Europe Solidaire Sans Frontières > English > Europe, Great Britain > Russia & Eastern Europe > Ukraine > These are the men Russia wanted to put in charge of Ukraine

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Ukraine has banned Pro-Russia political party Opposition Platform, but its MPs still play a decisive role in Parliament

When Russian forces marched into Ukraine last February, Nestor Shufrych – like thousands of Ukrainians across the country – says he joined a local territorial defence unit to defend his homeland against invaders.

But there's an important difference between Shufrych and his countrymen. He's an MP for a pro-Russian political party, Opposition Platform – For Life.

Opposition Platform has refused to recognise that Russia was integral to the eight-year conflict in Donbas in eastern Ukraine, called for direct negotiations with separatist forces, and accused its opponents of wanting to 'sell' Ukraine to the West. The party wants Ukraine to have neutral status, and its backers include oil and gas moguls, real estate developers and shadowy businessmen with ties to Russia.

Opposition Platform aims to represent voters in Ukraine's Russian-speaking south and east, and has garnered many supporters in the past, taking 1.9 million votes in the 2019 elections to become the second largest group in Parliament with 43 MPs.

This week, it was <u>reported</u> that one of the party's leaders, Viktor Medvedchuk, had even been in the running to lead a puppet regime in Ukraine on behalf of Russia if the invasion had been successful.

The extent of Opposition Platform MPs' relationships with the Kremlin has long been a source of public debate in Ukraine. Prior to the 2022 invasion, several of them, including Medvedchuk, were arrested and <u>charged with treason</u> – though there have not been any prosecutions. Since the war's start, Ukrainian authorities – under intense public scrutiny – have sought to prosecute more.

In June, Opposition Platform was banned as a political party, meaning they can't act together in Parliament. The ban was upheld by the Supreme Court in September, with the court describing the party as a "genuine threat to the national security, independence and territorial integrity of Ukraine".

The Ukrainian public seems to agree with this sentiment. Only 3% of respondents in a recent <u>opinion</u> <u>poll</u> wanted MPs from Opposition Platform (or other pro-Russian parties) to hold on to their seats until the next election.

But the government has been slow to act – possibly because the pro-Russian MPs are still useful to its agenda. Voting records show that Opposition Platform MPs provide much-needed support in Parliament for <u>controversial legislation</u> that the government is currently pushing through.

"They have become the most reliable and cheapest allies of the authorities," Ukrainian election expert Oleksiy Koshel told openDemocracy.

As the war continues, the fate of Ukraine's pro-Russian bloc is uncertain, but – as openDemocracy reveals below – its ability to move with the times should not be underestimated.

Yuri Boiko, no longer a 'Hero of Ukraine'

In January, as some Ukrainian MPs fought to remove the mandates of Opposition Platform deputies, the party's chairman Yuri Boiko <u>told Parliament</u> that "24 February [when Russia invaded Ukraine] divided our politicians into two groups".

He continued: "From that day, everyone who stayed with me in Parliament worked on the adoption of laws that ensure the ability of our country to survive."

"Those who left the country on 24 February do not exist for us," Boiko added, referring to the exodus of party MPs immediately before the invasion. One MP even chartered a 50-seat plane to Vienna for his family and other politicians.

Boiko's speech was a striking transformation for a politician who, just hours before the first Russian missiles hit Ukraine last year, had told <u>Russian media</u> that Ukrainian authorities were escalating the conflict in the Donbas region and failing to implement the Minsk ceasefire and peace agreements.

A year on, the Ukrainian government is developing special legislation to deprive Boiko of his status as a 'Hero of Ukraine', the highest national title that can be conferred upon a citizen. Boiko received that honour back in 2004, after rising through the country's oil industry to lead Naftogaz, the giant state-owned oil and gas company, and then becoming deputy energy minister under then-prime minister Viktor Yanukovych. Three years later, Boiko became one of the leaders of Yanukovych's Party of Regions (POR) and held several posts under his presidency. After the Euromaidan Revolution of 2014, when POR was pushed out of government and Yanukovych fled to exile in Russia, Boiko remained in Ukraine and reincarnated the fractured party into 'Opposition Bloc'.

Opposition Bloc focused on winning votes from the same electorate as the POR – that is, inhabitants of the Russian-speaking regions in southern and eastern Ukraine, as well as those who wanted to maintain ties with the Russian Federation and conservative voters accustomed to state paternalism.

But the party split in 2018 and Boiko joined Opposition Platform – For Life, which gained 43 MPs in the 2019 elections that brought Volodymyr Zelenskyi to power.

Until Russia's full-scale invasion two and a half years later, Opposition Platform MPs frequently criticised Zelenskyi and his team, promising to start impeachment proceedings against him. Boiko and other key party members also regularly flew to Moscow to meet senior Kremlin officials.

Since the invasion, however, they've been largely silent. In fact, it took Boiko 12 days to publicly condemn Russia's invasion of Ukraine, while Medvedchuk disappeared from house arrest in the days before 24 February and, apparently, more or less <u>stopped communicating</u> with senior party members.

Rebranding, ban and loss of citizenship

On 19 March 2022, Ukraine's National Security and Defence Council suspended the activities of a number of supposedly pro-Russian political parties, including Opposition Platform, for the duration of martial law. Reports from cities occupied by the Russians had suggested that some <u>local branches</u>

of the party had been cooperating with the invading forces.

Under internal pressure, the party found itself having to rebrand once again – this time with a very similar name, Platform For Life and Peace. The remaining MPs soon found it very difficult to communicate with the public, and almost stopped criticising the government. On the first day of the war, broadcasts of parliamentary proceedings were halted and the United News marathon – which dominates the country's main TV channels and is strictly censored by the presidential administration – was introduced.

Then, in June, a court in Lviv began considering a series of lawsuits filed earlier by Ukraine's justice ministry to ban certain pro-Russian political parties. The hearing on Opposition Platform – which was held behind closed doors and lasted longer than others, roughly six hours – culminated in a ban on the party. Other parties were banned too.

Anti-corruption and parliamentary monitoring NGO Chesno noted that those court sessions were held in a hurry and that the justice ministry's position, based on documents from the Ukrainian security services, was not well argued.

The Supreme Court's upholding of the ban months later was based on the party's "support" for and "ideological kinship" with the Kremlin. Opposition Platform's leaders failed to convince the court's judges that the pro-Russian statements of individual members were not representative of the position of the party as a whole. As proof of their patriotism, they cited their decision to set up a humanitarian hub for people affected by the invasion – but couldn't explain what exactly this hub had done.

Ukraine's efforts to deal with those who had long acted as a bridge to the Kremlin (or the Kremlin's agents) did not end there.

Deprivation of citizenship is a controversial measure, and often criticised by human rights activists. The Ukrainian constitution prohibits the deprivation of citizenship and the expulsion of citizens from the country, yet it also gives the president the right to terminate citizenship – primarily in service of voluntarily obtaining the passport of another country.

Ukrainian politicians have been grappling with this contradiction since President Zelenskyi announced in January that he was removing the citizenship of Opposition Platform's leaders, Viktor Medvedchuk, Taras Kozak and Renat Kuzmin, as well as another pro-Russia politican, Andriy Derkach, who has been an MP since 1998 but is not a member of Opposition Platform. Zelenskyi accused them all of serving "not the Ukrainian people, but the murderers who entered Ukraine".

The president's decision was based on information from Ukraine's security services, which suspects the four MPs of treason and cooperation with the Kremlin, which they deny. No details have been disclosed and the men's guilt has not been proven in court – with Derkach, Kozak and Kuzmin allegedly having left Ukraine in the days before the war started. They are now on a national wanted list.

The fourth man, Medvedchuk, was put on trial for treason – for allegedly handing over intelligence to Russia – after being recaptured before he could flee the country when he escaped house arrest just before the Russian invasion. But the trial was never completed and Medvedchuk (whose youngest daughter counts Vladimir Putin as her godfather) was swapped in a prisoner exchange with Russia last autumn.

Support for controversial government policies

Despite the Ukrainian authorities' removal of citizenships and pursuit of criminal investigations, former Opposition Platform MPs have voted for almost all the government's recent initiatives in Parliament – from a long-awaited <u>ratification of the Istanbul Convention</u> on domestic violence to a <u>dubious urban planning reform</u> and <u>wide-ranging changes to labour law</u>. The latter two measures could not have passed without their support.

But the party's ongoing influence is a source of public outrage.

Opposition Platform MPs "do not need portfolios in the Cabinet [of ministers] or positions in Parliament - it is enough for them to maintain the status quo," said Oleksiy Koshel, head of the Committee of Voters of Ukraine, which aims to protect voters' rights.

Indeed, MPs from Opposition Platform remain as deputy heads of nine parliamentary committees, and Nestor Shufrych still heads the committee on freedom of speech. One MP (a former key functionary of the Party of Regions) was recently appointed a member of the budget committee.

"Today, there can be no opposition in principle. Everyone must unite in the name of success and victory in this terrible war... And we will certainly complete this parliamentary term to the end," Shufrych said in December.

Expelling former members of Opposition Platform from Parliament is not easy, it turns out. The constitution's rules on expelling MPs does not refer to situations where political parties have been banned, and MPs have no right to change the constitution during wartime.

Nevertheless, since last summer, several MPs have tried to get rid of representatives of banned pro-Russian parties. In January, members of Zelenskyi's Servant of the People party gathered support from 150 MPs to remove the parliamentary mandates of 42 former Opposition Platform MPs – 10% of the seats in parliament.

Yet the very process of collecting signatures revealed a split on this issue within Ukraine's ruling party. Oleh Dunda, one of the ruling party MPs behind the signature campaign, explained that party chairman David Arakhamia and party leader Olena Shulyak do not want to expel the pro-Russian politicians because they are counting on their votes – and can't carry out controversial measures without them.

Dunda is concerned about the national security risk the MPs pose. "These people have been in contact with the Russian elite for years, with the [Russian] security services. As long as they are in power, Russia can at any moment try to use them as legitimate, elected representatives of the people," Dunda said.

Parliament speaker Ruslan Stefanchuk has <u>claimed</u> he would like to see former members of Opposition Platform removed from Parliament, but that constitutional mechanisms are needed to terminate their powers.

According to Vita Dumanska, the head of parliamentary monitoring NGO Chesno, more progress could have been made on introducing these mechanisms, but Parliament is deliberately delaying the procedures.

"If Parliament was working well on this issue, we would already be discussing how to prevent politicians from pro-Russian parties participating in the next elections," she <u>wrote</u>.

The fate of ex-Opposition Platform MPs is a touchstone for sensitive questions that Ukrainian society is having to deal with during Russia's invasion – the fate of the powerful political networks who

represent the country's south-east, how to balance constitutional requirements against understandable public outrage, and the signs that the ruling party is still out for its own interests.

"It is unlikely that after the war, someone in the country will want to vote for a party with an openly pro-Russian programme. But on the whole, Opposition Platform voters will not disappear," said election expert Koshel. "There will still be a demand for a conservative, paternalist [political] force that defends, for example, the status of the Russian language."

He predicts that the leaders of Opposition Platform will launch a new political project before Ukraine's next elections. They've done it twice in the past decade, he says.

openDemocracy attempted to contact a number of Opposition Platform MPs, including Yuri Boiko, Viktor Medvedchuk and Nestor Shufrych. They did not respond to calls and requests sent via their legal representatives.

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