

Ukrainian Politics and Elections: Yanukovych's First 200 Days



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Optimistic Comment 1 (Karatnycky, Atlantic Council of the US)



Oligarchs have Changed:

- Transparent;
- ‘Contract enforcing’ ;
- Pro-European integration and EU membership;
- Undertake philanthropic work;

Yanukovych:

- Yanukovych ‘has undergone a transformation’ ;
- ‘comfortable with the give-and-take of pluralistic politics’ ;
- Odious appointments will be reversed;
- Committed to economic reforms;
- Exaggerated pro-Russian foreign policy;
- ‘normal political leaders seeking to build a European state’ ;

Optimistic Comment 2 (Wilson, European Council Foreign Relations)



- ‘Ukrainian Titoism’ : multi-vector foreign policy: ‘Titoist balancing games are deep-rooted amongst the elite’ ;
- Oligarchs block Russian economic takeovers: ‘They still want to protect their own back-yard’ ;
- Gas subsidies delays energy reforms and maintains corruption;
- Russophiles (Tabachnyk) are not signs of a shift in policies;
- EU is silent on membership prospects;

First Year in Office



- Growing credibility gap between words and deeds: return to Kuchma era virtual politics.
- These deeds are leading to a growing viewpoint in the West of:
 1. Neo-Sovietisation;
 2. KGBisation of the SBU;
 3. Democratic rollback and authoritarianism;
 4. Movement towards Kuchma-era soft authoritarianism or Putin hard authoritarianism?

Rule of Law



Ukraine should play by the rules – not with the rules. EU Foreign Policy Chief Javier Solana to President Kuchma, 2002

1. Insufficient votes or worried about losing a referendum to change the constitution, then pressure the Constitutional Court.
2. Insufficient votes to establish a parliamentary coalition, then change parliaments regulations and pressure the Constitutional Court.
3. Can't win elections in Kyiv, then liquidate rayon councils and change the law to have the mayor appointed as the governor.
4. Insufficient votes to change the constitution to make Russian a state language, then adopt a law giving regional autonomy on language issues.
5. Don't like the Supreme Court because of December 2004, then use legal reforms to make it irrelevant;
6. New Prosecutor-General: Viktor Pshonka has a discredited past in Donetsk where he covered up murder of journalist Ihor Oleksandrov.

Constitution



‘What took place is illegal, unconstitutional, illegitimate and unnecessary for Yanukovich’.

‘Ukraine is moving to Russia’.

Mikhail Pogrebynsky,

Director, Ukrainian Centre for Political and Conflict Studies, October 2010

1. CEE and Baltic states adopted parliamentary constitutions - became democracies, joined NATO and the EU;
2. CIS states adopted presidential constitutions - became authoritarian.

Re-KGBisation



- SBU moving towards KGB-FSB model to a greater degree than under Kuchma;
- SBU has investigated and created a climate of fear:
 1. Human rights NGO' s;
 2. Feminist NGO;
 3. Historians and academics;
 4. Journalists;
 5. Political opposition
 6. Foreign foundations;

Local Elections 1: Background



- Eve of elections: 58% Ukrainians believe there will be election fraud;
- Did not meet international standards;
- Authorities control majorities in all election commissions;
- Cloning of Fatherland Party lists of candidates;
- Refusing to register opposition candidates;
- Denial of media access;
- “Campaign against corruption” targetted Tymoshenko;
- Virtual-loyal nationalists: Svoboda (Freedom) Party;
- Abuse of administrative resources ;

Local Elections 2: Results

Official Results

1. Party of Regions 36%
2. Batkivshchynma 13%
3. Front Zmin 7%
4. KPU 6%
5. Svoboda 5%
6. Silna Ukraina 4%
7. Nasha Ukrayina 2%

Real Results?

1. Party of Regions 25%?
2. Batkivshchynma 20%?
3. Front Zmin 10-12%?
4. KPU 6%✓
5. Svoboda 5%✓
6. Silna Ukraina 6-8%?
7. Nasha Ukrayina 2%✓

Corruption 1: Virtual Struggle



- No serious fight against corruption: National Anti-Corruption Committee met only once in 6 months;
- International audit of only 1 out of 14 governments and no audit of 3 presidents;

1. *'We don't see any real fight against corruption'.*
2. *'Ukraine undertakes the least efforts in the struggle against corruption among well known countries'.*

*Drago Kos, Chairman, Group of States Against
Corruption,
Council of Europe*

Corruption 2: Tymoshenko



‘We welcome the fight against misuse of taxpayer money in Ukraine. Any government official in a democratic country should be held accountable. But judging by the information coming from Ukraine, the recently released audit has serious flaws and in my view was not independent. It was carried out at the bidding of a new government against its predecessors. It is very difficult to assert that we are dealing here with a fully-fledged investigation and not a witch hunt’ .

Nicholaus Marshall, Regional Director, Transparency International

Protests: Yanukovych's First Year



- Orange Revolution legacy: citizen efficacy, civil society, free elections, media pluralism;
- Ukrainians have not remained cowed:
 1. *Journalists*: Stop Censorship! NGO (May);
 2. *Academics*: Ukrainian Catholic University;
 3. *Political*: Language law making Russian official language, draft law limiting right to protest,
 4. *Middle Class Businesspeople*: tax code and preferences for oligarchs.
 5. *Gender*: Femen womans NGO.

Middle Class Revolt 1: Background

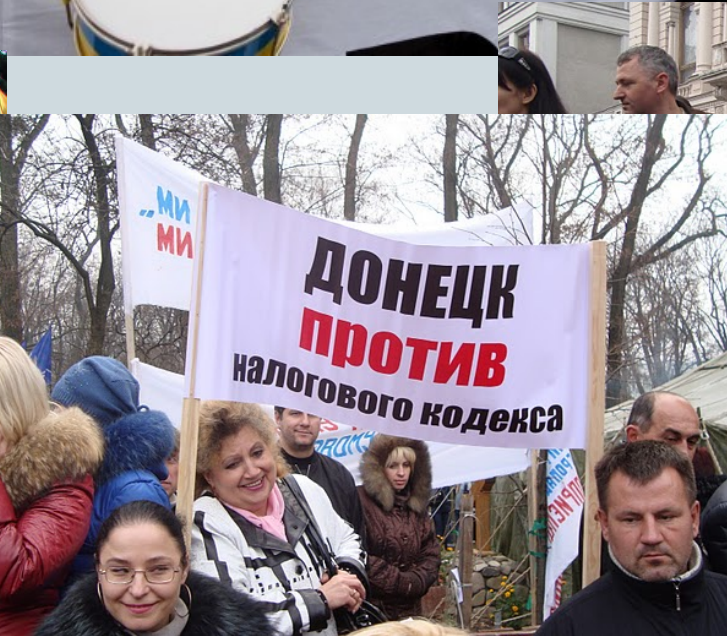
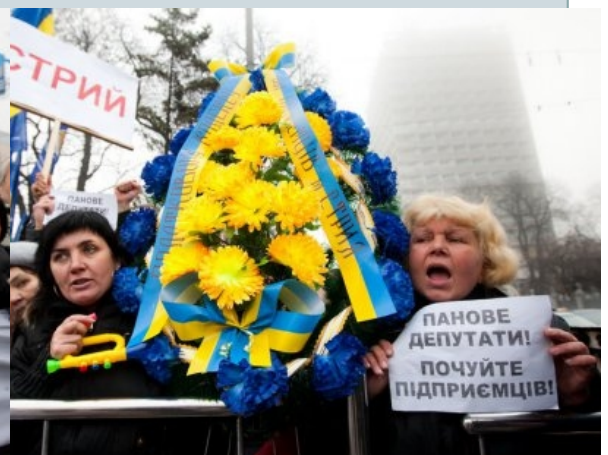
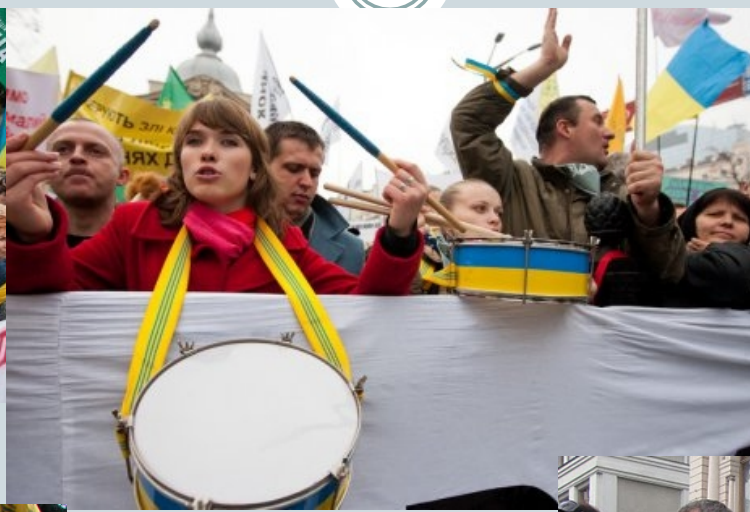


- Autumn 2010: SME (middle class) across Ukraine protesting draft new tax code;
- Largest protests: 50,000 (November 2010);
- Orange Revolution demands revived.

Political and Election Backlash?

1. Protests damages credibility of Azarov government and Yanukovych: promised 5 year tax holiday for SME' s;
2. Deputy Prime Minister Tigipko' s support plummeted to 4% and 6th place (overtaken by Yatseniuk);
3. Yanukovych failed to heed protest demands and dismantled tent city.

Middle Class Revolt 2: November 2010 Protests



Explanation 1: Soviet/Eurasian Political Culture



Question 1: How do we explain stable levels of support for Yanukovich/Party of Regions compared to unstable levels of popularity for 'orange' leaders?

- 1 Managed democracy in Donetsk;
- 2 Different political cultures in East and West lead to different views of democracy;
- 3 Communist Party/Party of Regions voters:
 - Lukashenka and Putin voters;
 - Prioritize order and economic issues over democracy;
 - Generally apathetic towards democracy;
 - Exhibited apathy towards mass protests in 2000-2004;
 - Murdered Eastern Ukrainian journalists (Igor Aleksandrov [2001] Vasyl Klymentiev [2010]) did not lead to mass protests, unlike Gongadze (2000) in Western-Central Ukraine.

**Explanation 2: Soviet/Eurasian Political Culture
(International Foundation for Election Systems, September 2010)**



Question 2: Democracy is not good at maintaining order?

- 47% agree
- 36% disagree

Question 3: More important for leaders to maintain order than protect democratic rights?

- 37% agree
- 38% disagree

Explanation 3: Soviet/Eurasian Political Culture (IFES Survey, September 2010)



Question 4: Should your leaders priority be the economy or democracy?

- Economy: 45%
- Democracy: 33%

Question 5: What is the closest to your viewpoint?

- 52% A Non-Democratic government could be preferable or replied 'Don't Care'
- Democracy is preferable to other systems 32%

Explanation 4: Soviet/Eurasian Political Culture (IFES Survey, September 2010)



Question 6: Are you concerned about the Yanukovych administration's impact on democratic rights?

- Believe that Yanukovych respects democratic rights 26%;
- Alarmed and concerned at threats to democratic rights 52%;
- 52% is higher than 32-38% who support democracy in questions 1-5;
- 15-20% difference are 'Revolutionary Agnostics' or swing voters (in contrast to 'Revolutionary Enthusiasts' and 'Revolutionary Opponents') in Orange Revolution (IFES);
- 'Revolutionary Agnostics' are more likely to stay at home ('Plague on all your houses') as are less committed to politics.

International Criticism of Creeping Authoritarianism



Democratisation:

1. British Minister of State for Europe;
2. European Peoples Party;
3. European Parliament;

Constitution and Supreme Court:

1. Venice Commission on legal reforms:

Elections:

1. European Union;
2. US Mission to OSCE at OSCE Human Dimension conference;
3. Congress of local and regional authorities;
4. National Democratic Institute and International Republican Institute;
5. Reporters Without Frontiers;

US Views of Yanukovych and the Party of Regions (Wikileaks) 1



- First half of Yushchenko era: skeptical that had changed since 2004;
- Second half of Yushchenko era: Party of Regions respected two free elections and has changed;
- In power (201): do not respect democracy;
 1. Yanukovych never acknowledged 2004 election fraud: was elected, blocked by US conspiracy, anti-Americanism;
 2. Party of Regions: haven for 2004 election fraud organizers, committed abuse of office;
 3. 2006 cable: Party of Regions would return to non-democratic roots if return to power.

US Views of Yanukovych and the Party of Regions (Wikileaks) 2



- Damon Wilson, National Security Council (2006):
 1. Party of Regions ‘a haven for Donetsk-based mobsters and oligarchs’ ;
 2. Rinat Akhmetov: ‘Donetsk clan godfather’ ;
- Leonid Kuchma (2010):
 1. Presidential elections were a choice between ‘bad’ (Yanukovych) and ‘very bad’ (Tymoshenko);
 2. Sevastopol: would Russia have withdrawn in 2017? If not, would the West have supported Ukraine?

EU Integration



- First post-communist state seeking only EU membership (NATO membership goal dropped);
- Is Ukraine interested in EU membership? Cannot choose between domestic Putinism and EU integration;
- Oligarchs, domestic policies and Free Trade Agreement;
- Second Lukashenka Syndrome: criticism will push Yanukovych to fully embrace Russia;
- EU: stability or democracy?

Yanukovich: Stability?



- 44% of Ukrainians believe Ukraine is heading for instability: double the number who believe Ukraine is heading for future stability (IFES survey, October 2010);
- Not implementing election promise of seeking national integration;
- Regional, religious, political and cultural divisions growing;
- **EU supports democracy or stability in Ukraine?**