

Ukrainian Week

The Ukrainian Week (Ukrayinskyi Tyzhden)

July 11, 2011 •

Taras Kuzio

The Yulia Tymoshenko Case: Why it Matters

The launch of the trial of Yulia Tymoshenko on 29 June is an unprecedented step coming just two months before Ukraine celebrates its twentieth anniversary of independence. To put this into historical context, this is the first occasion in three decades that political repression has returned to Ukraine. The last occasion when the state, then the Soviet Union, undertook repressive policies against the opposition was under Ukrainian communist leader Volodymyr Shcherbytsky.

Shcherbytsky came to power in 1972 when the KGB launched what the samizdat journal Ukrainian Herald described as a 'Pogrom' of dissent and culture. Tens were arrested and hundreds intimidated to recant or were dismissed from their positions leading to the introduction of an all-embracing policy of russification.

The Kravchuk and Kuchma, and Yanukovych and Azarov generation, who are in their 70s and 60s respectively, are the

direct descendants of the Shcherbytsky era when they made their careers in the Soviet Ukrainian Communist Party and government. The political culture, hatred of the opposition, cynicism, corruption and contempt for average people emerged under Shcherbytsky and during Soviet leaders Leonid Brezhnev's 'era of stagnation.'

After two decades of independence has Ukraine returned to the Soviet era? The signs pointing in this direction were already there last year after Viktor Yanukovich came to power with the return to KGB style tactics by the Security Service (SBU) against academics, students, civil society leaders, journalists and opposition leaders.

The domestic ramifications of a return to Shcherbytsky era political repression are that for the first time in independent Ukraine the 'party of power' (Party of Regions) seeks to fuse with the state, drawing on a cultural inheritance from the Soviet era when the Communist Party and state were one and the same thing. Two other Soviet revivals are an acute intolerance towards dissenters (i.e. the opposition) and unwillingness to leave office.

Therefore, there cannot be free elections in 2012 and 2015 to parliament and for the as it is an oxymoron to believe a free election will exist if the main opposition force is decapitated. Between 2013-2016 Freedom House will downgrade Ukraine from 'Partly Free' to 'Not Free,' that is, from semi-authoritarian to authoritarian and a second 'Belarus' will have emerged in the EU's Eastern Partnership neighbourhood. Ukraine already has over thirty people persecuted for political reasons and the list is growing and fast approaching the 40 found in Belarus.

Internationally, the return to political repression will deepen Ukraine fatigue that began during the latter Yushchenko era.

Over the last eighteen months of the Yanukovich presidency the range and number of statements, resolutions and critical remarks made by international organisations, human rights NGO's and Western governments on democratic regression in Ukraine has been unprecedented.

This is dangerous at a time when the US has geopolitically withdrawn from Eurasia and is not providing leadership to Europe. The EU on the other hand has shown that it is unable to operate in its neighbourhood, whether in Eurasia or Northern Africa in the Arab revolt, without US leadership.

NATO has no leverage in Ukraine after Yanukovich became the first president to drop the goal of NATO membership. Meanwhile, EU membership is not on offer. The only two policy leverages the West possesses are the IMF programme and 'EU enlargement-light' (Association Agreement).

The IMF has used 'carrots and 'sticks' towards Ukraine, offering \$15.1 billion in its July 2010 agreement, which it then suspended in the spring after Ukraine reneged on its commitments. The EU uses 'carrots and 'sticks' during enlargement to membership but not in 'enlargement-light.' The EU has only offered the 'carrots' of a visa free regime and Deep Comprehensive Free Trade Agreement (DCFTA) as part of an overall Association Agreement but is unwilling to use 'sticks' for unacceptable behavior.

With the return to the Soviet era of combating the opposition it is time for the EU to begin to use 'sticks' by threatening to withdraw 'carrots' that are on offer. Normal diplomacy has failed as the Ukrainian authorities respond in a Soviet fashion by demanding the West does not lecture them or by denying any democratic regression is taking place.

The only policy that should be applied towards the disciples of Soviet era policies is to delay signing of the DCFTA until after the 2012 elections and refusing to sign it if the elections do not meet democratic standards in the eyes of the OSCE.