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Yanukovych Pushes Hard Line on Tymoshenko Release

By The Moscow Times

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KIEV — Ukrainian President Viktor Yanukovych signaled Thursday that he would let jailed opponent Yulia Tymoshenko go to Germany for medical treatment, but only if she went there as a convicted person.

With the signing this month of landmark agreements with the European Union hanging in the balance over the Tymoshenko question, Yanukovich took a hard line, saying the law could not be used "as a means of evading criminal responsibility."

The EU sees Tymoshenko as a victim of "selective justice," which it wants ended in the ex-Soviet republic as a condition for signing a free trade agreement with Ukraine on Nov. 28 at a summit in Vilnius, Lithuania.

The accords should mark a historic shift westwards by Ukraine away from Russia and the proceedings are being watched closely by Moscow, which has threatened trade counter-

measures. Failure to sign in Vilnius will be a serious blow for Yanukovych, who has set integration with Europe as his main foreign policy aim.

Despite this, he has stubbornly taken a hard line over Tymoshenko — whom he only narrowly beat for the presidency in a run-off in February 2010 — apparently fearing a comeback by her could threaten his re-election chances in 2015.

With the clock ticking down to the Vilnius summit, the chances of a deal appear to hinge on a meeting next Tuesday of the Ukrainian parliament, which will try to hash out a draft law to release Tymoshenko to be treated in Germany for chronic back pain.

But Yanukovych has to sign any such law for it to enter into force. He has made clear that he will not grant her a pardon and indicated that he would only agree to allow her to go temporarily as a convicted person.

Tymoshenko, 52, has been receiving treatment for spinal problems from German doctors in a hospital in the northern town of Kharkiv where she is held under prison guard.

Yanukovych said five drafts were under discussion by parliament ahead of the Nov. 19 meeting. "If such a consensus is found ... [and] if it is not a means of evading criminal responsibility, I think this law will be adopted," he said in comments on his web site.

"The law ... must apply not only to Tymoshenko but to all citizens," he added.

This implied that, as a convicted person, she would have to return to Ukraine to complete her sentence after treatment and would be ruled out from taking part in political activity.

Two EU envoys will attend the special parliamentary session and report back to the 28-member bloc.

The opposition backing Tymoshenko says it will now accept any compromise to secure her release — apparently setting their faith on a subsequent ruling by the European Court of Human Rights that would quash the verdict and her sentence.

But the EU bloc has to be convinced that Ukraine had met basic democratic criteria — including ending "selective justice" — for the accords to be signed in Vilnius.

Former Polish President Aleksander Kwasniewski, one of the EU envoys who have shuttled in and out of Kiev over 18 months on a mediating mission, said Wednesday that he saw a "50-50" percent chance of finding a solution.

Germany on Wednesday warned that time was running out. Summit host Lithuania said there would be no success unless Ukraine produced "results."

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