

# Tymoshenko Trial Tests Ties

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Tymoshenko supporters at a tent camp near the Kiev court Thursday. **Sergei Chuzavkov**

KIEV — The din has become a morning ritual in downtown Kiev, come rain or shine.

On the stroke of 9 a.m., Ukrainian folk music begins to blare and, amid a swirl of banners, a street orator launches into an impassioned speech in support of former Prime Minister Yulia Tymoshenko.

Tymoshenko is now spending her nights in police custody during her trial on a charge of abuse of power while prime minister.

But, in another sense, the 50-year-old is back in her favorite place — the headlines.

After weeks of courtroom tension during which Tymoshenko refused to rise for the judge and denounced him as the "puppet" of her nemesis, President Viktor Yanukovich, she has been ordered to be detained in custody for contempt of court.

Tymoshenko has turned that to her advantage.

Western powers showed little sympathy for her in February 2010 and put pressure on her to bow out gracefully after losing to Yanukovych in a fight for the presidency. Today they are rallying to her cause.

The United States, an important backer for Ukraine, which is drawing on a \$12.5 billion International Monetary Fund credit program, has denounced proceedings that it says increasingly look politically motivated.

"We urge that Ms. Tymoshenko's incarceration be reviewed and consideration be given to her immediate release," a U.S. State Department spokesman said this week.

Members of the European Union, with which Ukraine is negotiating an association agreement including the establishment of a free-trade zone, have taken a similar line.

Just how much the Tymoshenko trial will rebound on Ukraine's relations with the West has yet to become clear.

Most analysts feel it will not influence the disbursement of IMF standby credit that is geared to government compliance with strict economic criteria such as pension reform and raising household gas prices.

Progress on a new relationship with the EU could be another matter, however.

Although the Yanukovych leadership has taken a far stronger pro-Russian line on some policy areas, such as ditching ambitions to join NATO and extending the stay of the Russian Black Sea Fleet in the Crimea, it has made clear that it sees its long-term future in the European mainstream.

Volodymyr Fesenko, an analyst with the Penta political research center, said future negotiations with the EU could be endangered if the trial ended with Tymoshenko receiving a long jail term.

"Tymoshenko must be released — it could happen, for example, by a pardon lifting the jail sentence — if a crisis in relations with the West is to be avoided," he said. "But if she remains in jail after sentencing, then it is quite possible that the crisis in ties with the West will grow sharply."

Any isolation of Ukraine could push it away from the EU back toward Russia, which is pressing its neighbor to join a Moscow-led customs union as an alternative to partnership with the EU.

The abuse-of-office charge against Tymoshenko is based on the signing of a 2009 gas deal with Russia. This ended a protracted pricing dispute that affected gas supplies to some EU countries.

The prosecution says she coerced the state-run company Naftogaz into signing an agreement with Gazprom that saddled Ukraine with a highly unfavorable deal contrary to the national interest. Tymoshenko denies this.

In the background are other charges against her of misusing government funds received for the sale of carbon credits.

Strong-willed, sharp of tongue and immediately recognizable by her peasant-style hairbraid, Tymoshenko has failed to rally other opposition brands around her since losing to Yanukovych in an ill-tempered election second round.

But she remains the single most effective opposition figure in Ukraine and enjoys iconic status in some parts of the country where she is known simply as "Yulia" or "Vona" (She).

Many other opposition figures, who do not side with her Batkyvshchina (Fatherland) party in parliament, have attended the court proceedings to show solidarity with her.

Tymoshenko's supporters say the tactics of the Yanukovych leadership are to wound her politically and neutralize her as an effective opposition force before October 2012 parliamentary elections and another presidential ballot in 2015.

However, the authorities are in a quandary about how to handle the political backlash following her detention, ordered Friday by judge Rodion Kireyev when his patience with Tymoshenko's courtroom antics finally snapped.

Early Sunday morning, police took up positions around a tent encampment of her supporters outside the courtroom on Kiev's main thoroughfare, Khreshchatyk.

But they appeared to change their minds over detaining people and dismantling the tents, and simply erected metal barriers around the encampment to stop it spreading.

Numbers of her supporters vary — always hundreds, sometimes thousands, depending on the weather.

The swirl of banners and placards, and the apparently unending stream of Tymoshenko supporters ready to take the microphone and denounce Yanukovych, are evocative — though on a smaller scale — of the 2004 Orange Revolution street protests that she successfully led against him.

Yanukovych projected a business-as-usual air this week, staying silent over the trial and preparing for a trip on Thursday to Sochi for talks with President Dmitry Medvedev.

Heavy-handed police action in his absence could sway opinion in her favor.

But to release Tymoshenko from custody would hand her a huge public relations success, which her powerful oratory would fully exploit.

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