

# **The difficulties in knowing the winning rules for play**

By Taras Kuzio,  
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At a Warsaw conference on Ukraine in October 2002, Javier Solana, EU High Representative for Common Foreign and Security Policy, chided President Leonid Kuchma for “not playing by the rules.” The question is, what are these “rules,” and who writes them?

The rules of the game Solana was pointing Kuchma towards adopting are drawn up by a multitude of Western European, American and Canadian institutions, governing such disparate areas as civil society, defense, international finance, corruption, economic freedom, human rights and the media.

Ukraine’s leaders have long complained that most civil society initiatives are funded by Western government aid agencies and foundations. The major source of financing for such initiatives in Ukraine remains Western, particularly U.S., foundations. Viktor Medvedchuk, head of the Social Democratic Party of Ukraine united (SDPUu) and head of the Presidential Administration, complained last year that American influence over Ukraine’s civil society is unrivalled. His clear meaning was that U.S. assistance is biased towards supporting pro-western and anti-presidential groups.

## **EU and NATO**

Post-communist states understand that to be a member of “Europe” means being part of the Euro-Atlantic community, i.e. the European Union and NATO. Within the CIS, only Ukraine and Moldova seek to join the EU; Ukraine also wants to join NATO.

EU officials, such as Foreign Affairs Commissioner Chris Patten, have in the past ruled out Russian and Ukrainian membership in the EU. Solana has diverged from that position with his statements that the door is still potentially open to applicants such as Ukraine. Which view is correct, the open door or the closed door policy towards Ukraine?

With regard to NATO the rules are clearer because, unlike the EU, NATO has adopted an open door policy on membership. Within the CIS, only Ukraine could be in line for NATO membership in the third wave of enlargement later this decade – if, that is, it finally decides to play by the “rules.” Ukraine could be perhaps joined by Albania, Macedonia and Croatia, three countries aspiring to membership, but left out of the second enlargement in 2002.

### **November 2002 Summit**

NATO’s Euro-Atlantic Partnership Council (EAPC) meeting for 2002, ending the Prague NATO summit that occurred this month, was a confusing affair. One leader, Belarusian President Aleksandr Lukashenko, was not invited. President Kuchma’s invitation was withdrawn, but he chose to go to Prague anyway.

On top of this, all the EU members and the 12 prospective members set to join in 2004-2007 agreed to impose a ban on Lukashenko and his top officials (a similar ban was imposed on Transdniestr leaders). No ban was imposed on Kuchma, as evidenced by his visits to Austria and Italy.

Why has Western policy adopted such an inconsistent and variegated policy towards the CIS? The answer lies in the realities of geopolitics. The bigger you are, especially if you have nuclear weapons, the less likely you will be penalized for human rights abuses or infringements of international law, such as arms trafficking.

The ostensible reason for the Europe-wide ban on Lukashenko is human rights abuses in Belarus. A second reason was the denial of visas to the Organization of Security Cooperation in Europe, which needed them to continue its operations in Minsk.

President Lukashenko was upset that the OSCE concluded that the September 2001 presidential election, in which he won in the first round with 75.62 percent, was not “free and fair.”

Of course the Belarusian presidential election wasn't free and fair. The Armenian and Azerbaijani elections in March and October of this year weren't free or fair either. The EU, however, has not imposed travel restrictions on the presidents of these two countries.

Attempts by Lukashenko to close the OSCE office in Belarus should be condemned. At the same time, the EU imposed no restrictions on Russian officials after the OSCE Assistance Group to Chechnya office was closed in March.

### **Lukashenko, Milosevic and Mugabe**

The EU has only ever approved similar travel bans on two earlier occasions, for Zimbabwe's President Robert Mugabe and former Serbian President Slobodan Milosevic. But is Lukashenko really in the same league as Milosevic? After all, he has never been accused of “crimes against humanity,” something for which Milosevic is now on trial in The Hague.

### **Human Rights and Geopolitics**

NATO's and the West's differing policies towards the CIS states are a reflection of the particular strategic importance that each state has. After the Sept. 11 terrorist attacks against the U.S., Uzbekistan became

a strategic U.S. ally against the Taliban regime in Afghanistan. Helsinki Watch has accused Washington of turning a blind eye to human rights abuses in Uzbekistan, which it claims holds 6,000 political prisoners.

The impact of the Kuchmagate crisis on Ukraine reduced Russian hostility towards NATO enlargement, and the U.S.-Russian anti-terrorist alliance formed after Sept. 11 reduced Ukraine's importance to the U.S. as a "strategic partner." Kyiv has attempted to redeem itself by sending the fourth largest peacekeeping contingent to Iraq, a highly unpopular move inside Ukraine.

Helsinki Watch and other human rights organizations have accused the West of restraining its criticism of Russia's Chechnya policy since Sept. 11. Russia has obtained de facto Western acquiescence in portraying the Chechen conflict as an "anti-terrorist" operation.

### **Illegal Arms Exports**

In what way, then, can countries be influenced to adopt the "rules of the game?"

It's well-known that the United States (and the UK) accused Ukraine of selling sophisticated radars illegally to Iraq. But the U.S. also knew last year that Russia had been exporting military equipment to Iraq. These revelations were publicly aired only after U.S., UK and coalition forces intervened in Iraq in March. Why did knowledge of Russia's dealings with Saddam Hussein not lead to Russian President Vladimir Putin's being isolated, like Kuchma was?

All would agree that Ukraine has a poor record on media issues, and the authorities' failure to resolve the murder of opposition journalist Georgy Gongadze has soured relations between Ukraine and the West. But Russia's record is just as bad. This year Freedom House downgraded Russia from "partly free" to "not free" in terms of its media situation. (Ukraine is also "not free.")

## **How to Play “By the Rules”**

The new post-Cold War rules of geopolitics and human rights are often unclear and contradictory.

Judging by the preceding analysis, the rules of geopolitics seem to be as follows. If you possess nuclear weapons, you are criticised less for human rights abuses or other democratic infringements. This applies especially to Russia, whose policies in Chechnya are terrible.

If you are a middle-ranking state, with no nuclear weapons, you can still get away with human rights abuses if you are a strategic partner, such as Uzbekistan has been since Sept. 11. Egypt is the second biggest recipient of U.S. aid, and yet it has an authoritarian, highly corrupt regime.

Ukraine crossed the line when it allegedly sold military equipment to an “axis of evil” state, Iraq. In other words, it failed to heed Solana’s advice, and stopped playing by the rules.

This is because Ukraine’s ruling elites increasingly want to play only by their own rules. They fail to apprehend that playing by rules commonly adopted by CIS members is the main reason their foreign policy goal of Euro-Atlantic integration is unachievable.

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