

Politics

Ukraine Prosecutor Says No Evidence of Wrongdoing by Bidens

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- ▶ Hunter Biden, Burisma not targets, despite Giuliani's pleas
 - ▶ Long-running investigation said to focus on another Ukrainian
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Joe and Hunter Biden *Photographer: Nick Wass/AP Photo*

Ukraine's prosecutor general said in an interview that he had no evidence of wrongdoing by U.S. Democratic presidential candidate Joe Biden or his son, despite a swirl of allegations by President Donald Trump's lawyer.

The controversy stems from diplomatic actions by Biden while his son, Hunter Biden, sat on the board of Burisma Group, one of the country's biggest private gas companies. As vice president, Biden pursued an anti-corruption policy in Ukraine in 2016 that included a call for the resignation of the country's top prosecutor who had previously investigated Burisma.

Yuriy Lutsenko, the current prosecutor general, said that neither Hunter Biden nor Burisma were now the focus of an investigation. He added, however, that he was planning to offer details to U.S. Attorney General William Barr about Burisma board payments so American authorities could check whether Hunter Biden paid U.S. taxes on the income.

"I do not want Ukraine to again be the subject of U.S. presidential elections," Lutsenko said in an interview Tuesday in his office in Kiev. "Hunter Biden did not violate any Ukrainian laws -- at least as of now, we do not see any wrongdoing. A company can pay however much it wants to its board." He said if there is a tax problem, it's not in Ukraine.

Diverging Reports

The prosecutor laid out a more detailed explanation about what was under investigation by his office after a flurry of diverging reports. While the prosecutor's office hasn't reopened a case against Burisma, it is pursuing information about the company's owner in connection with a long-running criminal investigation of another mogul who fled the country five years ago. That matter concerns a transaction unrelated to Hunter Biden, he volunteered.

In recent weeks, Rudy Giuliani, the president's personal lawyer, has said that Joe Biden had a conflict of interest when he pressed Ukraine's officials to crack down on corruption. Giuliani said that Biden could have been trying to help his son's business dealings and that Ukraine needs to investigate.

Those comments have brought fresh scrutiny of Ukraine's prosecutors and whether they are now investigating matters related to Burisma or taking other steps to curry favor with the U.S. administration.

Back in March 2016, Biden threatened to withhold \$1 billion in loan guarantees if Ukraine failed to address corruption and remove its Prosecutor General, Viktor Shokin, who soon after left office amid widespread calls for his dismissal. Though Shokin had begun a probe into Burisma, it was dormant when he departed, according to a former prosecutor.

"At the end of the day, Shokin submitted his own resignation," Lutsenko said.

[See a video and transcript of Biden discussing Ukraine here](#)

Giuliani scrapped a planned trip to Ukraine this month to discuss the Biden allegations and other matters with Lutsenko and Ukrainian politicians after a [report](#) in The New York Times spurred criticism that he was seeking to harm a Democratic opponent. Critics said he appeared to be enlisting a foreign government to investigate Trump's possible challenger in the 2020 U.S. presidential election. Giuliani told Fox News that he believed the people around President-elect Volodymyr Zelenskiy were "enemies" of Trump.



Yuriy Lutsenko *Photographer: Sergei Supinsky/AFP via Getty Images*

Addressing the controversy this week, Biden called it a "personal attack" by Giuliani. "I can't remember any lawyer representing the president, conferring with the president, deciding to go overseas where a government that relies on U.S. largess to try to get them to do something that everyone knows never happened," Biden said in an interview in New Hampshire posted Monday on Twitter.

The Bidens declined to comment for this article. Giuliani didn't respond to a request for comment.

From his office in Kiev, Lutsenko said Giuliani had extended an invitation to meet in New York late last year. When the two finally met in January, they spoke over two days about the Ukrainian political situation and the fight against corruption, he said. Giuliani asked him about investigations into the owner of Burisma, Mykola Zlochevsky, as well as whether the U.S. Ambassador to Ukraine, Marie Yovanovitch, was “not loyal to President Trump.” The men met again in February in Poland, where Giuliani gave a speech at an anti-Tehran rally on the sidelines of a U.S. summit on Iran.

The ambassador to Ukraine, Yovanovitch, has been subject to political attacks as anti-Trump, including a tweet by Donald Trump Jr. who called her a “joker.” She is leaving Kiev within days, ahead of her planned departure this summer. Lutsenko said he told Giuliani that his relationship with the ambassador wasn’t friendly enough for her to confide her opinions on Trump.

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Lutsenko said his prosecutors are now looking at Zlochevsky and dozens of other Ukrainians as part of one of the country’s biggest criminal investigations, which was begun in 2014. That inquiry focuses on the activities of Serhiy Kurchenko, who owned a group of gas companies and was a close associate of former President Viktor Yanukovych. Ukraine’s prosecutor general has accused Kurchenko of money laundering, tax evasion and theft of state assets.

After the Maidan revolution toppled Yanukovych in February 2014, Kurchenko fled Ukraine, reportedly to Russia. The U.S. and the European Union imposed sanctions on Kurchenko, and his assets were frozen. A lawyer for Kurchenko didn’t immediately comment.

As part of the five-year-old inquiry, the prosecutor general’s office has been looking at whether Kurchenko’s purchase of an oil storage terminal in southern Ukraine from Zlochevsky in November 2013 helped Kurchenko launder money. Lutsenko said the transaction under scrutiny came months before Hunter Biden joined the Burisma board.

“Biden was definitely not involved,” Lutsenko said. “We do not have any grounds to think that there was any wrongdoing starting from 2014.”

There is no additional investigation of Zlochevsky and Burisma, the prosecutor general said. A separate case focusing on Zlochevsky’s sale of the oil storage company should be opened in the next month, he said, calling it a “small episode” in the bigger investigation.

“As soon as a case will be separated against Zlochevsky, investigators will follow the procedure,” Lutsenko said. “As far as I know he is outside Ukraine, so he will be first put on a wanted list, then he will be put on an international wanted list. But for the time being, there is nothing in that regard.”

‘Notice of Suspicion’

Prosecutors sent Zlochevsky a “notice of suspicion” and requested he appear for questioning as part of the Kurchenko case, but he never showed up, Lutsenko said. Zlochevsky didn’t respond to requests for comment sent via Burisma, and his lawyer declined to comment.

The current probe “in no way” concerns Burisma, the prosecutor general emphasized.

Before he became prosecutor general in 2016, Lutsenko said, a probe into whether Burisma misappropriated gas licenses was transferred to Ukraine’s National Anti-Corruption Bureau of Ukraine (NABU) and then closed. “I don’t understand why NABU closed the cases,” he said.

This year, at the request of Ukrainian MPs, NABU reopened the gas license case. The matter concerns licenses granted to Burisma when Zlochevsky was Minister of Ecology and Natural Resources and predates Hunter Biden’s time on the board.

Zlochevsky’s sale of the oil storage business to Kurchenko was part of a probe by the U.K.’s Serious Fraud Office started in 2014, only to be dropped after Ukrainian prosecutors failed to provide information to support the case and closed their own investigation into the matter. Another probe into unpaid taxes by Burisma was settled in 2016.

“All cases against Burisma were closed,” Lutsenko said. “I do not see any wrongdoings of any foreigners who worked for Burisma in Ukraine.”

Lutsenko’s future as prosecutor general -- a job he says he’d like to keep -- is uncertain. Zelenskiy, Ukraine’s new president, is due to be sworn in on May 20 and has vowed to name a new prosecutor general.

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