



UKRAINE'S ELECTIONS: THEMES AND VARIATIONS

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The outcome of Ukraine's presidential elections (the first round scheduled for 31 October) is likely to reflect a balance of internal and external factors, including perceptions of Western policy. Since independence, Ukraine's foreign policy has been shaped by the capacity of the country and the balance of forces inside it. At the same time, the internal balance of forces has been critically sensitive to the way outside powers view Ukraine and treat it. The internal balance itself is complex. It includes political figures and economic groupings who fear their interests will suffer if *either* of the two leading contenders is elected.

How is the interplay of internal and international factors likely to bear on foreseeable outcomes? The following four possibilities may help in identifying future UK policy options:

1. **Victory of Yushchenko.** The victory of the main Western-oriented opposition candidate would be the prelude to a clear outcome, rather than a conclusive outcome in itself. Few of Ukraine's core institutions are Western in their values or their conduct, and several of them are powerful and resourceful. The challenge for Yushchenko will be to hold power rather than simply hold office. If he has the capacity to govern, then his victory might be the best outcome for Ukraine. But the worst outcome would be if he wins and then fails.

Ukrainians who want him to fail are bound to find help. A key question is whether Russians will be amongst those who help and, if so, with what degree of sanction and coordination from the Kremlin. It is an open question, because there is a pragmatic tradition in Russia of accommodating to undesirable realities once they are realities. But there is also a tradition of saying one thing and doing another – or of finding somebody else to do it. President Putin appears to believe that Russia will retain substantial influence over Ukraine, whoever is elected. But a Yushchenko victory will be a colossal challenge for Russia, and it will force policy makers back to their drawing boards.

It will also be a challenge to the West, whose policies have strongly influenced Ukrainian perceptions about 'the art of the possible'. The perception that 'the West doesn't want us' has heavily dampened the reformist impulse in the country. It will prove very difficult for Yushchenko to succeed unless the West changes these perceptions about its attitude and policy. For NATO, which has always maintained an 'open door' policy, this will not be a radical challenge. Nevertheless, its standing has diminished after the September 2003 Tuzla crisis and the June 2004 Istanbul summit. To regain it, NATO will need to treat the NATO-Ukraine Action Plan as a

transition to a Membership Action Plan rather than an alternative to it. For the EU, adjustments will be more difficult. The challenge will be to provide a path out of 'New Neighbourhood' (which includes Belarus, Morocco and Israel) towards a closer, 'distinctive' association. Such an association need not presuppose eventual membership, but should not rule it out. The EU will also need to move beyond 'conditionality' to the provision of mechanisms that tangibly support institutions engaged in serious reform. The question is whether Western policy makers will be prepared to make these changes. If they are not, Yushchenko will feel undermined from the West as well as the East.

2. Democratic Victory of Yanukovych. Provided his victory had the ring of legitimacy, the current Prime Minister would find himself in a strong position. Paradoxically, because his demands are fewer than Yushchenko's, his choices would be greater. The practical question about him and Euro-Atlantic integration would be, 'does he want it?' Western governments would need to put this question early. They would also need to remind Ukraine's new president that integration means, by definition, the involvement of Euro-Atlantic institutions in specific areas of internal affairs. Perhaps for this reason, Yanukovych appears to want a solid, mutually beneficial relationship on the basis of cooperation rather than integration. Despite his Russophile image, he wishes to retain a Western counterbalance to Russian influence. Yet he regards Ukrainian society and Western (even Central) European society as very different from one another – and like Russia's President Putin, he wants these differences to be respected rather than overcome.

If that is his position, Yanukovych would earn respect by stating it, and Western governments would live with it. But if he insisted, against all appearances, that 'the course of Euro-Atlantic integration is irreversible', he would not earn respect, and he might find himself alone just at the moment that he needs support. That moment might come early, because President Putin does not like Yanukovych's independence, let alone his independent power base, and it would be surprising if he did not swiftly test the limits of each. The UK and its allies need to be prepared for this possibility. If we are caught napping (as NATO was over Tuzla), then Yanukovych might feel he has no alternative than to make concessions damaging to Ukraine's interests (and possibly our own).

3. An undemocratic Yanukovych. If Yanukovych's victory is secured by fraudulent means, the atmosphere between Ukraine and the West would be soured for a considerable period of time even if (as Yanukovych insists) these measures are undertaken by others to manipulate, isolate or discredit him. In this atmosphere, there might be little possibility to explore the limits of Yanukovych's pragmatism or establish a foundation of common interests. Even if it remained geopolitically desirable to do so, it would prove difficult politically. The possibilities would diminish further, and probably very sharply, if Yanukovych's victory became the prelude to pressure against democratically minded institutions in the country.

4. The suspension of elections. Article 106, Paragraph 21 of Ukraine's constitution grants the President 'in the event of necessity' the power to adopt a state of emergency 'in Ukraine or in its particular areas'. But whatever the legal pretext, would those who suspended Ukraine's elections continue to be regarded as legitimate authorities by Western governments? Some Western representatives have warned the authorities against taking this step. Has Russia warned them against it? How would Ukrainians sworn to uphold the constitution interpret their duties if such a step were taken? Of all scenarios, this is the one that has the potential to produce a crisis not only in Ukraine, but in Europe.