



Crime, politics and business in 1990s Ukraine



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ABSTRACT

In contrast to Russian studies, the study of crime and corruption in Ukraine is limited to a small number of scholarly studies while there is no analysis of the nexus between crime and new business and political elites with law enforcement (Kuzio, 2003a,b). This is the first analysis of how these links emerged in the 1990s with a focus on the Donbas (Donetsk and Luhansk oblasts) and the Crimea, two regions that experienced the greatest degree of violence during Ukraine's transition to a market economy. Donetsk gave birth to the Party of Regions in 2001 which has become Ukraine's only political machine winning first place plurality in three elections since 2006 and former Donetsk Governor and party leader Viktor Yanukovych was elected president in 2010 (Zimmer, 2005; Kudelia and Kuzio, 2014). Therefore, an analysis of the nexus that emerged in the 1990s in Donetsk provides the background to the political culture of the country's political machine that, as events have shown since 2010 and during the Euro-Maydan, is also the party most willing in Ukraine to use violence to achieve its objectives.

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1. Introduction

This is the first study of the violence and crime in Ukraine's transition to a market economy in the 1990s. Although violence was endemic in the 1990s first the Crimea and second the Donbas (Donetsk and Luhansk oblasts), in terms of numbers of murders, the subject has been ignored by scholars working on post-Soviet Ukrainian politics and economics and therefore a major aspect of what transpired at that time is absent from studies of contemporary Ukraine's quadruple transition (Kuzio, 2007, 83–176). As Jaroslaw Koshiw (2013, 203) writes, 'In Donetsk after Ukraine's independence, organized crime and the political establishment were like either side of a coin.'

This article analyzes the Donetsk region in the 1990s and thereby the background to the rise of the Party of Regions and Viktor Yanukovych, using as a case study one of the most sensational acts of violence in this period, that of the 1996 murder of Yevhen Shcherban who was Ukraine's wealthiest oligarch at the time, director of the Industrial Union of Donbas (ISD) and a leading figure in the Liberal Party of Ukraine, one of the first political parties to be formed in fall 1991 in Donetsk. Two other directors of the ISD, organized crime boss Akhat Bragin (criminal nickname 'Alek the Greek') and Aleksandr Momot were murdered in 1995 and 1996 respectively. Yevhen Shcherban emerged in new business ventures in the second half of the 1980s like many of his generation from the Komsomol (Communist Youth League) and Democratic Platform of the Communist Party and prior to his 1996 assassination he supported the Liberal Party in Donetsk and the Social-Market Choice parliamentary faction allied to the party. The Liberal Party was similar to other Komsomol-organized parties but in Donetsk it had two

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differences in comparison to other eastern Ukrainian regions. First, it never managed to find strong local support and second it had to work with criminal structures, such as those controlled by regional crime boss Bragin.

This article argues that the source for the more authoritarian and greater thuggish culture of the Party of Regions, clearly evident in the bloodshed used during the Euro-Maydan revolution in 2013–2014 and the plans to massacre even larger numbers of people that were thwarted (Moskal, 2014; Rachkevych, 2014), lies in the rampant violence in the Donbas in the 1990s and integration of criminal elements into its ranks. Criminal leaders incorporated into the Party of Regions who had long-established ties to Yanukovych included Yuriy Ivanyushchenko who together with his hired killers (Armen Sarkisyan, Anatoliy Zuyev, and others) recruited the mercenary snipers who murdered protesters in February 2014, according to an investigation by Tatyana Chornovol, head of the National Anti-Corruption Bureau (Chornovol, 2014). Ivanyushchenko provided services for 'The Family' led by the president's eldest son Oleksandr Yanukovych without whose approval nothing could be undertaken during Yanukovych's presidency. Ivanyushchenko and his killers provided support to violent terrorists active from spring 2014 in the Donetsk region (Chornovol, 2014). The Party of Regions is the first Ukrainian political force to employ vigilante sportsmen 'skinheads' against political opponents, journalists and civil society activists and for the purposes of corporate raiding. Yanukovych's business associates in 'The Family' demanded that fifty percent of businesses be transferred to their control (Oliynyk, 2014; Kuzio, 2014b). Nicknamed *titushky* after Vadym Titushko, a skinhead-sportsman who attacked journalists in Kyiv in May 2013, vigilante's were extensively used by the Yanukovych regime during the Euro-Maydan for the purposes of beating protesters, abductions, torture and murder.

The term *skinheads* (бритоГолови or heads shaved by razors) refers to individuals with a criminal past and individuals who undertake semi-criminal or criminal activities that have been primarily used by the Party of Regions (Umanets, 2013). These should not be confused with Nazi or football hooligan skinheads common in Europe since the 1970s; in fact, football 'ultras' throughout Ukraine, including in Kharkiv and Donetsk, supported the Euro-Maydan and protected protesters from *titushky*. Volkov (2002, 7) writes that: 'Sportsmen naturally formed the core of the emerging racketeering groups.'

Additionally, the Party of Regions' strong bases of support in the Donbas and Crimea are reflective of a dominant Soviet identity in both regions. Meanwhile its warm relationship with the Communist Party of Ukraine (KPU) and Crimean Russian nationalists – in stark contrast to anti-Communist and anti-separatist centrist parties active in eastern Ukraine in the 1990s – is reflective of a more leftist populist, rather than liberal centrist profile. Post-Komsomol liberal centrists supported a moderate ethnic Ukrainian identity, cooperated with national democrats and were opposed to the KPU and Crimean Russian nationalists. President Yanukovych and Party of Regions' monopolization of Ukrainian politics and economy in 2010–2014 was accompanied by democratic regression, economic stagnation (bringing Ukraine to the edge of bankruptcy), rampant corruption, as most clearly evident in their luxurious palaces opened up to public scrutiny (Gorchinskaya, 2014), and growing violence, the sources for which lie in the violent transition in Donetsk in the 1990s and integration of criminal elements into the Party of Regions, the public face of the Donetsk clan. Documents left behind (<http://yanukovychleaks.org/>) after Yanukovych's removal from power in February 2014 by the Euro-Maydan revealed a level of corruption that was stupendous. His administration is accused of stealing more than \$70–100 billion and bankrupting Ukraine (Miller and Rudenko, 2014). Aslund (2014) writes that 'For the past four years Mr. Yanukovich's sole ambition has been to enrich his family and cronies.'

The framework for the study of crime, business and politics in Ukraine is divided into five parts. The first section analyzes the transition in the two most violent regions of Ukraine: Crimea and Donetsk, including the numbers of murders and the impact of this culture and atmosphere of violence upon the emerging post-Soviet business and political elites. The second section investigates the integration of the surviving criminal elites from the late 1990s into the Party of Regions and Crimean Russian nationalist parties. The third section analyzes how and why the Donetsk clan understood the strategic importance of controlling law enforcement structures, particularly the Prosecutor-General's office. The fourth and fifth sections investigate different theories as to who was behind the high profile murder of oligarch Yevhen Shcherban in 1996 and subsequently who benefitted.

2. Ukraine's violent transition: business, politics and organized crime in the 1990s

Ukraine's post-Soviet transition to a market economy was accompanied by violence that was particularly acute in regions with raw materials, industry, tourism, and ports. It was therefore little wonder that the three most violent regions of Ukraine during the 1990s were in order of number of murders the Crimea, Donetsk, and Odesa (Yuriy Lutsenko, November 1, 2013). Former Prime Minister and Batkivshchyna (Fatherland) party leader Yulia Tymoshenko (2013) described this period of time,

The kind of internecine criminal disputes that existed in the Donetsk region in the 1990's, did not take place in any other region in Ukraine. Yuriy Lutsenko, when he became Minister of Interior in 2005, exhumed more than 30 corpses of businesspersons, judges, lawyers, investigators and others who had been liquidated in Donetsk in the 1990's ... Then (President) Yushchenko ordered Lutsenko to stop digging up any more slag heaps in the Donetsk region ...'

Yevhen Shcherban was the most high profile example of the violence then taking place in Donetsk. Chornovol (2013e), who was herself violently beaten in December 2013 by vigilante's working for the authorities and police only hours after her blog appeared on police chief Vitaliy Zakharchenko, explains that: 'In reality, all the major murders in the Donetsk region were very connected. This was because the people who ran the Donbas in the beginning of the 1990s and mid-1990s, who today are the masters of Donbas and even Ukraine, were closely tied' (Chornovol, 2013f).

The re-opening of the Yevhen Shcherban murder in early 2013 unveiled a Pandora's box into the 1990s that many members of Ukraine's elites would prefer remained closed. The precedent could always be used to open up murders of additional high profile Ukrainians from the 1990s because, as a Ukrainian investigative journalist pointed out, we: 'will be entitled to ask the question: why only Tymoshenko? Did no other current oligarchs and political leaders not give bribes, misappropriate state property and order the removal of their competitors in the 1990's' (Vysotsky, 2013).

The scale of the gang wars in the 1990s was brought into the public eye by Interior Minister Lutsenko (2012) who threw the spotlight on Givi Nemsadze as the head of the bloodiest organized crime gang in Ukraine who had been active in the Donetsk region where, Lutsenko (2012) alleged, he was responsible for 57 murders. First Deputy Prosecutor-General Renat Kuzmin released Nemsadze from criminal liability by claiming there was a mix up because it had been his deceased brother, Guram, who had led the gang, not Givi. Lutsenko (February 16, 2012) accused Kuzmin of rehabilitating Givi Nemsadze (Sidorenko and Kurishko, 2012).

Thirty one members of the (Yevhen) Kushnir- (Anatoly) Rabin organized crime gang were removed in 1997–1999; twenty three of them were murdered and eight imprisoned (Koshiw, 2013, 207–208). Criminal gang leaders Anatoliy Rabin was murdered in October 1997 and Kushnir was wounded in April 1998. Kushnir died a month after being wounded under suspicious circumstances in a Donetsk prison hospital after prison staff injected him with an unknown medication leading to an allergic reaction that led to a heart attack. None of the murderers of the Kushnir group were ever brought to justice (Koshiw, 2013, 208). Chornovol (November 30, 2013) found in the course of her investigations that Givi Nemsadze worked for those who held power in the late 1990s in Donetsk – Governor Yanukovych and his allies in business and law enforcement structures (Kupatadz, 2010, 133). The Kushnir-Rabin gang was destroyed out of revenge because they were believed to be behind the murders of Yevhen Shcherban and his business and criminal allies. Givi Nemsadze was pardoned after Yanukovych came to power.

In addition, in his first years as governor of Donetsk, Yanukovych and his allies aimed to establish a political and economic monopoly of power in the Donetsk region and towards this goal eliminated competitors and integrated criminal and business allies into the Party of Regions, the political face of the Donetsk clan. Governor, prime minister and party leader Yanukovych provided political protection to the Donetsk clan to become fabulously wealthy. In return, Yanukovych received a percentage of the growing business assets. Leshchenko (2014) said that half of Rinat Akhmetov's business assets belonged to Yanukovych (Kuzio, 2014b), a factor explaining why Akhmetov was loyal to the president until the bitter end before he fled from power.

In the 1990s in Ukraine, as in many regions of the former USSR, the nexus of crime-business-politics-law enforcement was commonplace. The rise of Akhmetov to replace Yevhen Shcherban as Ukraine's wealthiest oligarch (and by the third decade of Ukrainian independence to join the top fifty wealthiest individuals in the world) is typical of the 1990s chaos and lawlessness. In a 2008 conversation, gas tycoon Dmytro Firtash admitted to the US Ambassador to Ukraine William Taylor that mafia boss Semyon Mogilevich assisted his entry into business in the 1990s (<http://wikileaks.org/cable/2008/12/08KYIV2414.html#>).

The early biography of Akhmetov is vague from the mid-1980s to mid-1990s and he has never sought to shed some light on this period of his life. Hans von Zon (2007, 386) writes: 'As early as 1986 Rinat and his brother Igor were involved in criminal activities' and Igor Akhmetov was apprehended after a robbery that led to the deaths of three people (Kupchinsky, 2002). Igor and Rinat Akhmetov were brought in for questioning in 1988 for being a member of a criminal group in the Donetsk region (Vendetta: Kto Ubil Shcherbanya?). These allegations are supported by a 1999 leaked document on organized crime groups in the Donetsk region issued by the Ministry of Interior Directorate on Combatting Organized Crime (Ministry of Interior of Ukraine, Main Directorate for the Struggle Against Organized Crime, 1999). This document was confirmed as authentic by former Police Chief Lutsenko (November 1, 2013). The report entitled 'Overview of the Most Dangerous Organized Crime Structures in Ukraine' listed seven groups in Donetsk oblast. The Rinat organized group, 'dealt with money laundering and financial fraud, and controlled a large number of both real and fictitious companies. It goes by the name Lyuksovska hrupa.' Underneath the report is written 'The leader is Akhmetov Rinat Leonidovich born in 1966, and lives at 16 Udarnyy Street, Donetsk' (Kupatadz, 2010, 143, Ministry of Interior of Ukraine, Main Directorate for the Struggle Against Organized Crime, 1999).

In the first half of the 1990s, Akhat Bragin, an influential Donetsk big-time businessperson and criminal 'authority' with the underworld nickname 'Alik the Greek,' became Akhmetov's 'mentor' (Zon, 2007, 382, Koshiw, 2013, 203–204, Matuszak, 2012: 88). Photographic and video footage of Akhmetov and Akhat Bragin at the funeral of Aleksandr Krantz, a major Donetsk organized crime boss who was murdered in November 1992, and at other events have been published and leaked by the Interior Ministry (Chornovol, 2013a). Krantz was a major rival of Bragin whose murder was followed by that of organized crime brothers Artur and Yakov Bogdanov (Koshiw, 2013, 203). Krantz and Bragin lived, and to this day Akhmetov (2012, Chornovol, 2013a) continues to own a palace in the Botanical Gardens in Donetsk. The palace was developed from a Soviet era building that was 'privatized' from the state.

Tatar ethnic ties between Akhat Bragin,¹ Akhmetov and Yevhen Shcherban were a factor in bringing them together as in the first two cases their families had migrated to the Donbas from the Tatar autonomous region of the Russian SFSR in the Soviet Union. In 1993 Akhat Bragin had assisted in the founding of the Ibn Fadlan Donetsk Spiritual Centre of Muslims, the first to be built in the Donbas region since 1991. After his murder it was renamed Akhat Jami and the mosque opened in September 1999 was named in honour of 'Akhat Bragin.' Initially the project called for the construction of one minaret but financing from

¹ Why Bragin had the underworld nickname 'Alik the Greek' remains unclear although the 2001 Ukrainian census recorded 91, 500 Greeks in Ukraine of whom 77,000 lived in Donetsk oblast.

Akhmetov made it possible to build two and the second was named in honour of him. On its first floor is a Ukrainian Islamic University, the first Muslim higher education institution to be opened in Ukraine. Ten further mosques were built in the Donbas in 2000–2007.

In 1997, Rashid Bragin, brother of the murdered Akhat Bragin, launched the Party of Muslims of Ukraine that supported the pro-President Leonid Kuchma ZYU (For a United Ukraine) bloc in 2002, and Yanukovich's candidacy in the 2004 presidential elections. In the following year the Party of Muslims of Ukraine merged with the Party of Regions. The pro-Russian Party of Muslims therefore, had a different ideological stance to anti-Soviet and anti-Russian Crimean Tatars who aligned with national democratic political forces. Rashid Bragin was elected to the Donetsk city council in 2002, 2006 and 2010 (see Fig. 1).

Official accusations that appeared for the first time in 2013 of Tymoshenko's alleged involvement in the Yevhen Shcherban murder led to the publication of many articles and blogs and numerous television appearances of experts in Ukraine alleging that Akhmetov was behind, or benefitted from, the assassination of Yevhen Shcherban (Chornovol, 2013a; Moskal, 2012). First Deputy Head of parliament's committee on Fighting Organizing Crime and Corruption, Hennadiy Moskal (2012) and Dmytro Poyizd (2012, 2013a) have provided a lot of information to the media. In response, US law firm Akin Gump (2013) stated: 'For over eight years, we have acted as legal advocates for Mr. Akhmetov. During this period of time, together with the international consulting firm Kroll, we exhaustively conducted multiple investigations of similar false accusations. We found no evidence that would indicate Mr. Akhmetov was behind the tragic events surrounding (Yevhen) Shcherban and other businessmen. It was actually the case that some of those businessmen who died in the 1990s were the closest friends of Mr Akhmetov.'

After the murder of Yevhen Shcherban, Donetsk Governor Volodymyr Shcherban (no family relationship to Yevhen Shcherban) fled to his US palatial refuge in Florida. Volodymyr Shcherban, who also emerged from the Komsomol and was a leading member of its Donetsk political face the Liberal Party, was a lower ranking business partner in the ISD. After the assassination of Yevhen Shcherban, Akhmetov (2012) virtually never left his private palace in the Donetsk Botanical Gardens, suggesting both were afraid of meeting a similar fate which Akhmetov had narrowly missed the year before in another assassination attempt. Akhmetov and Volodymyr Shcherban maintained a close relationship even after the latter was accused of abuse of office when he was governor of Sumy oblast during President Kuchma's second term in office (1999–2004, see later).

Violence in the Crimea and Donetsk was rampant from the late 1980s to the late 1990s – as it was in Russia and some other post-Soviet republics. Violence declined in the late 1990s as some former criminal leaders who survived the violence sought to become respectable political and business leaders. Of Ukraine's myriad of political parties the Party of Regions and Crimean Russian nationalists integrated the greatest number of former criminals into its ranks some of whom sought to show a legitimate face to their business pursuits. Nevertheless, in 2013 there were still eighteen parliamentary deputies in the Party of Regions who had ties to crime, according to First deputy head of the parliamentary committee on Fighting Organized Crime and Corruption Hennadiy Moskal (2013a). Some of these eighteen Party of Regions deputies included Elbrus Tedeyev, Nur-ulislam Arkallayev, Ivanyushchenko (Lavrov, 2011) and Yuriy Chertkov. Ivanyushchenko, for example, was dubbed 'Yuriy Yenakiyevo' by the Ukrainian media because of his origins in Yanukovich's hometown of Yenakiyevo, and had a similar

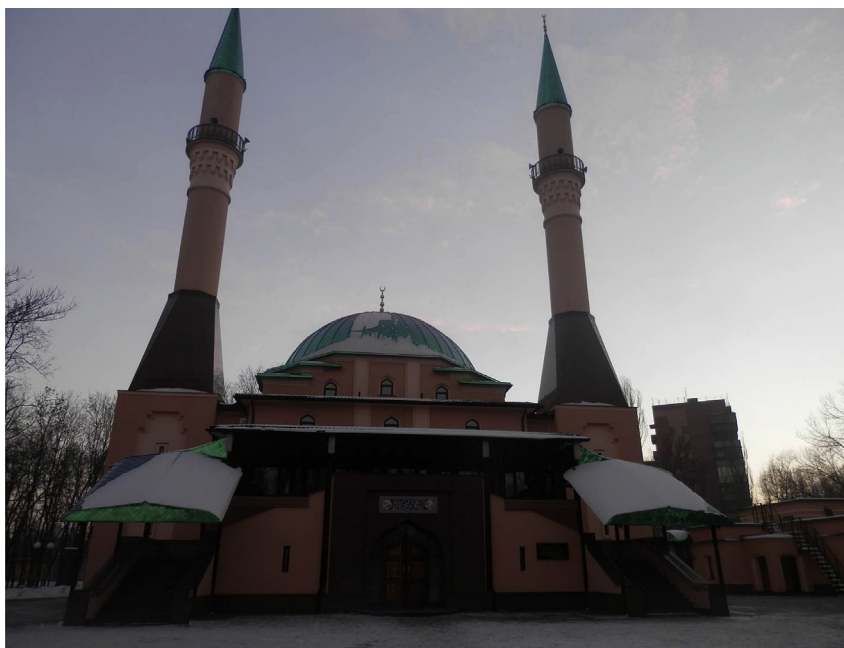


Fig. 1. Akhat Jami Mosque, 1 Marshala Zhukova Street, Kyivskyy rayon, Donetsk, Ukraine.
Source: Photograph taken by the author, December 2013.

unsavoury reputation as an organized crime hit man as Givi Nemsadze; he was therefore the ‘professional’ choice to hire mercenary snipers to be used against protesters.

Yanukovych himself spent two periods of time in jail in 1967 charged with theft and in 1970 when he was sentenced to two years for violence. Fournier (2012, 97, 114–115 and 121) claims that Yanukovych was a pakhan (somebody who kept the prisoners in line on behalf of the prison guards). Discussing Yanukovych’s additional convictions, without providing evidence to back up these allegations, Fournier (114–115) writes about ‘murder, rape, or a combination of these’ and his ‘supposed rape conviction.’ Allina-Pisano (378) described Yanukovych as ‘an ex two-time felon whose involvement in a case of sexual assault was widely discussed in Ukraine.’ Yanukovych’s alleged additional criminal charge purportedly related to his participation in gang rape. Gang rape is an important component of control within the *vor v zakone*—“thieves in law” (the professional criminal class) criminal culture (Frisby, 1998). In the Soviet criminal world the, ‘most highly valued expression of the sexual instinct seems to be rape, especially collective rape,’ Chalidze (1977, 33–45 p.64, 71) found during the course of her research on crime in the USSR. Yanukovych was himself subjected to sexual demands and rape, according to a former inmate who was imprisoned with him (Volodya Mongol pro Yanukovycha!). Yanukovych’s reputation during his time in prison among “vor v zakone” is poor, according to somebody who was imprisoned with him (Volodya Mongol pro Yanukovycha!).

Instability in the 1990s in Donetsk influenced the psychology of those who emerged from it. Yanukovych escaped a poisoning and other assassination attempts when he was Donetsk governor (Chornovil, 2013b). Yanukovych’s insecurity explains his pursuit of the imprisonment of his main opponent Tymoshenko who – unlike Viktor Yushchenko – could not be co-opted, as well as his employment of a huge number of bodyguards. As Donetsk governor, he kept an armoured personnel carrier behind his office in which he could quickly escape by his bodyguard driving him the sixty kilometres to the Russian border (Chornovil, 2013a).

3. Integration of the Donetsk criminal nexus into Ukrainian politics

The unification of local elites in the late 1990s under Donetsk Governor Yanukovych was pursued during a period when Kyiv granted the region *de facto* autonomy in exchange for political loyalty. Donetsk no longer posed a political challenge to President Kuchma and the use of state-administrative resources were used to ensure first place pluralities for the president in 1999 (beating KPU leader Piotr Symonenko in his home base) and pro-presidential ZYU bloc in 2002 in the oblast (the only region where ZYU came first). After the destruction of opponents and competitors had been completed, Donetsk Governor Yanukovych bragged in 2000 to Kuchma how his people had established total control over political, economic, law enforcement and the media in the oblast in preparation for the elections to be held three years later (Koshiw, 2013, 212–213). This culture of seeking a monopolization of politics and economics was spread from Donetsk to Ukraine in 2004 provoking the Orange Revolution, leading to the failure to elect Yanukovych and attempted during his four year presidency provoking the Euro-Maydan. Yanukovych’s paranoia explains his panic and fleeing from Kyiv in February 2014.

Donetsk posed a separatist challenge to Kyiv in 1993–1994 when coalminer’s strikes forced pre-term presidential elections and led to the appointment of the first representative of the Donetsk clan as Prime Minister (Yukhym Zvyahilsky, who is still a Party of Regions’ deputy) and a referendum on local autonomy was held during the 1994 parliamentary elections. In the mid-1990s, Yevhen Shcherban supported Volodymyr Shcherban and a former KGB officer and Security Service of Ukraine (SBU) Chairman Yevhen Marchuk, leader of the Liberal Party’s Social Market Choice parliamentary faction, as challengers to Kuchma in 1999. After Yanukovych was appointed as Donetsk governor in 1997, Kyiv did not interfere in the internal affairs of the region, permitting its elites to accumulate capital and unite in the Party of Regions. In 2000, the ISD was divided, with Serhiy Taruta and Vitaliy Haydyuk retaining control of a smaller ISD and Akhmetov becoming an independent oligarch launching Systems Capital Management. In 2002, Yanukovych entered national politics when he was appointed prime minister and three years later becoming the presidential candidate of the authorities.

Evidence of the integration of crime into the Party of Regions is available from US diplomatic cables from Ukraine and other sources. A cable from the US Embassy in Kyiv reported that Taruta dismissed the whole Donetsk-Regions group, saying ‘they are all looters’ (<http://www.wikileaks.org/cable/2007/09/07KYIV2286.html#>). Former National Security and Defense Council Secretary Volodymyr Horbulin told US Ambassador to Ukraine John Herbst that the Party of Regions was: ‘notable for its inclusion of criminal and anti-democracy figures’ (<http://wikileaks.org/cable/2006/01/06KIEV400.html>). Another cable from the US Embassy in Kyiv described the Party of Regions as: ‘long a haven for DONETSK-based mobsters and oligarchs,’ led by ‘DONETSK CLAN godfather Rinat Akhmetov’ (<http://wikileaks.org/cable/2006/02/06KIEV473.html#>). Akhmetov and Yanukovych have been close allies from the mid-1990s and Akhmetov lobbied Kuchma for his appointment as Governor (Leshchenko, 2014). Akhmetov, through Party of Regions’ parliamentary deputies, supported Yanukovych and the Nikolai Azarov government during the winter 2013–2014 political crisis and Euro-Maydan, leading to pickets and protests outside his London penthouse and London and Kyiv offices and palace in the Donetsk Botanical Gardens (Leshchenko, 2013b,c). The pickets in Donetsk accused Akhmetov of financing the Party of Regions and therefore of backing violence sanctioned by President Yanukovych; Akhmetov (2013), clearly uncomfortable at pickets outside his palace, confronted the protesters but refused to answer their questions. After the first pickets in London, System Capital Management issued an asinine statement on the crisis that criticized state sanctioned police violence against peaceful protesters. Seasoned investigative journalist Serhiy Leshchenko (2013a and c) wrote that if Akhmetov did not want to break with Yanukovych he had to share responsibility with him for Ukraine’s acute political and economic crisis and state sanctioned violence against protesters. Ivanyushchenko has long-standing ties since the 1990s to both the Yanukovych family and Akhmetov.

When the Party of Regions has been in power whether in 2006 and in 2010–2014, the criminal world has felt greater freedom to emerge from the shadows and flex its muscles. In 2006–2007, the US Embassy reported from Kyiv: ‘organized crime feels that there will be no follow up from the government’ (<http://wikileaks.org/cable/2006/11/06KYIV4313.html>). Moskal (2012) revealed that after Yanukovich was elected President, organized crime gangs operated more freely than they did under Presidents Kuchma and Yushchenko: ‘Some *oblasts* are fully controlled by crime bosses and for criminal groups today it is a complete paradise for them because they have complete freedom.’ Each year since 2010 at a minimum one Crimean mayor was assassinated (Chornovil, 2013c).

Ivanyushchenko, one of the criminal *avtoritety* (authorities) (Volkov, 76, 77, 78) among the eighteen Party of Regions deputies with continued ties to crime, was a fixer for ‘The ‘Family,’ the clan of loyalists to President Yanukovich from his hometown of Yenakiyevo in Donetsk oblast. Ivanyushchenko, nicknamed Yuriy Yenakiyevo: ‘had a dodgy and even criminal past’ that ‘link him to an organized crime group allegedly involved in the assassination of Akhat Bragin’ and ‘to the 2005 assassination of Anatoliy Bandura, head of Mariupol-based Azov Shipping Company’ (Lavrov, 2011). Ivanyushchenko was a hit man in the first half of the 1990s for the Dolidze brothers, the organized crime group, but defected to Bragin and after his murder to Akhmetov (Chornovil, 2013a). Ivanyushchenko, although elected by the Party of Regions in 2006 and 2007, ignored parliamentary sessions and only became a reluctant public figure after Yanukovich was elected president. Akhmetov was elected in 2006 and 2007 by the Party of Regions and also ignored parliamentary sessions. Akhmetov and Ivanyushchenko have palaces in Monaco where they spent a lot of time.

In September 2008, a shoot-out in Kyiv between two Caucasian organized crime gangs was traced back to Party of Regions deputy Elbrus Tedeyev. A Mercedes with parliamentary number plates of Party of Regions’ parliamentary deputy Elbrus Tedeyev was seen driving away from the crime scene where one person was killed and a second was seriously injured. Elbrus Tedeyev initially stated that his cousin and colleagues were practicing ‘sports’ (shooting) in the park where the shoot-out took place, but then claimed he did not have a cousin called Robert Tedeyev. Interior Minister Lutsenko ordered the arrest of Robert Tedeyev and showed documents that Party of Regions deputy Elbrus Tedeyev belonged to the Caucasian Savlokhly organized crime group (Hryhorash, 2009). Elbrus Tedeyev had been on an organized crime wanted list that was compiled by the Interior Ministry but was then suspiciously removed from the list in a manner similar to that of what transpired with Givi Nemsadze (Hryhorash, 2009). Tedeyev was elected to parliament in 2012 by the Party of Regions and is one of the eighteen organized crime leaders who are Party of Regions deputies (Moskal, 2013a).

The Party of Regions has integrated former and current crime leaders into parliament, local government and the Crimean parliament (<http://wikileaks.org/cable/2006/12/06KYIV4558.html>). In the March 2006 elections to the Crimean parliament and local councils hundreds of candidates who had ‘problems with the law,’ according to the then Interior Minister Lutsenko, ran in the Za Soyuz (For Union), For Yanukovich! and (Serhiy) Kunitsyn election blocs. In 2006, the Party of Regions supported the election of two organized crime bosses to the Crimean parliament: Melnyk and Igor Lukashev. The latter chaired the Crimean Parliament budget committee and was known as the ‘wallet’ of the Seilem organized crime gang. The Kunitsyn bloc elected a third crime boss to the Crimean parliament: Ruvim Aronov, leader of the rival Bashmaki organized crime gang. Serhiy Kunitsyn was Crimean Prime Minister. In 2012, he was elected to parliament by Vitaliy Klitschko’s UDAR (Ukrainian Democratic Alliance for Reforms) and during the February–March 2014 overthrow of Yanukovich and the Crimean crisis was briefly appointed as a Ukrainian presidential representative in Crimea until the region was annexed by Russia.

Party of Regions’ parliamentary deputy Vasyl Kyselev (2010) condemned the presence of Seilem organized crime gang leader Aleksandr Melnyk in the For Yanukovich! parliamentary coalition in the Crimean Parliament. Yanukovich responded with the stern rebuke: ‘I take responsibility for him.’ Melnyk ‘is widely considered the protector of Rinat Akhmetov’s interests in Crimea,’ pointing to Yanukovich providing a “*krysha*” –criminal slang for roof, meaning political protection (Volkov, 22, 34) for Melnyk on behalf of his business ally Akhmetov (Kupatadz, 2010, 133). Interior Minister Lutsenko told the US Embassy in Kyiv that the Seilem organized crime gang had been responsible in the 1990s for 52 contract murders, including one journalist, two police officers, 30 businesspersons and 15 organized crime competitors (<http://wikileaks.org/cable/2006/12/06KYIV4558.html>).

Lutsenko recalled when he was Interior Minister and Yanukovich was Prime Minister that: ‘In the evening the three of us – Yanukovich, I and a chauffeur – drove to *Mezhyhiirya* (Soviet era palace, now Yanukovich’s private residence), which had not yet been ‘privatised’ (Gorchinskaya, 2014). With music playing, the prime minister said to me: ‘Just don’t go after Sasha.’ I asked him: ‘Which Sasha?’ He replied: ‘Do not pretend (you do not know) ... Sasha Melnyk’ (Lutsenko, February 16, 2012, Sidorenko and Kurishko, 2012). Melnyk was number 21 on the “For Yanukovich!” election bloc list to the Crimean parliament in the 2006 elections and is the leader of the organized crime gang Seilem. Lutsenko replied to Prime Minister Yanukovich: ‘Viktor Fedorovich, there is a game called cops and robbers. Well, I am the cop.’ Yanukovich looked back at him with a startled face and Lutsenko recalled: ‘He thought I was kidding’ (Sidorenko and Kurishko, 2012). Lutsenko said First Deputy Prosecutor-General Kuzmin was responsible for Melnyk’s evasion of justice after the Party of Regions lobbied the prosecutor-general’s office not to press charges. ‘Kuzmin signed arrest warrants for two gang members, but not for the boss. After his 72 hours of detention had expired, he was released, and went straight to Boryspil airport’ (Sidorenko and Kurishko, 2012). ‘Having all the evidence connecting the gang to murders, including that of the murder of a police officer, Deputy Prosecutor-General Kuzmin releases the man whom Yanukovich shelters, the head of an organized crime gang,’ Lutsenko said (Sidorenko and Kurishko, 2012). Sergei Aksyonov, who became Crimean leader during Russia’s spring 2014 annexation, was also a Seilem organized crime leader with the criminal nickname ‘Goblin (Kuzio, 2014c).

An example of how law enforcement had been integrated into a criminal nexus in 1990s in Donetsk, where Kuzmin had been employed in the regional prosecutor's office was Kuzmin's provision of "krysha" for organized crime leaders Nemsadze and Melnyk who were responsible for a large number of murders and other criminal acts. At the same time, Kuzmin led the criminal prosecution of Tymoshenko.

4. Privatization of the Prosecutor-General's office

Ukrainians believe that such institutions as the judiciary and prosecutor-general's office that ostensibly deal with abuse of office and corruption, themselves are incompetent, politically motivated and corrupt. Corruption in the legal sector is propped up by an instrumental attitude to the law, as criminal cases against members of the elites are opened, go nowhere; investigations are purposefully slowed and eventually closed and individuals who are prosecuted return to public office. More criminal charges have been closed against senior officials than have led to convictions. Closed cases have included the ones against Interior Minister Yuriy Kravchenko, Security Service Chairperson Leonid Derkach, Central Election Commission Chairperson Serhiy Kivalov, Deputy SBU Chairperson Volodymyr Satsyuk, Volodymyr Shcherban, and First Deputy Prime Minister Borys Kolesnikov. Former police General Oleksiy Pukach (2013), who was sentenced for the 2000 murder of journalist Georgi Gongadze, told the court that the organizers of his murder were former President Kuchma and Volodymyr Lytvyn when the latter was head of the presidential administration.

A virtual investigation of Kuchma was closed in 2011 and there has never been an investigation of Lytvyn's role in the murder. While Tymoshenko was in jail for allegedly bringing losses of \$190 million to the state, Kyiv Mayor Leonid Chernovetsky, who oversaw one of the most comprehensive fraudulent land privatization schemes since Ukraine became an independent state, remained a free man (Levy, 2009). Koshiw (2013, 8–9, 110) calculates that gas tycoon and first Chairman of state gas company Naftohaz Ukrayiny Ihor Bakay was responsible for pocketing 1.3 billion dollars, compared to accusations of \$300–400 million against former Prime Minister Pavlo Lazarenko. In 2010, a Kyiv court closed the criminal case against Bakay who fled to Moscow in December 2004 after being accused of stealing one million dollars when he headed Derzhupravlinnya Spravamy (State Administrative Directorate), a relic of the Soviet era that manages property owned by the presidential secretariat/administration and National Security and Defence Council (RNBO) and provides services such as housing, clinics and transport for senior Ukrainian elites. Bakay has a long history of corruption, especially in the energy sector that has been covered up under Presidents Kuchma and Yanukovich (Koshiw, 2013, 99–114). The closure of the criminal case against Bakay could be contrasted with that of Lazarenko who was imprisoned by the American authorities after he fled Ukraine in 1999 seeking political asylum in the US.

In early 2005, Volodymyr Shcherban again fled to the USA to seek political asylum fearing his criminal prosecution for election rigging, extortion, tax evasion and abuse of office. In November 2006, when Yanukovich headed the government, he was deported from the US to Ukraine. Akhmetov, his longtime acquaintance and business partner, posted \$2 million to cover his legal fees and bail when he was in the USA, although Systems Capital Management denied this at the time (<http://www.wikileaks.org/cable/2007/02/07KYIV235.html>). Interior Minister Lutsenko complained to US Ambassador William Taylor that the prosecutor-general's office (PGO) had refused to 'prosecute known criminals' when he had been Interior Minister. Referring to Volodymyr Shcherban, he said: 'The PGO's refusal to prosecute the likes of Shcherban and Melnyk was a green light to criminals that they could come back and operate in Ukraine with near impunity, able to cut a deal after the fact with authorities' (<http://wikileaks.org/cable/2006/12/06KYIV4558.html>). The US Embassy reported 'the Prosecutor's Office seems uninterested in pursuing the case' and after the Interior Ministry sent the case to the prosecutor-general's office 'the case slowed to a crawl' and seven witnesses began recanting their statements because they could not be guaranteed witness protection (<http://www.wikileaks.org/cable/2007/02/07KYIV235.html>). Socialist Party of Ukraine member Vasyl Tsushko, Interior Minister in the 2006–2007 Yanukovich government, was criminally charged with abuse of office after sending Berkut (Eagle) riot police to storm the prosecutor-general's office in May 2007 but the case was dropped in 2010 after Yanukovich was elected president.

These closures of high profile criminal cases were made possible because the Donetsk clan have always understood the importance of controlling the office of the prosecutor-general. Prosecutor-General Oleksandr Medvedko (2009) admitted that the prosecutor's office is where criminal cases die and 'we have no achievements, not a single person has been brought to criminal responsibility.' Lutsenko (2010) routinely complained that his efforts to fight corruption and organized crime received no support from President Yushchenko and was blocked by the office of the prosecutor-general.

The Donetsk clan controlled the prosecutor-general's office from 2002–2014 through Svyatoslav Piskun (2002–2003 and 2004–2005), who was twice elected to parliament by the Party of Regions in 2006 and 2007, Henadiy Vasylyev (2003–2004), Medvedko (2005–2010) and Viktor Pshonka (2010–2014). Lutsenko (2012), who was imprisoned in 2011 and released from prison in April 2013, wrote from his confinement that the prosecutor-general's office had been 'privatized by the 'Regionaires.' Medvedko began his prosecutor's career in Donetsk and Luhansk where he chaired a botched investigation into the 2001 murder of journalist Ihor Alexandrov (Kuzio, 2003a,b). Medvedko's appointment was crucial in allowing Yanukovich to prevent, hinder or halt investigations of state officials linked to his party and he closed numerous criminal cases, including an investigation into falsification of documents clearing Yanukovich of two criminal convictions in the Soviet era (Lutsenko, 2010).

Viktor Pshonka, Medvedko, Vasylyev and Kuzmin worked together in the Donetsk prosecutor's office during the 1990s and, together with Governor Yanukovich, never investigated countless gangland murders or the murder of journalists such as Aleksandrov. Vasylyev was in office, 'during the gang wars in the province without managing to capture a single one of the

assassins of the dozens of politicians and gang masters (Zon, 2007, 389). The US Embassy wrote from Kyiv that the prosecutor-general's office was stalling the investigation into the (still unresolved) 2004 poisoning of Yushchenko because Kuzmin is 'prone to politically-motivated comments about orange politicians' (<http://www.wikileaks.org/cable/2007/02/07KYIV282.html>).

First Deputy Prosecutor-General Kuzmin was a senior prosecutor in Donetsk during the 1990s where he had no success in arresting high profile criminals and officials (Severinsen, 2013) and later freed crime leaders Nemsadze and Melnyk. Aslund described Kuzmin as someone who 'looked like a thug, behaved like a bandit and spoke like a gangster' (Sidorenko, 2012).

While ignoring and covering up criminal activities, Kuzmin's *modus operandi* has shown him to be a prosecutor true to his Soviet training, publicly declaring before the trial of Tymoshenko had commenced that she was 'guilty.' Former Parliamentary Assembly of the Council of Europe (PACE) Monitoring Committee Co-Rapporteur on Ukraine Hanne Severinsen (2013) wrote, 'Presumption of innocence is not something you hear much about in the PGO. All of this reminds one of the Stalin era when murder was followed by accusations in order to eliminate everyone the regime viewed as an enemy.'

Kuzmin (2012a) said 'We have reliable information about the many transfers from bank accounts of companies controlled by Tymoshenko and Lazarenko to killers as payment for this blatant murder.' Kuzmin (2012b) sentenced Tymoshenko before the conclusion of the investigation claiming she had strong ties with the Kushnir organized crime gang whose killers she allegedly hired in the mid-1990s (as discussed earlier, the Kushnir gang was destroyed by Givi Nemsadze on behalf of the Donetsk authorities in the late 1990s). Furthermore, 'there was direct evidence that the (Yevhen Shcherban) murder was carried out in the interests of Tymoshenko on Lazarenko's order, but that is not all: Mamot was murdered by the same gang of killers.' (www.pravda.com.ua/news/2012/04/7/6962288).

From 1986, Viktor Pshonka was chief prosecutor in Kramatorsk and then deputy prosecutor and prosecutor of Donetsk oblast. Yanukovych and Viktor Pshonka were close allies since the late 1990s when the former was regional governor (1997–2002) at approximately the same time as the latter was regional prosecutor (1998–2003). Viktor Pshonka denied that Yanukovych is Godfather to his son Artem, a Party of Regions deputy implicated in corporate raiding (Boyko, 2011). Viktor Pshonka said two days after his appointment in an interview on *Inter* television channel, 'As Prosecutor-General, I am a member of the team tasked with carrying out all the decisions made by the President.' This was an open admission that the prosecutor-general's office is not an institution that is independent from the president (Byrne, 2010).

'New evidence' provided by Kuzmin that expanded the suspects beyond Lazarenko to include Tymoshenko came from three supposed 'witnesses' whose testimony reflects more on the corrupt nature of the prosecutor-general's office. Andriy Portnov (2013), a major legal adviser for the government who defected to President Yanukovych from Tymoshenko, believed they were not credible. All three witnesses made the unlikely claim they had remained silent until now because they had been told to do so by prosecutors working under President Kuchma and because they were afraid. This does not explain why they had remained silent after Kuchma left office in 2005 and the fact that the prosecutor-general's office was controlled from 2002–2014 by the Donetsk clan.

Ruslan Shcherban, the son of the murdered Yevhen Shcherban, explained his seventeen years of 'silence' by fear, stating that 'I was silent for a longtime while Lazarenko and Tymoshenko were at large and held high public office, but now I have a chance to prove the guilt of the people who ordered my father's assassination' (Moskal, 2013a,b; Koroblyev, 1997). From 2001, Tymoshenko was in opposition to Kuchma and therefore not under his protection. Ruslan Shcherban had never mentioned Tymoshenko's name until 2013 and had always claimed his father's murder was political, not resulting from a business dispute between YESU (Edyna Energetychna Systema Ukrainy [United Energy Systems of Ukraine]) headed by Tymoshenko and ISD, and stated that his father had a good relationship with Lazarenko (Koroblyev, 1997).

Shcherban's change of testimony about Tymoshenko's complicity in his father's murder was explained by his complicity in the murder on February 18, 2012 of a Donetsk citizen named 'Drozdov' during an illegal hunting exhibition while they were intoxicated (Moskal, 2013a,b). According to Moskal (2013a), in all of the primary documents referring to the murder at the beginning of the investigation, Ruslan Shcherban was a suspect, but after a short time the responsibility for the crime was taken on by his driver. Thus, Ruslan Shcherban (2013) avoided responsibility for the murder in exchange for giving new 'testimony' that incriminated Tymoshenko (<http://www.pravda.com.ua/news/2013/02/27/6984509/>; Moskal, 2013b).

Two of the 'witnesses' – Serhiy Zaytsev and Ihor Maryinkov – had testified in previous trials related to criminal activities in 1990s Donetsk. In exchange for providing the correct kind of 'testimony,' pending criminal cases were no longer pursued against Zaytsev (Moskal, 2013c). Maryinkov had close business interests with high level criminal investigators and had been in charge of weapons storage for an organized crime gang. Maryinkov claimed Tymoshenko had been wearing in 1996 a Chanel (or Gucci, he could not remember) handbag and Louis Vuitton clothes which, photographs from the time attest, was not the type of clothes she then wore. Maryinkov also confused the amounts he had allegedly received from Tymoshenko as payment for the assassination of Yevhen Shcherban (Mykhelson et al., 2013). In 2012–2013, there were attempts to blackmail political prisoner Vasyl Danyliw to testify against Tymoshenko on the Shcherban murder in exchange for freedom during visits to his cell by Interior Minister Vitaliy Zakharchenko and other senior police officers. Zakharchenko is criminally charged with mass murder and abuse of office.

Additional evidence came from Petro Kirichenko who testified in the US trial of Lazarenko, his business partner in Ukraine, in exchange for immunity from the FBI (Boyko, 2013b). Kirichenko has kept his illicit proceeds and continues to live in California while Lazarenko was imprisoned in 2006–2012 in the US (Leshchenko, 2013d).

In Ukraine, there had been two criminal cases pending against Petro Kirichenko and one against his spouse, Isabella, and their three Ukrainian apartments and one office were under arrest. In September 2011, Isabella Kirichenko travelled to

Ukraine to sell the apartments and was imprisoned for three months and placed one month under house arrest on charges of fraud and forgery. The charges were dropped after the prosecutor-general's office received 'new evidence' from Petro Kirichenko against Lazarenko and Tymoshenko (Onyshchuk, 2011, 2012). In summer 2012, Kuzmin travelled to the US to collect further evidence and in August 2012, the criminal charges against Isabella Kirichenko were closed. Kuzmin was placed in late 2012 on a US visa black list because he had travelled to the US to collect 'evidence' without informing the US Department of Justice.

5. The murder of Yevhen Shcherban

During Kuchma's presidency, the authorities had always pointed to Lazarenko's involvement in the 1996 murder of Yevhen Shcherban. In 2001, Russian citizen Vadym Bolotskykh (criminal nickname 'Vadyk Moskovych') was arrested in Moscow and testified in court to his involvement in the assassination of Bragin, Momot and Yevhen Shcherban on behalf of Kushnir who had allegedly been hired by Lazarenko. Bolotskykh was sentenced to life imprisonment in 2003.

No accusations of Tymoshenko's alleged involvement were made by the prosecutor-general's office until early 2013. When asked why the prosecutor-general's office had not initiated criminal charges against Tymoshenko when he was in power former President Kuchma replied, 'The Prosecutor-General (Mykhaylo) Potabenko in his reports said at the time there were no grounds for legal action (against Tymoshenko) And that is it.' 'And against Lazarenko at that time there were ... (some basis for opening a case)' Kuchma (2013a) added.

Kuchma (2013b), who has long had tense relations with Tymoshenko whom he managed to imprison for a month in February 2001 (Koshiw, 2013, 115–130), remains adamant that she had nothing to do with the murder. Ukrainian lawyer Poyizd (2013b) said his former client Bolotskykh, 'never met Lazarenko or Tymoshenko to receive weapons or money.' Yevhen Shcherban's son, Ruslan, who survived the assassination that killed his father and mother, never mentioned Tymoshenko or Lazarenko during the trial of Bolotskykh (http://gazeta.zn.ua/LAW/syn_zh_otsa_ne_otvechaet.html; Koroblyev, 1997). Bolotskykh himself claimed he had undertaken these murders on behalf of only Kushnir which would explain the revenge undertaken by Yanukovich and his business and criminal allies in the late 1990s against the Kushnir gang (Kuzin, 2012).

On January 18, 2013, the prosecutor-general's office announced that Tymoshenko was served a 'notice of suspect' in the murder of Yevhen Shcherban and on February 13, 2013, Kyiv's Pechersky District Court launched investigatory proceedings into the 1996 murder of Yevhen Shcherban. The prosecutor-general's office alleged YESU Chairperson Tymoshenko and Yevhen Shcherban had 'a conflict of business interests' related to the supply of natural gas and its price. Tymoshenko and Lazarenko allegedly launched a 'joint criminal intention' where Lazarenko was to find the murderers while Tymoshenko was to pay for the murder. Tymoshenko allegedly paid \$2.329 million from her accounts, while Lazarenko allegedly paid another half a million dollars in cash.

The prosecutor-general office's addition of Tymoshenko to the allegations against Lazarenko in the murder of Yevhen Shcherban has ignored other attempted murders and murders committed during the 1990s in Donetsk (all of which were never resolved). There has never been an investigation of the assassination attempt on Lazarenko three weeks after he became prime minister in May 1996 when he was nearly blown up by a huge remote controlled bomb as he was being driven to Kyiv airport that left a crater five by six feet wide. The main suspect in the attempted assassination is Volodymyr Shcherban, according to Moskal (2013a; <http://www.pravda.com.ua/articles/2013/03/21/6986155/>). In addition, there has never been a thorough investigation of the murders of Bragin and Momot that took place at the same time as of their partner Yevhen Shcherban and were similarly high profile. Finally, there are the suspicious deaths of Bolotskykh's two accomplices in jail when Viktor Pshonka and Kuzmin worked in the Donetsk prosecutor's office.

The exclusive earlier focus on Lazarenko during Kuchma's presidency and under President Yanukovich against him and Tymoshenko, ignored six other possible sources of the murder. Yevhen Shcherban was Ukraine's biggest oligarch in a violent and turbulent Ukraine in the mid-1990s and had many enemies in Donetsk *oblast*, Kyiv and Moscow. These six potential sources for the murder include: (1) local business conflicts; (2) conflict with Russia's state gas company Gazprom; (3) conflict over control of gas distribution; (4) involvement of Ukraine's law enforcement structures; (5) response to a perceived political threat from dissident oligarchs; and (6) involvement of organized crime.

5.1. Local business conflicts

In early 1996, Yevhen Shcherban declared that the next president of Ukraine would be a protégé of the Donbas – Volodymyr Shcherban. But by the summer of 1996 their relationship had cooled because Yevhen Shcherban had changed his favoured candidate for the October 1999 presidential elections to Marchuk. Marchuk became head of the Social Market Choice parliamentary faction financed by the Liberal Party that both Shcherban's had founded and led (Chornovol, 2013c). Yevhen Shcherban's change of support to Marchuk led to antagonistic relations with Volodymyr Shcherban and following Yevhen Shcherban's murder, Marchuk feared for his life. This is why Ukrainian politicians and journalists believe the murder was politically driven with the involvement of President Kuchma (who wished to remove competitors in the 1999 elections) and Volodymyr Shcherban (Kuzhel, 2013a).

After Yevhen Shcherban's murder the Social Market Choice parliamentary faction disintegrated and Marchuk was elected to parliament in 1998 by another political force the Social Democratic United Party (SDPUo) led by Viktor Medvedchuk. Marchuk used the newspaper Den, Yevhen Shcherban's newspaper which he had purchased after his murder, as his personal

vehicle to campaign against Kuchma (Koshiw, 2013, 15). From early 1999 to early 2000, Marchuk ran rogue presidential guard Mykola Melnychenko (like Marchuk also an ex-KGB officer) who taped Kuchma's office to collect kompromat (compromising materials) that he used against Kuchma in his 1999 presidential election campaign (Marchuk, 1999; Koshiw, 2013, 11–24 and 167–180). Marchuk was bought off by Kuchma in the second round of the elections with the position of secretary of the National Security and Defense Council and shares in a coalmine and electricity company (Koshiw, 2013, 72). Marchuk dropped ties to Melnychenko who turned for support to Socialist Party leader Oleksandr Moroz. Marchuk provided the start-up funds to Gongadze and Olena Prytula to launch the internet news web site *Ukrayinska Pravda* (www.pravda.com.ua) but soon pulled his support after critical articles were published about him (Koshiw, 2013, 168–169). Marchuk (2011) has always denied his involvement in the Melnychenko taping.

Yevhen Shcherban was also in conflict with Maryupol Mayor Mykhaylo Pozhyvanov over control of the Azovstal plant who, the mayor alleged, was blackmailing him. A June 1996 newspaper account reported Yevhen Shcherban threatening Pozhyvanov: 'Remember, when there is a person there is a problem and when there is no person there is no problem. Nine grams of lead for people like us is not an unfortunate question; but, a very cheap resolution to a problem' (Chornovol, 2013b).

5.2. Conflict with Russia's Gazprom

American citizen Paul Tatum was murdered in Moscow a few hours after Yevhen Shcherban, with whom he had had business ties. They both had attended a birthday party in Moscow of singer Yosyp Kobzon who was well known in the Soviet era and who performed in Yanukovych's 2004 election campaign. An informer in Yevhen Shcherban's close circle had to have told the assassins when the charter plane from Moscow was landing at Donetsk airport; information which was a tightly guarded secret known only to a small handful of people.

Chornovol (2013b) believes the conflict between gas trader Itera (one of Gazprom's opaque intermediaries) and the ISD is best explained by Russian involvement in assassinations of high ranking figures in Ukraine, such as Yevhen Shcherban. The Russian Solntsevo organised crime gang provided the 'muscle' and 'krysha' for Gazprom's Itera in the 1990s. Until 1996, two companies competed to supply gas to Donetsk – Itera and YESU established by Lazarenko and headed by Tymoshenko. Lazarenko, appointed deputy prime minister with responsibility for energy in September 1995, and the Donetsk clan reached a compromise whereby gas supplied to Donetsk would come mainly from YESU but it would be channelled through the ISD that had been newly established for this purpose (Koshiw, 2013, 204–205). In February 1996, Volodymyr Shcherban signed an instruction that the only mediator between wholesale importers of natural gas and enterprises in the Donetsk region was to be ISD which could demand barter payment for gas from which they would make huge profits.

Itera, now pushed into a minority supplier of gas to the industrial region of Donbas, 'was a dangerous beast to offend, as behind it lurked Semyon Mogilevich' who was the 'most dangerous gangster to have emerged from the former USSR' and who was backed by Gazprom (Koshiw, 2013, 205). Relations between Itera and ISD deteriorated. Lazarenko, who was appointed prime minister in May 1996, provided the krysha for Tymoshenko and YESU enabling them and ISD to stand up to Itera (Karatur, 2013). Tymoshenko was at that time an unknown businesswoman who did not have the influence and contacts to operate alone in the highly corrupt and violent Ukrainian energy market (Kuzhel, 2013a).

Itera offered a lower gas price and blackmailed directors by withholding essential products from certain companies. By early 1996, Itera attempted to organise a mutiny among Donbas 'Red Directors' (senior industrialists such as Zvyahilsky and Valentyn Landyk) by launching negotiations with individual heads of Donbas companies who were willing to break contracts with ISD. Itera had begun to block the supplies of gas from Gazprom to YESU. But, the Ukrainian side had a powerful counter argument because Gazprom needed large diameter pipes made exclusively at the Khartsyzsk Pipe Plant in Donetsk oblast. To increase the output of pipes Yevhen Shcherban and Lazarenko cooperated by uniting the Maryupol Azovstal plant with the neighbouring Maryupol Illich plant which would provide additional raw materials for pipe production (Chornovol, 2013c).

In Kyiv, senior businesspersons from Donetsk would stay and dine at a restaurant on a ship named the Poseidon, moored near the Paton Bridge over the Dnipro River that had an owner who was from Donetsk. In May 1996, ISD joint director Momot and future ISD co-owner Vitaliy Hayduk met Itera head Ihor Makarov on board this ship. The conversation at the meeting was reportedly very bad tempered and rude and Momot was particularly animated and cursed at Makarov. A few days after the meeting, Momot was murdered in the centre of Donetsk. The prosecutor-general's office claims without providing evidence that Momot was murdered on the orders of Tymoshenko and Lazarenko when it was likely an outgrowth of conflict with Itera and the Solntsevo criminal gang.

5.3. Conflict over the distribution of gas (Chornovol, 2013b)

Gas tycoon Firtash had linked Lazarenko and Tymoshenko to gas conflicts in the Donbas during his revealing December 2008 conversation with US Ambassador to Ukraine William Taylor (<http://wikileaks.org/cable/2008/12/08KYIV2414.html#>). US Ambassador Taylor reported, 'Firtash claimed that Lazarenko, Tymoshenko, and Lazarenko's Assistant Igor Fisherman divided and conquered the Ukrainian gas market. He stated that Lazarenko ordered the killings of Donetsk Governor Yevhen Shcherban in 1996 and head of Itera in Kyiv, Oleksandr Shvedchenko, for not sharing Lazarenko's gas business philosophy' (<http://wikileaks.org/cable/2008/12/08KYIV2414.html#>). Firtash said he 'knows several businessmen who are linked to organized crime, including members of the Solntsevo Brotherhood.' Firtash recounted how Itera head, Igor Makarov, invited him to dinner in Kyiv in January 2002, after Firtash established Eural Trans Gas to replace Itera. Makarov attended with his

head of security, organised crime boss and FBI fugitive Semyon Mogilevich, Sergei Mikhas from the 'Solnstevo Brotherhood,' and a 'Mr. Overin' (<http://wikileaks.org/cable/2008/12/08KYIV2414.html#>).

ISD co-director Serhiy Taruta disputes the allegation of conflict between YESU and ISD arguing 'All commercial conflicts with YESU and us were over by January 1996, ten months before the assassination of Yevhen Shcherban. In January we were already in the same boat' (<http://www.pravda.com.ua/news/2013/02/8/6983133/>; Taruta, 2013; Kamenev, 2013). Taruta has given five testimonies and interviews in December 1996, May 2001, April 2012, February and April 2013 in which he has consistently stated that there was no conflict between Lazarenko and the ISD and had never heard of the involvement of Tymoshenko in the murder of Yevhen Shcherban (Nayem, 2013; Taruta, 2013; Kamenev, 2013).

Yevhen Shcherban had never told Taruta about conflicts between Lazarenko and ISD and nearly every week delegations from YESU and Itera visited them to discuss gas deliveries. In December 1995–January 1996, negotiations had been harmoniously concluded between YESU and ISD over the supply of gas to the region. This was confirmed by Ruslan Shcherban (who survived the airport murder) in an interview given a year after his father's murder in which he was asked if there was conflict between Dnipropetrovsk and Donetsk business structures. He replied that 'On the contrary, it was a case of uniting our efforts' (http://gazeta.zn.ua/LAW/syn_zh_otsa_ne_otvechaet.html; Koroblyev, 1997). YESU had everything to lose from the murder of Yevhen Shcherban with whom they had just signed a mutually lucrative agreement (Kuzhel, 2013a).

In May 1996, on the eve of the parliamentary vote to formally appoint Lazarenko as prime minister, Yevhen Shcherban urged members of Social Market Choice to support the candidacy (<http://www.pravda.com.ua/news/2013/03/7/6985079/>; Kuzhel, 2013b). Aleksandra Kuzhel (2013a) recalls that the Social-Market Choice 'faction voted in full for Lazarenko. Without (2013) Shcherban's command our faction would not have done this because so many were against it, Kuzhel told the court in 2013. In a television interview with Yevhen Shcherban (2013) recorded just a few months before his murder said, 'Pavlo Lazarenko has taken his rightful place (on becoming appointed prime minister). He is a 'senior master' who has demonstrated success in his own (Dnipropetrovsk) region. This is a worthy person who has taken up an appropriate position. A man has come to power who shares our views.' These were hardly the words of the country's top oligarch holding poor relations with Lazarenko.

The assassination did not change the relationship between ISD and the Dnipropetrovsk clan and YESU did not benefit by expanding its presence into the Donbas region (Taruta, 2013; Kamenev, 2013). An investigation by Forbes Ukraine magazine asked, 'Did Lazarenko and Tymoshenko have a motive to eliminate the Donetsk magnate (Shcherban)?' to which they responded: 'There are significant reasons to doubt this. By the time of the murder, the conflict had been resolved between ISD and YESU. Most companies in the region had signed contracts with ISD for the supply of gas from which they purchased a large portion of the fuel from YESU' (<http://www.pravda.com.ua/news/2013/02/8/6983133/>; Taruta, 2013). In addition, 'All conflicts and misunderstandings between YESU and ISD were resolved before the tragic death of Yevhen Shcherban former Vice President of YESU Oleh Bepalov confirmed' (Taruta, 2013).

In contrast, Itera's position in Ukraine was under siege by Ukrainian tycoons seeking to carve up the domestic gas market between them – YESU, ISD and the smaller Interhaz – and in March 1996, Itera's head, Aleksandr Shvedchenko, was murdered in Kyiv. Interhaz's (and its predecessor Respublika) president and vice president were Bakay and Ihor Sharov respectively (Koshiw, 2013, 99–114). Interhaz and Itera, both registered in the US, and YESU 'paid little or no taxes' to the Ukrainian budget although only the latter's CEO (Tymoshenko) has ever been under criminal investigation (Koshiw, 2013, 101). Itera was eventually removed completely from Ukraine in 2000–2001 and replaced by Eural-Trans Gas (ETG, 2002–2004) and RosUkrEnergo (RUE, 2005–2008) led by Firtash (<http://wikileaks.org/cable/2008/12/08KYIV2414.html#>). The January 2009 gas contract, signed by Prime Ministers Tymoshenko and Putin, removed RUE and established gas relations between Ukraine and Russia for the first time without a gas intermediary. The contract was the main charge leading to the sentencing of Tymoshenko in October 2011 for 'abuse of office' using two 1961 criminal articles that remain in the Ukrainian criminal code (Kuzio, 2011). In 2011, Firtash established a new gas intermediary OstChem. In March 2014, Firtash was detained in Vienna at the request of the US Department of Justice and FBI over allegations of corruption.

5.4. Involvement of law enforcement

In the 1990s, extensive chaos, still weak state institutions, massive wage arrears, low salaries and large fortunes to be quickly made led many former Soviet KGB/SBU and police officers to join emerging business structures and organized crime or to moonlight for them while retaining their official positions. Former police officer Vyacheslav Sinenko alleged that some of the murders in the Donetsk region were undertaken by law enforcement officers and that after he refused to participate in murders of the Kushnir gang (a reference to the destruction of the gang in the late 1990s) an attempt was made on his life. Sinenko fled to Greece but in 2005, he was extradited to Ukraine and was charged with involvement in the Bragin murder and sentenced a year later (Koshiw, 2013, 208). He has claimed he was framed by then Donetsk (and future Ukrainian) Prosecutor-General Vasylyev (Ostrov, 2006). The head of the Donetsk oblast Interior Ministry (and therefore Sinenko's commanding officer) was Volodymyr Malyshev who left the police force, became Chief of Security at Systems Capital Management, and was elected to parliament in 2007 and 2012 by the Party of Regions.

The bomb explosion that killed Bragin and murder of Yevhen Shcherban were sophisticated operations rather than typical gangland killings. Bragin was murdered after being detained by the Security Service, then headed by Volodymyr Radchenko, and transferred to Kyiv where he was interrogated. It was rumoured he was released after paying a \$2 million bribe (Musafirova, 2013). The explosion that murdered Bragin in the Donetsk Shakhtiar football stadium was professionally

organized and could have been undertaken by law enforcement officers colluding with organized crime (Kamenev, 2013). Law enforcement officers have not investigated how it was possible for, 'a group of people to freely sneak into the airport dressed as airport workers and police, shoot the deputy and quietly escape from the crime scene?' (Kuzin, 2012). The assassins had earlier scouted the airport location in preparation of their assassination plan and were equipped with walkie-talkies and mobile phones through which they communicated with each other. Their ability to freely enter in and out of an airport through security checks during the planning stage and during the assassination could point to a link between the organized criminal assassins and Ukraine's law enforcement forces (Kuzhel, 2013b). Such a nexus existed in Donetsk, a region where law enforcement structures had been taken over and controlled by criminal-business elements.

Yevhen Shcherban could have been murdered by the security services with the authorization of Kuchma who had poor relations with him as he was financing an alternative candidate to him in the upcoming presidential elections. Zvyahilsky, briefly Prime Minister in 1993–1994, had fled Ukraine after Kuchma was elected in July 1994 fearing corruption charges. Yuriy Dedukh, a business acquaintance of Yevhen Shcherban in the first half of the 1990s, believes that 'Volodymyr Shcherban sold out Zhenya (Yevhen Shcherban)' after striking a deal with Kuchma (Kamenev, 2013). Volodymyr Shcherban left Ukraine after the murder and lived in his Florida home for two years, returning in 1999 when he was appointed a governor of the Sumy region and after the Donetsk clan had made peace with Kuchma, following Yanukovych's appointment as a Governor. In grooming a presidential candidate who would compete against Kuchma in 1999, Yevhen Shcherban was (like Lazarenko in 1997–1998) becoming involved in 'big politics.' This murder could only have been organized by the secret services' Kuzhel believes. Knowing when the plane would land, penetrating the security of an airport, assassinating Ukraine's then biggest oligarch and leaving the airport without being apprehended suggests high level complicity in the murder (<http://glavcom.ua/articles/9889.html>; Musafirova, 2013).

Former police officers Oleg Solodun and Mikhail Serbin, who had appeared three times on a program on Tor, an independent television company based in Slavyansk, Donetsk oblast, had alleged a close nexus existed between the police, prosecutor's office and organized crime groups in the Donetsk region (Boyko, 2011). In July 2001, journalist Aleksandrov was murdered just ahead of the airing of the fourth segment on his Tor television channel that would have implicated Viktor Pshonka's son Artem with possessing ties to organized crime in Kramatorsk (Committee to Protect Journalists, 2001). Homeless person Yuriy Veredyuk was framed by the Donetsk regional prosecutor's office with the murder and died from poisoning in prison in July 2002. Artem Pshonka has been implicated in violent corporate raiding tactics against Mykolayiv-based Agrofirma Kornatsky, an agricultural foodstuffs company owned by Arkadiy Kornatsky (Open Letter to President Barack Obama, 2012; Boyko, 2013a). Kornatsky was elected in 2012 to parliament by the party Batkivshchyna but was denied the seat by election fraud. A year later in a re-election over the contested seat he was again prevented by fraud from taking his parliamentary seat.

5.5. *Perceived political threat from dissident oligarchs*

Candidates backed by the Donetsk and Dnipropetrovsk oligarchs threatened the re-election of Kuchma for a second term in 1999. Yevhen Shcherban supported Volodymyr Shcherban and then Marchuk. Lazarenko mounted a challenge to Kuchma after being removed as prime minister in 1997. Dissident oligarchs Yevhen Shcherban and Lazarenko remained independent of the president who had not yet instituted a system that Keith Darden (2001, 2008, 54) described as the blackmail state, 'Where graft is systematically tracked, monitored, and granted by state leaders as an informal payment in exchange for compliance, it may even be essential to the basic integrity of some states—providing both an added incentive to comply with leaders' directives and also the potent sanction of criminal prosecution in the event of disobedience.' Furthermore, 'The surveillance institutions, particularly the State Security Service and the Tax Inspection Agency, monitored this activity but not for the purpose of enforcement. To the contrary, these organs occasionally intervened to assist the perpetrators in covering their tracks' (Darden, 2008, 46).

Lazarenko accused Volodymyr Shcherban of being behind the bomb attack on him and successfully lobbied for his removal from the position of Donetsk governor. Serhiy Polyakov, a member of the Hromada party that Lazarenko led, replaced him and Yanukovych became first deputy governor; in other words, Yanukovych was a member of Lazarenko's team at the time of Yevhen Shcherban's murder. In 1997, Yanukovych replaced Polyakov in what Chornovol (2013a) describes as a deal struck between Akhmetov and President Kuchma. Taruta said that Lazarenko supported the appointment of Yanukovych (Taruta, 2013).

5.6. *Organized crime*

In the first half of the 1990s, Donetsk organized crime leader Bragin ('Alik the Greek') was so powerful that all big business leaders in Donetsk had to deal with him. In October 1995, Bragin and six bodyguards were murdered by a bomb explosion in Donetsk Shakhtar football stadium that was so powerful he could only be identified by his expensive watch. Bragin was killed together with the head of his bodyguards who was a former senior officer in the ninth directorate of the Soviet KGB that had protected senior Soviet leaders. Bragin had survived an assassination attempt in March the previous year. Akhmetov usually accompanied Bragin everywhere but on that occasion he arrived late after the explosion (Vendetta: Kto Ubil Shcherbanya). The murder of Yevhen Shcherban, like that of Bragin, could have been the outgrowth of inter-criminal conflict in the region.

6. Who benefitted from Yevhen Shcherban's murder?

Of the five publicly known owners of ISD, Akhmetov and Volodymyr Shcherban survived while Bragin (murdered in 1995), Momot and Yevhen Shcherban (both murdered in 1996) were assassinated. The prosecutor-general's office 'is silent about what happened with Yevhen Shcherban's business empire' (*Vendetta: Kto Ubil Shcherbanya*). Akin Gump (2013) has stated that Akhmetov did not benefit from his estate, a claim that many Ukrainian experts and politicians strongly dispute (Kuzin, 2012).

Yevhen Shcherban was at that time Ukraine's wealthiest oligarch and Kuzhel (2012) asked 'Look where all his properties ended up and you can draw up your own conclusions.' Akhmetov (and to a smaller extent Volodymyr Shcherban) inherited Bragin and Yevhen Shcherban's business empires while Ruslan Shcherban and his brother received very little (Chornovol, 2013a; Zon, 2007, 387) and were left to look after themselves by Volodymyr Shcherban, Yankovych and Donetsk Mayor Volodymyr Rybak who provided no support (Chornovol, 2013d). In 1997, Rybak launched the Party of Regional Revival that the Party of Regions traces its origins from when he was Donetsk Mayor. He was promoted by the Party of Regions to the position of parliamentary chairman following the 2012 elections and replaced in February 2014 when Yanukovych was removed from power. Involved in wholesale passage of legislation in an illegal manner by permitting 'piano voting' (voting by deputies for those who were absent from parliament) and condoning railroading the passage of legislation by a show of hands on 'Black Thursday' (January 16, 2014) that destroyed Ukrainian democracy, Rybak is one of the senior political leaders who has been criminally charged with abuse of office.

Although there is no doubt that Akhmetov inherited a large portion of the Bragin's and Yevhen Shcherban's empires this is more a reflection of the lack of property rights and rule of law than alleged proof that he was behind their murders. How Akhmetov became so wealthy so quickly and replaced Yevhen Shcherban as Ukraine's wealthiest oligarch is though unclear (<http://glavcom.ua/articles/9889.html>; Musafirova, 2013). In the course of the next fifteen years, Akhmetov became wealthier than any Russian oligarch although Ukraine largely lacks Russia's natural resources of oil, gas, gold, diamonds and other precious raw materials. In 2012 Akhmetov was ranked 38th and valued at \$18.9 billion in Bloomberg's 200 wealthiest people in the world and his fortune was greater than Russia's two wealthiest oligarchs—Roman Abramovich (51st and valued at \$14.7 billion) and Oleg Deripaska (90th and valued at \$10.5 billion) (Miller and Newcomb, 2012).

Akhmetov became very wealthy in partnership with Donetsk Governor Yanukovych and therefore did not break with him supporting him through to the end when he fled from Ukraine. Firtash and Akhmetov, although investing in a Western trained management team and more transparent business practices for Systems Capital Management, (together with 'The Family') benefitted from government tenders and insider privatizations during Yanukovych's presidency which is why neither oligarch condemned democratic regression, poor economic and fiscal policies and rampant corruption.

7. Conclusions

The study of violence, crime and corruption is important to our understanding of three factors in post-Soviet Ukraine. Firstly, the manner in which the transition took place in Ukraine in the 1990s has led to major social problems and the public perception of the elites as corrupt and in some cases criminal. Ukrainian presidents have never pursued policies against corruption except in the two years following the Orange Revolution and after the Euro-Maydan. Ukrainian elites, as in the Soviet Union, remained unaccountable for their actions. These factors led to low levels of public trust in state institutions, low payment of taxes by elites (who send their capital offshore) and by lower level Ukrainians who hide their real income. These factors, in turn, have facilitated a persistently large shadow economy, accounting for 40–50 per cent of GDP. In other words, in independent Ukraine there is no "contract" between the state and citizens and trust in Ukrainian state institutions 'to do what is right as well as to fulfil its obligations to citizens was so low that it was almost non-existent' (Berenson, 2010, 214). Berenson (2010) argues that the remaking of citizen-state relations – now by the new Euro-Maydan revolutionary leadership – will remain Ukraine's greatest challenge and that the overhaul of the state's relationship to citizens is an urgent requirement for the country's democratization. This will become even more difficult with Russian-backed violent separatism underway in the Donbas.

Secondly, the study of violence in the Donetsk region provides an insight into the operating policies of Ukraine's former political machine, the Party of Regions (Zimmer, 2005; Kudelia and Kuzio, 2014), whose leaders had abused state-administrative resources during every election held in Donetsk, at the national level in 2004 and during Yanukovych's presidency. The 2013–2014 political crisis and Euro-Maydan led to high levels of violence against protesters, first and foremost because of the criminal background and corrupt operating culture of the Yanukovych administration which feared leaving office and did not desire to lose their accumulated assets. The overthrow of Yanukovych and Donetsk clan and coming to power of the opposition led to an amnesty for political prisoners such as Tymoshenko, the opening of criminal charges against Yanukovych and his senior allies and freezing of their stolen assets in Europe.

The Party of Regions continued to include deputies who are former or current criminal leaders. Furthermore, the legacy from the 1990s influenced their violent and monopolistic approach to economics, society and politics, including the imprisonment of opposition leaders. As widely seen during the Euro-Maydan revolution, state-administrative resources drew on organized crime sportsmen 'skinheads' who, operating in collusion with police special forces acted as vigilantes in corporate raiding, intimidation of independent journalists and attacks on politicians and civil society activists (Herszenhorn, 2013). An authoritarian regime could be installed in Russia and Belarus with relatively little violence because of a weak opposition, popular nationalistic presidents and resources to buy the electorate. These three factors were absent in regionally divided Ukraine: (1) the opposition has always been strong; (2) Yanukovych and the Party of Regions were in the traditional

Soviet sense anti-nationalistic by (in the same manner as Russia) equating the opposition with “nationalism” and “fascism”; and (3) Ukraine was brought to bankruptcy and default by mismanaged government policies and colossal asset stripping.

Thirdly, the background of President Yanukovich and Party of Regions leaders influenced the manner in which Russian and Western leaders came gradually to view Ukrainian rulers (Kuzio, 2014a). Ukrainian Ambassador to Russia Kostyantyn Hryshchenko told the US Embassy that Putin, ‘hates’ Yushchenko and has a low personal regard for Yanukovich, but apparently sees Tymoshenko as someone, perhaps not that he can trust, but with whom he can deal’ (<http://wikileaks.org/cable/2009/01/09KYIV208.html>). The Soviet, criminal and corrupt political culture of the Donetsk clan influenced the manner in which Yanukovich sought conditions-free financial assistance, that would best secure his re-election, from the EU, China and Russia and in the end choose the latter over an EU Association Agreement. Power and capital – not values and ideology – drove President Yanukovich and the Party of Regions who was neither pro-Russian or pro-European but simply pro-Yanukovich. In this sense, non-ideological kleptocrat Yanukovich was different to Russian nationalist Vladimir Putin and Soviet Belarusian nationalist Alyaksandr Lukashenka.

The manner in which Yanukovich has operated domestically is no different from his approach towards Western leaders who perceived him as a neo-Soviet leader after he rejected EU integration and ordered police violence against the Euro-Maidan. Timothy Garten-Ash (2012) encapsulated this Western perception, ‘To hear Yanukovich justifying the imprisonment (of Tymoshenko) in terms of an independent judiciary and the rule of law, as I did at a meeting earlier this year, was to listen to a Homo Sovieticus who was not even good at lying.’

The sources of this deception lie in the legacy of Soviet political culture and criminal component to the 1990s transition in Ukraine that was especially prevalent in regions such as Donetsk and the Crimea. As Valeriy Chalidze (1977, 51), a former Soviet dissident, pointed out, the Soviet criminal world maintained a code of honesty among its brotherhood but to the outside world ‘they endlessly lie and make false promises.’ This aspect of the lingering legacy of Soviet political culture which until now has been ignored deserves to be at the centre of scholarly studies of post-Soviet Ukraine.

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Abbreviations

- Akhat Bragin*: (criminal name Alek the Greek), major crime boss, Akhmetov's mentor and one of the directors of ISD who was assassinated in Donetsk in 1995
- ISD*: Industrial Union of Donbas established in 1995. Business group with Yevhen Shcherban, Akhmetov, Momot, Bragin, Volodymyr Shcherban and Taruta. Divided (2000) into ISD and Systems Capital Management (SCM) with ISD owned by Taruta (40 per cent), Oleh Mkrchtian (40 per cent) and Vitaliy Hayduk (20 per cent) and SCM owned by Akhmetov.
- Itera*: Gazprom's gas intermediary (1992–2000). The Solntsevo organized crime gang provided the 'muscle.'
- Eural-Trans Gas*: intermediary (2002–2004) divided in ownership by Firtash and Ivan Fursin (45: 5 percent) and Gazprom (50 percent).
- Naftohaz Ukrainy*: state gas company of Ukraine.
- OstChem*: gas intermediary (2011–) owned by Firtash.
- RosUkrEnergo*: gas intermediary (2005–2008) divided in ownership by Firtash and Ivan Fursin (45: 5 percent) and Gazprom (50 percent).
- Yevhen Shcherban*: Donetsk oligarch murdered in 1996.
- SCM*: Systems Capital Management, Akhmetov's business empire since 2000.
- Titushky*: nickname given to vigilante skinhead-sportsmen used by the Party of Regions and police. The word has its origins in Vadym Titushko who in May 2013 in Kyiv was hired to guard 'anti-fascist' protests organised by the Party of Regions and afterwards attacked journalists.