

TRUMP'S BETRAYAL

CONSERVATIVES ON CORRUPTION IN UKRAINE

Conservatives Agreed U.S. Policy Should Address Corruption in Ukraine, Including Reforms to Prosecutor General's Office

Senator Portman (R-OH) asked President Poroshenko to “press ahead with urgent reforms to the Prosecutor General's office and judiciary” four days before Shokin resigned

- **2/12/16 - Sens. Portman, Durbin, and Shaheen - Letter to the Honorable Petro Poroshenko, President of Ukraine - Addressing Ukrainian Government Corruption - Signed by Republicans Senators Johnson and Kirk:** “We recognize that your governing coalition faces not only endemic corruption left from decades of mismanagement and cronyism, but also an illegal armed seizure of territory by Russia and its proxies. Tackling such obstacles to reforms amidst a war and the loss of much of southeastern Ukraine's economic productivity is a formidable challenge -- one which we remain committed to helping you overcome. Succeeding in these reforms will show Russian President Vladimir Putin that an independent, transparent, and democratic Ukraine can and will succeed. It also offers a stark alternative to the authoritarianism and oligarchic cronyism prevalent in Russia. As such, we respectfully ask that you address the serious concerns raised by Minister Abromavicius. We similarly urge you to press ahead with urgent reforms to the Prosecutor General's office and judiciary. The unanimous adoption by the Cabinet of Ministers of the Basic Principles and Action Plan is a good step. We very much appreciate your leadership and commitment to reform since the Ukrainian people demonstrated their resolve on the Maidan two years ago, and we look forward to continued cooperation in the future.” [[Letter](#), 2/12/16]
- **2/12/16 - Sen. Portman:** Ukraine's US friends stand w/#Ukraine in fight against corruption. Impt to continue progress made since #EuroMaidan: <http://1.usa.gov/1TgrvCD> [[Tweet](#), 2/12/16]

Speaking in Odesa, Senator John McCain (R-AZ) said he will discuss corruption with President Poroshenko, assess a great deal more progress is needed

- **9/23/15 - Joint Press briefing by Senator McCain and Governor Saakashvili in Odesa, Sept. 23, 2015:** “I intend to discuss many issues with the President...and the Prime Minister. But it is our view, that there still needs to be work done on the issue of corruption. Progress has been made, but a great deal more progress needs to be made to prove to the people of Ukraine that it is indeed a new era.” [Joint Press Briefing, [U.S. Embassy Kyiv Video](#), 9/23/15]

Senator Bob Corker (R-SC) called for U.S. policy to “drive...anti-corruption reforms in Ukraine”

- **3/10/15 - Sen. Bob Corker Holds a Hearing on U.S. Policy in Ukraine: Countering Russia and Driving Reform:** “At the same time, while I believe the government in Kiev is generally committed to reform, more needs to be done by the Ukrainian authorities to move forward with these reforms, especially in the energy sector, where corruption siphons billions of dollars away from the budget each year. Even if the United States does more to help Ukraine and Kiev defeats the Russian-backed rebels but the Ukrainian economy implodes in the process, we have failed and Putin has succeeded. As a matter of fact, he's had an even greater success if that occurs. This is why the United States must have a comprehensive strategy that will both counter Russian aggression but also drive political, economic and anti-corruption reforms in Ukraine.” [Hearing, 3/10/15]

Senator Bob Corker (R-SC) said U.S. needs to be firm on reforms in Ukraine, including punishing corruption

- **10/8/15 - Senate Foreign Relations Committee Hearing on The Economic and Political Future of Ukraine:** “If Ukraine wants to go in the right direction, if Ukraine wants the rule of law, it has to keep making real changes. And again, I know our Secretary is working hard towards that end. ... Ukraine's leaders are enacting key reforms, but they will also be judged on how they address corruption. We and our allies will be judged on what we do now and over the next decade to support Ukraine. ... We obviously need to be firm and reinforce Ukraine's economic and political reforms, including decentralization and punishing corruption.” [Hearing, 10/8/15]

Senator John McCain (R-AZ) said the Ukraine needs to crack down on corruption

- **2/24/14 - Statement by Senator John McCain on Developments in Ukraine:** “Additional actions are needed to crack down on corruption, bolster the rule of law, deepen democratic institutions, and prepare for early elections. The path of reform will be difficult, but if the new Ukrainian government is prepared to make these tough - and, at times, unpopular - decisions, it will need significant assistance from the IMF and the European Union. The United States must be ready to provide additional assistance as well.” [News Release, Accessed via Nexis, 2/24/14]

Congressman Jeff Duncan (R-SC)

- **3/25/14 - Markup:** I'm concerned that the U.S. Government is not prioritizing anti-corruption efforts in the Ukraine strongly enough. In fact, on March 14th representatives of Ukrainian public organizations and initiatives made some bold public statements to

Parliament of Ukraine and a visiting bipartisan U.S. Congressional delegation where they said it will be impossible to implement measures offered to Ukraine by the United States without large-scale anti-corruptive strategy. The Parliament of Ukraine has yet to pass any law enabling new leaders of Ukraine to counteract corruption and change the system in the departments starting from now. So far there are no guarantees that money received by new Ukrainian authorities before the Presidential election for reforming and actual reloading of the state will be used transparently and for their designed purposes. Ukraine must not receive a single cent from foreign partners until necessary anti-corruptive legislative will be adopted, and leave taxpayers who will repay these debts often sufficient instruments of control over budget expenditures. All those were quotes from that meeting of last March 14th. My amendment is very simple. There are two sections that require U.S. policy toward Ukraine must emphasize more strongly anti-corruption efforts by the Government of Ukraine, and urge the Government of Ukraine to require greater accountability, protection of private property, and transparency. This amendment also urges the Government of Ukraine to pass legislation to counteract corruption and secure the protection of classified information and military equipment since there has been many problems with the protection of these valuable assets. Again, this amendment urges the Parliament in Ukraine to do these sort of things. To speak I think to the original question from the gentleman from Florida earlier, this is not mandating that the Ukrainian Parliament do anything. This is urging them to pass legislation related to greater accountability for government officials. I think part of the revolution that we saw in Ukraine recently and the running off, so to speak, of the existing President was part of that anti-corruption mind set, so I would urge my colleagues to get behind this amendment and pass it. And with that, I'll yield back.

[\[Markup Before the Committee on Foreign Affairs House of Representatives 113TH Congress Second Session on H.R. 4278, H. Res. 418 and H. Res. 494, 3/25/14\]](#)

Congressman Edward Royce noted agreement that Ukraine needs to address corruption head on

- **3/25/14 - Markup:** I don't see this as being controversial because I think all of us agree that Ukraine must confront corruption head on. That's why the bill prioritizes a number of anti-corruption initiatives here, including in the initial statement of policy, including in the subsection dealing with other donors and international institutions. [\[Markup Before the Committee on Foreign Affairs House of Representatives 113TH Congress Second Session on H.R. 4278, H. Res. 418 and H. Res. 494, 3/25/14\]](#)

Ukrainian Voices

Ukrainian leaders urge Biden to push for Shokin's removal

- **12/11/2015 - Bloomberg News reports:** "On Monday, [Biden] met with a group of young legislators and civic activists, who asked him to push for changes to the cabinet and for the dismissal of the Poroshenko-appointed prosecutor general, seen as part of the thoroughly corrupt government system." [Bloomberg News, Accessed via Nexis, 12/11/2015]

Former member of parliament and investigative journalist Serhiy Leshchenko

- **2/16/2016 - Serhiy Leshchenko - Shokin must be removed** - a fresh start is needed to move on from the current crisis. This scenario is full of risks and uncertainty, but under the right conditions, it may turn out to be the optimal outcome for Ukraine's future, ushering in mass privatization, deregulation for business, tax and customs reform, and a real fight against corruption. The government must do all of these things and forsake all odious characters, from Yatsenyuk and Prosecutor General Viktor Shokin to Internal Affairs Minister Arsen Avakov and Kononenko. [[Atlantic Council](#), 2/16/2016]
- **1/22/2016 - Serhiy Leshchenko** - It's shocking that Prosecutor Shokin is still in office [[Tweet](#), 1/22/2016]
- **1/22/2016 - Serhiy Leshchenko** - Prosecutor General Shokin isn't an independent figure. He is in hands of Poroshenko. [[Tweet](#), 12/32/2015]

Maxim Eristavi, co-founder of Hromadske International, a Kiev-based independent news outlet

- **2/17/2016 - Now We Know Who Really Runs Ukraine:** Then there's Shokin himself, the disgraced prosecutor general, who has failed to pursue a single high-profile corruption case, neither against officials of the former Yanukovych regime nor against today's highly-placed crooks. [[Foreign Policy](#), 2/17/2016]

European Voices

- **3/29/16 - EU Envoy to Ukraine Jan Tombinski:** "This decision creates an opportunity to make a fresh start in the prosecutor general's office. I hope that the new prosecutor general will ensure that [his] office . . . becomes independent from political influence and pressure and enjoys public trust," said Jan Tombinski, the EU's envoy to Ukraine. "There is still a lack of tangible results of investigations into serious cases . . . as well as investigations of high-level officials within the prosecutor general's office," he added. Mr Tombinski said the EU was also concerned about the resignation or dismissal of several "reform-oriented" prosecutors and reports that Mr Shokin's office was investigating a "highly-respected" anti-corruption group – an obvious reference to Kiev's Anti-Corruption Action Centre, which had fiercely criticised Mr Shokin. [[Irish Times](#), 3/29/16]

Conservative Voices

AEI Scholar Gary Schmitt, in The Weekly Standard, calls out Shokin for blocking corruption investigations

- **12/18/15 - Gary Schmitt and Jeffrey Gedmin - Why Winning in Ukraine Matters:** President Petro Poroshenko has been under constant fire both at home and abroad for moving too slowly to put reforms in place, to get the economy going, and to build public confidence in government. A central problem: The legal system remains a mess. The country has 18,000 prosecutors and 10,000 judges, with a very good number thought to be corrupt. Polls show that well over three-quarters of the country doesn't trust the judiciary, and virtually everyone sees the current prosecutor general, Viktor Shokin, as blocking investigations into corrupt prosecutors, judges, and graft. [[The Weekly Standard](#), 12/18/15]

Former Deputy Assistant Secretary of State (2001-2004) Steven Pifer applauds calls for Shokin to step down

- “Good to see that Poroshenko finally asked for #Ukraine Prosecutor General Shokin to resign.” [[Tweet](#), 2/16/2016]

Heritage Foundation acknowledges corruption remains a problem in Ukraine and that IMF delayed loans as a result, calls for U.S. and Europe to tackle corruption in Ukraine

- **4/7/16 - A Pivotal Time for Ukraine: The U.S. Should Redouble Its Support:** Ukraine's economic reforms remain incomplete; corruption continues to be a virulent and hardy foe ... Corruption remains a serious problem. In February 2016, Ukraine's economic development and trade minister resigned over frustration with how deeply rooted corruption ran in the economy, saying that “systemic reform is decisively blocked.” The resignation triggered a new period of political instability. ... Ukraine is ranked 162nd out of 178 countries in the 2016 Index of Economic Freedom and has the lowest level of economic freedom in Europe. Its economy shrank by 10 percent in 2015, in part due to the continuing war in the East. Concerns that the government has not moved quickly and firmly enough to put in place economic reforms have led the International Monetary Fund to delay—since October—the next \$1.7 billion disbursement of \$17.5 billion in loans earmarked for Ukraine...Promote economic and political reform in Ukraine. The U.S. and Europe should cooperate to enhance governance in Ukraine. Tackling corruption and building a vibrant, free economy to attract investors will go a long way toward securing Ukraine's future. [[Heritage Foundation](#), 4/7/16]

AEI Scholar Desmond Lachman notes IMF program was contingent on corruption reforms, calls holdover prosecutors from Yanukovich major problem

- **5/22/15 - Back to the drawing board on Ukraine?** An important justification of an IMF program on as large a scale as that agreed was that the new Ukrainian government would vigorously implement an economic reform agenda and would root out the corruption that has for so long plagued the country. However, despite the good intentions of Ukrainian President Petro Poroshenko, little headway appears to have been made in this area. As the chairman of the Ukrainian parliament's Committee on Corruption Prevention and Counteraction, Egor Sobolev, has recently noted, the biggest problem in the country remains that it does not have a real judicial system, since most of the judges and prosecutors are still people from former President Viktor Yanukovich's time. [[The Hill](#), 5/22/15]

AEI Scholar Dalibor Rohac calls for Ukraine to fight corruption more effectively

- **6/29/15 - Ukraine must reform to free itself from dependence on Russian gas:** More importantly, instead of trying to sustain an economy organized around cheap Russian energy, Ukraine needs to be aggressive in attracting foreign investment. That can only be done through a far-reaching program of economic and institutional reforms. The country needs to strengthen the rule of law, fight corruption more effectively, cut unnecessary red tape, and make itself attractive both to foreign and domestic businesses. [[Financial Times](#), 6/29/15]

Expert Voices

Transparency International Ukraine calls Shokin personally responsible for failure to fight corruption

- **11/2/15 - Transparency International in the Kyiv Post:** "Transparency International Ukraine believes that Prosecutor General Shokin is personally responsible for the failure of the fight against high-ranking officials' corruption," Transparency International said. The watchdog said that Ukraine's leadership "is trying to establish control over key anti-corruption bodies in order to make them work in their own interests." "Thus officials deprive Ukraine of a future without corruption and citizens of the opportunity to travel to Europe visa-free," the organization said, referring to Shokin's failure to comply with E.U. requirements for introducing a visa-free regime. "With the obvious approval of the country's leadership, Prosecutor General Viktor Shokin is trying to make the newly-created anti-corruption prosecutor's office as dependent as possible." Transparency International also said that "Shokin's attempts to create a rubber-stamp anti-corruption body prove that he doesn't want to carry out any reforms either at the prosecutor's office or in anti-corruption efforts." [[Kyiv Post](#), 11/2/2015]

Reuters columnist and former USAID officer Josh Cohen agrees with Biden push, calls for Poroshenko to fire Shokin

- **12/30/15 - Corruption in Ukraine is so bad, a Nigerian prince would be embarrassed:** “United States Vice President Joe Biden has never been one to hold his tongue. He certainly didn’t in his recent trip to Kiev. In a speech before Ukraine’s Parliament, Biden told legislators that corruption was eating Ukraine “like a cancer,” and warned Ukrainian President Petro Poroshenko that Ukraine had “one more chance” to confront corruption before the United States cuts off aid. Biden’s language was undiplomatic, but he’s right: Ukraine needs radical reforms to root out graft. After 18 months in power, Poroshenko still refuses to decisively confront corruption. To contain rising populist sentiment and preserve Western support, Poroshenko should take the following steps: First, Poroshenko needs to immediately fire current Prosecutor General Viktor Shokin. The United States’ Ambassador to Ukraine recently called out Shokin’s office for “openly and aggressively undermining reform,” and leading reformers in Ukraine’s parliament and civil society continue to demand Shokin’s ouster. Despite this pressure, though, Shokin remains in place. Since he is a close ally of Poroshenko, it’s not hard to see why. Poroshenko is himself a wealthy oligarch, and in a system where prosecutors are used as weapons against opponents in business or politics, Poroshenko remains determined to maintain control over this critical lever of power. However, while Poroshenko’s seeming motivations for protecting Shokin are understandable, it’s time for the Ukrainian president to place his country’s interests above his own.” [[Reuters](#), 12/30/15]

Freedom House called out Shokin’s role in blocking corruption reforms

- “Another key problem is pervasive corruption among Ukraine’s prosecutors and judges. Poroshenko resisted numerous calls to replace Prosecutor General Viktor Shokin during 2015, and reformers such as Deputy Prosecutor General David Sakvarelidze complained that many prosecutors block efforts to fight corruption.” [[Freedom in the World - Ukraine](#), 2016]

Former U.S. Ambassador to Ukraine John Herbst calls Vice President Biden a “great advocate for reform in Ukraine”

- **3/15/16 - Full committee hearing on "Ukrainian Reforms Two Years After the Maidan Revolution and the Russian Invasion:** While reform was substantial in 2015, it was not enough for many Ukrainians. Critics focused on the absence of any change in the prosecutor general's office and the judiciary, and claimed that the president and the prime minister were not interested in going after these major sources of corruption. Early this year, three reform ministers resigned quietly. Then, Economic Minister Abromavicius resigned, complaining that he could not do his job because of corruption. And that corruption goes all the way to the top. Reformers in civil society spoke up for

Mr. Abromavicius. So did the U.S., the E.U., and the IMF. In response, President Poroshenko called for the removal of Prosecutor General Viktor Shokin, and the Rada passed reform language -- reform legislation that had been blocked for months. ... But the -- and the administration also understands the way reform will move in Ukraine. Vice President Biden has been a great advocate for reform in Ukraine, but the Obama Administration has failed to recognize the magnitude of this crisis. [Federal News Service, Accessed via Nexis, 3/15/16]

Former U.S. Ambassador to Ukraine John Herbst says "It's an absolute scandal" that Shokin has not been fired

- **10/24/2015 - John Herbst in the Kyiv Post:** "It's an absolute scandal that Mr. Shokin is the prosecutor general," Herbst said, adding that Poroshenko "doesn't really understand how damaging this is to his reputation in the West." Herbst, who is director of the Atlantic Council's Dinu Patriciu Eurasia Center in Washington, D.C., said the failure of Ukrainian leaders to fight corruption is the top topic among those with whom he's met in Kyiv in recent days. "The level of frustration is very high," Herbst, who served as the American ambassador to Ukraine from 2003-2006, said. "The level of frustration in Washington is very high." Herbst said that senior officials in the American, German and European Union have the same view. "This cannot stand," he said. "I suspect on the basis of zero inside information" that Poroshenko will have to fire Shokin soon. "Mr. Poroshenko cannot talk in a serious way with world leaders as long as he has this stain on the administration," Herbst said, then alluding to allegations of corruption among prosecutors. "I am sure Mr. Shokin has the means to live very comfortably in retirement. The point has to be that from this moment forward, corruption is no longer permitted at the highest levels of this country." [[Kyiv Post](#), 10/24/2015]

Anders Aslund, Senior Fellow at the Peterson Institute for International Studies calls for taking out top prosecutor

- **11/19/14 - The Commission on Security and Cooperation in Europe (Helsinki Commission) holds a hearing on "Combating Corruption in the OSCE (Organization for Security and Cooperation in Europe) Region: The Link between Security and Good Governance":** And Ukraine has 10,000 prosecutors, 20,000 judges. Probably both numbers should be halved. It's a very large number if you compare with any Western country. And what's important is that they become decent and honest, because this is a pervasively corrupt institution. The top prosecutors appoint the lower prosecutors. And since the top prosecutors have been corrupt for a long time, they make sure that they don't get any unnecessarily honest prosecutors around them. So therefore, what you need to do is to take out the top. This is what the - (inaudible) - is doing. So it has sacked 100, approximately, top prosecutors. That's where we need to start. And then what you

said here, another element is to get the international assistance in that you need to have an international council that assesses prosecutors. [Hearing, 11/19/14]

Honorable Clifford Bond called out ineffectiveness of prosecutor general's office

- **10/8/15 - Senate Foreign Relations Committee Hearing on The Economic and Political Future of Ukraine:** “But the reformers are facing serious resistance in a number of key areas, including the fight against corruption. The prosecutor general's office should be ground zero for that fight. Unfortunately, the prosecutor general's office has not completed a criminal investigation or criminal prosecution of any senior level figure from the (inaudible). We have Department of Justice, FBI advisors working with reformers inside the PGO, prosecutor general's office. They are being resisted and fought by old thinkers and old timers in that bureau and they need the support of senior members of the government if they're to succeed. A new anti-corruption bureau which was discussed and which is being formed will rely on the PGO's office for any corruption prosecutions. And the PGO's office is, frankly, just not doing its – its job right now.” [Hearing, 10/8/15]

Assistant Secretary of State Toria Nuland points out need for a “clean and new prosecutor general”

- **3/15/16 - Full committee hearing on "Ukrainian Reforms Two Years After the Maidan Revolution and the Russian Invasion:** But it is urgent that Ukrainian President Poroshenko, Prime Minister Yatsenyuk, and the leaders of the Rada come together now behind a government and a reform program that deliver what the Maidan demanded: clean leadership, justice, an end to zero-sum politics and backroom deals and public institutions that serve Ukraine citizens rather than impoverishing them or exploiting them. In 2016, our U.S. assistance program, with your generous support, is designed to support all of these priorities. Specifically, we will support Ukraine as it takes further steps to clean up its energy sector, to appoint and confirm a clean and new prosecutor general who's committed to rebuilding the integrity of the PGO and indicting and prosecuting the – the corrupt as it takes steps to improve the business climate and move ahead with privatization, state-owned enterprises, and strengthen the banking system and strengthen judicial independence and to improve services and eliminate graft in areas that affect every Ukrainian including health care, education, transportation, and also to modernize the Ministry of Defense. [Federal News Service, Accessed via Nexis, 3/15/16]

US Ambassador to Ukraine Geoffrey Pyatt called Prosecutor General's failure to “successfully fight internal corruption” a glaring problem

- **9/24/2015 - Remarks at the Odesa Financial Forum:** However, there is one glaring problem that threatens all of the good work that regional leaders here in Odesa, in

Kharkiv, in Lviv, and elsewhere are doing to improve the business climate and build a new model of government that serves the people...That obstacle is the failure of the institution of the Prosecutor General of Ukraine to successfully fight internal corruption. Rather than supporting Ukraine's reforms and working to root out corruption, corrupt actors within the Prosecutor General's office are making things worse by openly and aggressively undermining reform. In defiance of Ukraine's leaders, these bad actors regularly hinder efforts to investigate and prosecute corrupt officials within the prosecutor general's office. They intimidate and obstruct the efforts of those working honestly on reform initiatives within that same office. The United States stands behind those who challenge these bad actors. [[Remarks](#), 9/24/15]

Donald Bowser, anti-corruption advisor for National Anti-Corruption Bureau of Ukraine calls prosecutor general's office "the biggest organised crime game in town"

- **12/9/2015 - Al Jazeera reports:** Although estimates vary, Donald Bowser, an adviser to Ukraine's National Anti-Corruption Bureau, said that "easily over a dozen billion US dollars a year" continue to be stolen from the Ukrainian state through corruption. He said much of the corruption stems from the prosecutor general's office. "It is the biggest organised crime game in town ... just stone-cold gangsters," alleged Bowser. The prosecutor general himself, Viktor Shokin - who was recently targeted in an assassination attempt - serves at the behest of President Petro Poroshenko. Shokin and the prosecutor general's office "give a legal facade to the corruption schemes", Bowser claimed. Since he was appointed as prosecutor general by Poroshenko in February, Shokin has not brought any cases of corruption to court involving Yanukovich or his partners. Nor has he prosecuted the hundreds of high-level corruption cases that have been brought to his office by Ukraine's parliamentary committee on preventing and combating corruption. "Reform is definitely being halted within the prosecutor's office, just because the stakes are so high. There's so much money in that system. And the problem is that the logical thing for many of the people within the system is to say, 'Okay, take your money and run'," said Bowser. [[Al Jazeera](#), 12/9/2015]