

West not yet ready to slap sanctions on Yanukovich

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There is speculation that the West will respond to growing authoritarianism in Ukraine and election fraud in the Oct. 28 vote with sanctions and visa blacklists.

The discussion is fueled by the adoption this month by the U.S. House of Representatives of the Sergei Magnitsky bill, now considered by the Senate.

The Magnitsky bill – named after the lawyer who died of mistreatment in prison in 2009 after exposing high-level corruption in Russia -- introduces the possibility of freezing the financial assets and banning entry to the United States of persons responsible for Magnitsky's persecution .

German member of parliament Rebecca Harms says the European Parliament is discussing a similar bill. The European People's Party, to which imprisoned Ukrainian ex-Prime Minister Yulia Tymoshenko's party is an associate member, is calling for sanctions. Party spokesperson Elmar Brok called for visa bans for "those who are responsible for selective justice in Ukraine."

But don't hold your breath with the European Union. Unlike the U.S., the EU speaks with many voices.

President Viktor Yanukovich's administration and Ukrainian elites are cynical towards the EU, but afraid of the U.S. reaction. U.S. political consultants and lobbyists are active on behalf of Ukraine in Washington, but the Yanukovich administration does not invest to a similar extent in lobbyists and consultants in Brussels.

However, the most important factor today is that U.S. President Barack Obama's administration and the EU have other priorities at home and abroad. Ukraine is not one of them. Ukrainian leaders have created Ukraine fatigue in Brussels and Washington. Many Western policymakers are pessimistic about change in Kyiv. The country will continue to go nowhere politically until its divisions are bridged.

Ukraine's Foreign Ministry overestimated the nation's geopolitical importance and believed the West would turn a blind eye to human rights violations. The EU largely ignored Ukraine's slide to authoritarianism in 2010 and only became critical when Tymoshenko's abuse-of-office trial began in 2011. Kyiv misjudged how Tymoshenko's imprisonment became a red line for the EU.

Former US Ambassador to Ukraine Steven Pifer, now at the Brookings Institution in Washington D.C., wrote: "Part of Mr. Yanukovich's obstinacy may result from an inflated sense of Ukraine's geopolitical weight." (<http://www.brookings.edu/research/articles/2012/06/01-ukraine-russia-pifer>)." This month, a BBC HardTalk presenter quoted Pifer's observation to Yanukovich foreign policy adviser Leonid Kozhara. Instead of answering the question, Kozhara dismissed the former ambassador as a "supporter of the [2004] Orange Revolution" that favored Yushchenko and went against Yanukovich.

For a dwindling group of EU members, Poland among them, Ukraine's geopolitical importance remains more important than human rights. Kyiv is, in turn, seeking to increase Ukraine's geopolitical importance in Washington through choosing U.S. energy companies to explore Ukraine's untapped oil and gas potential.

The West has no appetite for sanctions. Ukraine would have to look a lot more like Belarus and Russia before sanctions would become a reality. Western descriptions of the Oct. 28 parliamentary election as "free but not fair" means they believe they were worse than elections held in Eastern Europe but better than in Eurasia.

The authorities attempted to walk a tightrope. They used state administrative resources to ensure that the president's Party of Regions controlled a parliamentary majority ahead of the 2015 presidential elections. At the same time, they hoped to not be forced to undertake massive overt election fraud of the kind that led to the Orange Revolution. They feared that such fraud could lead to Western sanctions.

The only potential Western reaction to Ukraine's elections will be to expand the current visa blacklist from the Ukrainian president to other senior officials such as those in the General Prosecutor's Office.

Yanukovych is no longer invited by Western governments. In 2010 and 2011, Yanukovych made 49 overseas trips combined. This year, he's made 10, only one of which was to a Western country (Cyprus). A visa blacklist will require the U.S. to put pressure on the EU. The EU will never take the initiative.

U.S. Secretary of State Hilary Clinton and German Chancellor Angela Merkel refused to shake Yanukovych's hand or be photographed with him at the May Chicago NATO summit. Former U.S. Secretary of State Condoleezza Rice did the same at the September Yalta European Strategy summit. Yanukovych only travels to the West for conferences.

Ukrainian oligarchs will not be visa blacklisted because of two reasons. Firstly, there is no evidence linking them to election fraud and being behind the trials of former government officials such as Tymoshenko.

Secondly, Ukrainian and Eurasian oligarchs are welcomed in Western Europe while discouraged from travelling to the U.S. As a recent front cover of *Korrespondent* magazine shows, London could be renamed Kyiv-on-the-Thames or Donetsk-on-the-Thames.

In the last 12 years, Ukraine's political leadership has been twice blacklisted by the West. The first time came after the 2000-2002 scandals involving ex-President Leonid Kuchma allegedly caught on tape committing lots of crimes that he denies. Today, Ukraine's European integration is being held hostage by a president's desire for personal revenge.

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