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WORLD & NATION

# Former Ukraine prosecutor says he saw no evidence of wrongdoing by Biden



Yuri Lutsenko, the former prosecutor ger For The Times )

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By TRACY WILKINSON, SERGEI L. LOIKC

SEP. 29, 2019  
11:21 AM



KYIV, Ukraine — Ukraine’s former top law enforcement official says he repeatedly rebuffed demands by President Trump’s personal lawyer to investigate Joe Biden and his son, insisting he had seen no evidence of wrongdoing that he could pursue.

In an interview, Yuri Lutsenko said while he was Ukraine’s prosecutor general he told Rudolph W. Giuliani that he would be happy to cooperate if the FBI or other U.S. authorities began their own investigation of the former vice president and his son Hunter but insisted they had not broken any Ukrainian laws to his knowledge.



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Lutsenko, who was fired as prosecutor general last month, said he had urged Giuliani to launch a U.S. inquiry and go to court if he had any evidence but not to use Ukraine to conduct a political vendetta that could affect the U.S. election.

“I said, ‘Let’s put this through prosecutors, not through presidents,’ ” Lutsenko told The Times.

“I told him I could not start an in

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The revelations are at the heart of [the House impeachment inquiry](#), and whether Trump improperly delayed congressionally mandated military aid to Ukraine while urging leaders there to help find

dirt on his political opponents to boost his 2020 reelection bid.

Lutsenko said he met Giuliani twice in person and had numerous conversations with him on the phone. He described the former New York mayor as obsessed with possible misconduct by Biden or his son Hunter.

Both Bidens have denied any wrongdoing, and no evidence has emerged to suggest they broke U.S. laws.



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Lutsenko said he told Giuliani that Hunter Biden's position on the board of Ukraine's largest natural gas company, Burisma Holdings, while his father was involved in steering Obama administration policy toward Ukraine "could be signs of a conflict of interest" but was not illegal.

Lutsenko's account is controversial since he is believed to have been one of the original promoters behind the unsubstantiated allegations against Biden. He also complained about Marie Yovanovitch, the U.S. ambassador to Kyiv who was recalled in May, weeks before her tenure was up.

Yovanovitch had pushed Ukraine's government to more aggressively crack down on corruption. But the White House considered her insufficiently loyal to Trump, apparently because she resisted pressuring Ukraine on his priorities, and she became a target of conservative critics, including Giuliani.

House investigators have scheduled a deposition with Yovanovitch and four other senior State Department officials as part of t

Among the group is Kurt Volker

[whistleblower account](#) alleged he had helped set up some of Giuliani's meetings with Ukrainian officials.

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Lutsenko said he was eager to cooperate with Giuliani and Trump but did not have sufficient evidence to act on his own.

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The former prosecutor said Giuliani dropped the Biden requests at some point last year but apparently saw a new opportunity with the election in April of [Volodymyr Zelensky](#), a former actor and political neophyte who defeated incumbent President Petro Poroshenko



Los Angeles Times

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Lutsenko said Giuliani again began contacting him to sound him out about the new president and gauge whether Zelensky might be more cooperative in going after Democrats. But Lutsenko did not keep his job and was fired in August.

On July 25, Trump spoke to Zelensky by telephone from the White House. According to a [declassified memorandum](#) released by the White House last week that reconstructed the conversation, Trump asked Zelensky for a “favor” and urged him to “look into” Biden and his son.

He linked his comments directly to Zelensky’s request to buy U.S. antitank weapons to help counter Russia-backed separatists in eastern Ukraine, and the new president’s hopes of securing a White House meeting.

During the 30-minute call, Trump asked Zelensky at least five times to work with Atty. Gen. William Barr in addition to Giuliani.

“I will have Mr. Giuliani give you a call and I am also going to have Atty. Gen. Barr call and we will get to the bottom of it,” Trump t

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The Justice Department said las and that he had no contact with Ukrainian authorities.

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Trump also asked Zelensky to look into CrowdStrike, a cybersecurity company that did work for the Democrats in the 2016 election and was the focus of conspiracy theories. The company is based in Irvine, but Trump apparently believed it operated from Ukraine.

A week before the call, Trump had ordered aides to withhold disbursement of nearly \$400 million in military and State Department assistance that Congress had approved for Ukraine. He gave no reason for blocking the aid.

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Previously, Trump had bragged about having secured the aid, saying it showed he was more supportive of Ukraine than President Obama had been. The funds and material were finally released this month after Congress was notified of a whistleblower complaint involving Trump’s call to Zelensky.

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Giuliani has acknowledged broadly asking Ukraine to investigate the Bidens and defended the move as appropriate. Although he is a private citizen, not a government employee, he has claimed he acted at the State Department’s behest. The State Department has not commented.

“I did not do this on my own, I did it at the request of the State Department — I have a ‘thank you’ from them for doing a good job,” Giuliani said Sunday on CBS’ “Face the Nation.” He said Secretary of State Michael R. Pompeo “was aware of it.”

Lutsenko, 54, met with The Tim  
Russian and English, at times cc

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He said he met unofficially with Giuliani in New York and in Warsaw last year. Other accounts put the New York meeting earlier this year, but he insisted it was January 2018. The Warsaw meeting

was in March, he said.

“I went to his office and was there for several hours over three days,” Lutsenko said. “He was certainly prepared.”

Giuliani quickly raised the issue of the Ukrainian gas company that had hired Hunter Biden. Burisma is run by a Ukrainian oligarch who had been under investigation for tax evasion and lives abroad. But once back taxes were paid, Lutsenko said, the case was shelved.

“He was wondering why the case was closed,” he said. “I had to tell him how law enforcement functions here.”

He said his hands were tied and he could not reopen the case just because Trump wanted it.

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Trump has suggested that one of Biden’s misdeeds was to demand the firing of Lutsenko’s predecessor, Viktor Shokin, to prevent him from investigating Hunter Biden.

But U.S. and European officials had demanded Shokin’s ouster as part of a crackdown on widespread corruption in the former Soviet republic.

“The thinking was Ukraine could do a lot more” to fight corruption, David Cameron, the British prime minister at the time, said Sunday on CNN.

Giuliani was scheduled to travel questions about his activities.

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Lutsenko served as prosecutor general from May 2016 until last month, when Zelensky had him replaced. Both men are pivotal characters in the Trump impeachment saga.

Lutsenko has had a checkered career. He spent several years in prison on corruption charges that he claimed were trumped up. He was eventually pardoned.

Rivals have accused him of fomenting the Biden allegations in hopes of winning Trump administration support during the Ukrainian election for Poroshenko, the defeated candidate.

The picture that is emerging of Giuliani's back-channel diplomacy suggests maneuvering that countered and ultimately undermined official U.S. foreign policy.

The U.S. Congress has voiced bipartisan support for Kyiv in its showdown with neighboring Russia, which seized the Crimea region in 2014 and has backed separatists in an armed insurgency in eastern Ukraine.

Trump has been reluctant to criticize Moscow, and last week, when he met Zelensky on the sidelines of the United Nations General Assembly, the president appeared to startle the Ukrainian leader by urging him to settle his differences with Russia.

*Loiko is a special correspondent.*

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Tracy Wilkinson

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Tracy Wilkinson covers foreign affairs from the Los Angeles Times' Washington, D.C., bureau.

Sergei L. Loiko

Twitter

Sergei L. Loiko has covered wars, crises and daily life in Russia and the former Soviet states for the Los Angeles Times since 1991.

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