

FACT v. FICTION:

THE FIRING OF UKRAINE PROSECUTOR GENERAL VIKTOR SHOKIN

Key Takeaways

- The firing of Viktor Shokin, Ukraine's corrupt Prosecutor General, was the culmination of a years-long effort by a bipartisan, international coalition to address and root out corruption in Ukraine.
- The removal of Shokin, who slow-walked efforts to fight corruption, only increased the likelihood that Burisma and its owner, Mykola Zlochevsky, would be investigated.
- The false claim that Vice President Biden called for Shokin's firing to help his son was created and perpetuated by Rudy Giuliani.

Fiction

Vice President Joe Biden's calls for the resignation of Ukraine's corrupt Prosecutor General, Viktor Shokin, was a secret effort to help Burisma, the Ukrainian energy company on whose board Hunter Biden served.

Oversight Committee Chairman Comer: "The real quid pro quo wasn't Donald Trump, it was Joe Biden when he tried to hold up foreign aid when he was Vice President in exchange for firing the federal prosecutor in Ukraine that was investigating the corruption from his son."

Facts

This falsehood was fabricated by Rudy Giuliani. In fact, Vice President Biden led a bipartisan, international coalition calling on Ukraine to address corruption and reform the Prosecutor General's office led by Shokin. Far from helping Burisma or its owner, Mykola Zlochevsky, firing Shokin increased the likelihood that Burisma would be investigated.

A bipartisan coalition called for Ukraine to fight endemic corruption and remove Shokin.

- In February 2016—a month before Shokin was fired—Republican Senators Rob Portman, Mark Kirk, and Ron Johnson sent a <u>letter</u> with Democrats urging then-Ukrainian President Petro Poroshenko to "press ahead with urgent reforms to the Prosecutor General's office...."
- At a March 15, 2016 Senate hearing before Shokin's removal, John E. Herbst, a former Ambassador to Ukraine in the Bush Administration, testified that "Shokin was a compromised figure" and described how by "late fall of 2015, the EU and the United States joined the chorus of those seeking Mr. Shokin's removal as the start of an overall reform of the Procurator General's Office."
- In 2019, Republican Senator Johnson stated: "The whole world, by the way, including the Ukrainian caucus, which I signed the letter, the whole world felt that this that Shokin wasn't doing a [good] enough job. So we were saying hey you've...got to rid yourself of corruption."
- In 2019, Deputy Assistant Secretary of State George Kent told House investigators that "there was a broad-based consensus that he [Viktor Shokin] was a typical Ukraine prosecutor who lived a lifestyle far in excess of his government salary, who never prosecuted anybody known for having committed a crime, and having covered up crimes that were known to have been committed."

The international community also called for action.

- Ukrainian officials had been calling for Shokin's removal for months. In October 2015, news outlets reported that "more than 100 of Ukraine's 450 members of parliament have called for Shokin's dismissal."
- In February 2016, a senior Ukrainian prosecutor, Vitaliy Kasko, resigned, <u>stating</u>: "Today, the General Prosecutor's office is a brake on the reform of criminal justice, a hotbed of corruption, an instrument of political pressure, one of the key obstacles to the arrival of foreign investment in Ukraine."
- Also in February 2016, the <u>International Monetary Fund</u>'s managing director, Christine Lagarde, threatened to suspend a \$40 billion aid package, stating: "I am concerned about Ukraine's slow progress in improving governance and fighting corruption, and reducing the influence of vested interests in policymaking. Without a substantial new effort to invigorate governance reforms and fight corruption, it is hard to see how the IMF-supported program can continue and be successful."
- On March 29, 2016, Jan Tombinksi, the European Union's envoy to Ukraine, <u>stated</u> that Shokin's removal would be "an opportunity to make a fresh start in the prosecutor general's office" and adding a new Prosecutor General would ensure that this office "becomes independent from political influence and pressure and enjoys public trust."

- <u>Transparency International</u> ranked Ukraine 142nd of 175 countries in its Corruption Perception Index in December 2014 and singled out Shokin as "personally responsible for the failure to fight corruption among top officials."
- In a September 3, 2020 in interview with the Senate Committee on Homeland Security and Governmental Affairs, Victoria Nuland, the former Assistant Secretary for European and Eurasian Affairs, explained that the United States had been "warning along with the Europeans, along with the—International Monetary Fund, along with the World Bank for months and months and months that the [Prosecutor General's Office] needed cleaning up ... and that as long a [sic] Shokin as the head of the PGO, we were not going to get significant anti-corruption reform in Ukraine. And we should not be putting more U.S. tax dollars into Ukraine in that circumstance."

Vice President Biden did not call for Shokin's ouster to help his son.

- In October 2019, <u>Deputy Assistant Secretary of State George Kent</u> told House investigators that the idea for withholding aid to Ukraine if Shokin remained "came from Ambassador Pyatt in discussion with Assistant Secretary Nuland and then was pitched to the Office of the Vice President."
- In September 2020, Geoffrey Pyatt, the U.S. Ambassador to Ukraine from 2013 to 2016, rejected the claim that the policy was "formulated by Vice President Biden in an effort to assist his son." He explained that Vice President Biden was "conveying the U.S. Government interagency position that we had concluded that Mr. Shokin, despite many changes and best efforts, including support from U.S. Department of Justice technical advisors, had become an insurmountable obstacle to building a less corrupt Ukrainian political system."
- In a September 17, 2020 interview before the Senate Homeland Security and Governmental Affairs Committee, former State Department Special Envoy and Coordinator for International Energy Affairs Amos Hochstein explained: "When somebody says that the Vice President wanted to fire Shokin to support his son, I know it's not true. Now I know it because I was there. I was on that trip. I was in meetings before. I know who else was calling for the firing of Shokin. I know that it wasn't the Vice President's view alone. I know that it was called for by other international financial institutions, other governments. So the idea that firing, or calling for reforms in the Prosecutor General Office culminating in the removal of him was a coordinated, multi-stakeholder effort, and therefore the plausibility that that was somehow manipulated all for a tiny little company called Burisma that Hunter Biden was on the board of, for somebody like me that was there, I know that it's not true. ... I can tell you (1) I was there, (2) it was multilateral, (3) it was an interagency, (4) it had no material effect on Burisma itself or on Mr. Zlochevsky."
- <u>Shokin's successor, Yuriy Lutsenko</u>, confirmed in a 2019 interview with Bloomberg News that there was no evidence of wrongdoing by Joe Biden.

• In September 2023, <u>former Ukrainian President Petro Poroshenko</u> stated on Fox News that there was "not one single word of truth" in the claim that Vice President Biden had Shokin fired to protect Burisma.

Shokin's firing made an investigation of Burisma more likely—not less likely.

- The Executive Director of the Anticorruption Action Centre in Kyiv, Ukraine, <u>Daria Kaleniuk</u>, explained that Shokin "was fired not because he wanted to do that [Burisma] investigation, but quite to the contrary, because he failed that investigation." She said Shokin "was not doing much on corruption" and "was unwilling to prosecute Burisma."
- Shokin's former Deputy Prosecutor General, Vitaliy Kasko, explained that his office's probe into Burisma and Mykola Zlochevsky, had been "shelved by Ukrainian prosecutors in 2014 and through 2015."
- In his recent transcribed interview with the Committee, Hunter Biden's business associate and fellow Burisma board member, <u>Devon Archer</u>, explained he was informed that "Shokin being fired was a—was not good, because he was like under control as relates to Mykola [Zlochevsky, Burisma's owner]."
- <u>Deputy Assistant Secretary of State George Kent</u> explained to Senate investigators in 2020: "Rather than back the U.S.-supported anticorruption investigators, however, Shokin undermined their efforts."
- Former Ambassador to Ukraine, Marie Yovanovitch, agreed with House investigators in 2019 that Shokin's removal "would increase the chances that corrupt companies in Ukraine would be investigated," including Burisma.

The false claim that Vice President Biden called for Shokin's firing to help his son was created and perpetuated by Rudy Giuliani.

- In July 2023, <u>Rudy Giuliani's right-hand man, Lev Parnas</u>, wrote a letter to Chairman Comer explaining that Giuliani declared in 2018 that he would use Vice President Biden's call to fire Shokin "as a way to discredit the Bidens." Parnas explained: "The truth is that everyone, from Giuliani ... to the people at FOX News, knew that these allegations against the Bidens were false. There has never been any factual evidence, only conspiracy theories spread by people who knew exactly what they were doing."
- As part of this effort, <u>Giuliani instructed his associates to interview Zlochevsky</u>, Burisma's owner, but Zlochevsky denied that Vice President Biden "in any way" assisted Zlochevsky or Burisma. <u>According to Parnas</u>, when Giuliani read Zlochevsky's answers, he "turned red and yelled, 'What is this shit? This is bullshit. Make sure nobody sees this. Bury this."
- In 2019, <u>Trump Administration United States Special Representative for Ukraine Negotiations Kurt Volker</u> told House investigators that Giuliani's theory "had been debunked" and had "no evidence to support it."

