Oleksandr Hudyma**, believes that the adoption of this draft law will have an adverse impact on transparency in the state procurement of natural gas. An MP of the opposition Our Ukraine-People's Self-Defence parliamentary bloc and the leader of the Front for Change party, **Arseniy Yatsenyuk**, shares this opinion. "The main objective of this law is to withdraw from the public multibillion-dollar gas purchases," he noted.

In his turn, an expert of Razumkov Center's energy programs, **Serhiy Dyachenko**, expressed the view that the adopted amendments to the law on state gas purchases will not lead to cheaper gas for Ukraine.

At the same time, the Ukrainian analytical weekly Dzerkalo Tyzhnya reported that at the beginning of 2012, a number of state and municipal agencies used tenders to purchase gas for 700 dollars per 1,000 cu.m. The newspaper also stressed that the majority of regional gas directorates were under control of businessman **Dmytro Firtash**.

**Parliament sanctions
reorganization of
state-owned energy
company**

On 13 April 2012, the Ukrainian parliament adopted amendments to the law "On the pipeline transport" which concern reform of the oil and gas complex.

The Ukrainian news and analysis website Lb.ua reported that the adopted amendments envisioned that the reorganization (consolidation, merger, division, separation and transformation) of state-run companies and Naftohaz

Ukrayiny's subsidiary companies, which carry out activities to transport and store gas. Additionally, under the newly adopted law, Naftohaz Ukrayiny's reorganization may be carried out exclusively upon a decision of the government. At the same time, the law bans the privatization of state companies and Naftohaz Ukrayiny's branch companies which transport and store gas. Parliament also imposed a ban on the opening of criminal cases over bankruptcy of such companies.

The head of the Party of Regions parliamentary faction, **Oleksandr Yefremov**, believes that by passing the amendments to the law on pipeline transport, parliament fulfilled the promises given to the Council of Europe.

For his part, the deputy head of the Yuliya Tymoshenko Bloc parliamentary faction, **Serhiy Sobolev**, said that by approving the amendments, parliament set up a mechanism for further privatization of the Ukrainian gas transport system. In his opinion, the amended law no longer contains a provision which directly bans privatization, reorganization or lease of the property owned by Naftohaz Ukrayiny. At the same time, according to Sobolev, a new version of Article 7 is worded in the way which provides for a "loophole" allowing to privatize the Ukrainian gas transport system in the future.

Ukraine fails to fulfill IMF's chief requirement, asks Russian bank to extend deadline for loan repayment

Ukraine has fulfilled practically all the requirements of the International Monetary Fund (IMF), Ukrainian Prime Minister Mykola Azarov said on 11 April 2012.

The only unresolved issue is the increase of gas tariffs for households so they correspond to the price of gas imported from Russia, the prime minister added. At the same time, he stated that Ukrainians should not be held hostage of the gas contracts signed in 2009.

We would like to note that Ukrainian Economics Minister **Petro Poroshenko** said in an interview with the Bloomberg agency that the IMF was the only possible way of implementing reforms.

In the opinion of an MP of the Party of Regions, **Oleksiy Plotnikov**, Ukraine may resume its cooperation with the IMF without raising household gas rates.

On 11 April 2012, Poroshenko also said that Ukraine was considering several options of paying off a loan taken from the Russian bank Vneshtorgbank (VTB), including a possibility of extending the deadline for the loan repayment.

On 12 April 2012, the Ukrainian newspaper Ekonomicheskie Izvestiya reported that the Ukrainian government applied to VTB for a new loan for refinancing a 2bn-dollar loan taken in 2010.

Parliament increases budget's revenue, spending parts for 2012

On 12 April 2012, parliament adopted a law on amending Ukraine's 2012 state budget.

The law envisions a 4.17bn-dollar increase in revenues to the state budget, to 45.9bn dollars. Expenditures of the state budget would be raised by the equivalent amount to 45.9bn dollars.

The Ukrainian news and analysis website Lb.ua reported that additional 2.28bn dollars would be allocated for the implementation of President **Viktor Yanukovich's** social initiatives which he had previously announced.

We would like to note that Prime Minister **Mykola Azarov** dismissed the accusations voiced by the oppositions that the president's social initiatives were linked to the upcoming parliamentary election.

On 11 April 2012, Economics Minister **Petro Poroshenko** said that there were no grounds for changing macroeconomic indicators for 2012.

We shall remind you that according to the government's projections, Ukraine's GDP will grow by 3.9 percent, while inflation will reach 7.9 percent.

In the opinion of the director of the Institute for Economic Research and Policy Consulting, **Ihor Burakovskyy**, an increase in the state budget revenues is risky and will lead to redistribution processes in the Ukrainian economy.

Ukrainian State Customs Service plans to contribute over 16bn dollars to state budget in 2012

The Ukrainian State Customs Service has made plans to collect more money for the state budget.

"In 2012, the State Customs Service plans to transfer 122bn hryvnias [15.3bn dollars] to the state budget. This is the number which will be certainly reached by the customs service. Furthermore, in addition to this amount, we also plan to transfer 7bn hryvnias [877m dollars]," the deputy head of the Ukrainian State Customs Service, **Oleksandr Dorokhovskyy**, said on 9 April 2012.

There were plans to receive additional funds by decreasing the number of customs privileges and by raising import duty for a number of goods to the highest possible rates, as agreed by Ukraine with the World Trade Organization (WTO). The draft law on increasing customs duties was registered in parliament by the Party of Regions on 30 March 2012.

We shall remind you that the Customs Service transferred 3.5bn dollars to the budget in the first quarter, which is 125m dollars more than was planned.

Ukrainian MPs elect Accounting Chamber's head

On 12 April 2012, parliament elected the State Savings Bank's first deputy board chairman, Roman Mahuta, as the head of the Accounting Chamber.

We would like to note that the opposition was against Mahuta's election to this position since he had not undergone a special check and had not worked either in the sector of public service or public finance.

In its turn, the Party of Regions expressed certainty that Mahuta's experience of working in the banking sector would help him to work on the new post.

Prior to his election, addressing MPs from the parliamentary rostrum, Mahuta talked about the need to reinstate the Accounting Chamber's functions of monitoring the state budget revenues.

We shall remind you that prior to the appointment as the first deputy board chairman of the State Savings Bank, Mahuta worked for a long time in various banks in Donetsk Region.

The Ukrainian news and analysis website Ukrayinska Pravda, which had a copy of Mahuta's 2011 income declaration at its disposal, reported that the newly-elected Accounting Chamber's head was paid approximately 30,000 dollars per month by a state-owned bank last year.

Ukrainian defence minister embroiled in scandal

Ukrainian Defence Minister Dmytro Salamatin became a Ukrainian citizen only in December 2005, an MP of the opposition Our Ukraine-People's Self-Defence parliamentary bloc, Taras Stetskiv, said on 11 April 2012.

The opposition believes that the appointment of an individual who has only relatively recently become a Ukrainian citizen (a little bit over six years ago) to the post of the Defence Ministry's head, is not a violation of law, but demonstrates Ukrainian President **Viktor Yanukovich's** incompetence or his deliberate neglect of the Ukrainian national interests.

Yanukovich appointed Salamatin as defence minister on 8 February 2012.

Furthermore, the opposition pointed out that Salamatin had been illegally elected to the Ukrainian Verkhovna Rada since there is a law provision requiring an individual to be a Ukrainian national for five years prior to running for a parliamentary seat.

In response, the Ukrainian Central Electoral Commission (CEC) stated that in order for a person to register as a candidate for a parliamentary seat, it is sufficient to be a Ukrainian national and to live in Ukraine over the past five years. At the same time, the CEC pointed out that Salamatin had been living in Ukraine since 1999.

The speaker of the Verkhovna Rada, **Volodymyr Lytvyn**, tasked the parliament's legal directorate to investigate the issue.

In his turn, the head of the pro-presidential Party of Regions parliamentary faction, **Oleksandr Yefremov**, said that if he were in Salamatin's shoes, he would resign.

We shall remind you that late on 12 April 2012, a helicopter of the Ukrainian Air Force with Salamatin aboard went for an emergency landing in Zhytomyr Region due to a malfunction in the fuel system.

Law enforcers raid public office of opposition MP

On 11 April 2012, an MP of the opposition Yuliya Tymoshenko Bloc (YTB) parliamentary faction, Oleksandr Dubovoy, said that the law-enforcement agencies had blocked the operation of his public office in Odessa Region's Izmail.

Law enforcers had blocked not only the operation of his office but also the operation of the school where his office was located, Dubovoy added. Consequently, 150 pupils did not have a possibility of even using a restroom.

The opposition MP said that such government actions were linked to his refusal to leave the YTB and to join the pro-government majority. Dubovoy also noted that law enforcers had started to put pressure on his family and business.

In their turn, police explained that the search had been conducted as part of an investigation into a criminal case opened over suspected fraud and forgery.

Ukrainian special services accuse MP of large-scale embezzlement of state funds, hope for cancellation of immunity for lawmakers

The Security Service of Ukraine (SBU) has accused MP Oleksandr Shepelev of the involvement in embezzlement of the state budget funds.

On 11 April 2012, the head of the SBU Main Investigation Directorate, **Ivan Derevyanko**, said that Shepelev and businessman **Pavlo Borulko**, who owns the banks National Standard, European and Volodymyrsky and who used to be an advisor to President **Viktor Yanukovych**, devised a fraudulent plan for embezzling the state funds worth 49.5m dollars which were directed towards the refinancing of Ukrainian banks during the crisis.

Currently, the SBU is considering the possibility of addressing the Ukrainian parliament with a request to strip MP Shepelev of his immunity. Furthermore, Derevyanko expressed hope that parliament would back the president's initiative on the annulment of a law provision guaranteeing immunity to lawmakers.

We would like to note that Shepelev denied all the accusations, calling them "provocation". In his opinion, this is how the SBU is trying to attract attention to itself.

The issue has to do with the fact that Burulko, who has been under arrest in Belarus since December 2011 and whose extradition to Ukraine is being currently considered by a Belarusian court, accused the SBU leaders of extorting 10m dollars from him in exchange for closing a criminal case launched against him. He is charged with the funds embezzlement worth 77.6m dollars.

The mass media reported that Burulko is a relative of former Prosecutor-General **Oleksandr Medvedko**.

Ukraine to receive NATO funds for disposing weapons

Ukraine and NATO will sign a framework agreement on the disposal of weapons and ammunition.

The deal will be struck in Kiev on 18 April 2012, the Ukrainian mission to NATO said.

There are plans to dispose of 76,000 t of ammunition and 366,000 small arms.

The tentative cost of the disposal is estimated at 25m euros. It will be completed within three-four years.

The opposition has a chance to win the election although it is not obvious that it will obtain the majority in parliament – experts

The Gorshenin Institute has held a roundtable on the topic “Elections 2012: Who Will Win?” During the event, representatives of different political forces discussed the electoral legislation and possible scenarios for the development of the election campaign.

MP of the pro-presidential Party of Regions Oleh Nadosha believes that his party has no rivals because the opposition in its current shape is unable to compete. “Any election is always about rivalry. We would like it to be rather strong. At the moment, we do not feel it given that the opposition keeps failing to unite,” the lawmaker said.

In the opinion of **an MP of the Communist Party of Ukraine (CPU), Spirydon Kilinkarov**, the Party of Regions and the CPU will comprise the majority in the next parliament. Hence, a distribution of forces in the next parliament will not be dramatically altered. The politician also voiced the idea that the Party of Regions will lose the most votes in Western regions: “Where there has been charm, there will be disappointment. We, the Communist Party, will take all these votes. Neither the Yuliya Tymoshenko Bloc, nor Freedom nor any other party stands a chance.” The MP also said that none of these parties would garner over 3 percent of votes.

In contrast, **an MP of the Our Ukraine-People's Self-Defence bloc and the deputy head of the For Ukraine! party, Kseniya Lyapina**, believes that the united opposition has a chance to win the next parliamentary election. “I do not believe that it is that hopeless. The current opposition will win. The question is how influential in such a case the Verkhovna Rada will be. Will the opposition manage to form an effective majority?” she said.

Kseniya Lyapina is certain that the opposition will be able to give the country the prime minister who will be capable of counteracting the president.

In the opinion of **an MP of the Our Ukraine-People's Self-Defence bloc and the head of the Party of the Fatherland Defenders, Yuriy Karmazin**, the first step of the next parliament should be the introduction of criminal responsibility for bribing lawmakers and officials. At the same time, he said that the ruling of the Constitutional Court of Ukraine, which stroke down several norms of the election law, was corrupt.

In his turn, **a member of the Freedom party's political council, Andriy Ilyenko**, said that the political force which he represents would stand in the election independently from the Fatherland and the Front for Change. “It will not be a rift – this is an agreed position. As sociological surveys show, with a

single list, Freedom, Front for Changes and Fatherland will garner fewer votes than Freedom running independently,” the politician noted.

According to Andriy Ilyenko, such a difference in projected votes can be explained by the fact that the parties cater to different voters. Some of them do not support the idea of a party merger. However, Ilyenko did not rule out that the strategy of the opposition might change.

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