

THINK-TANK ROUNDTABLE
in connection with the E-PINE-Meeting

Oslo, Norway

January 26-27, 2006

How Can Ukraine's Democratic Aspirations Be Supported?

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In November and December 2004, millions of citizens of a large European country engaged in peaceful nonviolent struggle to uphold their democratic rights and to supplant an authoritarian and corrupt regime.

That struggle, Ukraine's Orange Revolution, won the admiration of the democratic world. Now, Ukraine's democratic reformers face severe difficulties as they exercise political power. They have split into several political factions and their competition over the majority electorate that support democratic reform has unfortunately degenerated into bitter recriminations and at times has lapsed into highly irresponsible rhetoric.

With Russia-Ukraine tensions and disputes not fully resolved, and with Ukraine's democratic leadership facing serious challenges, how can the established democracies reinforce democratic trends? To answer that question, it is important to have a clear picture of what is occurring in Ukraine one year after the Orange Revolution.

DEMOCRATIC GAINS

Despite the recent divisions within the Orange camp and despite some mistakes by the reformers in power, Ukraine has made important strides toward stable democratic rule in the last year.

The most important strides are in the nongovernmental and private spheres. Civic life, which showed its vibrancy during the Orange Revolution, continues to mature. Indeed, Ukraine today possesses an impressive lattice work of civic organizations, monitoring groups, and think tanks. These hold their governmental and legislative authorities to rigorous scrutiny and criticism.

As importantly, there are free and vibrant news media. Most of the broadcast media liberated themselves in November 2004 from a system of state-generated theme directives. Today, despite an ownership that remains largely unchanged from the Kuchma era, reporting itself is largely professional, self-confident, and assertive.

Moreover, has been virtually no politically motivated pressure on the media. The tax inspection services have begun to function more professionally with reference to these sources of comment and information and in relation to political and civic groups.

In the economic sphere, too, there has been important progress. There is today greater transparency in Ukraine's business affairs than before the Orange Revolution. There is a higher degree of tax compliance, the tax compliance system has been depoliticized, and as the televised auction of the Kryvorizhstal Steelworks showed, there is a commitment to open and competitive privatization.

In the social sphere, there have been significant improvements in incomes for retirees and for workers in the health and education sectors. As importantly, nationwide, net per capita incomes have increased 21 percent in real terms in the first full year of rule by the Orange forces.

Political pluralism is strong. The parliament operates without fear of the executive branch. There is no evidence of political harassment and intimidation of opposition groups; although investigations of some politicians for corruption and criminality are underway, these appear to be driven by objective factors. As evidence of a pluralistic environment, two months before parliamentary elections, opposition parties associated with the former regime are polling strongly with the Region's Party of ex-Prime Minister Viktor Yanukovich the single most popular political force in the country.

And the current configuration of political forces suggests that the electorate remains split in much the way it was in the presidential elections of 2004, with 55 percent favoring parties that supported the Orange Revolution and 45 hostile to the values of that pivotal event.

MISTAKES AND SETBACKS

At the same time, the last year has seen some mistakes and there have been some significant disappointments.

Economic growth slowed to approximately 2.5 percent in 2005, down from over 12 percent the year before.

Many of the abuses of the corrupt regimes of the have not been investigated exhaustively, and many other violations of the law have not been thoroughly prosecuted-- including the 2004 election fraud conspiracy, many instances of massive corruption, and the probable involvement of high ranking officials in the intimidation and murder of opposition activists and journalists.

The last year also has demonstrated serious unresolved deficiencies in the legal system. The state procuracy has emerged as a major sector in which reform has not been effectively implemented. The legal system has also been hurt by paralysis. The terms of the constitutional court judges expired in the fall and new justices have not been voted in

by the legislature, leaving one important state pillar in the system of checks and balances missing. And there is significant evidence that the courts suffer from the continuing influence of a segment of the judicial elite that tolerated—some say colluded—with the former corrupt and authoritarian order. Indeed, there are numerous cases of questionable rulings by lower order courts that reflect the interests of narrow special interests and reflect special relationships.

Above all, because justice has been delayed—if not denied—Ukraine's politics are influenced by the fact that a significant portion of the main opposition political force, the Party of Regions, is populated by politicians who are credibly believed to have participated in a wide array of criminal actions, including massive voter fraud.

While there are also some pragmatic politicians and business leaders on the Regions list, the party suffers from the influence of officials implicated in, currently under investigation for, or subject to prosecution for crimes and corruption. Their return to power, though unlikely in this election cycle, poses a clear threat to Ukraine's democratic transition.

Another problem is the coarse tone of political debate. While President Yushchenko has personally preserved civility and dignity in political discourse, some of his allies have not. Nor has his former ally in the Orange Revolution, Yulia Tymoshenko. Moreover, the Tymoshenko bloc has engaged in overheated politics through unsubstantiated and sensationalistic charges of corruption and, even, treason.

Such excessive rhetoric—coupled with a split in the ranks of the Orange camp-- has led to disenchantment among the millions who supported the Orange Revolution. It also has complicated the task of building a future Orange majority coalition, after the March elections.

THE ROLE OF EUROPE AND THE DEMOCRATIC COMMUNITY

Given this mixed balance sheet on reform, given the difficult domestic environment, and given the growing signs that Russia seeks to restore its hegemony over Ukraine, what can be done to assist Ukraine in the complex task of building a prosperous and stable democracy?

Assistance can come in a variety of forms. First, it will require a continued commitment to an array of technical assistance programs implemented through reformers in government and through Ukraine's vibrant NGOs. Second, such assistance should include serious private sector and government efforts to assist Ukraine in resolving its energy problems, with special emphasis on alternative energy sources and energy conservation. Third, assistance should include the offer of membership in key global and regional organizations that reward and reflect internal economic, judicial, and political reforms undertaken by Ukraine's leaders.

Most importantly, such assistance can be proffered in the knowledge that there is in Ukraine an effective community of independent forces and media that can defend newly won democratic rights. There is also a growing lattice work of private sector businesses-- large, medium, and small-- whose owners are committed to transparent and honest governance. These important and broadly based constituencies increase the chances for the long-term success of Ukraine's transition to democracy.

While there are reasons to worry about development in Ukraine, there is a stronger case to be made that the Orange Revolution will not be reversed. A recent study by Freedom House (*How Freedom is Won*) has shown that in the last thirty years over 75 percent of the countries where nonviolent civic coalitions have led movements for change have ended up as strong democracies with a high degree of respect for basic political rights and civil liberties. As importantly, nearly all countries which saw the collapse of authoritarian rule through mass nonviolent civic resistance registered significant improvements in their political rights and civil liberties.

Thus, there is little question that European states, the European Union, the U.S. and NATO all can make important contributions in helping Ukraine achieve stability and to make democracy irreversible. Moreover, there should be little question Ukraine today has the means to develop into a durable democracy.

It is well known that Ukraine's international priorities include support for accession to the World Trade Organization, into the North Atlantic Treaty Organization, and eventually into the European Union. Each of these priorities is also important because accession procedures to each contain well-known mechanisms for propelling Ukraine along a successful reform trajectory.

The recent crisis over natural gas that erupted into a short term conflict between Ukraine and Russia has been important for reminding us that Ukraine operate within a complex geopolitical setting. And it has underscored that the Russia-Ukraine relationship also has important implications for Western and Central Europe's economic interests and security.

At the same time, given internal developments in Russia and the importance a successful democratic transition in Ukraine could have on Russia's evolution, there is a strong argument in support of a concerted effort by Europe and the U.S. to support Ukraine in its integration and reform aims.

In the economic sphere, Ukraine should be integrated into a Europe-wide dialogue with Russia whose aim should be the establishment of a cross order energy delivery system that would preclude the use of political pressures and would create strong incentives for the enforcement of mutually binding contracts.

Naturally, the democracies of Europe and the Euro-Atlantic region, also should work closely with to promote increase trade and investment between Ukraine and the democratic world. Europe's designation of Ukraine as a "market economy" is a helpful step in that direction.

NATO membership is an aim that Ukraine's leaders would like to achieve by 2008. And while NATO integration would help enhance Ukraine's internal security, it also would lead Ukraine into more deep-rooted reforms that would strengthen the country's intelligence system and promote modernization of its military capabilities. At the same time the influence of decades of Soviet era propaganda continues to influence perceptions of NATO by a significant portion of Ukraine's population. This means that Ukraine will need to devote resources to educate the population about the real nature of the democratic North Atlantic alliance. Education on NATO and the EU is being integrated into the curricula of middle and higher education. But much more will need to be done to educate other segments of the population about Western institutions.

Ukraine's greatest and most complex challenge is entry into the European Union. To achieve this aim, Ukraine will need to accelerate rates of economic growth, reform its legal institutions, settle a series of unresolved Constitutional issues arising from recent reforms, develop enhanced protections for ethnic and religious minorities, and work with diligence to reduce corruption.

All these are challenges that will require internal remedy; but they can be given greater impetus if the aim of integration is given greater encouragement by Europe's and leaders of the established democracies.

A poll of the citizens of six European states conducted in November 2005 by TNS Sofres showed that 51 percent of Europeans are in favor of Ukraine joining the European. The poll was conducted in Germany, Britain, France, Italy, Spain, and Poland (which together account for 75% of the EU's population). It found the strongest support for Ukraine's accession to the EU in Poland (64%) and the weakest in Germany (40%). In this regard, Europe's elites will not pay a political price for their support of Ukraine's EU integration.

Ukraine's citizenry and its elites, too, are committed to European integration. Polls taken in October-November 2005 in Ukraine showed that 47 percent of the population supports accession while 34 percent is opposed. And Euro-integration is strongly backed by President Yushchenko and the Our Ukraine bloc, the Yulia Tymoshenko bloc, and the Socialist Party. There is evidence that this also is the case within the most influential segments of the Party of Regions.

The Regions Party is widely believed to be dominated by financial interests associated with Ukraine's wealthiest man, Rinat Akhmetov. In a recent interview, the Region's official leader Viktor Yanukovich touted Mr. Akhmetov as well qualified to serve as Ukraine's future president or prime minister, demonstrating the power Akhmetov wields in the Regions' group. Importantly, Mr. Akhmetov's conglomerate System Capital Management is orienting itself toward Europe. He recently has bought a large steelworks in Italy, has invested in Turkish real estate, and hopes to list his company on the London Stock Exchange.

Another of Ukraine's largest financial groups, the Industrial Union group recently purchased a steel works in Poland. By contrast, Ukraine business elite is not significantly investing significantly in Russia; indicating that it sees its economic interests in integration to the West.

Thus, there is an emerging consensus across Ukraine's political spectrum in favor of Euro-integration. Only a small group of parties and movements, which together very likely will not claim more than 10 percent of the seats in the next parliament is openly hostile to integration with Europe.

Given Ukraine's boisterous politics of recent months, prudent leaders might be tempted to urge caution with any declarations that might encourage Ukraine's EU-integration hopes. But I would argue that it is precisely at this time that Ukraine needs the settling and stabilizing influence of international relationships with the democratic world.

The Scandinavian and Baltic states can play a crucial role in promoting such relationships. The Baltic states have skillfully negotiated their transition from Soviet rule to democratic integration in the West. At the same time, they played an important role in helping broker the agreement that permitted Ukraine to hold free and fair presidential elections. Scandinavian states and their citizens, too, have demonstrated a commitment to foreign policy approaches that promote democratic change and expand human rights.

The strengthening of the commitment by this array of states for Ukraine's integration aims would make a crucial contribution to the new democracy's successful transition.

Today, policies are shaped as much by politicians as by media, public perceptions, and the actions of non-governmental actors. This is why, in addition to pursuing diplomacy, Ukraine needs eminent persons and networks of groups to declare their clear support for Ukraine's integration aims.

A far-reaching initiative to advocate Ukraine's place in the European Union would contribute significantly to the more consistent implementation of Ukraine's political, economic, social, and environmental reform agendas. A firmer commitment from Europe would not only promote internal democratic reforms and stimulate new foreign direct investment in Ukraine, it also would reduce the temptation and opportunity for Russia to reassert its hegemony.

The Orange Revolution demonstrated the emergence of a maturing citizenry and a developed democratically-oriented media and civil society in Ukraine. It is now time for civil society and the governments of democratic Europe to respond to the emergence of this new democratic presence on the European scene.

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