

ELECTIONS  
IN UKRAINE

LEGAL ASSESSMENT  
OF THE 2014 RUSSO-UKRAINIAN WAR

US AMBASSADOR GEOFFREY PYATT  
ON CHALLENGES FOR UKRAINE

international edition

# The Ukrainian Week

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ТИЖДЕНЬ

# Rapid Response Elections

The impressive victory of pro-European forces in the party lists must be put to work toward rapid and irreversible reforms, otherwise it will quickly turn into an equally impressive defeat

**T**he parliamentary elections were a dizzying success for pro-European candidates. Yet a cursory look at the results created a misconception among the public that the domination of Parliament by pro-European political forces is permanent, and the threat of revenge by former Party of Regions members and the pro-Russian project has passed. However, deeper analysis reveals the fallacy of such findings and the serious dangers hidden beneath the surface.

Indeed, pro-European candidates won party lists in every region except the liberated areas of Donetsk and Luhansk oblasts. This seems to finally put to rest the popular narrative of Ukraine as a nation divided by regional pro-European and pro-Russian leanings. The margin of victory was least pronounced in Odesa and Kharkiv oblasts, but even there, pro-European parties garnered more votes than the three pro-Russian parties in most electoral districts. The exceptions are five districts in the Kharkiv region (171-173, 176, and 178) and one in the Odesa region (143).

This year's parliamentary election results show significantly greater gains by pro-European candidates in southern and eastern regions than were made in previous elections. Pro-European candidates with party affiliations and independent candidates with similar views gained at least 26 seats. Victories in Mykolayiv and Kherson regions formed a large part of these gains (10 out of 11 seats). Another interesting feature of this election was the success of the nationalists in central and eastern Ukraine, and their devastating defeat in most districts of western Ukraine.

Overall, pro-European political forces won 198 seats on party lists, while the "opposition bloc" ended up with only 27. If the elec-

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**Kramar**

tion were held on a proportional basis, the corresponding ratio of deputies in Parliament would be 396 to 54. In this example, the Bloc of Petro Poroshenko (BPP) and Arseniy Yatseniuk's People's Front could form a coalition without the involvement of other political forces, holding 126 and 128 seats respectively for a stable 254-seat majority. However, each of

these two parties could separately attempt to form coalitions with other "Maidan parties".

However, the strong gains by pro-European political forces were fed by the temporary demoralization of the pro-Russian electorate, which resulted in low voter turnout in the southern and eastern regions (32-42%) and higher mobilization of the electorate in west-





ern regions (60-70%). Therefore, the longevity of the changes affecting the country's electoral landscape should not be overestimated: change is taking place, but it is not as significant as the elections of October 26 would suggest. After all, of the 30.4 million registered voters, less than 10.9 million voted for the five pro-European parties that joined the Parliament (12.4 million including Svoboda (Freedom) party, Anatoliy Hrytsenko's Civil Position party and the Right Sector).

The fact that the pro-Russian triad (United Opposition, the Communist Party, and Serhiy Tihipko's Strong Ukraine) garnered only 2.6 million votes in this election does not mean that they will not reap three or four times more in the next elections—not due to

changing preferences, but simply better mobilization of pro-Russian voters. At the same time, the disappointment of pro-European voters could significantly reduce their participation in the next elections. This dangerous process is already clearly visible. In the May 25 presidential election, pro-European candidates received 14.3 million votes, while that number had shrunk to 12.4 million by the October 26 elections. Thus, 95% of the reduction in overall voter turnout between the two elections from 18 to 16 million was due to the decrease in support for pro-European candidates.

It is a dangerous illusion for the President and Prime Minister to assume that they have four years until the next election. Nothing and no one can guarantee that

The strong gains by pro-European political forces in the October 26 elections were fed by the temporary demoralization of the pro-Russian electorate

The strong gains by pro-European political forces in the October 26 elections were fed by the temporary demoralization of the pro-Russian electorate

the next elections will not take place four months from now: last winter, Yanukovych also believed that he still had a year until the presidential election and nearly three years until the parliamentary elections. It would be similarly short-sighted for the favorites of this election (People's Front or Andriy Sadovyi's Samopomich (Selfreliance)) to think that they were "on top of the world" to stay. Credit quickly erodes trust. 9.9 million people voted for Poroshenko on May 25, and on October 26 only 3.45 million chose his party. Thus, this is no time for the pro-European forces to relax and rest on their laurels.

The rapid, even feverish change of public sentiment that was reflected in the significant decline in support for the BPP and the growth of the People's Front and Samopomich is an excellent example of the complete confusion in which the Ukrainian public finds itself, ready to jump from the known to the unknown without



## NO ONE CAN GUARANTEE THAT THE NEXT ELECTIONS WILL NOT TAKE PLACE FOUR MONTHS FROM NOW

any certainty that it will better fulfill their expectations. This situation demonstrates the dominance of political infantilism, messianic illusions and simple emotions over common sense among the majority of voters: while avoiding grassroots organization and refusing to accept greater responsibility themselves, they frantically scan the proposed political menu for the next victim upon which all responsibility for their fate and the fate of the state can be shifted.

Meanwhile, other "new" political projects are successfully exploiting this situation of confusion. Established shortly before the election, Zastup (Spade) agrarian party led by former Yushchenko Chief of Staff Vira Ulyanchenko won the support of 3-6% of voters in 10 oblasts - from Zaporizhia and Odessa to Vinnytsia, Sumy, Transcarpathia and Chernivtsi. The project garnered 10-16% of the vote in some agricultural constituencies.

In the future, this electoral volatility and exaggerated infatua-

71 ex-Party of Regions MPs or members of the pro-Yanukovych majority in the previous parliament got through to the new one through FPTP districts: 50 won in south-eastern regions, 20 ran in Central Ukraine, and 1 did in Zakarpattia

Western and central regions voted for many Maidan or ATO activists who ran independently and distanced themselves from any party



PHOTO: ANDRIY LOMAKIN

tion with “fresh faces” increases the threat that Moscow’s puppet masters might employ manipulative techniques to exploit the current Ukrainian spirit of dissent.

The new coalition’s first priority should be to change the electoral system in order to put an end to the majority, of first-past-the-post system, and, ideally, to introduce a system of open lists.

The FPTP component strongly distorted the election results this time around. Several nominees were able to get into parliament with only 15-25 thousand votes and as few as 1,500-7,000 votes in some Donbass districts liberated by the ATO (Anti-Terrorist Operation). For comparison, parties needed 55,000 votes to get a single seat in parliament. With their excess of voters, FPTP candidates “compensated” for lower turnout in the southeastern regions formerly dominated by pro-Russian and Party of Regions forces, greatly increasing their level of representation in Parliament (see p. 8).

This was accomplished not only by bribing voters, establishing a critical mass of sympathizers among district and oblast electoral commissions, or through the support of administrative resources (because the same ex-Party of Regions members still control local government in the southeast). The number of electoral districts is determined by the number of voters registered in a given area. Due to the lower actual turnout in southern and eastern electoral districts, the party lists garnered significantly fewer votes than those in central and western Ukraine. However, this rule did not hold true in the FPTP districts, where one MP was elected for each district regardless of the number of voters.

As a result, in the part of the Donbas controlled by Ukraine, 598,000 voters (3.7% of voters nationwide) elected 17 FPTP MPs to parliament (8.6% of 198 elected). Meanwhile in the western Ternopil region, 574,600 voters (3.6%) will be represented by just 5 members (2.5%). Thus, a single FPTP candidate from the Ternopil region will represent 115,000 voters, while in the liberated districts of Donetsk and Luhansk oblasts, one FPTP MP will represent just 35,000. The situation is similar in other regions: 973,300 voters



The first prize in the competition for the most absurd machinations in Donetsk Oblast goes to the incumbent Party of Regions MP Yurhym Zviatkovsky

elected 14 majoritarians in the Kharkiv region, while 1,371,800 voters elected 12 in the Lviv region.

Pro-European parties have garnered 110 seats through FPTP districts. 69 ran as BPP nominees, 18 represented People’s Front candidates, 11 MPs are members of different nationalistic parties, while 4 pro-European FPTP MPs were nominated by Yulia Tymoshenko’s Batkivshchyna, 2 – by the

## “NEW” POLITICAL PROJECTS WERE SUCCESSFULLY EXPLOITING CONFUSION OF VOTERS

Ukrainian People’s Party, and 1 – by Samopomich.

The owners of big regional businesses who declare their pro-European orientation have made it into the parliament as well: 4 out of 6 FPTP MPs elected in Zakarpattia are brothers and cousins of the Zakarpattia ex-governor

and multimillionaire Viktor Baloha. 3 out of 5 Volyn FPTP MPs represent the group of the local multimillionaire Ihor Yermeyev. Poltava oligarch Kostiantyn Zhevahov has made it into the legislature through his FPTP constituency; Serhiy Taruta, ex-chair of the Donetsk Oblast Administration and co-owned of the ISD corporation won in the Donetsk region, while Borys Filator who is close to Dnipropetrovsk Oblast Governor Ihor Kolomoyskiy won the election at home.

Western and central regions voted for many Maidan or ATO activists who ran independently in FPTP districts and distanced themselves from any party. However, many of them will soon have to join other groups. Some could unite with nationalists from Svoboda and the Right Sector. Both parties have failed to beat the 5% threshold this time around. Still, at least 9 of their nominees or members have made it through in FPTP districts.

Both party-nominated candidates and independent ones include many agrarian lobbyists, although they are not yet solidly organized.

Compared to the previous general elections, this year’s race shows higher popularity of pro-European parties in southern and eastern regions. They have won at least 26 seats in FPTP districts in Mykolayiv, Kherson, Dnipropetrovsk and Zaporizhzhia oblasts.

Surprisingly, nationalists enjoyed considerable success in FPTP districts in Central and Eastern Ukraine, and a bitter defeat in most western districts that had previously been their core electorate. Some Svoboda candidates had won a sweeping victory in Western Ukraine in 2012 but failed to even come second this time. In Central Ukraine, by contrast, five Svoboda members and two representatives of other nationalistic parties got through in the FPTP voting. Dmytro Yarosh, the leader of the Right Sector, won in the FPTP district in Dnipropetrovsk Oblast.

Some FPTP-elected MPs were or still are members of political parties but ran independently. These were, first and foremost, ex-Party of Regions MPs who were trying to distance themselves from their discredited party brand even



in their core southern and eastern regions, as well as representatives of a number of pro-European parties. This was partly due to the low popularity of their parties in the given region. Some preferred to have free hands in the new parliament.

Two of the four nationalists (Boryslav Bereza, PR chief for the Right Sector, and Andriy Biletskyi, commander of the Azov battalion) elected to parliament in Kyiv ran as self-nominees. Svoboda's Serhiy Rudyk got through as a self-nominated candidate in Cherkasy Oblast. Members of Batkivshchyna won in Khmelnytskyi and Dnipropetrovsk oblast districts as independents.

Some new MPs, such as Khmelnytskyi Mayor Serhiy Melnyk known as member of Batkivshchyna, is already listed in parliament as a BPP member. Similar cases could soon emerge in other parties of the coalition, Samopomish and People's Front, who have decided to accept only factions, not individual MPs, into their majorities.

FPTP-elected MPs nominated by pro-European parties are unlikely to start switching to other likeminded groups in parliament anytime soon. Some will be held back by the negative perception of crossovers as elements of political corruption in society. In the future, however, this scenario is quite possible, especially if the President and Prime Minister enter into a sharp public or covert confrontation. In the last years of Yanukovich's rule, some MPs from what were then opposition factions voted in line with their Party of Regions opponents. They did not need to leave their factions to do this. Similar risks exist in the current parliament.

71 ex-Party of Regions MPs or members of the pro-Yanukovich majority in the previous parliament got through to the new one through FPTP districts: 50 won in south-eastern regions, 20 ran in Central Ukraine, and 1 did in Zakarpattia. Only two were nominees of the Opposition Bloc, and one represented Serhiy Tihipko's Strong Ukraine. A few others never quit their Party of Regions membership.

It is currently difficult to say what they will do in parliament. On the one hand, an MP has to be part of a faction or a group of MPs

in order to have at least some influence in the legislature. On the other hand, just like members of the Opposition Bloc, they represent different groups of influence that had been hostile towards each other even under Yanukovich (including many people of Rinat Akhmetov and Dmytro Firtash, Serhiy Liovochkin, as well as those who earlier leaned towards Andriy Kliuyev, Yuriy Ivaniushchenko and Oleksandr Yanukovich). This circle also includes people of Viktor Pinchuk (Yakiv Bezbakh), Oleksandr Hereha, the owner of the Epicenter retailer for construction materials, Viktor Rozvadovskiy and Serhiy Labaziuk, both close to ex-speaker Volodymyr Lytvyn, and two representatives of the "young team" of Kyiv's ex-mayor Leonid Chernovetskyi – Oleksandr Suprunenko and Oles Dovhyi.

MPs elected through the Opposition Bloc party list and self-nominated ex-Party of Regions MPs could eventually rearrange into several parliamentary groups. Some ex-Party of Regions MPs, especially those running in Central Ukraine, distanced themselves from the Yanukovich regime already in this campaign, publicly supporting ATO participants as part of their promotion campaigns, and advocating immediate imposition of martial law to end the conflict in the Donbas. Most MPs elected in Central and South-Eastern Ukraine are likely to try and create conformist groups alternative to the Opposition Bloc just to become part of the parliamentary majority, to find their spot in the government, or to lobby their interests.

The danger is that they could also support the freezing or restoration of the rules that dominated in Ukraine before the Maidan, the downplaying of the Maidan accomplishments, and the hampering of reforms necessary for European and Euro-Atlantic integration. With the worsening socioeconomic situation and dismay of part of the electorate with the winners of the latest elections, these people could mobilize into a solid fifth column of the Kremlin, further reinforced by representatives of the previous regime who got through to the parliament in the party lists or as nominees of pro-European forces. ■

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# Starting a New Life, Voting as Before

The election in the Donbas followed the traditional scenario for this region. Unfortunately, its residents learned nothing from the bloody lessons of 2014

Once more, they gave their votes to the forces that, with their actions, actually provoked the ruinous anti-Ukrainian putsch and Russian intervention in Ukraine. Even the war, which has hit the streets of nearly all of the oblast's cities, did not force people to analyse reality and come to any conclusions about what has happened.

The Opposition Bloc, comprised of former Party of Region MPs, was gaining quite a significant lead with about 35% of the vote. Before the election, Serhiy Tihipko's party was tipped to be the winner, rather than Yanukovych's friends. However, the percentage of votes gained by his party, Strong Ukraine, is frankly low. Many felt that ex-Party of Regions' MPs lost the trust of the electorate because of their tendency to conform to circumstances and their cowardly position after they initially called for an uprising and civil disobedience in spring, then recognised the legitimacy of the new government and began to play by its rules, putting only their own electorate in the firing line. Yet, the trust of the electorate in "their homeboys" turned out to be infinite.

In fact, there was some progress this time. Compared to 2012, the results of the Party of Regions have worsened significantly. The Petro Poroshenko Bloc (BPP) took a solid second place. Here and there, several more parties from the Maidan (Arseniy Yatseniuk's People's Front, Oleh Liashko's Radical Party and Andriy Sadovyi's Samopomich) won more than 5% of the vote. This is a significant rise in the popularity of pro-European forces. The gap between them and pro-Russian parties has closed seriously. A pro-Ukrainian candidate even won in one of

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**Kramatorsk –**  
**Dzerzhynsk**

the first-past-the-post constituencies, which is nothing short of a miracle in the Donbas. In some Donetsk Oblast constituencies, the President's party is ahead of ex-Party of Regions candidates.

The most saddening thing, however, is not so much the inclination of the electorate, but the familiar rake that they have stepped on – the numerous falsifications that took place in the Donbas without hindrance, just as they did during the rise of the Yanukovych regime when such tricks were the norm. Unfortunately, not only did the government fail to do anything to prevent this,

but also gave falsifiers the green light. Fraud at District Election Commissions (DECs) and polling stations was blatant and brazen. It was sad to look at the candidates who believed in the possibility of finally seeing honest elections in the East.

On the eve of voting, various excuses were made to change the personnel in nearly all DECs in Donetsk Oblast. Instead of commission members who did not express favouritism in FPTP races, without any explanation, people were appointed who had to ensure victory for specific candidates. Valeriy Nosov, a member of DEC No. 48 in Kramatorsk, stated that he was excluded on October 24. This was done on the request of the Native Fatherland (Ridna Vitchyzna) Party, which had previously submitted his name as its candidate. The decision was made in Kyiv.

"According to the law, there were no violations. However, it's clear that my place in the commission was simply bought", Nosov confessed.

Other DEC members were also replaced in the last minute without warning. Employees of the Energomashspetsstal Plant were appointed instead. Its director, Maksym Yefi-





mov, won in the constituency. Former DEC members stated that Mr. Yefimov was behind the radical change in the DEC. Voting results confirmed this.

The situation at constituency No. 48 in Kramatorsk is not unique. The same tactics have long been used in Ukraine. It is why creating political parties has become a lucrative business, as even little-known political forces that only exist on paper, were able to make money by selling their quotas on election commissions. On the eve of the 2014 election, there was an illusion that this time, old corrupt traditions would be ruined, but it was not meant to be. Everything remained the same. Moreover, as DEC members witnessed, BPP and other parties from the democratic camp also participated in this machination.

Artur Herasymov, a BPP candidate and head of the bloc's election headquarters in Donetsk Oblast (No. 43 in the party list), is said to be responsible for the manipulation of the election in the Donbas. DEC members, relieved of their responsibilities, confirm that he was the one to negotiate on the replacement of commission members.

Constituency No. 47 in Sloviansk saw a similar scenario. There,

the DEC was actually manipulated in favour of Yuriy Soloda, a candidate from the Opposition Bloc, who is the husband of Natalia Korolevska, the Social Policy Minister under Viktor Yanukovich. It is known that of the 18 DEC members, 16 were replaced on the eve of the election with people registered as Luhansk residents. Korolevska and Solod are also from Luhansk Oblast.

Solod predictably won in his

## THE MOST SADDENING THING IS NOT SO MUCH THE PREFERENCES OF THE DONBAS ELECTORATE, BUT NUMEROUS FALSIFICATIONS AS THE FAMILIAR RAKE THEY HAVE HAPPILY STEPPED ON AGAIN

Kramatorsk, an industrial gem of Ukraine! We shall revive the Donbas!

constituency with a wide margin from his closest opponent. Apparently, the candidate, who had never lived in Sloviansk prior to this, simply bought the electorate's loyalty. Representatives of Korolevska's husband's competitors recorded acts of bribery on video. The evidence is available to the public, but complaints and publicity did not help. Law enforcement agents did not notice any blatant crimes.

There was a real sensation in constituency No. 60 in Volnovakha. The winner there was BPP candidate and deputy of the city council, Dmytro Lubinets. There was a fierce battle between him and Party of Regions MP Oleksandr Ryzhenkov in and close to polling stations on October 26. The latter's supporters resorted to outright crime. On the eve of the election, DEC chairman, Hanna Yeromchenko, was kidnapped, after attempts by Ryzhenkov's supporters to scare and bribe her failed.

However, with the help of the Kyiv-2 battalion, she was released and the criminals were brought to the police station, where they admitted their guilt and wrote that they had followed Ryzhenkov's orders. But this did not prevent him from participating in the election. But even without the use of administrative leverage, the influential Party of Regions member lost, thanks to strict control at polling stations.

It should be noted that the counting of votes at polling stations in Donetsk and Luhansk Oblasts was very slow, which could be evi-

dence of numerous falsifications. The two eastern oblasts were far behind the rest of Ukrainian regions in ballot-counting. This occurred both in the front-line constituencies, and those in the rear where there was no reason for delay.

The first prize in the competition for the most absurd machinations in Donetsk Oblast goes to the incumbent Party of Regions MP Yuhym Zviahivsky (constituency No. 45) and the independent candidate Oleh Nedava (constituency No. 53). Only a few polling stations were open in these two constituencies. In Zviahivsky's constituency – only four out of one hundred, all of them in remote villages. Attendance there was twice that of the rest of the whole oblast. Meanwhile, no polling stations were opened in Adviyivka, a calm part of the constituency. As a result, Zviahivsky won with only 1,450 votes (72% of total votes).

Oleh Nedava, who won 63% in constituency No. 53, should be of particular interest for Ukrainian journalists for being a business partner to Yuriy Ivanyushchenko, the Yanukovich Family man with a criminal background. As a result, people from the Yenakievo criminal clan will be present in the future parliament. And their victory was literally organised behind the backs of the Ukrainian soldiers protecting Vuhlehirsk from pro-Russian fighters. Nedava's victory, just like Zviahivsky's, is virtual, because his constituency barely voted – most of the territory is occupied, and only 11 polling stations were open in Vuhlehirsk. It seems that the only reason they were open, was to allow Yuriy Ivanyushchenko's man to get into parliament.

The above facts bring forth a sad conclusion: nothing has changed in the Donbas after the victory of the Maidan and the partial destruction of separatist bands. This means that all the problems that have accumulated over the years and led to the explosion at the beginning of 2014, are not resolved, and it would be wise to expect the next recurrence.

One of the fighters who protected the DEC in constituency No. 52, commenting on events in Dzerzhynsk, smiled sadly and said off-camera, in a private conversation: "Let them do whatever they want, we'll sort things out here, then we'll go to Kyiv to sort things out there".

It appears that he was not joking ... ■





# Broken Democracy on the Frontline

Author:  
Denys Kazansky

**T**he Donbas is in a state of devastation following the horrors of the past summer. The region has been ravaged by war, and recovery will be slow. Kramatorsk, Sloviansk, and Kostiantynivka are recuperating as if from a serious long-term illness. Decay is felt throughout.

The weeds lining the roadsides have not been mowed all year, creating the impression that the area has been abandoned. The asphalt still retains traces of shelling and tank treads. Drivers carefully navigate amidst the abundant potholes. One feels the proximity of war, though it thunders 50-70 kilometres away. Along the road, one encounters several roadblocks billowing with smoke from bonfires used to heat the soldiers.

The lack of cars on the road is startling. The Donetsk-Kharkiv highway, once full of traffic, is now deserted. Life here is frozen, though shells have not fallen in this part of the Donetsk region since June. Once the sun sets over the horizon, a thick, heavy darkness descends over the road. No lights shine in the windows of neighbouring homes. The town along the road seems completely empty. This scene is in striking contrast to the Poltava region through which one passes on the road from Kyiv to Donetsk. There, one sees lights twinkling atop gas rigs, hotels and gas stations along the road. Heading from Kramatorsk towards Donetsk, however, a bleak, gray, neglected landscape begins.

The Donetsk region has changed drastically since last spring. The trouble brewing beneath the surface in Eastern Ukraine proceeded ever so quietly for years, suddenly causing an uncontrollable chain reaction. These small industrial towns were already dying a slow death. They were dying in spite of the country's rising GDP and the encouraging statistics of the mid-2000s. Soviet factories gradually reduced their personnel, resulting in decreased populations and the closure of schools and hospitals. This degradation began in the early 1990s and continued under every subsequent government. Whole buildings, shops, and factories vanished from the face of earth. What happened here in 2014 was the culmination of a long process.

Kostiantynivka and Dzerzhynsk look as if the war had raged there for years. But most of this destruction occurred during peacetime before the war had even begun. The war seems to have become an excuse for these ruins—a way to justify them all.

In the centre of Kostiantynivka stand two abandoned, gloomy “palaces of culture” - typical Soviet buildings with windows caked in dirt. To get from here to Dzerzhynsk, the last city before the border of the territory controlled by the “Donetsk People's Republic” (DNR), one must endure almost a half hour drive through pits and potholes. There, two identical concrete monuments to soviet secret police founder Felix Dzerzhinsky stand watch over poorly lit streets and houses rendered unrecognizable by the grime that covers them. There is hardly a soul in sight.

The local mines, they say, never reopened after the brief occupation by the DNR. A few months of confusion and disorder hit the industry hard, and this frontline town could not recuperate after the fighting. Shells still sometimes land here, although the attacks are not as fierce as those that occurred at Shchastia or Vuhlehirsk. On Sunday, Dzerzhynsk held parliamentary elections where, through the use of fraudulent tactics, Ihor Shkiryia was able to secure a victory. Un-

happy, poorly dressed people, mostly elderly, trudged to the polls to cast their votes for one of the richest people in the Donetsk region.

There was a certain tinge of surrealism to it all. This impoverished, god-forsaken town became a springboard to power for

**UNHAPPY, POORLY DRESSED PEOPLE, MOSTLY ELDERLY, TRUDGED TO THE POLLS TO CAST THEIR VOTES FOR ONE OF THE RICHEST PEOPLE IN THE DONETSK REGION**

a person completely alien here. The voters that plodded to the polls didn't understand why they should even bother, what might change, and whether change is even possible.

Observers, journalists, and Maidan party supporters accused Shkiryia of fraud, but nothing could be done about it. The soldiers guarding the office of the regional electoral commission shrugged off the allegations and carried on with their job - to ensure that this former Party of Regions member who supported the separatists and voted for the January 16 legislation would get to parliament. To ensure that no one could disrupt the election process. ■





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# Poroshenko's Blunders

The President's bloc is painfully reminiscent of Viktor Yushchenko's Our Ukraine party mixed with elements of Viktor Yanukovich's Party of Regions

**Author:**  
**Roman Malko**

**T**he Ukrainian saying, “you can’t step into the same water twice” turned out to be false. Politicians can dive into the turbulent river of Ukrainian politics as many times as they please, and make the same blunders as well. What’s worse, nothing is learned with each successive misstep. Ukraine has already learned this lesson four times, each with terrible consequences. It’s an incredibly simple lesson, but one that hasn’t caught the attention of the country’s leaders. Rather than learn from their blunders, Ukraine’s politicians gladly repeat them again and again...

This political amnesia will undoubtedly be used in favor of the President's Bloc of Petro Poroshenko (BPP). In the run up to the election, sociologists excitedly voiced rankings of electoral support ranging from 20.5% to 39.8%, so the bloc's dominance remained unchanged in polls. The reason for this love of the new kid on the block is hard to explain. One need not be an expert analyst to understand that it will all end the same way it did the last time around. Love is cruel and blind. That's how it was for National Democratic (ND) and Social Democratic parties (SDPU(o)) of Leonid Kuchma, Ukraine's second president, for Nasha Ukrayina - Narodna Samooborona (Our Ukraine - People's Self-Defense, OU-PSD) of the third president Viktor Yushchenko's, and for Viktor Yanukovich's Party of Regions.

President Poroshenko made a serious error by creating his ruling party, believes political analyst Oleksandr Solontay: “He made the same mistake as Kuchma (NDP), Yushchenko (OU-PSD), and Yanukovich (PR). He modernized the concept of the president's party with his Bloc of Petro Poroshenko. The name implies a redux of the short-lived party concept: this time for a single election. This is not

even a party, but simply the name of an electoral headquarters.”

Judging from the BPP party list, every friend of the President with a desire to run and an inkling of support from the party staff was signed up. There are political allies, business partners, and fellow oligarchs, all diluted with a small number of new faces from the ranks of civil society activists and honest journalists who will most likely spend a lot of time and energy to fix their reputation after some time in power. If this project survives and stays afloat long enough, we can consider it a true miracle.

Its chances are minimal, though many surprising things have happened in these difficult times, and the stellar rating of the BPP is a prime example. It began not long ago as an ordinary fake—a Polish Solidarity-style phantom party that existed solely on paper. That, however, did not prevent the BPP from teaming up with the very real UDAR, Vitaliy Klitschko's party, and thus materializing. Today, UDAR is one of the pillars of the BPP. How long this pillar will stand depends on what model its development follows.

President Poroshenko's lack of real, reliable power has prompted him to seek allies. But UDAR alone will not suffice. Thus, he chose a losing team by partially betting on politicians against whom the entire country protested. Oligarchs, big business protégés, and politicians who use politics for business purposes - all people who know perfectly well what they want from the state. Unfortunately, today we can already say that the President's political force is the same party of big business and nepotistic financial-oligarchic groups that view the government as a resource.

The latter are hardly on top of the party list, though still in the ‘safe area’ of the list guaranteed to

receive parliamentary seats. There are nearly twenty obvious businessmen among the first hundred list members alone, including millionaire and fellow Vinnytsian Hryhoriy Zabolotnyi (the “caretaker” of Vinnytsia regional agribusiness), friend and business partner Ihor Kononenko, Valery Ishchenko (the second-wealthiest member of UDAR after Klitschko), businessman and banker Ihor Klymenko, Hryhoriy Shverk (partner of Chief of Staff Borys Lozhkin) pharmaceutical magnates Hlib Zahoriy and Oleh Kalashnikov, real estate professionals Mykhailo Hvozdyev and Oleksandr Hranovskyi, and controversial developer Lev Partskhaladze.

There are also lobbyists, such as Leonid Kozachenko, who allegedly represents the interests of the powerful tobacco and vodka corporations while their oligarch chiefs hide in the shadows. Davyd Makaryan is a friend of Kremlin

**Correction:** In our article *Lustration Over the Ocean* in issue No 12(2014), we quoted UCCA spokeswoman Roksolana Lozynskyj as reported by London's *The Globe and Mail*. In fact, *The Globe and Mail* is a Toronto-based publication. UCCA is an abbreviation for the Ukrainian Congress Committee of America. Sorry.





“overseer” in Ukraine, Vadym Novynskyi, and Maksym Savrasov is associated with Oles Dovhyi, a notorious member of the ‘young team’ of Leonid Chernovetskyi, Kyiv’s one-time corrupt mayor. Ihor Palytsia and Vyacheslav Fridman are tied to oligarch Ihor Kolomoyskyi. Nataliya Ahafonova and Serhiy Tryhubenka are known to be Firtash’s people, while Olha Belkova (a close friend of ex-president Kuchma’s daughter Olena Franchuk) represents the Pinchuk family, and Nataliya Vasyliuk (hidden in the early-2000s on the list) is the sister of Ukraine’s largest landowner, Oleh Bakhmatiuk. This is simply scratching the surface. If we look deeper, we find even more interesting characters, like the odious Davyd Zhvaniya in Odesa Oblast, or the entire clan of Viktor Baloha in Transcarpathia, including himself, two siblings and one cousin (see Back to Black on ukrainianweek.com).

With the motto “Time to unite”, it is natural to believe that the BPP’s main goal is to bring together the country’s strengths and resources for the purpose of its revival and restructuring. Or as the President’s supporters say, collect the highest-ranked pro-democracy candidates in order to minimize the number of Party of Regions and Communist members in the future parliament. But it is quite likely

that there’s a less attractive side to this coin as well. This is an old and unchanging scheme that has stunted the country’s development for decades; it’s simply been reformulated and rebranded in the spirit of the time. The BPP is like a combination of Yushchenko’s democratic Our Ukraine--People’s Self-Defense Bloc and Yanukovich’s Party of Regions where there is no strict discipline and the oligarchs play first violin. But without discipline, the orchestra can hardly satisfy the demands of society, instead producing a continuous cacophony.

This whole structure was created to win elections, but without the proper conditions it can easily collapse. Cracks will emerge and it

his hands now? “Time to unite!” rings out from the presidential camp, which without further ado, sets about implementing its state-building motto.

It is probably too early to judge whether the president has acted correctly. The situation in the country still requires a strong hand and a strong leader who is ready to assume full responsibility for decisions that are not always popular. This leader must have someone to lean on, and among the oligarchs, as we have seen, there may be a few patriots. The only thing is that the President now has enough powers to take decisive steps – what he needs is political will. But after months of hopeful talk, almost nothing has been done. Poroshenko’s unpopular actions have been minimized and are nearly invisible against the backdrop of popular ones. The President continues to solve problems in his own special way, without strain, using the remnants of the old system. He claims to have his own plan, but if it involves a combination of incongruous forces, then he might as well abandon it now.

One does not want to believe that Poroshenko’s goal is the monopolization of power and restoration of a “golden era” of Ukrainian oligarchy, or that as the product of business promiscuity, he is repeating the mistakes of his predecessors. The policy of reconciliation undertaken by the Presidential Administration is quite attractive, but now is unfortunately a wrong time for it. It could become a cruel joke. Poroshenko’s motley team would most likely keep him from implementing all of his wonderful promises, and reforms will have to be forgotten. Obviously, the President is trying not only to form a powerful political force but also to put his eggs in different baskets by making peace with everyone. These conclusions emerge against a backdrop of questionable manipulation and the surrender of several districts to the odious candidates from the past regime, as well as rumors of an agreement with the notorious ex-speaker Volodymyr Lytvyn, or about negotiations with Serhiy Tihipko, whose Strong Ukraine some experts were inclined to see as a potential parliamentary bulwark for Poroshenko against Yatseniuk’s People’s Front. ■

## THE BLOC OF PETRO POROSHENKO IS A PARTY OF BIG BUSINESS AND NEPOTISTIC FINANCIAL-OLIGARCHIC GROUPS THAT VIEW THE GOVERNMENT AS A RESOURCE

will crumble, as in Viktor Yushchenko’s party or the Party of Regions more recently. The most obvious potential defect of the BPP is the union with UDAR. It may turn out to be the strongest part of the BPP, despite talk about little reason in the integration of this party into the BPP before the local elections where UDAR members might want to run separately. In fact, many of the President’s new “dear friends” will switch parties just as soon as the political winds change.

Contrary to expectations, President Poroshenko unfortunately did not choose to be an exception to the archaic political rules of past presidents and thus created his own ruling party. Moreover, he made the uncommon choice of adorning it with his honest name. We can only guess as to why he did this and whether it was his own idea or someone’s suggestion. Most experts agree that this is a classic form of presidential majority with the pragmatic goal of concentrating all power in the hands of the president. Perhaps, Poroshenko well remembers what became of his buddy Viktor Yushchenko when he lost some of the presidential powers, so he decided to seize the moment and concentrate power in



# 2014 War: A Take on Comprehensive Analysis



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**R**ussia's war of aggression against Ukraine is a result of not only the policies of the Kremlin imperialistic chauvinists led by Vladimir Putin, but of strategic miscalculations and irresponsibility of Ukrainian political elites throughout the years of Ukraine's independence.

The Constitution and laws of Ukraine place national security in the scope of responsibility of, first and foremost, the President. However, none of the Ukrainian presidents has had paid due attention to this issue. Moreover, each and every one of them contributed to the destruction of the Ukrainian Army.

Under Leonid Kuchma, the National Guard was abolished, even though it was a multifunctional battle-ready military formation that consisted of patriotic and experienced officers, a core of modern Armed Forces of Ukraine. Instead, Leonid Kuchma opted for the Armed Forces that were a cut-back version of the huge fragment of the Soviet army left on the Ukrainian territory. The government was cutting army spending, thus ruling out armament with modern weapons and equipment.

Under Viktor Yushchenko as President, underfunding of the Armed Forces in the light of open demonstrations of hostility by the Russian Federation, grew to the extent where it could easily qualify as a crime. The peak was the ruination of the entire sector of national security under Viktor Yanukovich. Russian special services and agents infiltrated into government structures of all levels and contributed to the derailing of the army and the navy, foreign intelligence and counterintelligence, the Security Service of Ukraine (SBU) and the National Security and Defense Council.

Ukrainian top political and military leadership for years pursued an illusion of possible strategic partnership with Russia. Meanwhile, the Kremlin was consistently implementing a policy to destroy Ukraine. It essentially had two scenarios: plan A for gradual and peaceful destruction of Ukraine, and plan B for a one-time subdual by force. The former plan was envisaged humanitarian aggression and the use of soft rather than hard, military power to ruin Ukrainian identity, a fundamental aspect of any national state. When Russian elites realized that the imperialistic dream of a "United Great Russia" restored is impossible as long as a Ukrainian Ukraine exists, they decided that humanitarian aggression, not war and/or genocide of the Ukrainian nation, should become their path to a "Ukraine without Ukrainians". Russia has been implementing its humanitarian aggression in several directions simultaneously, by inspiring and supporting information, propaganda, language, cultural, historiosophic and religious

wars. The Yanukovich regime was Russia's partner in its humanitarian aggression against Ukraine. Controlled by Russian special services, it implemented its anti-Ukrainian humanitarian policies. Put simply, it was a wide-scale consistent special operation to eliminate the fundamental and constitutional elements of Ukrainian statehood, and to turn it into a denationalized and powerless part of the Russian World. Humanitarian aggression could only have been successful if Ukraine remained in Russia's orbit of power. Therefore, Russian leadership made sure that Yanukovich opted for the non-aligned status for Ukraine, and rejected the Association Agreement with the EU.

The fall of the Yanukovich regime, the determination of the new Ukrainian government to return to European integration, and Ukraine's likely joining of the EU and NATO in the future pushed Russia to plan B.

Yet, even if Moscow was obviously aware of the poor state of the Ukrainian Army, it clearly underrated the aspiration of Ukrainians for freedom, and their determination and ability to resist. Sadly, Ukraine's political and military leaders failed to organize resistance to Russia's aggression immediately after it began. As a result, Ukraine has lost Crimea and control over parts of Ukraine-Russia border territories in Donetsk and Luhansk oblasts, through which Russian mercenaries, diversionists and regular Russian Army units got into Ukraine.

Thanks to heroic dedication of the Ukrainian Armed Forces, the National Guard set up under the umbrella of the Interior Ministry, and volunteer battalions, big parts of Donetsk and Luhansk oblasts were liberated from the aggressor. However, Petro Poroshenko's reluctance to impose martial law and mobilize the entire potential of the state and society to fend off the enemy was among the factors that extended the war in time.

Today, Ukrainian elites and society must realize that Russia is waging a total war against Ukraine. Its ultimate goal is to destroy all things Ukrainian as a phenomenon and of Ukrainian statehood as such, not to annex part of its territory and deprive Ukraine of the right to make its own civilization choice. Therefore, the top priorities on the national security agenda for Ukraine must include 1) the revival of the national security sector, 2) the design and implementation of a Ukrainocentric humanitarian policy as a tool of resistance to the Russian humanitarian aggression, 3) implementation of programs for European and NATO integration with full-scale membership as the ultimate goal, and 4) the development of a consolidated official legal stance on resistance to the Rus-



sian aggression and overcoming of its consequences.

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Russia's war of aggression against Ukraine has been condemned by the international community and caused various sanctions against the aggressor-state from the EU, NATO, Council of Europe, and individual countries. Non-recognition of the annexation of Crimea by the international community based on the clauses of the UN Charter<sup>1</sup>, the 1970 Declaration on Principles of International Law<sup>2</sup> and the 1974 Resolution on Definition of Aggression<sup>3</sup>, was of paramount importance. The condemnation of forceful separation of Crimea from Ukraine and non-recognition of annexation by Russia was set out in Resolution 68/262, Territorial Integrity of Ukraine, adopted by the UN General Assembly on March 27, 2014. The Resolution calls upon "all States, international organizations and specialized agencies not to recognize any alteration of the status of the Autonomous Republic of Crimea and the city of Sevastopol... and to refrain from any action or dealing that might be interpreted as recognizing any such altered status."

The new Ukrainian government expressed emotional protests against Russia's unlawful actions undertaken in February-March 2014, then it refrained for a certain period from clear qualification thereof as acts of war aggression. It also failed to immediately impose sanctions on Russia.

Following the secession of Crimea, the Verkhovna Rada of Ukraine adopted Declaration on the Campaign to Liberate Ukraine on March 20, 2014. It stated that "the Ukrainian people will never recognize the annexation of an inseparable part of its territory, the Autonomous Republic of Crimea, that was occupied by Russia in gross violation of fundamental norms of international law and commonly recognized principles of neighborhood of states."

Ukraine's Foreign Affairs Ministry, in the notes to the Russian Foreign Affairs Ministry, described the Resolution of the Russian Duma Federal Council dated March 1, 2014, as "such, that contradicts customary and conventional norms of international law that bans armed invasion" and qualified them as "military intervention"<sup>4</sup>.

On April 15, 2014, the Verkhovna Rada of Ukraine passed Law No 1207-VII On Ensuring Rights and Freedoms of Citizens on the Temporarily Occupied Territory of Ukraine. Articles 2 and 3 thereof describe the occupation of the Autonomous Republic of Crimea as the outcome of Russia's war of aggression<sup>5</sup>. In its statement No 1217-VII On the initiative of international negotiations to de-escalate the situation around Ukraine dated April 16, 2014, the Verkhovna Rada confirmed "non-recognition of annexation of the Auto-

nomous Republic of Crimea by the Russian Federation that results from Russia's unprovoked aggression against Ukraine and unlawful occupation of the Crimean peninsula by the aggressor"<sup>6</sup>.

As the third phase of Russia's aggression began, Ukraine's Foreign Affairs Ministry outlined Ukraine's legal stance on Russia's war of aggression and consequences thereof. Note No 610/22-110-2095 dated August 28, 2014, lists the key elements of this stance:

«Russia's aggression against Ukraine is a serious crime against international peace and security that gives rise to international legal responsibility of Russia and individual criminal responsibility of individuals involved in committing of this crime.

The Ministry of Foreign Affairs of Ukraine decisively demands the Russian Federation to immediately stop actions in violation of international law, particularly the invasion of the Armed Forces of Russia, including heavy military equipment, on the territory of Ukraine, and to withdraw all armed forces of Russia from the territory of Ukraine, to stop regular shelling of the territory of Ukraine, violations of its airspace and ground borders of Ukraine and Russia, supply of arms and military equipment to mercenaries.

Ukraine demands Russia to withdraw units of the Russian Armed Forces away from the state border between Ukraine and Russia, to ensure proper border security regime on the Russian territory adjacent to the Ukraine-Russia border, to investigate all crimes committed from the territory of Russia that are listed in the present and

previous notes of the Ukrainian Party, and to punish the guilty.

The Ministry of Foreign Affairs of Ukraine demands Russia to properly reassure and guarantee Ukraine that the abovementioned activities in violation of international law will not repeat again.

The Ministry of Foreign Affairs of Ukraine demands Russia to provide full compensation to Ukraine for the damage inflicted by the actions of the Russian Federation that are in violation of international law."

Ukraine's legal stance on Russia's responsibility for the war of aggression it has committed will be completed and finalized when the competent state authorities evaluate material and non-material damage done, and when specific claims for compensation are officially presented to the Russian Federation in a diplomatic note of the Ministry of Foreign Affairs of Ukraine to the Russian Ministry of Foreign Affairs.

At the same time, a process must be launched to hold individuals involved in the committing of the crime of aggression, war crimes and crimes against humanity, criminally liable. The first steps to that end should be the opening of cases on such crimes or against specific individuals on

## UKRAINE'S LEGAL STANCE ON RUSSIA'S RESPONSIBILITY FOR THE WAR OF AGGRESSION WILL BE FINALIZED WHEN THE COMPETENT STATE AUTHORITIES EVALUATE MATERIAL AND NON-MATERIAL DAMAGE DONE

<sup>1</sup> "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations," clause 4 of Article 2 of the UN Charter states.

<sup>2</sup> "The territory of a State shall not be the object of military occupation resulting from the use of force in contravention of the provisions of the Charter. The territory of a State shall not be the object of acquisition by another State resulting from the threat or use of force. No territorial acquisition resulting from the threat or use of force shall be recognized as legal," interpretation of the principle set forth in clause 4 of Article 2 of the UN Charter states.

<sup>3</sup> "No territorial acquisition or special advantage resulting from aggression is or shall be recognized as lawful," clause 3 of Article 5 of the Resolution states.

<sup>4</sup> See, for instance, Note No 610/22-123/1-746 dated March 11, 2014; Note No 610/22-123/1-857 dated March 18, 2014; and Note No 610/22-123/1-917 dated March 25, 2014

<sup>5</sup> Vidomosti Verkhovnoyi Rady Ukrainy (Verkhovna Rada Newsletter), 2014 - No 26. - p. 892.

<sup>6</sup> Vidomosti Verkhovnoyi Rady Ukrainy (Verkhovna Rada Newsletter), 2014 - No 22 - p. 866.

the national level on the basis of the Criminal Code of Ukraine, as well as the recognition by Ukraine of mandatory jurisdiction of the International Criminal Code over the situation that has resulted from the international crimes committed during Russia's war of aggression on the territory of Ukraine since February 27, 2014, under the Rome Statute.

In a situation where the Russian leaders cynically deny Russia's role in the war of aggression, sanctions against the aggressor state imposed both by Ukraine and part of the international community become a tool of enforcement of Russia's responsibility under international law. Notably, sanctions to enforce international law regardless of their intensity or nature are a procedural tool of responsibility enforcement under international law.<sup>7</sup>

Responsibility under international law rises from an international crime. Respectively, sanctions to enforce international law rise not from the violation itself, but from the refusal of the subject that violates international law to stop its unlawful conduct and/or to fulfill obligations envisaged by its responsibility under international law. Such refusal is a new, secondary violation that encroaches on the principle of responsibility. Therefore, it qualifies as a prerequisite to coercive sanctions against the violator. Given the specifics of an international violation, such as the crime of aggression, an armed attack is a moment and ground for simultaneous responsibility of the aggressor-state under international law, and for imposition of sanctions to enforce international law. The state that faced the armed attack and the international community represented by other states and international organizations have the right to impose military coercion and/or other coercive sanctions in political, diplomatic, economic, cultural and other spheres.

Under Article 51 of the UN Charter, every state has a sovereign and undeniable right to individual self-defense. This means that a state facing war of aggression has the right to immediately offer military response to the aggressor-state.

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Unfortunately, Ukraine began its resistance to the Russian aggression only in its second phase, when the then Acting President Oleksandr Turchynov signed Decree No 405/2014 dated April 14, 2014, to launch the counterterrorist operation (commonly known as anti-terrorist operation or ATO) in Eastern Ukraine involving Ukrainian Armed Forces<sup>8</sup>.

Legally, the ATO is based on Law of Ukraine No 638-IV On Counterterrorism<sup>9</sup> dated March 20, 2003. At that moment, however, Ukraine was an object of a planned and massive war of aggression, not a sporadic terrorist attack.

In this context, Ukraine's military resistance to the Russian Federation as aggressor-state should have been based on Article 51 of the UN Charter and Law of Ukraine No 1932-XII On Defense of Ukraine<sup>10</sup> dated December 6, 1991. Moreover, Article 1 of this law defines, based on international law, the war of aggression. All elements of Russia's aggression against Ukraine perfectly fit into this definition, while Article 4, Resistance to War of Aggression Against Ukraine, entails the following:

"If Ukraine faces a war of aggression or a threat of attack on Ukraine, the President of Ukraine shall take a decision on general or partial mobilization, imposition of martial law in Ukraine or parts thereof, the use of Armed Forces of Ukraine and other military formations in line with the laws of Ukraine, submits it to the Verkhovna Rada for adoption or approval, and submits a request to the Verkhovna Rada to declare the state of war."

Petro Poroshenko, elected President of Ukraine on May 25, 2014, failed to exercise all his powers and to transfer military resistance of

Ukraine to the Russian aggression from the state of a counterterrorist operation into the regime of resistance to the war of aggression of the Russian Federation under clauses 1, 17 and 20 of Article 160 of the Constitution of Ukraine, and Article 4 of the

Law On Defense of Ukraine, as well as the Law of Ukraine on Legal Regime Under Martial Law No 1647-III adopted on April 6, 2000.

In line with the abovementioned law, martial law entails full-scale use of the Armed Forces of Ukraine to resist the aggression, special mode of interaction between military commanders and local authorities, wartime economy, the use of all state resources for the needs of the army and the frontline, as well as of resources of legal entities and individuals if necessary, restrictions to ensure civil order and security of citizens and to prevent activities that harm wartime efforts of the state and demoralize society.

With no public explanation of his motives, Ukrainian President Petro Poroshenko never imposed martial law. The reasons expressed by his closest allies can hardly justify this decision, while some, such as fears of usurpation of power by the military and impossibility to obtain foreign loans and military and technical assistance, were simply misleading.

This approach to his constitutional responsibilities under massive Russian aggression prevented him from using the entire potential of the state to protect it effectively, ruled out quick liberation of occupied parts of Eastern Ukraine, and led to numerous deaths.

Inconsistency of Ukraine's leadership in the finding of the legal regime for the struggle against

## UKRAINE SHOULD INTRODUCE THE INSTITUTION OF GOVERNMENT COMMISSIONER FOR RESISTANCE TO RUSSIAN AGGRESSION AND ELIMINATION OF ITS CONSEQUENCES

<sup>7</sup> See Responsibility of a State for international crimes by V. Vasylenko - K., 1976. - p. 220-234; International law-enforcing sanctions by V. Vasylenko - K., 1982. - p. 38-64; Responsibility and sanctions in modern international law by V. Vasylenko//The Anthology of Ukrainian Law Analysis - K., 2005. - vol. 10. - p. 887-892.

<sup>8</sup> The Decree put into effect the decision of the National Security and Defense Council On emergency measures to overcome terrorist threat and preserve territorial integrity of Ukraine dated April 13, 2014

<sup>9</sup> Vidomosti Verkhovnoyi Rady (Verkhovna Rada Newsletter) - 2003. - No 25. - p. 180.

<sup>10</sup> Vidomosti Verkhovnoyi Rady (Verkhovna Rada Newsletter) - 1992. - No 9. - p. 106.



Russia's war of aggression led to euphemisms, such as "terrorist activities of fighters", "anti-terrorist operation", "ATO participants", "ATO zone" and the like to conceal the very real war of aggression waged by Russia against Ukraine, defense from Russia's war of aggression, combatants, battle ground and more. This approach is equal to denial of Russia's war of aggression against Ukraine, puzzling for the Ukrainian society and international community, and undermining to the legal position of Ukraine in holding the aggressor-state liable for its actions.

Has all this been done to merely keep Putin happy?

Therefore, the statement of the Ukrainian delegation to the UN Security Council on August 29, 2014, where the head said that "Ukraine reserves its right to act in accordance with Article 51 of the UN Charter" is hardly surprising. For almost six months now, Ukraine has been essentially exercising its sovereign right to self-defense, while its official representative claimed at a top international organization that his country was only intending to resist the aggressor. This stance of the Ukrainian government only encourages the aggressor that is not ceasing the war in Eastern Ukraine, and has concentrated significant forces along the Ukrainian-Russian state border and between the continental Ukraine and Crimea, standing ready to expand its aggression.

In addition to that, Ukraine imposed sanctions on Russia as aggressor-state and passed acts to ensure resistance to Russian aggression and overcoming of its consequences sporadically, slowly and without proper institutional procedures.

These acts include, first and foremost, the Cabinet of Ministers' Decree No 343 dated July 17, 2014, On the establishment of a working group on compensation of losses caused by temporary occupation of part of the territory, and Decree No 278 dated July 23, 2014, On the establishment of the Committee to impose sanctions against individuals who support and finance terrorism in Ukraine. Another act is Law No 4453a On Sanctions passed by the Verkhovna Rada on August 14, 2014, as well as the Cabinet of Ministers' Decree No 829-p dated September 11, 2014, On proposals regarding personal special economic and other restrictive measures.

The Cabinet of Ministers explained that the imposition of sanctions was delayed until the respective law was passed. This explanation seems hardly reasonable as international law does not ban a state that has faced an armed attack to immediately use any sanctions against the aggressor.

The analysis of acts on sanctions demonstrates that they are not adjusted properly to back each other, are fragmentary, and do not cover all aspects of the situation caused by Russia's aggression against Ukraine.

Given the great and legally complex set of problems in this issue, rising from the Russian war of aggression, the protection of Ukraine's national interests should be more consistent and based on a more solid institutional ground. The institution of government commissioner for resistance to Russian aggression and elimination of its

consequences would be a good comprehensive solution to this. The commissioner's functions shall include:

- Coordination of collection, analysis and summing up of legal evidence of war of aggression by central executive authorities of Ukraine;

- Upgrade of legal framework for the enforcement of Russia's responsibility under international law as aggressor-state by amending effective Cabinet of Ministers' decrees and laws of Ukraine, and drafting of new framework laws On compensation for damage caused to Ukraine by Russia's aggression and On criminal liability of individuals for the crime of aggression, crimes against humanity and war crimes committed during Russia's aggression against Ukraine;

- Coordination of assessment of material and non-material damage caused to Ukraine by Russia's aggression by central executive authorities of Ukraine;

- Drafting of a consolidated claim of Ukraine as a country that has suffered the aggression against Russia as the aggressor-state;

- Drafting of proposals on international measures to enforce Russia's responsibility under international law as aggressor-state;

- Coordination and guidelines for executive authorities to obtain compensation for the losses caused to Ukraine, its commercial entities and citizens by the act of aggression, including via appeals to courts of Ukraine, European Court of Human Rights, international courts, and foreign courts;

- Drafting of proposals on sanctions against Russia as aggressor-state within the framework of respective international organizations, and coordination of steps to implement these proposals;

- Cooperation with law enforcement agencies to launch criminal proceedings against individuals and legal entities in connection to the crime of aggression and the damage done by it;

- Coordination of measures to ensure that foreign and international courts hold individuals involved in the crime of aggression and related crimes liable;

- Drafting of proposals on measures to restore Ukraine's sovereignty over its temporarily occupied territories;

- Drafting of proposals on measures in response to Russia's hostile actions in economic and trade relations, other unfriendly actions of Russia that are not related or are related indirectly to its aggression against Ukraine, both in bilateral relations, and within respective international economic organizations; coordination of measures to implement these proposals; and

- Interagency coordination and collaboration with international organizations to counter anti-Ukrainian propaganda in Russia, and to draw a positive image for Ukraine in international media.

This approach to resisting Russian aggression and eliminating its consequences is in line with models for enforcement of international responsibility of states that violate international law in international practices. It will also increase the efficiency of protection of Ukraine's national interests. ■



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# Mykola Tochytskyi: “It is possible to legally prove that Russia is assisting terrorism”

*The Ukrainian Week* speaks to Ukraine's Permanent Representative to the Council of Europe about the prospects of freeing Ukrainian political prisoners from Russian prisons, Moscow's influence in the West and political mechanisms for countering Kremlin's aggression

Interviewed by  
Alla Lazareva

**U.W.:** The autumn PACE session concluded recently. What are its results and consequences for Ukraine?

When it comes to the parliamentary dimension, we've seen that the moods of our European colleagues are changing somewhat, and not in the best way for us, unfortunately. There are calls for cooperation with the Russian Federation, talks about the necessity of dialogue... What is being totally discarded is the argument that Russia is not keen to establish contact, even here, being a member of this organization. The President of Ukraine has taken the decision to cease fire on two occasions. But only Kyiv followed through with those decisions. So there's not much scope for talking of dialogue. Of course there were positive developments too. The resolution by the Committee of Ministers of the Council of Europe acknowledging the presence of Russian troops on our territory was cited by many. The parliamentary delegation included it into the discussion regarding Ukraine, as well as to the annual document titled The Progress of the PACE Monitoring Procedure.

What caused the biggest concern for me during this session? First of all, the emergence of a group of deputies who declared that Moscow should be reckoned with because it has some sort of "legitimate" interests in Ukraine. Legitimate interests is something that a country and its people can have, not its neighbors. That's one thing. Secondly, there is a develop-



PHOTO: UNIAN

ing trend that is being picked up by our European partners: talking about violations by the Ukrainian military during the anti-terrorist operation without checking the facts. Here, frankly speaking, I see



**LEGITIMATE INTERESTS IS  
SOMETHING THAT A COUNTRY  
AND ITS PEOPLE CAN HAVE,  
NOT ITS NEIGHBORS**

an attempt to carry out the Russian agenda of getting the world to believe that there is some kind of ethnic cleansing going on in Luhansk and Donetsk oblasts.

**U.W.:** This is what Russia did to begin with, as it prepared to occupy Crimea...

Exactly. They said that they came because the rights of the Russian-speaking minority were supposedly violated. But it was just last

year that the Advisory Committee on the Framework Convention for the Protection of National Minorities produced a report regarding their situation in Ukraine. It was approved by the Committee of Ministers with no reservations. European experts concluded that no serious problems in this area exist in Ukraine. They even pointed out that the Russian minority is protected better than others and suggested to bring the protection of other minorities to the same level. But then, you see, all of a sudden in February and March problems cropped up. The European Council Commissioner for Human Rights visited Ukraine three times this year. His last visit was to Crimea. He ascertained that it's the occupied territories where mass human rights violations take place against not only Crimean-Tatars and Ukrainians, but also other minorities (see p. 42). So in spite of the sensible voices from the Baltic States, Poland, the Northern Europe, the GUAM countries, the fact remains: those that are under various kinds of influence of our neighbor are starting to take its stance. I don't feel like I'm within right to criticize my colleagues, but I would rather they talked about one of the European Council member states failing to fulfill its obligations. Look at the conflicts in Nagorny Karabakh, Transnistria, Abkhazia, Crimea, Donetsk, Luhansk... who's responsible? The answer is obvious. But Article 3 of the Statute of the Council of Europe says: conflicts must be resolved only in a peaceful manner.

**U.W.:** You mentioned a group of Russian supporters. If we were to



**outline the pro-Moscow lobby, would it make approximately half of the PACE deputies? A third perhaps?**

I wouldn't say that it's every other deputy. Perhaps we should talk about this group in terms of political allegiance: these are predominantly the far left and the socialists. Even the socialists are calling for "dialogue and cooperation" with Russia completely forgetting what happened at the beginning of the World War II when Poland was being divided, Czechoslovakia was occupied and the rest of the countries were hoping that both the aggressors would stop at that. What happened afterwards is common knowledge. I very much like the address of "Svoboda" delegate Oleksandr Shevchenko during this session. He noted that the "Russian World" from Russia will soon unite with the "Russian World" in the rest of the European states and the resulting group will pursue the policy of protecting the Russian-speaking all over Europe.

**U.W.: What is the stance of the Council of Europe leadership regarding Russia's membership? Anne Brasseur's move to invite the Russian speaker Sergei Naryshkin to Paris on September 1 came as a surprise, as the latter ended up on the list of those barred from visiting the European Union countries due to the EU sanctions.**

I'm not going to pass judgment on the actions by the PACE leadership, as I find that inappropriate. I will, however, note that this is what is referred to as "parliamentary diplomacy". It's an attempt to influence the situation through a colleague from Russia. When the Russian Federation joined the Council of Europe it agreed to the condition that all issues will be resolved in accordance with the Statute. There is a need for this kind of dialogue. Whether Ms. Brasseur and other colleagues are heard when they call for dialogue with Kremlin is another matter. And are those with whom she has negotiations heard in Kremlin? Are they listening at all? At this stage of the sanctions the Russian delegation is deprived of voting rights, which does not mean that their members cannot be present at the session and take

part in the committees. The actions of Ms. Brasseur, as far as I am aware, are agreed with other governing bodies, so I don't see any negatives there. But I don't see any results either.

**U.W.: Your colleague in New York, the Ukraine's representative in the UN Yuriy Serheiyev admitted in the press that he had stopped greeting the Russian ambassador six months ago. What kind of relationship with the Russian Federation diplomatic mission leaders do you have?**

Our communication begins and ends at the meetings of the Committee of Ministers. Kyiv insists that Moscow fulfills its obligations. We have a closed format, it's not televised, but the conversations end with Russia dismissing all arguments, and not only those coming from Ukraine. What do the likes of Nadiya Savchenko, Oleh Sentsov and other Ukrainians that became political prisoners on the territory of the Russian Federation and are being prosecuted have at all to do with the Russian judiciary? They are our citizens, they were kidnapped on the Ukrainian soil and forcibly transported to another country! On what grounds was the Mejlis building confiscated in Crimea and Ukrainian schools were closed along with Crimean-Tatar medresses? All we get in response is empty talk. To have actual dialogue clear questions need to receive clear answers. And that is not happening.

**U.W.: What legal instruments can Ukraine utilize to prove that by arming the "Donetsk People's Republic" and the "Luhansk People's Republic" and kidnapping our citizens Russia effectively engages in terrorist activity or instigating acts of terrorism?**

Certainly, there are conventional instruments within the frameworks of the Council of Europe that enable us to raise such issues. For instance the Council of Europe Convention on the Prevention of Terrorism is one. By carrying out a policy directed at military, material and technical, economic and financial assistance to the "DNR and "LNR" terrorist organizations, whose militants en-

gage in murder, torture, destruction of infrastructure, looting and burglary, Russia is in violation of numerous provisions of this document. Ukraine can launch the mechanism provided in it: start consultations, negotiations, demand an arbitrage hearing, address the UN International Court of Justice... How much time would such a process take and where it would lead is difficult to say. Our state should not rule out this path, although it is not the quickest, nor it is the most effective.

There is another way: to address the Statute bodies of the Council of Europe and get a political reaction on Russia's assistance to terrorism in Ukraine. This would require a separate report by either the Secretary General, or the Parliamentary Assembly of the Council of Europe. Recognizing the "DNR and the "LNR" terrorist organizations, condemning their activity and the assistance that Russia provides them, addressing the respective international institutions, including the UN Security Council, with the request to take action... These are all realistic steps that can and must be taken at the European Council level. They are more expedient and at times more effective than the conventional mechanisms. This doesn't require any extraordinary efforts, all it takes is conscience and some political nerve. At least we should be talking about it.

**U.W.: Let's get back to the right of Nadiya Savchenko not to be kidnapped from her native land... The Russian state is holding her captive and is planning to subject her to psychiatric examination. So shouldn't it be held responsible for its actions?**

Absolutely. Moreover, the Ukrainian government addressed the Council of Europe Secretary General in different forms asking, first of all, for help in protection of Nadiya Savchenko's rights and, secondly, in investigating whether torture has taken place. Currently, as far as I know, the Council of Europe leadership discussed this with the Russian Federation officials, and the committee I mentioned earlier took on this case. Therefore, as soon as the response is ready and the respective procedures are carried out, the public will be informed. ■

**BIO**

**Mykola Tochyskyi**, born in 1967, is a graduate of the Taras Shevchenko Kyiv State University majoring in philology and translation from French and English. In 1995, he graduated from the International Relations Institute at Taras Shevchenko University as an international lawyer. In 1995-1998, he worked as third and later second secretary of the Ukrainian Embassy to the Kingdom of Belgium. In 2004-2005, he headed the Consular Service Office of the Ministry of Foreign Affairs of Ukraine. In 2005-2008, Mr. Tochyskyi worked as Consul General in San Francisco (United States). In 2010, he was appointed Ukraine's Permanent Representative in the Council of Europe

# Geoffrey Pyatt:

## "There will be no Cold War 2.0"



PHOTO: ANDRIY LOMAKIN

Interviewed  
by  
Anna Korbut,  
Dmytro  
Krapivenko

**"H**ow much everything has changed since January," is the first thing Geoffrey Pyatt, the US Ambassador to Ukraine, says when we meet to speak to him again this time. Back then, we discussed sanctions against the "political regime" that was still in place, and the EuroMaidan as a chance which the West and Ukraine cannot afford to waste. Almost ten months later, *The Ukrainian Week* speaks to Mr. Ambassador about the war with Russia, the US assistance to Ukraine, and the vital priorities for the new Ukrainian government.

**U.W.: The basic issue in cooperation between Ukraine and the US is security, both regional and national. Which priority objectives have already been accomplished in this domain, which ones are still being worked on, and what is further on the agenda?**

Let me answer this question in two ways. I think that the fundamental challenge that Ukraine confronts is not that different from the

one I talked about with your publication in the early 2014: How to build a Ukraine that lives up to the aspiration that the Ukrainian people have expressed. This aspiration is to live in a modern European democracy. The greatest challenges to Ukraine are still internal, not external. Ukraine's new government has made substantial progress on the IMF agreement, the anti-corruption reform, the beginning of work on constitutional reform and devolution of authority. These are all the topics where we are trying to help and where Ukraine's long-term prosperity is going to be shaped. That is longer term.

In the short-term prospect, Ukraine is facing the immediate security challenge posed by the aggression that Russia has been engaged in. We are convinced that the best answer to that short-term challenge is the full implementation of the peace plan advanced by President Poroshenko and all twelve points of the agreement reached in Minsk. There is no military solution to the crisis with Russia. That said, we are committed to helping

Ukraine deepen the capacity to defend its sovereign territory.

That is why Assistant Secretary Victoria Nuland and I met with the State Border Guard Service, presenting a large new package of assistance to enhance their ability to defend the state territory. Since the crisis began, our security sector assistance has grown from less than USD 10mn to USD 116mn. That includes USD 46mn of assistance which was presented to President Poroshenko while he was in Washington.

This assistance also includes short-term and long-term elements. The short-term one includes items like night vision goggles, body armor and engineering equipment presented to the border guards; and the counter-mortar radars which we will provide to enhance defence of the army against incoming indirect fire. The long-term programs we have are designed to help Ukraine build modern, democratic, NATO-standard compliant, European military institution. We have advisors who are working with the Ukrainian Ministry of Defense and General Staff to identify an agenda for reform and modernization. We have large programs to train and assist the National Guard and help the Ukrainian military institutions to build capacity. We are going to work on these hard security issues.

But I want to emphasize that I am convinced: the most important long-term security challenge to Ukraine comes from the issues of reform, corruption and modernization of the state that President Poroshenko and Premier Yatseniuk's Government have committed to address.

**U.W.: According to a wide-spread opinion, America could provide Ukraine with more extensive and diverse military assistance if President Poroshenko were less prone to taking compromises with Vladimir Putin...**

I don't share that assessment. I would again draw your attention to the dramatic extension of the overall assistance we are providing. This includes the security-related assistance I just mentioned. There is economic and development assistance which has grown by tens of millions of dollars. There is the USD 1bn loan guarantee that we have worked with the Congress to approve in the record-time in

"The No1 concern that I hear about from American companies is corruption... So, the single most important thing that I think the government can do to stimulate additional American investment is to send a clear signal that the days of corruption, corrupt payments and practices are over"



Washington. And there will be more. We are committed to supporting this government, Ukraine and the Ukrainian people in building a modern European state. I would advise against any suggestion that we have somehow backed down on our assistance. We are fully committed to supporting this government. That was the message President Poroshenko heard when he went to the American Congress, which was a remarkable event. He also heard it directly from President Obama in the Oval Office.

**U.W.: At one point, the US was involved in the establishment of several security blocks, in addition to NATO, such as ANZUS. Would it be timely to form a new military union on the post-Soviet terrain with the states facing direct threat of Russian aggression?**

I think Ukraine is in a special situation as regards all the post-Soviet space. First, it is the largest of former Soviet states, other than Russia. It is also in a different position vis-à-vis Europe. Before coming to Kyiv last August, I spent three years working, among other issues, on our relations with five countries in Central Asia. Ukraine feels very different. It has an Association Agreement with the EU. It has a border with four EU member-states. It has access to international maritime trade through the Black Sea. It has very strong human resources. And it has extraordinary natural resources, including some of the best agricultural land in the world, shale gas, minerals and other resources. Ukraine's challenge over its first two decades of independence has been its governments. Otherwise, it has enormous potential which puts Ukraine in a very strong position over the long term. My advice would be for Ukraine to move as fast as it can to the implementation of the Association Agreement with the EU, modernization of the state, and to meeting the aspiration of the Ukrainian people to become part of the institutional Europe. That puts you in a very different position compared to other post-Soviet states.

**U.W.: Moldova, too, shares borders with the EU. Yet, Moldova, Georgia and Azerbaijan have territorial problems caused by the Russian aggression. Which countries would the US rely on in this region**

**if the Russian aggression continues to escalate?**

I think you are comparing apples and oranges here. Ukraine has its own unique set of circumstances. This is a country that has a critical mass in terms of its own historical memory and experience. Your publication writes about the question of Ukrainian identity probably more than anybody. That is something which I think the events of the past six months have certainly reinforced. You see it in the bridges painted blue and yellow. I see it here at my embassy where the local staff wears vyshyvanky every Friday. There is no doubt in my mind about the strength and resilience of Ukraine's unity and identity. The question now is where you take that. What I hope and see is that you are taking that to Europe, including European values, standards of justice and democracy, and practices in terms of business environment, corruption and education. That's why the Association Agreement is so important.

**U.W.: You have mentioned business. The US, the EU and international financial institutions are providing significant financial assistance to Ukraine. However, we all realize that this assistance is to just keep Ukraine afloat. Sustainable economic development takes investment. What should Ukraine do in the short-term prospect to attract significant American investment that would also act as an additional element of Ukraine's security?**

You are exactly right: because Ukraine is a large country, FDI and national investment is what has to ultimately drive its economy. American investors that I speak with see all the potential in the key sectors of the Ukrainian economy I mentioned earlier – in agriculture, energy, heavy industry, metallurgy, chemicals and others. The very rapid growth in Ukrainian exports to Europe as a result of the EU's unilateral trade concessions this spring is a signal that there is buoyancy in this economy. The No1 concern that I hear about from American companies is corruption. Their perception is that anybody who comes into the Ukrainian market is going to be the subject of government officials and others with access to power seeking to lean on them for payments, money under

**BIO**

**Geoffrey R. Pyatt**, a Senior Foreign Service officer, was sworn in on July 30, 2013 as the eighth United States Ambassador to Ukraine. He holds a B.A. in Political Science from the University of California, Irvine and a Master's degree in International Relations from Yale. Prior to joining the Foreign Service, he worked with The Inter-American Dialogue, a Washington-based think tank that brings together leading citizens of the Americas. He was the Economic Officer and Vice-Consul in Tegucigalpa, Honduras in 1990-1992 and went on to be the Political Officer in New Delhi, India from 1992-94. In 1994, he was appointed Staff Assistant to the Assistant Secretary of State for Latin America. In 1995-96 he was Special Assistant to the Deputy Secretary of State and from 1996-97 he was assigned to the position of Director for Latin America on the National Security Council staff. From 1997 to 1999 he was Principal Officer of the American Consulate in Lahore, Pakistan. In 1999-2000, he served at the American Consulate General in Hong Kong, managing the trade and export control dialogue with the Hong Kong Special Administrative Region of China. From 2002 to 2007 Ambassador Pyatt served at the U.S. Embassy in New Delhi, India. From August 2007 until May 2010, he was Deputy Chief of Mission at the U.S. Mission to International Organizations in Vienna. From May 2010, he was Principal Deputy Assistant Secretary of the South and Central Asia Affairs Bureau. On February 27, 2013, President Obama announced his intent to propose Geoffrey R. Pyatt's candidacy for the position of the US Ambassador to Ukraine.

the table. So, the single most important thing that I think the government can do to stimulate additional American investment is to send a clear signal that the days of corruption, corrupt payments and practices are over.

The package of laws passed by the Verkhovna Rada on Tuesday (on October 7, the Verkhovna Rada passed the "anti-corruption package" in the first reading. It includes, among other things, the establishment of the Anti-corruption Bureau and the implementation of the 2014-2017 Anti-Corruption Strategy devised to put in place transparent public procurements, fair justice and a business climate that will squeeze out corruption practices – **Ed.**). This is an important step\*. But there is also an important requirement to the reform of the Prosecutor General's Office. Most importantly of all, changes must occur in the practical behavior of state officials. The laws are a good step forward, but practice is what really matters.

**U.W.: The recent spy scandal seemed to have damaged the US-German relations. Europe now has a powerful Russian lobby. Could the Ukrainian crisis cause extra tension in the relations between the US and the EU?**

I don't think so – exactly the opposite. In fact, Ukraine has been an important and successful example of transatlantic cooperation. We all

have the same interests in terms of Ukraine's long-term destination as part of the European family of nations. We all see the same threat in Moscow's violation of Ukraine's territorial integrity, invasion of Crimea, intervention in the Donbas, all of which are vital threats to international order. There is not a single day that passes where I'm not coordinating with all of my EU counterparts and our core allies, and the EU institutionally. But it is not just here in Kyiv. It is at the levels of presidents – between President Obama and Chancellor Merkel or State Secretary Kerry with the British Foreign Secretary on October 8. So, cooperation with Europe is the core principle in our policy towards Ukraine and our approach to the work that needs to be done.

**U.W.:** One of the manifests of this cooperation is the setting up of NATO bases in Eastern Europe, particularly in the Baltic States. However, as the former General Secretary emphasized, these are temporary. Does this signal that the Russian threat is not taken quite seriously? Is it part of the strategy? If not, what is it?

First of all, this is a question for Ambassador Lute (US Permanent Representative to NATO – Ed.) and General Breedlove. But as regards Ukraine, I think it is very clear that all of us as members of NATO and the transatlantic community are upholding Ukraine's right to choose its European future. For the US, upholding Ukraine's territorial integrity is a fundamental principle. It is a principle that we have paid a significant price to reinforce, including through sanctions that we have imposed on Russia in response to its egregious violation of Ukrainian territory.

**U.W.:** How effective are sanctions in response to Russian aggression? When Ms. Nuland visited Kyiv recently, she said that they could be cancelled if Russia fulfills the Minsk conditions. However, what originally gave rise to sanctions was Russia's annexation of Crimea. How does that affect sanctions? Could they escalate further from the current stage to a phase where they hurt Russia's energy sector?

First, I think it is far too early to speak of any rolling back on sanctions at this point. All of the behaviors that gave rise to them are still

\*On 14 October 2014, the Verkhovna Rada passed the "anti-corruption package" in the second reading. On that same day, clashes took place in front of the parliament building between protesters and the police. The US Embassy in Kyiv issued the following statement in this regard: "...Today's successful session was an important milestone in a reform process whose aim is to bring Ukraine's justice and government systems further into line with European norms... At the same time we condemn strongly the acts of violence that took place outside the Rada..."

taking place. As Assistant Secretary Nuland noted (during her visit to Ukraine on October 5-7 – Ed.), we are preparing to consider the roll-back of some sanctions if Russia chooses to deescalate and to reverse the actions that gave rise to the sanctions. In doing so, we want to coordinate and cooperate intensely with our European and international partners.

As you noted yourself, there were different phases of sanctions in response to different phases of the aggression. So, it is reasonable to expect that the same principle will apply to the relaxation. In terms of the most recent and the most severe sanctions which were announced by the US and Europe at the end of September, an essential prerequisite (to relaxation – Ed.) would be the full implementation of the Minsk agreement. As President Poroshenko has pointed out, there are three key elements where Russia has not complied with the promises it has made in that framework: the release of all prisoners, including political prisoners who are being held inside

**"UKRAINE'S CHALLENGE OVER ITS FIRST TWO DECADES OF INDEPENDENCE HAS BEEN ITS GOVERNMENTS. OTHERWISE, IT HAS ENORMOUS POTENTIAL WHICH PUTS UKRAINE IN A VERY STRONG POSITION OVER THE LONG TERM"**

Russia, like Nadiya Savchenko; the restoration of Ukraine's sovereign control over its border verified by the OSCE, and the removal of all Russian fighters, soldiers, mercenaries and heavy equipment from Ukraine. Unfortunately, even today I am seeing reports in the media of more Russian equipment coming in, not going out. There is the regular Russian Army there, the GRU, mercenaries, Chechens and others, and fighters who are coming from Russia – they all need to go home. And that was what Russia promised as part of the Minsk agreements.

**U.W.:** Do you think the Minsk agreements would be fulfilled more quickly and effectively if the US was part to the talks?

We support the Minsk framework and the deal that President Poroshenko made on September 19. For now, it is an agreement between Russia, Ukraine and the OSCE. That trilateral framework has worked well. That said, we are committed to our security partnership with Ukraine. Before President Poroshenko was sworn into office, he met with President Obama in June in Warsaw. The US has been engaged intensively with Russia signaling our view regarding the importance of fulfillment of the Minsk framework. Next week, Secretary of State Kerry will meet with Russia's Foreign Minister Lavrov in Paris, and I know that Ukraine will be part of the agenda there. But ultimately, we support the principle of an agreement between Russia and Ukraine to re-normalize their relationship. As Vice President Biden said when he came here for the inauguration of Mr. Poroshenko, "We will stand with you".

**U.W.:** The Russian propaganda is trying to revive the myths of the Cold War and to interpret the current relations between Russia and the US within that paradigm. They are even trying to interpret the conflict in Ukraine as a clash of Russian and American interests. What do American diplomats think of these myths? What is the explanation for Russia's lagging behind the rest of the world in the terminology it is using?

There will be no Cold War 2.0 because Russia is not the Soviet Union and we are not engaged in any kind of an existential confrontation. Perhaps the most important reason is that Russia, unlike the Soviet Union, is connected to the global economy. We are all prisoners of global markets. You can see that in how the markets have responded to Russia's illegal actions. Russia has suffered billions of dollars of capital flight. Growth in the Russian economy is now essentially flat. Look at what's happening to oil prices. As tempting as it might be rhetorically to fall back on the language of the Cold War, we are convinced that Russia and its internationally-connected economy should benefit from a Ukraine that is politically stable, growing economically, and anchoring with European institutions. ■



# Freedom For Others

Not everyone raised under western democracy considers freedom a universal value. Especially when it comes to the freedom of those whom they are not accustomed to noticing, hearing, or understanding

**T**he commentator was doing his best. Beginning with a close-up image of a tattoo, he showed a video clip of armed thugs wearing balaclavas before launching into a panel discussion with “experts on Russian subjects”. But of course, how could he leave them out? He did what he could to prove that in Eastern Ukraine the “Ukrainian far right and the Russian far right are killing each other”.

The technique of “equalization” that is now becoming a trend on French television is convenient for many. It is convenient for those who use their dislike for the extreme right as a reason to don ideological blinders and dissociate themselves from the bloody events in the Donbas. Equalization is likewise employed by those who live under Russia’s spell, refusing to acknowledge the Kremlin’s imperialistic aggression. “The only difference is the flags they’re waving,” urged another expert. “When the guns aren’t firing, the Ukrainian fighters and separatists listen to the same music, read the same books, wear the same tattoos and follow identical ideologies. A pathologist from the Donetsk morgue said that their corpses can’t even be told apart.” And the audience believes this. He then reiterates this point to calm himself and the crowd: the conflict in Ukraine is purely localized and ideologically narrow. It’s not a European conflict. It doesn’t concern us.

The viewer is led to believe that these “fraternal nations”, Russia and Ukraine, have so much in common! “The Cyrillic alphabet, Orthodoxy, a common Soviet past - all these elements are passed from commentator to commentator, from one ‘expert’ to another”, explains a lawyer who has travelled around Eastern Europe on various missions with the Council of Europe over the last fifteen years.

“The French react to this information as follows: it is about two parts of one whole, which are temporarily quarrelling but will eventually reconcile.”

Whether subconsciously or due to the influence of certain interests, through laziness or narrow-minded cowardice, it would be convenient for many in France if Ukraine were within Russia’s sphere of influence. It is initially difficult to say how many of the commentators are getting their identical slogans about Ukraine: “a territory without a history”, “a fascist junta in power in Kyiv”, and “following America’s orders”. It is especially difficult to determine precisely how these repetitive pro-Russian messages are being disseminated for use in mass-media.

“We don’t use the kinds of brutal tactics that one sees in Ukraine. You cannot, for example, kick down the door of the channel director’s office and offer a tidy sum to buy out your own ‘negative package’ (i.e. purchase a specified period of media loyalty to your business)”, says Sylvie, who not once reported on Ukraine during or after the Orange Revolution. “French TV has other weaknesses: ideological blinders, automatism in support of Parisian foreign policy, and lazy hosts who tend to invite the same favourite pundits to debate.”

Why this particular approach, these commentators, and this taboo about Ukraine on French TV? What is more influential: material interests or the stereotypical ideas of the journalists and their audience? “Except for the Francophone channel ProRussiaTV, which was openly financed by Russian money, we have no solid evidence of the direct role of Russian capital in French TV”, states Frédéric, a lawyer who specializes in media issues. “State television often demonstrates a relative dependence on the political sympathies of the state leadership. There is no full transparency for private television channels. If it wanted, Russia could certainly buy up shares in such media firms in order to indirectly influence the overall tone of programming, but of course not the content itself. It’s more appropriate to speak not about censorship or corruption, but rather a subtle encouragement of self-censorship. Indeed, a large number of politicians and TV producers think that getting into an open conflict with Russia would not be beneficial to France.”

## THE TECHNIQUE OF “EQUALIZATION” THAT IS NOW BECOMING A TREND ON FRENCH TELEVISION IS CONVENIENT FOR MANY

And we mustn’t forget whose purposes television serves, and about the preferences, interests, and priorities of these viewers whom even the television producers openly call “narrow-minded plankton?” “French paternalistic society has done everything it can to destroy people’s ability to empathize”, stated one broadcaster colleague. “Not only empathy toward distant peoples who are dying for their freedom, but even toward their own citizens. Everything is entrusted to the state, and even a function like solidarity ceases to be the responsibility of the individual”.

Children of freedom do not always grow up to be conscious of its value. They take their comfort for granted, refusing to believe that it could come to an end just as suddenly as the lives of those who walked down Kyiv’s Instytutaska St. one sinister February morning. ■



**Author:**  
**Alla Lazareva,**  
**France**

# The West: Between Interests and Values

If the West wants to develop freely, it cannot allow the dominance of Russia, which, backward and parasitic, dictates its ineffective rules to the rest of the world



**Author:**  
**Ihor Losev**

**T**he Kremlin's aggression against Ukraine and the collapse of the post-war system of international relations, in particular the absolute ineffectiveness of the 1994 Budapest Memorandum and the West's confusion regarding "post-Weimar" Russia brought to life a discussion about why Moscow, with its authoritarian-totalitarian system, has such a huge impact on the democratic world. Why, indeed, is Russia able to dictate its agenda to the West, while enthusiastically ignoring all norms of intergovernmental coexistence?

It is a question not only of the Kremlin's painstaking efforts to

employ its traditional and insidious "byzantine" diplomacy (although it relies more on brutal force than skill), but also of the fundamental objective duality of Western civilization. For the West, the market is the basis of the economy, and democracy is the basis of policy. If democracy represents the West's values, then the market stands for its interests. The two are in constant conflict with each other, yet one does not always win over the other. There are many factors that ensure the triumph of values over interests or vice versa. The West is essentially torn between these contradictory realities.

One living example of this is the controversy regarding France's sale of Mistral aircraft carriers to Russia. Moscow has learned to

Until the beginning of World War II, the attitude of Western democratic powers toward Nazi Germany was relatively tolerant, and in 1936 they willingly and enthusiastically attended Hitler's Olympics

skillfully play on the contradictions between the idea and commercial interests. It is a great temptation ... However, such tactics are not unique to Moscow; the democratic West has been tempted by other anti-democratic regimes before. One may recall that until the beginning of World War II, the attitude of Western democratic powers toward Nazi Germany was relatively tolerant (and this despite the gloomy Nuremberg racial laws!), and in 1936 they willingly and enthusiastically attended Hitler's Olympics ...

The following principle continues to drive the West: "Business at any price! Business in spite of everything!" This confirms the classical Marxist thesis that for a large enough profit, the bourgeois is

ready to sell even the rope with which he will be hanged.

The US and Europe actively collaborated with the Bolshevik Soviet Union in the 1920s and 30s, despite the fact that the latter made no secret of its intentions toward the bourgeois world. Little must be said of extreme communists; even the relatively liberal Khrushchev, during his visit to the United States in the late 1950s gently promised the Americans, "We will bury you!" Significantly, the United States established diplomatic relations with the Soviet Union during the Holodomor (Stalin's forced famine) in Ukraine.

During the Soviet Union's first Five Year Plan, industrialization was doomed to end in failure (especially after the abolition of the NEP) without comprehensive help from Western companies, especially in the military-industrial complex. In their book, Russian historians Dyakov and Bushuyeva describe how the Soviet Union helped Germany to rebuild its military-industrial complex following World War I, stating that the "Nazi sword was forged in the USSR." Meanwhile, the communist sword was forged by democratic Western countries...

Until the early 1930s, there was no tractor-building or tank-building industry in the Soviet Union. After just 12 years, the USSR already had 24,000 domestically-produced tanks in service. It is impossible to understand this phenomenon without acknowledging the role of American specialist Albert Kahn in this organizational miracle. According to historian Dmitriy Khmyelnitskiy, Kahn's firm "...designed 521 facilities between 1929 and 1932 (other sources state 571). These are foremost tractor (i.e. tank) factories in Stalingrad, Chelyabinsk, Kharkiv, and Tomsk; Automobile factories in Chelyabinsk, Moscow, Stalingrad, Nizhny Novgorod, and Samara; and machine plants in Kaluga, Novosibirsk, and Upper Salda; a rolling mill in Moscow and foundries in Chelyabinsk, Yekaterinburg, Nizhny Novgorod, Kolomna, Lyubertsy, Magnitogorsk, Sormovo, and Stalingrad..."

Kahn's activities encompassed almost the entire Soviet military industry. For many years, these facts are carefully concealed in the

USSR and were unpopular in the United States.

Dmitriy Khmyelnitskiy writes: "In 1931, upon returning to the US, Kahn employee William H. Brass shared his impressions about the work in the USSR with a Detroit newspaper reporter. He described the black market, the inability to leave the country, the wild judiciary, the secret police and the housing problems. And about what the Americans feared most - the transformation of civilian industry into military industry. Even more serious was Brass' assumption that Kahn's contract with the Soviet Union included a stipulation for the promotion of communism in the United States. Albert Kahn immediately delivered a rebuttal in the press, but doubts about his firm's activities in the Soviet Union could not be dispelled."

In 1930, the Soviet government proposed to Kahn a package of orders for the construction of industrial enterprises in the Soviet Union amounting to USD 2 billion, which in the early 2000s was equivalent to USD 220 billion USD.

Where did the Soviets get the money for such fantastically expensive projects? That was the cost of the lives of the millions of Ukrainian peasants who died in 1932-1933 when their grain was requisitioned for export. Stalin admitted in a letter to Molotov: "Mikoyan reports that the harvests are increasing and we are exporting 1-1.5 million poods [16,400- 24,600 tonnes]. This is not enough. We must increase the daily norm to export at least 3.4 million poods [55,760 tonnes]. Otherwise, we risk being left without our new metallurgical and engineering factories (Automobile plant, Chelyabinsk plant, etc.)... In other words, we must violently force the export of grain."

Interestingly, even then, as now, Moscow masterfully exploited rivalries between Western countries and firms, including competition between the US and Europe. Stalin wrote to Kaganovich about this in summer 1931: "Because of the difficulties with currency and unacceptable credit terms in America, I oppose any further orders for America. I propose a ban on new orders for America, the end of all negotiations on new orders, and possibly the discontinuation of al-

ready concluded agreements on pre-orders, and the transfer of these orders to Europe..." Kaganovich backed the leader, stating: "It was found that 80-90% of orders for Chelyabinsk can be placed in England." The Americans were slowly displaced in favor of the Europeans, and in 1935 Soviet plants employed 1,719 Germans, 871 Austrians, and only 308 Americans. Interestingly, before Hitler came to power, the number of German specialists employed at Soviet enterprises was much lower.

It is difficult to disagree with Khmyelnitskiy when he states, "There is a very high probability that if Kahn had not gotten along with Stalin in 1929 and had not designed the world's largest tank factories, Stalin might not have had the clout nor ability to sign his 1939 pact with Hitler in order to jointly start a war for the re-division of the world." And Albert Kahn's company still exists to this day...

What prevails today in Western society: values or interests? Of course, this is a very important and painful issue for Ukrainians. The question is not academic, but a matter of life or death, not only for Ukraine, but at least for the whole of Central and Eastern Europe.

Today, using the most rational approach, it can be stated that the interests and values of the West do

## MOSCOW HAS LEARNED TO SKILLFULLY PLAY ON THE CONTRADICTIONS BETWEEN THE IDEA AND COMMERCIAL INTERESTS

coincide, because if the Kremlin is allowed to destroy the world order, then it will not be the rule of law that dominates, nor economic calculations, but brutal force and arrogance that rapidly transform life into total chaos and endless war, making it ultimately impossible to create a world free of nuclear weapons. In the absence of any reliable guarantee of safety provided by international agreements, every state that wants to survive will be forced to create its own balance of fear to ward off potential aggressors.

Political and economic anachronism cannot be a compulsory model for humanity. Today, the West has to protect its values in order to protect its interests. ■



# All Quiet on the European Front

In Western Europe there is fairly widespread indifference to the fighting in Ukraine or the growing tensions in the Baltic States. They do not see it as a threat to their own way of life

**Author:**  
**Michael Binyon,**  
**UK**

**W**hen the Berlin Wall came down, Western Europe was gripped by a rush of optimism and hope. The communist system, it appeared, had been defeated with barely a shot being fired. Across Eastern Europe nations threw off the Soviet yoke, which had kept their countries tied to the Soviet Union since the end of World War II. Western democracy had triumphed, and the divisions of Europe could be healed. The Cold War, many believed, was over. It was, as the historian Francis Fukuyama memorably declared, “the end of history”.

Thirty years later, that dream now looks sadly naïve. The divisions of Europe have not healed. Long stifled local animosities re-emerged, provoking wars and conflicts across the Balkans. Russia was still an unpredictable and unsettled neighbour that had not relinquished its dreams of power. And with President Putin determined to reassert Moscow’s influence across the lands that had once formed part of the Soviet Union, the past ten years have seen growing tensions between East and West, leading to brief battles over Georgia and, far more devastatingly, armed civil conflict in Ukraine that has claimed more than 3,000 lives. Has the Cold War returned?

But although far more people have been killed in conflict in Europe since the Wall came down than during the 40-year East-

Mikhail Prokhorov, Russian businessman and candidate in the 2012 presidential elections, poses with London Mayor Boris Johnson promoting the Russian festival Maslenitsa, the Butter Week, in 2011

West stand off after 1945, few governments in the West are ready to acknowledge that the challenge presented today by Moscow is just as great as it was before. Why is it that they no longer see Russia as an enemy? How has Moscow been able to neutralise opposition to its expansionist aims? Does Russia now have a pro-Russia lobby with an effective voice in all Western capitals?

The main change between Western attitudes today and those that prevailed during the Cold War is that Russia is no longer seen as an ideological enemy. Communism presented not only a military threat to the Western world: it was seen as an ideological challenge which intended one day to defeat capitalism and change the Western way of life.

“We will bury you,” the Soviet leader Khrushchev once memorably declared. It was this threat to subvert the governments of Western Europe that prompted the formation of NATO, a defensive alliance to halt Moscow’s military and ideological expansionism.

That threat appears to many people to have disappeared. Communism is no longer a powerful political force nor does it have any global attraction for the developing world. It is clear that although Russia is still a nuclear power with formidable armed forces, it is nowhere near as strong militarily as America and its allies. The Soviet army is no longer poised to sweep across the plains of northern Germany. An East-West nuclear war now seems all but unthinkable.



There is, of course, growing concern and anger at Putin's increasingly strident anti-Western rhetoric and Moscow's refusal to co-operate with the West to ensure global peace. In the Middle East, at the United Nations and especially in international emergencies, Putin now seems determined to oppose Western initiatives and thwart Western policies.

But many governments refuse to see this as the start of a new Cold War. Partly this is because public opinion – at least in Western Europe, but not in most former Warsaw Pact countries – no longer fears a Russian invasion. Partly also it is because Western voters are not prepared to spend more on defence to meet the new challenge. The “peace dividend” has already been spent. Taxpayers do not want to pay more now to build up their defences again. And for those countries that are not Russia's immediate neighbours, Islamist extremism is now seen as a bigger threat than Russian aggression.

The second important change is the unification of Germany. Germans remain deeply aware that this was possible only because Gorbachev refused to prop up East Germany any longer. And for that there is still a huge reservoir of gratitude in Germany to Russia – coupled with the hope that this gratitude can be translated into a positive political friendship that will bring stability and, Germans hope, lucrative business between Germany and Russia. German guilt at the destruction the Nazis inflicted on Russia is still a big, but unspoken, factor in German political thinking.

Germany is the biggest and richest NATO member after America, and Berlin's attitudes are important in influencing NATO's response to the Russian actions in Ukraine. But even for a country such as Britain, attitudes have changed.

The British have never had a close relationship with Russia, either in war or peace – unlike France or Germany. For most of the Cold War, Britain was among the most hawkish of the Nato members in opposing communism and standing up to Russia. Britain privately ridiculed President de Gaulle's vision of a Eu-

rope “from the Atlantic to the Urals” as naïve and unrealistic. It seemed prompted more by his quest for French glory and independence than by a realistic assessment of Soviet communism.

But even during the Cold War Britain was influenced by a large admiration for Russia's wartime alliance in fighting the Nazis and by Russian culture. For Britain, Russian music, literature, ballet and theatre have been central to British cultural life. Chekhov is almost seen as second to Shakespeare, just as Shakespeare is a strong influence on Russian culture. The Bolshoi ballet first came to London in 1956, and its reputation has never dimmed (even though some recent tours have been seen as only mediocre). Russian achievements – from Sputnik to physics research – are widely acknowledged. There is a statue of Gagarin in London.

As a result, London was seen as a welcoming city to many Russians after the fall of communism, and there has been a huge influx of Russian visitors and immigrants. It is estimated there are more than 200,000 Russians now living in the London area – far more than in Berlin or New York – and Russians send their children to British schools and universities in huge numbers. Russian business has also made London an important western base. British banks finance Russian business. Russian companies are floated on the London stock exchange. And Britain, especially Shell and BP, is one of the largest Western investors in Russia. And finally, significantly, an entire younger generation of Russians now speaks English. Ease of communication has never been so strong.

The growth of global trade and especially Russia's importance as a market for Western goods therefore makes Western governments reluctant to cut these new links or impose sweeping sanctions that would damage both sides. Moscow does not need a special lobby group to warn the West against cutting ties: that warning usually comes from Western businessmen themselves.

Active Russian attempts to influence Western thinking have

actually been counter-productive. Russian propaganda is as crude and mendacious as it was during Soviet times, and Russian denials of responsibility over the Malaysian airline disaster or its military presence in eastern Ukraine have angered western governments and public opinion. Indeed, the more Moscow attempts to “lobby” the West, the more suspicions of Putin's intentions grow.

There are still a few former communists who support Russia out of old-fashioned ideological sympathy. But their numbers are small, they are mostly elderly and they have almost no influence on the politics of European governments, even in countries such as Italy with large parties of former communists.

But the difference in attitudes between Western Europe and the new members of the European Union – especially Po-



**ACTIVE RUSSIAN ATTEMPTS TO INFLUENCE WESTERN THINKING HAVE ACTUALLY BEEN COUNTER-PRODUCTIVE. RUSSIAN PROPAGANDA IS AS CRUDE AND MENDACIOUS AS IT WAS DURING SOVIET TIMES**

land and the Baltic states – is striking. The suspicion of Russia in former communist states is very strong; in Western Europe there is fairly widespread indifference to the fighting in Ukraine or the growing tensions in the Baltic States. Instead, most Western Europeans see Russia as a country with a weakening economy, massive corruption and a growing tendency to authoritarianism. They do not see it as a threat to their own way of life. And the United States is far more focused now on the Middle East and the rivalry with China than it is on Moscow. Few Western politicians are pro-Putin apologists – a man widely despised – or are promoting Russia's politics. And despite the warnings of the NATO leadership, most Western voters see Russia as a danger to its neighbours, rather than a threat to world peace. ■

# Lobbymocracy

Ukraine does not have adequate support in the West, either in political circles, or among experts. The situation with the mass media and civil society is slightly better

**Author:**  
**Alla Lazareva,**  
**France**

**T**he Western diplomatic horizon looks overcast. Within a short period of time, some politicians that supported Ukraine have taken a back seat, making way for indifferent pragmatists or officials. The party of the former Minister of Foreign Affairs of Sweden, Carl Bildt, lost the latest election, so one of Kyiv's best advocates has now left the big political arena. The same applies to Radosław Sikorski, Poland's former Minister of Foreign Affairs. "People are always more important than institutions", Philippe de Sureau, the former French Ambassador in Ukraine, often stresses. And this really is the case. As far as priorities are concerned, Barack Obama is not at all like Reagan, Cameron or Thatcher, and the political consequences of the changes in the leading offices of influential countries and institutions are always different for Ukraine.

The conservative NATO Secretary General Anders Fogh Rasmussen was replaced by social-democrat Jens Stoltenberg. "The change in tone towards Russia is already perceptible," commented an international observer who works in Brussels. "Rasmussen expressed things clearly, in military fashion, while Stoltenberg has a velvet, flexible and diplomatic manner of communication". Already under its new leader, NATO has made a statement about the fact that the situation in Ukraine is critical and could worsen. But Kyiv needs support on a completely different level. NATO is hesitating, procrastinates more as time goes by and limits itself to declarations. In fact, it is already reacting to Moscow's serial hysterics.

The situation in the European Commission is no better. To call the conservative José Manuel Bar-

roso pro-Ukrainian would be an exaggeration, but it is impossible to deny the obvious strength of his character, sense of fairness and ability to stand up for his own position. He will be remembered as a self-sufficient politician, not prone to falling under someone else's, particularly Moscow's, influence during his term in office as President of the European Commission.

How will his successor, Jean-Claude Juncker, manifest himself? We can only wait and see. The main thing is for the position of this politician regarding Russia not to coincide too closely with the views his countrywoman, Anne Brasseur, President of the Council of Europe's Parliamentary Assembly. She continues negotiations in different forms with Sergey Naryshkin, the Speaker of the Russian Duma, and on September 1, even invited him to visit Paris, in defiance of EU sanctions, which ban Naryshkin's entry onto Schengen territory. Why? Because Mrs. Brasser is convinced that dialogue is better than a boycott.

The flexibility, if not complaisance, among the leaders of international institutions allows Moscow to lobby its interests under very comfortable political conditions. The Kremlin has an impressive group of Western politicians and a whole army of lobbyists at its disposal - from experts in unofficial negotiations to newly-baked "experts on Ukrainian issues", most of whom probably did not give Ukraine the slightest thought just six months ago.

"How is this possible?" asks friend and political journalist, Régis Genté. "I know three political scientists in Paris, who really have something to say about Ukraine: Alexandra Goujon, Yulia Shukan, Annie Daubenton... But completely different people are invited

to participate in television debates on Ukrainian issues. Either the blatantly pro-Kremlin Jacques Sapir and Dmitri de Kochko, or other, completely weird people..."

Why has this been happening since the start of military action in Ukraine? There are several dozen consultant and communication companies in Paris, which, among other things, sell "new faces" to TV channels. Very often, the faces are not that new, but those who are already part of the mix. According to The Ukrainian Week's sources, a good third of them have permanent clients from either Russia or French pro-Russian political and business circles. "Lobbyists have a far greater influence on television content than is apparent from outside," says a colleague, who has worked on one of the French TV channels for 10 years. "For example, the former Minister of Foreign Affairs, Hubert Védrine owns a small consultancy with the clientele in Moscow, among others. This is why he can often be heard on radio and TV."

It is not easy to prove that the theses of Védrine's speeches on television are directly dictated by the Kremlin, but he is obviously expressing Moscow's views. "Russia's intervention in events in Ukraine is not its fault, Moscow has been provoked by America", he tells a stunned audience. A professional diplomat, Védrine must







know that in civil law – not to mention international law, every active entity is responsible for its own actions. A country cannot be “offended” – feeling is a subjective category in the field of psychology. But Hubert Védrine and Jacques Sapir are never tired of talking about the “humiliation” experienced by Russia from the unfulfilled promise allegedly given to Mikhail Gorbachev on the non-expansion of NATO.

Meanwhile, no one has ever seen a document containing such promises. “This was a verbal agreement”, former far left economist Jacques Sapir, who is currently a consultant for the far right Front National, says to brush off sceptics. He seems to disregard the fact that current international law has never recognised unconfirmed talks as basic components of geopolitics. Sapir himself, who does not speak Ukrainian and does not hide his sympathies towards Joseph Stalin, is invited to participate in television debates on Ukraine just about every week. It would be interesting to know why.

France’s political class is making the same clichés and theses as those promoted by the “experts”, who are actually the lobbyists. Expertly using democratic rhetoric, the far right, far left, radical Euro-sceptics and a small group of moderate politicians, are actively

Allowing Ukraine customs privileges – is to disregard democratic standards, declares Marine Le Pen, President of the Front National and Putin’s staunch ally

discussing the “legitimacy of Russian interests in Ukraine”, “intolerable American meddling” and other techniques, directed towards legitimization of Moscow’s aggression.

“We are not going to start arguing with Russia over such a trifling matter as Crimea?” feigning naivety, says Jacques Attali, who is regarded as the political father of socialist President François Hollande. “Allowing Ukraine customs privileges – is to disregard democratic standards”, declares Marine Le Pen, President of Front National. “It was MP Aymeric Chauprade, who was an ‘observer’ at the ‘referendum’ in Crimea, who fed her information both about ‘the criminal country, Ukraine, which is wiping out its own peaceable citizens’, and about the ‘Donetsk schoolchildren who are dying during their lessons from bombing by the Ukrainian army’”, prompts a colleague working in Brussels. “I saw them together immediately before debates on the Association Agreement with Ukraine. He was dictating something to her”.

According to sociologists, Marine Le Pen is almost certain to make it to the second round of the next presidential election. If the French political class does not show the world a fundamentally new, vivid, charismatic leader by 2017, Le Pen could well become the next President of France. People don’t like to write about this inevitability in the press, but this is what it looks like right now. This does not bode well for Ukraine.

## **FLEXIBILITY, IF NOT COMPLAISANCE, OF THE LEADERS OF INTERNATIONAL INSTITUTIONS ALLOWS MOSCOW TO LOBBY ITS INTERESTS IN A VERY COMFORTABLE POLITICAL ENVIRONMENT**

Why are Moscow’s arguments taking root so well in western, particularly French, soil? There are several reasons. The first and obvious one is ideological. It was in France that Russia, and previously the USSR, built a diversified system of influence, relying on specific people with far left political convictions. Similar collaboration

has been established with the far right in recent times – not only with politicians from the Front National, but also with journalists, who went to work on the French language channel, ProRussia TV and organisations that were registered as public ones, such as Unité Continentale, which is openly enlisting mercenaries to fight on the Russian side in the Donbas. The Kremlin is skilfully playing on the anti-American sentiments of both left and right extremists, and is also not forgetting to opportunely employ some of them.

Another reason – the inertia of the consumer social strata, which is not based on Russia’s informational aggression. It is not so much becoming an active collaborator, as it is distancing itself from the irritating, controversial subject. “You wonder why the press provides so much information about the Islamic State every day, but almost nothing about Ukraine?”, says Frédéric, a lecturer in political sciences at one of Paris’s universities. “Is it because France has the largest Muslim community in Europe? Not at all! It’s self-defence. The reflex of not thinking about things that frighten us. Geographically, Ukraine is much closer than Iraq or Syria. So it’s better, figuratively speaking, to bury your head in a pillow and pretend there is no war there”.

France is one of those countries where it’s not particularly difficult for foreign political lobbyist structures to operate: there is very little threat of active opposition from the amorphous, laid-back society. The only effective barrier is possibly the caste structure of the French leadership, where prestigious diplomas from a handful of French universities play the role that once belonged to a noble title. But everything is relative. “Democracy is transforming into a lobbymocracy”, jokes Frédéric. Or is he? “You often get the impression that even when the EU is supporting Ukraine, economic interests, particularly energy ones, actually have more influence”, admits Rebecca Harms, a German MP in the European Parliament. These are the values. What you name this society – post-industrial, post-democratic, an information civilisation or a lobbymocracy – is a matter of taste. ■

# An Imagined Dialogue on Several Clichés and Misperceptions



**Author:**  
**Leonidas**  
**Donskis,**  
**Lithuania**

In the wake of the Russian-Ukrainian war disguised as an internal conflict in Eastern Ukraine, several clichés and misperceptions of reality widespread in the West have reappeared. In this light, the following questions could and should quite legitimately be raised. I will try to formulate them in such a way so the reader can feel a trajectory of thought. Everything is based on my own fairly recent interviews and discussions on Ukraine and Europe.

**What makes us more responsive to the deaths or misfortunes caused by war than the others that are closer to our reality, like the ones caused by urban violence or poverty?** Two things: fear of a possible chain reaction that would hit us ourselves, and anxiety of physical destruction which is a tragic lot of boundary regions and endemically unsafe places like Eastern Europe or the Middle East. We are tempted to think that death caused by urban violence or poverty would bypass us somehow, yet a big war, once waged somewhere nearby, is easy to start and almost impossible to end – therefore, we fear that death is on the way to us. Never ask for whom the bell tolls...

**Are we, the modern society, losing compassion?** Yes, we undoubtedly are. We are swamped and washed out by the unmanageable wave of information via the internet and social networks, yet we are constantly behind all major and genuine dramas of humanity. They happen just before our eyes. Hence, the misery of young and precarious people – jobless and devoid of any brighter future only due to their being part of the new global precariat or austeriat. We are not in a position to freely choose our time – wars and crises never ask if we want them. Silent tragedies of millions of people who move from relative visibility and social con-

nections in their country to the anonymity and forsakenness of their existence in a foreign country they move to find a job and to support their families go unnoticed.

A story of adultery of a movie star moves and drives crazy millions of consumers of global news, yet nobody really reacts to the danger of a possible world war in Ukraine or sufferings of Ukrainians only because it happens in No Man's Land – somewhere in Eastern Europe which is tantamount to the middle of nowhere. It was only after the Malaysian aircraft was downed by terrorists supported by Russia that Western Europe, Australia, and the USA started reacting. We listen to moral panic-mongers and inciters of collective or even global hysterias, yet we refuse to listen to ordinary citizens or sound people who would lower their voices instead of yelling at us – this happens because we choose to believe figures and statistics whether financial or political. Tell me how much population you have or what is the GDP in your country if you want to win my attention – this is the logic behind our political and moral reasoning nowadays. Zygmunt Bauman has spoken about the phenomenon of adiaphorization of our consciousness which means the abandoning of the ethical dimension in our choices and actions. I would define this phenomenon as the withdrawal-and-return mechanism which facilitates leaving and abandoning our sensibilities with the possibility to return to them, as soon as evil actions committed to those whom we consider a collective nobody or nonpersons or nonentity are finished, and we are back to those whose first and last names we know.

**Who are modern barbarians?** People devoid of sensitivity to those who are different from them. Or human individuals abandoning and denying their own individual responsibility for their choices and actions as well as for the

rights of other individuals whom they wish to strip of their uniqueness, individuality, and dignity.

**Some say Vladimir Putin is something like a 21<sup>st</sup> century Napoleon.** Do you agree with that? As we know, Napoleon was instrumental in introducing modern and progressive legislation in France and elsewhere, which allowed him to grant citizenship to the Jews in France and Italy. Putting aside his militarism and imperialism, Napoleon played a role in the saga of Europe's modernization. Vladimir Putin cannot be credited for anything like this. He is a sinister and dangerous figure, and also a threat to Europe and civilized humanity. If the world will not stop him, he may lead us to the nuclear apocalypse. He is a political gangster and a war criminal with nuclear weapons. In addition, he is backed and supported by forces in Russia which are impossible to describe otherwise than overtly fascist. This is why Napoleon does not invite any comparison with Putin. Things are much worse than that. I am not a pessimist, though. The world is fed up with dictators and thugs, and it is unlikely that Putin would have a strong footing or would win respect in the world. He will be isolated, condemned, and relegated to the margins of history. However, this does not absolve us from the necessity to watch out and fight evil.

**What do you think about Obama's policy about ISIS?** Obama is president of peace, rather than war. In fact, he is reluctant to go to war. However, he is forced to react to evil forces. I am afraid he does not have many options at hand. Sometimes it is crucial to strike on time when evil is on the rise, instead of waiting until thousands or millions of people are killed. But we cannot eradicate all forms of evil. Hence our curse to be selective and tragically inconsistent. For nobody fights or tolerates evil in its entirety. ■



# Russia's Gangster Regime – The Real Story

Author: Edward Lucas, UK

**M**y biggest journalistic regret is that I did not dig deeper into Vladimir Putin's past. I was the Economist's Moscow bureau chief from 1998 to 2002 and, like my colleagues, failed to find out anything very interesting about the quiet grey bureaucrat from St Petersburg who so surprisingly became prime minister and then president.

Nobody seemed to have much to say about him. He seemed a featureless, Teflon-coated character – notable mainly for loyalty to his bosses. That was frustrating, but it did explain neatly why the Yeltsin family, desperate to avoid impeachment, had turned to him.

If anyone had told us that Russia's new leader was in truth a sinister and ruthless character, who habitually consorted with gangsters, looted public finances, intimidated opponents and corrupted foreigners, we would have been alarmed – and better informed – about the country's future. We might have also tried rather harder to understand why so many of the people best placed to talk about Mr. Putin's past were dead, terrified, or richly rewarded.

So I am particularly pleased that Karen Dawisha, an American academic, has succeeded where I and others failed, in drawing a detailed – and dismaying – portrait of Mr. Putin's rise to power and riches. The account she gives of colossal corruption, abuse of power and thuggery is so devastating that her original publisher, Cambridge University Press, declined to publish the book for fear of being sued for libel.

I wrote about her book's plight in the Economist, and as a result of the furore which resulted, she found a publisher. But for now it is easily available only in the United States (where it is protected by the First Amendment).

The book tells what I believe is the true story of modern Russia – the way in which a monstrous hybrid of ex-KGB types and gangsters took over bu-

reaucracy and business in St. Petersburg, Russia's second city and then seized power in the entire country. The process began even before the Soviet collapse, with the mysterious disappearance to the West of billions of dollars of KGB and Communist Party funds.

Those looted funds provided the financial cushion during the years when hardliners were out of power. And it was a springboard for their return. The Putin cabal's revanchist rule has led to the crushing of independent media, meaningful opposition and all public institutions, cloaked with aggression towards Russia's neighbours – and all in pursuit of monumental self-enrichment.

The outlines of this story have long been suspected. But Mrs. Dawisha -- in a way that I would not risk doing myself – names the members of the inner circle, and tracks minutely how and why they have prospered. A distinctive feature of her book is its meticulousness. Every fraudulent deal, every murder, every abuse of power is annotated from published sources. In some cases she uses material that has mysteriously disappeared inside Russia, but which she has tracked down elsewhere. Again and again she unpicks the systematic use of deceit and intimidation with which the regime has covered

its debauchery, theft and murder.

Mrs. Dawisha does not have all the answers. It is hard to know how much of the events of the past 25 years reflect planning, and how much were due to good luck. Nor is it clear how a strong Russia is compatible with Putinism's endemic, debilitating corruption, especially if money starts getting tight.

Most puzzlingly, she shows that Western governments long ago knew that Russia was ruled by a thuggish kleptocracy, but were strangely unwilling to act on that knowledge. Thanks to Mrs. Dawisha's bravery and determination, we now have no excuse for ignorance. ■

**WESTERN GOVERNMENTS LONG AGO KNEW THAT RUSSIA WAS RULED BY A THUGGISH KLEPTOCRACY, BUT WERE STRANGELY UNWILLING TO ACT ON THAT KNOWLEDGE**



# Karen Dawisha: “Russia’s objective is to increase the split between Europe and the US”

*The Ukrainian Week* speaks to the author of the newly published book *Putin’s Kleptocracy: Who Owns Russia?* about the loyalty of people around the Kremlin leader, the role of Ukraine in his staying in power, and about Russian money in Europe



Interviewed by  
Anna Korbut

**U.W.:** In his grip on power, Vladimir Putin apparently relies on a close circle of people who have accompanied him on his path to power and wealth from the beginning. Russia’s current policy is probably threatening their assets and further prospects. Do you think that they will stay with Putin till the end and support him in whatever he does, or will they rather leave him as soon as they see that his power begins to crumble for some reason?

That’s the key question. I suppose that his agreeing to the continued detention of Vladimir Yevtushenkov (owner of Bashneft, an oil company, and a number of other profitable assets – Ed.) and the introduction of the Kremlin-sponsored new bill that would allow sanctioned people to be compensated by the seizure of Western assets, otherwise known as the “Rottenberg bill”\*, are both signals from Vladimir Putin that he will take care of this close group around him first, and everyone else after that. He may be send-

ing that signal because he feels that not all of them will be loyal under certain circumstances.

**U.W.:** Can the West actually reach Vladimir Putin’s money and thus affect his policies or weaken his grip on power?

Putin has power not because of his money but because he has access to anything he wants from the Russians. He can call up troops, build residences, and have a good life. In addition to that, he has money. But it was simply a part of his motivation for coming to power in the first place, not necessarily a tool that keeps him in power.

However, when the sanctions were first put into force, the US Treasury Department posted a list of all people who were going to be sanctioned on their website. Gennadiy Timchenko was one of them. In its description of the reasons, the US Treasury Department said that “Putin has investments in Gunvor and may have access to Gunvor funds”, Timchenko’s oil trading company. The day before Gunvor and Timchenko were sanctioned, he sold his shares to his Swedish partner. Did he sell Putin’s shares, too? We don’t know. But we know from the US Government that he has shares. So far, we don’t know what is happening to Putin’s own money. I will say, however, that in terms of the Russian money – money from the oligarchs and the cabal around Putin – given that so much of it is invested in overseas accounts, like the British Virgin Islands, Lichtenstein, Switzerland, Luxemburg, those particular places have not really been hit by the collapse of their banking sector. I therefore suppose that the money is very well hidden. Much of the money that is flowing out of those places is not going back to Russia, but is heading to Hong Kong or Singapore. That is less safe than Europe but more safe than Russia.

**U.W.:** This money is one of the convenient factors that help Russian influence politics in European countries. Is it just money, gas and investment of the wealthy Russians into luxury real estate, schools and goods in the West that make them welcome guests almost anywhere in Europe, or could there be any deeper networks that subtly promote Russia’s interests in European business, economy and politics?

\*On October 8, the Russian Duma passed the bill to amend the Federal Law on the Compensation for violation of right to a trial within reasonable timeframe or right to enforcement of verdict within reasonable timeframe (the law on compensation for sanctions, or the ‘Rotenberg law’ as the opposition named it after Russian oligarch Arkadiy Rotenberg whose villas and apartments were arrested in Italy in late September as a result of European and American sanctions) in the first reading by 233 votes to 202 against, including Russia’s Minister of Economic Development. The predominant majority of those who supported the bill are members of Yedinaya Rossiya, United Russia, the ruling party headed by Dmitri Medvedev that sponsored the bill

We must assume that all states, especially the powerful ones, have intelligence services. They are all successful in increasing the influence of their countries through intelligence methods. Russia is not alone in this. This is a whole layer of activity and everybody knows that it exists. There are rules to govern this. The recent Russian abduction of Eston Kohver, an Estonian intelligence service officer, is shocking because it broke those rules.

In the Soviet era, the Soviets themselves were the major founders of the so-called “peace movement”. Their objective was then the same that it is now: to increase the split between Europe and the US. Russia has an objective interest in making sure that Europe does not follow the leadership of the US. You can see it in their editorials, read it in Putin’s speeches.

On the open side, we see people like Marine Le Pen, for example. Most of the right-wing parties in Europe have a pro-Putin stance. This is because they fundamentally agree with Russia on two things: anti-Americanism and anti-immigrant sentiments that have racism as their core.

Another concern is that the Russians are funding the anti-fracking movement in Europe. They certainly don’t want to see fracking developing in Ukraine.

So, I would be surprised if there weren’t any of their money flowing in support of these kinds of activities. There is so much going on publicly that it’s only just to think that a lot more is going on underneath the carpet.

**U.W.: So, the objective has been to increase the split between the US and Europe, and probably within the EU itself. Still, European policymakers and business communities have all this time been trying to befriend Russia and make it more democratic that way, and rushing there with their investment and technology. With all the immediate benefits of the Russian market, they couldn’t but see what the country has gradually been turning into...if they did not care for the risks Russia posed to its neighbours politically, why didn’t they care about risks it would ultimately pose to them?**

I remember an interesting conference in the summer of 1981, during Solidarity Days, prior to the im-

position of the martial law in Poland. Representatives of the Deutsche Bank were there. I was shocked – and that explains why I no longer am today – by the extent to which their only concern was to get their debts from Poland to be repaid. They did not care about labour suppression and they would have supported martial law just to get the profit.

When you see the response of the City of London or Luxembourg to what’s going on in Russia – they will support any sanctions against individuals, but not against institutions that are flooding their money into Western banks. They want the commission for the money in their banks. And they have benefitted from this ever since the 1990s, in all the years in which we pretend that Russia was a democracy. As a result, after over 20 years of these investments, there is no rule of law in Russia, so oligarchs and people in power can loot the economy. All this money is flowing to Europe where there is rule of law that protects it. Therefore, having more transparent banking procedures in Russia and being able to see that this money does not come from laundering illegal gains is not in our interests, because that will mean reducing profits.

**U.W.: Could all these factors eventually lead to an EU that is fragmented while Russia is growing stronger?**

One thing that is clear to me is that, if Ukraine succeeds in having a number of clean parliamentary and presidential elections, and implements robust anti-corruption laws, that will probably act as a great support for civil society in Russia. Right now, the Russians do not see themselves in a position where they are actually willing to become Europeans. If Ukraine can do these things that will show people in Russia what possibilities they could have. Which is precisely why the Russian government is doing everything it can to prevent this. For Ukraine, that is extremely promising, and extremely burdensome.

The EU and NATO, however, will stay united. They will be the last thing that crumbles, even if Ukraine has to be sacrificed for that. Sadly, but I think that is the reality.

**U.W.: Which European countries would you list as the most vulnerable to Russian influence?**

**BIO**  
**Karen Dawisha** is Walter E. Havighurst Professor of Political Science in the Department of Political Science at Miami University in Oxford, and the Director of the University’s Havighurst Center for Russian and Post-Soviet Studies. Mrs. Dawisha received her Ph.D. from the London School of Economics in 1975, and has taught at a number of British and American universities. She is the author of five books, many articles and works on Soviet and East European internal and external politics, the relations between the Soviet Union and the USA, and between the USSR and the Middle East, as well as on processes in Southern Europe and Central Asia

One is Serbia where Vladimir Putin participates in a big military parade (Serbian authorities held the parade celebrating the liberation of Belgrade from German occupiers four days before the originally planned date to adjust to Putin’s schedule – **Ed.**) on his way to the Milan summit, and probably tries to have a free trade agreement with it so that the smuggling routes that Slobodan Milosevic had established can be reawakened, and all the European goods could go to Russia directly through Serbia. Bulgaria would be right behind, followed by Hungary. 40% of real estate in Montenegro is owned by the Russians. In fact, it is any country that is 100%-dependent on Russian fuels.

Of the prime members of the EU, Luxembourg’s banking sector is important for Russia, and Russia is important for them. Lichtenstein that depends upon soft banking regulation for the livelihood of its population. Britain and Germany resist Russia a little stronger. In France, you have Mistrals. Italy, with Berlusconi out, is standing up to Russia, and that is a good move that is very much tied to the desire of the post-Berlusconi politicians to show that they are not in the pockets of the Kremlin.

I think that David Cameron and Angela Merkel are in a tough bind: they have to bring the EU along with them. So, they clearly hear the desire of the Baltic States and Poland to be very tough on Russia. But they should go together in that, otherwise the EU will be undermined as an organization.

**U.W.: Who is the US’s most reliable ally against Russia’s aggression in Europe?**

It is clearly Britain. Now, that the US is leading the coalition in Syria

**“PUTIN HAS POWER NOT BECAUSE OF HIS MONEY BUT BECAUSE HE HAS ACCESS TO ANYTHING HE WANTS FROM THE RUSSIANS”**

and Iraq, it is very dependent on support in it. So, it is not going to push Europe too hard on Ukraine – which is not great for Ukraine – if it can get what it wants, i.e. jets sent to fight the ISIS, in Syria and Iraq, from its European allies. ■

# The Bear, Master of its Taiga Lair

Overall, Russians support the Kremlin's path towards self-isolation and confrontation with the West, ignoring the fact that they don't have a realistic chance of becoming another pole of influence in the world

**Author:**  
**Oleksandr Kramar**

**F**inding itself subject to the ruinous impact of international sanctions and reaping the harvest of confrontation with the West, Russia is heading to further self-isolation and returning to totalitarian practices of its Soviet past. The world-view gulf between the majority of Russians and the world is becoming ever more distinct and threatens gradually driving Russia towards a USSR 2.0 model.

The further development of this threatening trend will depend not only on the ability of Russian society to finally organise itself and act against Putin's regime or the readiness of part of the more liberal elite for a coup d'état, but also on the anticipated reformatting of the world energy market. If the price ratio of basic commodities exported by Russia, such as oil, oil products and gas, to imported consumer and investment goods in the coming years is much worse than in previous years, Russia can expect a sharp fall in living standards, a surge of domestic reaction and repression, censorship, even the dilution of the already insignificant middle class that had an opportunity to establish itself in the previous decades, as well as the progressive militarization of the economy and life.

This time, however, Russia will lag behind the West in terms technologically and economically much further than even the USSR did at its time. Instead, nuclear arms, excessive militarisation, personality cult and total zombification of the population to ensure the protection of the regime from

United Russia's Yevgeniy Fiodorov sponsored a bill allowing appropriation of foreign assets located in Russia as compensation to Russian companies and individuals hit by Western sanctions



**CHINA IS ALREADY TAKING ADVANTAGE OF RUSSIA'S SELF-ISOLATION, HAVING OBTAINED THE OPPORTUNITY TO IMPOSE ITS VERSION OF UNEQUAL COOPERATION ON IT**

Vladimir Putin signed a law restricting the stake of foreigners in the Russian media at 20%. Foreigners cannot be founders of mass media in Russia. This threatens most media that have not been under the Kremlin's control

internal and external challenges amidst socio-economic degradation and the loss of international competitiveness, will make it more like North Korea.

## A FORTRESS UNDER SIEGE

"We do not intend to discuss certain criteria for lifting sanctions. Whoever imposed them has to cancel them", Sergey Lavrov, Russia's Foreign Minister recently declared. Highly-placed Russian officials have publicly stated several times that they are not going to change their policy on post-Soviet territory, including on Ukraine, under pressure from the USA or the West, demonstrating their readiness for a systematic and long-term confrontation with the world.

Although such a confrontation is disastrous for Russia itself and has already had a negative impact on the living standards of most people, the Russians, cleverly manipulated by state propaganda, demonstrate their readiness to support the path towards self-isolation and confrontation with the outside world for the sake of the illusion of imperial "greatness".

According to a public opinion poll conducted in late September by the Levada Center, more than half of Russian citizens indicated

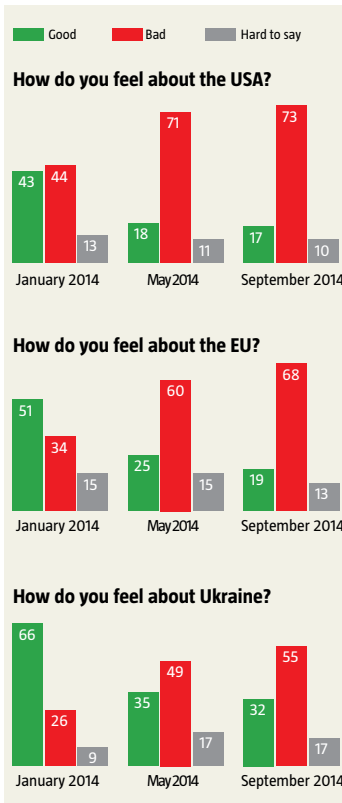
that food prices have increased significantly as a result of the trade confrontation with the West. Of the poorest category of respondents, nearly a third noted that they would have to give up some of the goods they habitually bought. However, 68% support the continuation of the current aggressive policy, regardless of sanctions. Importantly, 73% of the poorest, who have suffered most from the price increase on foodstuffs, take this view. At the same time, Russians are aware of the objective inability of the country to exist without the imports of a range of products from other countries. This is why most of them are reluctant to see Russian "countersanctions" on electrical appliances and medicines extend.

In addition to the information or trade isolation, Russians are already preparing for the gradual construction of a full-scale iron curtain in the form of the restriction of foreign travel. According to a public opinion poll by Levada Center, 49% of citizens are convinced that the government will continue to restrict travelling abroad. Only 28% of respondents support this move now. 9% feel that such measures are necessary and say that they should pertain to all Russians without exception, not just individual categories, such as top officials or functionaries. Moreover, support for the ban on travelling to the most "hostile" countries is significantly higher. This is most often the view of people with little education and a low income, as well as the residents of small towns and villages; in other words, the very sections of the population that the Putin regime is counting on the most.

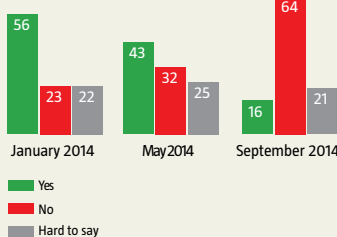


## Fortress under siege in action

The response of Russians to the question:



### Is there any point in Russia striving to become a member of the EU in the future?



Source: Levada Center

A federal law will shortly toughen the regulation of foreign travel of officials and MPs. At the same time, the Russian government is actively shutting down foreign contact for young people, particularly the Future Leaders Exchange (FLEX) student exchange programme for 2015–2016. More than 8,000 Russian children have participated in this programme since 1993.

At the same time, the attack on organisations, disloyal to the Kremlin, which in the new reality are already a huge irritant to the regime, has intensified. More specifically, Russia's Minister of Justice recently applied to the Supreme Court with the initiative to close the Memorial Human Rights Center, which recently recognised Nadiya Savchenko, a Ukrainian air force pilot captured by Russian Special Forces as a political prisoner. The history of this organisation reaches back to the times of perestroika. It was established by Soviet dissidents, including the Nobel prize-winner Andrei Sakharov. So the hearing of this case, which is due to take place on November 13, will obviously be important from the point of view of Russia's return to pre-perestroika times.

### WHO BENEFITS FROM THIS?

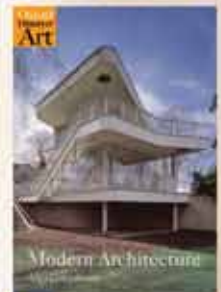
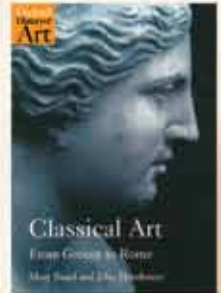
China is already taking advantage of Russia's self-isolation, having obtained the opportunity to impose its version of unequal cooperation on it, such as work on the Power of Siberia project. In actual fact, relations between Russia and China are increasing flowing in a direction where Russia is in a losing position. This is a result of the structure of Russian exports, and the stark gap between human and economic potentials of the two countries. China's economy has overtaken America to the top position in the world by GDP (PPP), worth in excess of USD 10tn, i.e. at least four times more than that of Russia. The only nominal parity that remains between them – the status of permanent members of the UN Security Council on the international arena and almost the same military potential because of Russia's nuclear arms superiority.

Without changes in its foreign course, Russia will then gradually transform into a huge raw materials appendage of China, totally dependent on Chinese investments and credit resources under the West's sanctions. Moreover, China will gradually even come to act as an intermediary for Russia in obtaining leading world technology. Under such conditions, the fact that Russia is lagging behind the West and even China in the area of technology, will become more and more obvious. ■



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# Volodymyr Lavrenchuk:

## Even experts with extensive international experience do not take it upon themselves to discuss the current market exchange rate"

Interviewed by  
Lyubomyr Shavalyuk

In his interview for The Ukrainian Week, Volodymyr Lavrenchuk, the Chairman of the Board of Raiffeisen Bank Aval, sheds some light on the future of Ukrainian banks.

**U.W.: A year or two ago, rumours had it that Raiffeisen Bank International Group was planning to sell its bank in Ukraine and leave. The Austrians appear to have changed their mind after the EuroMaidan. Why?**

Raiffeisen Bank Aval has never been put up for sale. The market has indeed shown interest in buying it, and RBA's shareholders have considered proposals. The interest lasted until November 2013 and negotiations were in the initial stages. But at this point, the prospects for the development of Ukraine's economy and its financial sector changed. The situation with the buyers has also changed. Requirements to them could be different now, taking into account new circumstances, particularly in the international reputation of potential investors, caused by recent events.

**U.W.: Over the years, many financial institutions have changed hands. What is the situation on the merger and acquisition market right now? Has the value of banks changed?**

In my view, it is incredibly difficult to determine a bank's value on a rapidly changing market, and with an equally rapidly changing profitability. For example, in 2013, our bank's net income was over EUR 100mn. Compared to its capital, the level its profitability is quite high for a market such as Ukraine's. It is thus clear that the price of a fi-

nancial institution cannot be lower than the amount of capital, and in fact, should be significantly higher.

But we do not hide the fact that we have operated with losses this year. This is caused by the devaluation of the hryvnia. Since the depreciation of a national currency is not a permanent process, according to our forecasts, we should once more become profitable with time and ultimately, we should once more receive a net income of EUR 100mn and more.

All of the largest banks are currently undergoing, or have already undergone stress tests. It is now clear that many need not simply investors, but the replenishment of lost capital. So the merger and acquisition market has temporarily ground to a halt.

**U.W.: Have RBA's clients changed in the last six to twelve months?**

Of course, a modern bank studies the behaviour of the people it services. This is a basic thing, which is vitally important to us. We use market research provided by GfK, we have our own analysis and the analytical data of the Raiffeisen Group on the markets of 15 countries.

What does client behaviour depend on? In my view, the motive "believe – don't believe, trust – don't trust" stands aside all other factors. "Restoring trust in the bank" – this is a motto that practicing bankers, not romantics, have come up with. The inflow and outflow of deposits often depends on the reputation of a specific bank, rather than the interest rate or the results of a parliamentary election.

Look at the behaviour of our clients today – and your initial big surprise will be that as far as its loan servicing obligations are concerned, corporate business (corporations, enterprises, organisations)

is significantly better than during the 2008–2009 crisis. We designed our possible scenarios based on the behaviour of clients in those particular years, but fortunately, we made a mistake, because the quality of our loan portfolio is better today than we imagined, even at the backdrop of the decline in production, military action, etc. Clients have become more responsible, something that we are very pleased to see.

As far as the behaviour of individual depositors is concerned, in my view, the current actions of the NBU and the government, particularly regarding stress tests, are a signal to people that they have the banking system under control. The closure of unprofitable finan-



cial institutions is unequivocally the right and responsible decision. The system of deposit compensation to individual clients of such banks by the State Deposit Guarantee Fund works: I'm talking about this with certainty, as RBA is the agent in such transactions. Many complex situations are regulated, which is evidence of responsibility in the banking sector. At some point, this quantity will transform into quality at some point and people will calm down. They will return their deposits to banks (in September, the outflow of deposits from the system decreased to UAH 4.2bn, largely due to the increase in the UAH deposits of legal entities; private individuals continue to withdraw funds from their accounts – Ed.).

**U.W.: The stress tests of the 15 largest banks in Ukraine showed that 9 of them have to increase their capital by UAH 56bn or 3,8% of GDP. What are the parameters of the testing and is it possible to attract the necessary money quickly?**

In my view, this is a substantial amount. It could be difficult to find it in the short term, but this depends on the actual intent of the investors. The owners of banks are different, which is why the final result is stipulated by individual work with each of them. Today, the NBU confirms that after negotiations with investors, the prospect for such investment is realistic. At the same time, the regulator announced that bankers could be given a specific time-frame for this.

The stress tests researched two basic factors. First of all, they examined how the devaluation of the hryvnia would affect the banks' financial position since each has loans and deposits in foreign currencies in the portfolio. Re-evaluation of those changes both assets and liabilities, but, since capital is hryvnia-denominated, its share after the devaluation of the hryvnia shrinks on the bank's balance sheet. Secondly, a range of enterprises will not pay their debts, because the proceeds they receive may not be sufficient to cover the debts growing along with the dollar. In other words, some money should be reserved for these two factors, or even for the losses incurred in the 2008-2009 crisis if

no reserves had already been created in time and in full.

**U.W.: According to the IMF programme, the NBU was supposed to conduct a stress test of tier two banks by September. Do we know the results yet?**

According to our calculations, the additional capitalisation required for large financial institutions will be about as much as for the biggest ones. Given that 15 first tier banks make up 70% of the entire system, and the next 20 – just 15% of the sector, the amount necessary to replenish their capital is probably UAH 12–14bn.

**U.W.: A stress test will probably be conducted of medium-sized and small banks now, many of which are considered to have serious problems. What can we expect from this test?**

To be perfectly honest, I don't know much about these financial institutions. Their share does not have a crucial impact on the sector, so we generally do not really focus on them during analysis evaluations. Today, the NBU is taking quite a few insolvent banks off the market, predominantly small and medium-sized ones. In spite of their size, some of them are harming the market.

**U.W.: Many of today's problems are a result of the previous crisis. What strategic measures should be taken to make the banking sector more stable and liquid?**

After that crisis, Raiffeisen Bank Aval and, as far as I know, other financial institutions, significantly changed their lending policy. We became more cautious in the issuance of loans, reined in many ambitious projects towards realistic goals under collateral, etc. From January 2010 until 2014, problem loans did not exceed 1.5% of the RBA's loan portfolio (compared to the pre-crisis 30% – Ed.). So obviously, banks were also better armed with protection policy and with the financial cushion for the current crisis. The clientele has become different, and loans are more resilient. Without this, the current crisis would have hit the financial sector much harder. A devaluation of 70% is a huge challenge. But all of the above-mentioned steps helped to survive this test, so I feel there is every

chance that the sector will fulfil its functions and in time, restore its profitability.

**U.W.: In addition to the measures implemented by the bank itself, what can be done on the level of the state, legislation and regulation, for the system to gain more long-term stability?**

In my view, the banking system itself does not require particular reform. It has been reformed quite well, since it was built on the basis of international models and standards.

At the same time, the banking sector and the financial sector as a whole are largely dependent on the quality of state finances. If not qualitative and if the deficit of Naf-tohaz constitutes UAH 113bn, as was recently announced, there is no point in counting on low interest rates. So I think that the balancing of the government's fiscal policy currently requires greater attention. It is necessary to curb spending, restructure various production sectors and improve fiscal balance overall.

**U.W.: In its monetary policy, the NBU is currently using administrative leverage that is more rigid than during the term of Serhiy Arbuzov, Chairman under Viktor Yanukovych. Is there a suitable alternative to the NBU's policy?**

I'm all for discussing alternatives, until a final decision is approved. No one knows whether a more liberal foreign monetary policy would have had a better effect. In my view, such an approach is right and we are doing everything possible to stabilise the foreign currency market with this set of tools. But, as I have already said, once insolvent banks have been removed from the sector, there will no longer be any need for administrative measures.

According to many experts, there is no point in fitting the current exchange rate to some micro-economic theory. It could be UAH 12.95 to USD 1, and it could as well be different. But even experts with extensive international experience do not dare discuss the current market exchange rate. So, creating overall trust and calming those rocking the dollar price is the correct path, which is the one we are following. ■

**BIO** **Volodymyr Lavrenchuk** is one of the best-known Ukrainian bankers and Board Chairman of the Board of Raiffeisen Bank Aval since 2005. Born in 1957 in Kyiv, Mr. Lavrenchuk graduated from Kyiv Economic Institute with a major in economy. He has worked in the banking sector since 1982 and has held management positions at Oschadbank (the Savings Bank of Ukraine) and UkrInBank



# Many Winners, a Few Bad Losers

A lower price will boost the world economy and harm some unpleasant regimes—but there are risks



PHOTO: REUTERS

**T**he collapse of the Soviet Union in 1991 had many causes. None was as basic as the fall in the price of oil, its main export, by two-thirds in real terms between 1980 and 1986. By the same token, the 14-year rule of Vladimir Putin, heir to what remained, has been bolstered by a threefold rise in the oil price.

Now the oil price is falling again. Since June, it has dropped from about USD 115 for a barrel of Brent crude to USD 85 or so—a reduction of roughly a quarter. If prices settle at today's level, the bill for oil consumers will be about USD 1 trillion a year lower. That would be a shot in the arm for a stagnating world economy. It would also have big political con-

sequences. For some governments it would be a rare opportunity; for others, a threat.

Predicting oil prices is a mug's game (we speak from experience). The fall of the past three months is partly the result of unexpected—and maybe short-lived—developments. Who would have guessed that chaotic, war-torn Libya would somehow be pumping 40% more oil at the end of September than it had just a month earlier? Saudi Arabia's decision to boost output to protect its market share and hurt American shale producers and see off new developments in the Arctic was also a surprise. Perhaps the fall was exaggerated by hedge-fund investors dumping oil they had been holding in

the false expectation of rising prices.

Geopolitical shocks can surprise on the upside as well as the down. Saudi Arabia may well decide to resume its self-appointed post as swing producer and cut output to push prices up once more. With war stalking Iraq, Libya still fragile and Nigeria prey to insurgency, supply is vulnerable to chaotic forces.

But many of the causes of lower prices have staying power. The economic malaise weighing down on demand is not about to lift, despite the tonic of cheaper oil. Conservation, spurred by high prices and green regulation, is more like a ratchet than a piece of elastic. The average new car consumes 25% less petrol per mile than ten years ago. Some observers think the rich world has reached “peak car”, and that motoring is in long-term decline. Even if they are wrong, and lower prices encourage people to drive more, energy-saving ideas will not suddenly be uninvented.

Much of the extra supply is baked in, too. Most oil invest-



**THINGS COULD GET UNCOMFORTABLE FOR THOSE GOVERNMENTS THAT HAVE USED THE WINDFALL REVENUES FROM HIGHER PRICES TO RUN AGGRESSIVE FOREIGN POLICIES. THE MOST VULNERABLE ARE VENEZUELA, IRAN AND RUSSIA**

ment takes years of planning and, after a certain point, cannot easily be turned off. The fracking revolution is also likely to rage

on. Since the start of 2010 the United States, the main winner, has increased its output by more than 3m barrels per day to 8.5m b/d. Shale oil is relatively expensive, because it comes from many small, short-lived wells. Analysts claim that a third of wells lose money below \$80 a barrel, so shale-oil production will adjust, helping put a floor under the price. But the floor will sag. Break-even points are falling. In past price squeezes, oilmen confounded the experts by finding unimagined savings. This time will be no different.

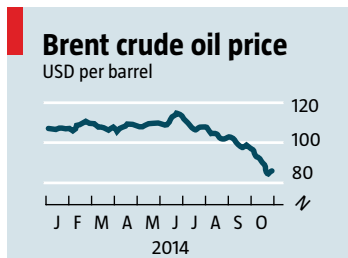
For governments in consuming countries the price fall offers some budgetary breathing-room. Fuel subsidies hog scandalous amounts of money in many developing countries—20% of public spending in Indonesia and 14% in India (including fertiliser and food). Lower prices give governments the opportunity to spend the money more productively or return it to the taxpayers. This week India led the way by announcing an end to diesel subsidies. Others should follow Narendra Modi's lead.

### THE AXIS OF DIESEL

For those governments that have used the windfall revenues from higher prices to run aggressive foreign policies, by contrast, things could get uncomfortable. The most vulnerable are Venezuela, Iran and Russia.

The first to crack could be Venezuela, home to the anti-American "Bolivarian revolution", which the late Hugo Chávez tried to export around his region. Venezuela's budget is based on oil at USD 120 a barrel. Even before the price fall it was struggling to pay its debts. Foreign-exchange reserves are dwindling, inflation is rampant and Venezuelans are enduring shortages of everyday goods such as flour and toilet paper.

Iran is also in a tricky position. It needs oil at about USD 140 a barrel to balance a profligate budget padded with the extravagant spending schemes of its former president, Mahmoud Ahmadinejad. Sanctions designed to curb its nuclear programme make it especially vulnerable. Some claim that Sunni Saudi Arabia is conspiring with America to use the oil price to



put pressure on its Shia rival. Whatever the motivation, the falling price is certainly having that effect.

Compared with these two, Russia can bide its time. A falling currency means that the rouble value of oil sales has dropped less than its dollar value, cushioning tax revenues and limiting the budget deficit. The Kremlin can draw on money it has saved in reserve funds, though these are smaller than they were a few years ago and it had already budgeted to run them down. Russia can probably cope with today's prices for 18 months to two years, but the money will eventually run out. Mr. Putin's military modernisation, which has absorbed 20% of public spending, looks like an extravagance. Sanctions are stifling the economy and making it hard to borrow. Poorer Russians will be less able to afford imported food and consumer goods. If the oil price stays where it is, it will foster discontent.

Democrats and liberals should welcome the curb the oil price imposes on countries like Iran, Venezuela and Russia. But there is also an increased risk of instability. Iran's relatively outward-looking president, Hassan Rouhani, was elected to improve living standards. If the economy sinks, it could strengthen the hand of his hardline opponents. Similarly, a default in Venezuela could have dire consequences not just for Venezuelans but also for the Caribbean countries that have come to depend on Bolivarian aid. And Mr. Putin, deprived of economic legitimacy, could well plunge deeper into the xenophobic nationalism that has fuelled his campaign in Ukraine. Cheaper oil is welcome, but it is not trouble-free. ■

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# Erik Reinert:

## “Convince the EU that Ukraine now is like Berlin in the Cold War era”

Interviewed  
by  
Olha  
Vorozhbyt

**T**he *Ukrainian Week* speaks to Erik S. Reinert, a Norwegian economist and author of *How Rich Countries Got Rich and Why Poor Countries Stay Poor*, about his vision of Ukraine's economic development, ways to overcome poverty, threats of de-industrialization, and about good models for Ukraine to follow.

**U.W.:** In your book, you wrote based on historic examples, how rich countries got rich thanks to protectionism and desire to be equal with others, rather than through free trade. One of your arguments is that a free trade area should be created with equal partners. Today, the EU Free Trade Area comprises very different countries by economic development – look at Latvia or Bulgaria. What should they do once they're in the rich club?

I think there is a very old rule. The person who expressed it the best was the German economist Friedrich List. He said that opening free trade between countries that are equal will help them both grow. I think the best example is Norway and Sweden which are both small countries. Norway was a latecomer and was protecting its industry for many reasons. When they reached the same level, they opened free trade and became each other's best customers. That was even so in spite of both being very small countries.

But speaking about the EU enlargement in 2004, the most advanced industrial countries there, for instance Hungary and Czech Republic, which had already started integrating with the West before the fall of Berlin Wall, did reasonably well in the process. On the other hand, there were the countries, integrated but de-industrialized. The problem with these countries is that

outward migration is the safety mechanism – if the trade balance does not work and the country is de-industrialized, people move out. Take Ukraine as relates to the EU – you still have a chance, because you are not a member. It's much more difficult for Latvia. Ukraine still has some possibilities for negotiating. Then, I think, you should say you want to be treated like Spain in the 1980s. This means slow integration in a way that does not cause de-industrialization.

**U.W.:** Over 20% of Ukraine's exports go to Russia (26.3% in 2013), which makes it an important trading partner. Yet, it has turned into a threat in every sense given the current situation. How should Ukraine further deal with trade with Russia?

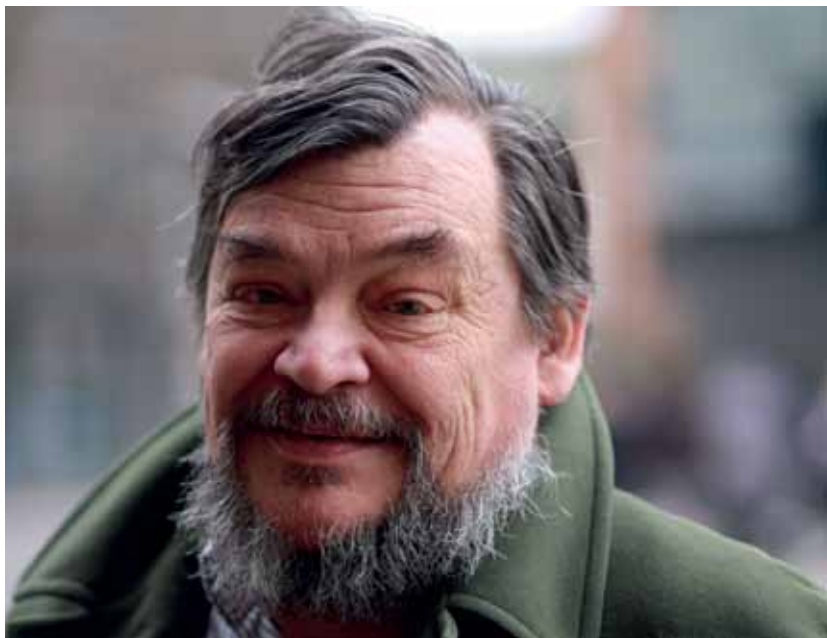
It is important that Ukraine recognizes the big dilemma it is facing: what makes sense politically,

mainly joining the EU, does not necessarily make sense economically. If we go back to the theory of Friedrich List and how the EU worked up until the 1990s, I am almost afraid of saying this, but economically it would make more sense to integrate with a more similar economy, like Russia's. However, that doesn't make sense politically, I can see that. I think Ukraine should use that dilemma to negotiate a better deal with the EU.

The important thing is that you nationally recognize your dilemma and use that as a leverage point when negotiating with the EU. You know the important sectors of the Ukrainian economy. They should be protected and the entry into free trade should be gradual while at the same time allowing you to get cheap capital to upgrade technologically. The dilemma in the periphery is often that labor is very cheap and capital is very expensive. So, you need a development bank which can actually supply capital at the low rate. Here you can learn from Brazil.

**U.W.:** You speak of the EU's de-industrialized periphery. What about Estonia and Poland, successful new EU member-states?

Estonia is relatively successful. It is very successful comparing to Latvia and Lithuania, but there is lots of poverty still if you move outside of Tallinn. Poland is successful for three reasons and probably the most important one is that it kept its family farms. In 1956 there was a





big uprising in Hungary, but there was also an uprising in Poland when the country refused to collectivize agriculture. As a result, it ended up with lots of small family-owned farms that have an important task in the economy. When things are good the children go to the city, go abroad and work, and when there is no job in the city or abroad they can come home and live on the farm. This means one more pair of hands in the potato field. This may not be terribly efficient, but socially it works very well.

The second advantage which Poland has, and it shares this with Ukraine, is a big market. The third advantage is that it managed to keep its zloty, so when things are bad in Poland, its currency goes down. Avoiding the euro is very important. It's like in a boiler, where you have the safety valve. In case something is wrong, the safety valve opens. In national economies this safety valve is devaluation. When things are bad the value of your currency goes down, and you become competitive again. That has been a very important mechanism for hundreds of years. What the euro has done is that it plugged that safety valve. The euro started as an idea for currency between the rich countries of the EU. The bad idea was to get in Greece and other poor countries with completely different economies. That is a big disaster.

One important thing for Ukraine is that it's a big market and Ukraine has traditionally been the bread-basket of the world. When I go back to reading American economic texts from the 19th century, the US felt that its competitor on the world grain market was Ukraine. So, this is a very important tradition and the strength, but the problem which I think is worth getting into is that agricultural subsidies to the new members of the EU is – as I understand it – are about half of what of the old members of the EU get. So you risk entering the EU as a union where German and Dutch farmers with cheap capital get much more subsidies than Ukrainian agriculture.

**U.W.:** In your book you present the experience-based economic theory in contrast to the model-based one. To what extent does the geopolitical position influence economic development, economic structure and success of the country?

Traditionally, all countries have followed this experience-based economy in order to get rich. Emulation was the name of the process. For example, when England tried to emulate Holland, it tried to copy it and protect its industry for hundreds of years. When the country gets rich, economic theories typically change. You start believing that it is the market which did the job. Friedrich List coined the term “kicking away the ladder”, which means that when the countries become rich, they throw away their old policies which they do not need any more and this is like kicking away the ladder, preventing other countries from using this tool too. This is the classical case now in Germany. I think it is a serious ethical problem at the core of the EU which no one wants to talk about (and I mentioned it in the book). After WWII, the US Secretary of Treasury Henry Morgenthau introduced a plan whereby Germany should have been de-industrialized because it had caused two wars in less than 50 years. The Morgenthau plan was to de-industrialize Germany. Then, Germany was saved by former US President Herbert Hoover who understood that old link between economic structure and population density. Hoover convinced the US that in a de-industrialized Germany there were 25 million people too many, and they would – Hoover wrote back to the US – have to be exterminated or moved somewhere else. Hoover's calculation assumed that a de-industrialized Germany would not be able to sustain a higher population density than France. Germany was saved by this calculation and it was allowed to re-industrialize under the Marshall plan. The problem now is that Germany which was saved by the Marshall plan a generation ago, imposes Morgenthau plans on the EU periphery and the third world.

When you are rich, you say that the market solves all your problems, and forget about economic policy. Interestingly, Germany which was one of the last countries in the 19th-century Europe using this policy of Friedrich List to get rich and using it again after WWII, now denies the same policy that saved it to the EU. It's a serious ethical problem and I raised it in a recent book in German. So, the geopolitical situation is important. During the Cold War it was important to stop communism

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and the US and the West understood that the way to do this was to make people so rich that communism was no longer an attraction. So, the Marshall plan was extended like a belt round the communist countries – from Norway to Western Europe, to Spain, Portugal, Turkey, Taiwan, Korea, all the way up to Japan. Latin America was allowed to industrialize in the same way, under protection. With this plan and with the policies to industrialize it the belt of rich and industrialized countries hindered communism from extending farther. It was a very successful policy. So, you can say that existence of communism was very helpful to the periphery. The sad thing now is that there is no more communist threat in that sense, so the West has forgotten the kind of policies that were allowed in order to stop it. I am afraid that Russia will not play that role again.

**U.W.:** Russia is a political, military and economic threat to Ukraine. Could having such a threat make Ukraine more prosperous, as Ukraine needs to develop itself strongly to counter it?

If you can convince the EU about the arguments I apply, that could happen. You can say that Ukraine is a bit like Berlin during the Cold War. Berlin was an island of capitalism surrounded by communism and enormous amounts of money poured into the city in order to save its economy. In the case of the Ukraine this kind of money must be used for rebuilding the economy. So, I think Ukrainian strategy should include a position whereby you say that you will be a much easier target for Russia if the EU allows you to be poor and de-industrialized. The EU should copy the successful containment strategy against the Soviet empire during the 1950s onwards. The best way for Ukraine will be to rebuild the industries that are similar to Russia's. Then people will identify themselves much more with the West and instead of migrating there, they will stay at home because they will have jobs in Ukraine. It can be an argument for the development of Ukraine. I think the parallel with the Morgenthau and Marshall plans is a good one. You should be able to convince the Germans that you are in a situation like Germany was just before the Morgenthau plan. ■

# Nils Muižnieks:

## “One of the reasons for which I thought it was important to go to Crimea was to draw attention to the situation there”

*The Ukrainian Week* speaks to the Council of Europe Commissioner for Human Rights about his recent visit to Crimea, the life of Crimean Tatars in the annexed peninsula, and Ukrainian political prisoners held in Russia



Interviewed by  
Anna Korbut

**soon? What mechanisms – or organizations, including international, could actually push the local Crimean authorities to stop the persecutions?**

One small development which I hope will lead up to concrete prosecutions into these cases: a local contact group was established to examine the cases of disappearances (Mustafa Dzhemilev, the leader of Crimean Tatar people, said at the PACE session in early October that 18 Crimean Tatars have gone missing since Russia annexed Crimea – Ed.). It consists of representatives of the Investigative Committee of Russia and of local law enforcers in Crimea. It should examine the two killings, and now five cases of disappearance of people. They are taking prerequisite investigative steps and have acknowledged these to be the cases of interest and concern to them. I would like to see the results and those who are responsible held accountable.

Some pieces of evidence point to the fact that the “self-defense forces” or individuals from these forces were implicated in a number of these cases. The litmus test for me as regards the assessment of this contact group’s work will be whether they can call them to account. I called on the authorities to do away with these self-defense forces and to integrate anybody who has not been implicated in human rights violations into the police after they go through the necessary professional training. But I think it is unacceptable to have military force that is not foreseen by any law that I know of, especially if some of its

**U.W.:** We hear numerous reports of serious abuse of human rights and persecution of Crimean Tatars in the annexed Crimea. During your latest visit to Ukraine, you spoke to the authorities of the annexed peninsula, Crimean Tatar activists, as well as Ukrainian and Russian government officials. Was there any difference in their rhetoric regarding the situation on human rights in Crimea?

There is a huge gap in perceptions of this situation between local authorities (in Crimea – Ed.) and most Crimean Tatars I met with. The overwhelming sense I got was that of fear and being intimidated by heavy-handed police actions and activities of the FSB, raids by masked armed men on madrasas, NGOs, businesses

and private homes. I tried to stress to the authorities that what they were doing is completely unnecessary and disproportionate because there is no extremism or history of jihadism among Crimean Tatars. They (the authorities – Ed.) acknowledged that there might have been some excesses, but they are caused by security concerns. I asked them to stop it immediately in order to reinstate the sense of security among Crimean Tatars. These people just want to live in their homes. They may disagree with political things, but they have the right to this, the right to disagree peacefully which is what they have been doing.

**U.W.:** Do you have a sense that situation may change anytime

representatives have been implicated in serious human rights violations.

**U.W.: What about Ukrainians who refuse to switch to Russian citizenship? Does the Ukrainian government have any way to protect them in Crimea? What should be done in the first place to that end?**

This was the problem that I highlighted in my report, as well as the UN did in theirs. There were a number of problematic aspects to this so called “passportisation”. One was the lack of clarity about what will happen to those who do not take the Russian citizenship. I did not receive any clear answer to this question from the local authorities in Crimea. Others are the short time of period to allow an informed decision, and conditions in which people could hardly make a well-informed choice about these issues.

I think the Ukrainian authorities, as well as the international community, have a difficult time in protecting the rights of people in Crimea. One thing that is clear though is that the European Convention on Human Rights still applies. The people who are making decisions that infringe upon the rights of citizens in Crimea will be held accountable under it. This is something that needs to be borne in mind when the situation in Crimea is discussed.

**U.W.: You have met with Russian authorities in Moscow. Have you discussed the issue of Ukrainian political prisoners including Nadiya Savchenko and Oleg Sentsov?**

I raised their cases with the Russian Deputy Foreign Minister and asked if these cases were part of various prisoner exchange negotiations. He said they were not. I also raised the cases with Ella Panfilova, the Russian Ombudsperson. She said that she had turned to the Federal Migration Service, asking them for information on the citizenship status of Mr. Sentsov as the first step to clarifying whether or not the Ukrainian authorities are allowed to see him. I hope that the Ombudsperson of Russia will remain engaged in these issues. I think that she has shown some good will in cooperation with the Ukrainian Ombudsman on various issues of common concern. These cases are of great concern, they are problematic and we need to follow them closely.

The Ukrainian authorities have placed these issues firm on the agenda for the international community to follow closely and to engage efforts to improve the conditions of the prisoners, and to have them released.

**U.W.: How much the situation in Crimea is in the focus of international community and what it used to be? What is the situation now? Is the attention of international community to this question fading, because it's very important to Crimean Tatars to have it?**

One of the reasons for which I thought it was important to go to Crimea was to draw attention to the situation there. It was overshadowed by the war in the Donbas. So, it was useful to go to Crimea to gather information and assess the human right situation, and to discuss all concerns.

It is essential for the international community to continue to have access there and to keep working there. I salute and welcome the work of the field mission there. It is an excellent initiative of Ukrainian and Russian human rights defenders. They should be supported and their voices should be heard. But, as you said, it is very important to keep the attention focused on human rights issues so that concerns can be addressed properly and people can live in security regardless of their opinion on the political situation.

**U.W.: According to your report, Russia's Deputy Minister of Foreign Affairs told you that the best way to access Crime to monitor the human right situation there would be through Moscow. If international organizations use that, wouldn't it give any legitimization to the Russian occupation of the peninsula?**

This is indeed what he suggested when I asked him whether it mattered, which route I entered Crimea. However, as I noted in my report, I think that access to Crimea should be available to people at any time and through any route they choose. I appreciate the Ukrainian authorities' understanding of my going there via Moscow. Let me stress that this was an exceptional case and I appreciate the understanding, given how sensitive these issues are.

I am not aware of any Russian legislation that would limit access

by certain routes to certain territories that the Russians consider to be their territory. Everyone should have access there. It is in the interests of Russia that various claims and allegations can be verified and looked into. And it is in the interests of the international community because this would allow prevention of pressure that could lead to displacement of people, further sufferings and humanitarian problems.

**U.W.: What are internationally effective mechanisms to prevent or just stop that thing looks as another deportation of Crimean Tatars from the peninsula, their homeland? What international community might do? There is a strong feeling that Ukrainian authorities can't affect this situation much.**

I certainly hope that we will not see mass displacement of people from Crimea although this is a risk if pressure continues on them. So far, the figures I have seen from the UNCR suggests that about 20,000 people have moved from Crimea to the mainland Ukraine, and around



**“THERE IS A HUGE GAP IN PERCEPTIONS OF THE SITUATION BETWEEN LOCAL AUTHORITIES IN CRIMEA AND MOST CRIMEAN TATARS I MET WITH”**

half of these would be Crimean Tatars. I would sincerely hope that the authorities exercising power there refrain from pressure, intimidation and attacks, investigate human rights violations, and create a sense of security for everybody.

Since the European Convention on Human Rights still applies to Crimea, people who face violations of their rights can apply to the European Court of Human Rights, which will then make an assessment as to who should be responding for providing information and making judgments they might render. Thus far, I have been the first representative of an international organization that has been able to go to Crimea. I hope very much that the UN, and other international organizations, will be allowed to do its work there as well, without any prejudice to the status of the territory. ■



# Odesa: Through Cossacks, Khans and Russian Emperors



Apparently, Odesa turned into the capital of Southern Ukraine contrary to the wishes and plans of Catherine the Great, not as a result of them. The empress herself would probably be shocked to learn that she is seen as the greatest "benefactor" of the city these days

**Authors:**  
Olena  
Bachynska,  
Taras  
Honcharuk

The image of today's Odesa is a product of the variety of ethnic, social and professional groups you wouldn't have seen often elsewhere in Ukraine: Ukrainian writers and Italian architects, Ukrainian chumaks, the old-time salt traders, and Jewish merchants, Ukrainian sailors and French designers, Ukrainian Cossacks and Russian officials, Ukrainian scholars and Polish revolutionaries, Ukrainian students and Greek entrepreneurs, as well as profiteers, port coachmen and policemen with no distinct ethnic origin. One thing they all had in common was freedom of spirit, ideas and actions.

"In a peasant guy, a sea captain, a university professor, one suddenly recognized a Cossack from the free Zaporizhian Sich - a mix of adventurism, humor, strength and poetry," Lev Slavin, an Odesa-born writer, described the locals in the early 20<sup>th</sup> century. In the 19<sup>th</sup> century, priests recorded mentions of legendary Cossack, including Maksym Zalizniak, Ivan Honta and Sava Chalyi, and of the most recent feats of Zaporizhian

Cossacks, from people who lived in villages around Odesa. The Cossacks, in addition to their own customs and glorious past, brought to Odesa tolerance for other peoples with which they shared a common history. Zamfir Arbore, a Bukovinian-born Romanian ethnographer, offers one proof to that in the line of a song he recorded locally: "When the Wallachians came to us, they were all good. They joined the Cossacks and became brothers to us."

## THE RULE OF KHANS

History of a settlement usually starts with the first written record of it. According to this principle, Odesa's birthyear is 1415, the year of the first ever recorded mentions of Kachybei (otherwise known as Kochubei or Khadzhybei) port, the name of the settlement where Odesa later developed. "When ambassadors from the Patriarch and Greek Emperor arrived in Poland to visit King Władysław with a letter and tin bulas indicating their status, and the Turks were tantalizing and oppressing them in every manner possible,

they needed generous assistance with grain. Władysław, the Polish king, in his holy compassion, signs a document committing himself to providing that assistance. He gives and generously presents the requested amount of grain that they need to take from his royal Koczubejiv port," Jan Długosz, a 15th-century Polish chronicler, mentioned the predecessor of Odesa in his fundamental *Historia Polonica*, The History of Poland.

Most historians suggest that Kachybei was originally founded by Prince Vytautas, a famous ruler of the medieval Lithuania. Under the Lithuanian-Rus Commonwealth, a federation of semi-independent princedoms that emerged in the 14th century and existed for nearly two centuries, Kachybei city and the settlements around it were politically and economically integrated with the rest of the Ukrainian territory. In the official treaties of 1431 between the rival candidates for the Lithuanian throne, Kachybei and Dashkiv (today's Ochakiv, a city near Odesa known for its castle) were specifically recorded as "castles of Podilia", a historical Ukrainian region in the southwest.

In the 1450s, the powerful Ottoman Empire and its vassal state, the Crimean Khanate, conquered Kachybei along with the rest of the adjacent Black Sea coast. The new masters changed the city name into a more Turkic-sounding Khadzhybei although it was further mentioned as Kachybei, Kuchubei, Kudzhabei and the like in documents up until the 1750s. Later, it was renamed into Yeni Dunya, the new world in Turkic languages.

The territory around Khadzhybei fortress was known elsewhere as the Kochubei Tataria or the Khanate Ukraine. The farmers, most of them Ukrainians, who moved there from the adjacent territories, gave a tithe of their harvest to the Tatar rulers. Surprisingly, Ukrainian peasants found life in the Khanate Ukraine easier than under the Polish lords. Quite a few of them were Cossacks, and more settled down along the

Black Sea coast. In his report for the Russian government dating May 12, 1747, a Zaporizhian Sich otaman wrote that many Cossacks were “trading various goods” on the Turkish territories, traveling for salt, hunting, and brewing spirits, some of them living in the lands stretching as far as the Black Sea. Officially, these Cossacks were serving in the tsar’s army. Some, however, grew weary of the Russian rule and fled to the endless Black Sea steppes for good. Eventually, many settled down in the suburbs of Khadzhybei and the villages around it, living on hunting, gardening and farming. The most intense phase of the resettlement began after Catherine the Great demolished Zaporizhian Sich in 1775. Many Cossack-style stone crosses scattered around the villages and steppes near Odesa serve as a proof of this mass migration to this today.

Khadzhybei was annexed to the Russian Empire after the 1787-1791 Russo-Turkish War thanks to the numerous battles fought by the Black Sea Cossacks, the ex-Zaporizhian warriors, against the Tatars. On September 14, 1789, the city was stormed by just two batteries of the Regular Russian army and six regiments of the Black Sea Cossacks led by otaman Zakhariy Chepiha and military judge Anton Holovatyi.

### CATHERINE, NOT SO GREAT

It is hard to find a person in Odesa or elsewhere who does not know about the great legacy of Catherine the Great in Odesa. The Russian empress is widely appreciated as the founder and benefactor of Odesa, one of the first people who ever saw the city as the future center of the region and paved a path to its thriving.

It is hardly known who came up with the name Odesa first. According to one version, poorly remembered today but confirmed documentarily, the author is Andrian Hrybovskiy, Catherine’s confidante. “Newspapers write that the emperor was pleased to see Odesa founded upon the instruction of Prince Zubov. I played an important role in this: I wrote the decree about the creation of this city and named this place Odesa instead of Khadzhybei, a name the empress approved as well,” he wrote in his memoirs in 1828.

According to Hrybovskiy, it was him that came up with the name Odesa. This version may seem questionable. However, pre-revolution

historians regarded Andrian Hrybovskiy as an honest and humble man who retained sharp memory until the end of his life. Also, he did not intend his memoirs to be published, and he was Catherine’s state secretary, so he was actually in charge of compiling decrees and dealing with city renaming issues. Andrian Hrybovskiy was born on August 26, 1767, in the village of Lubny, Poltava Oblast. His paternal and maternal ancestors were from noble Cossack families.

Almost all “new cities” built by the Russian tsars are on the spots where older settlements already stood. One of the examples is the Ukrainian settlement Polovtysia that turned into Katerynoslav, today’s Dnipropetrovsk. The building of new cities ate up huge sums of the empire money. It also took hundreds of soldiers’ lives. In 1787, for instance, 12 regiments were involved in the building of Katerynoslav and some pre-revolution authors gave shocking rates of deaths at construction sites.

By the time intense building began in it, Odesa was home to 400 or 450 Black Sea Cossacks with their families, or almost 10% of the city’s population, so it was mostly them who were involved in the construction. Numerous accounts of their deaths and what caused them are available these days: “crushed!!!”, “killed!!!”, “killed by a stone slab”. Building a city was not easy, and the process involved various ethnic and social groups.

In the end, however, all this hard work often proved futile. Most cities built at such high cost disappeared in the early 19th century altogether, or were barely surviving. Only a handful developed properly. At this background, the turbulent development of Odesa in the early 19th century seemed to be a miracle. “This was the way Catherine built any city – ours was an exception to the rule,” Volodymyr Yakovlev, historian and head of the Odesa Society of History and Antiquities, wrote in the late 19th century. “Notably, the revival of Khadzhybei was of little important to her in comparison to, say, Katerynoslav, Kherson, Voznesensk... The city (Odesa – Ed.) earned itself its primary role in the south with its own life, its own trade.”

### FINDING ITS OWN PATH

In fact, Khadzhybei was never among the cities favored by Catherine the

Great. A fortress surrounded by a small Greek settlement in the middle of one of Russia’s gubernias was the future foreseen for it by the Russian officials. Its convenience as a trade center revealed itself slowly and naturally, and the Russian government realized the importance of its location only after Duc de Richelieu became mayor. He took charge of Odesa in 1803, seven years after Catherine the Great died. Perhaps, Catherine saw Odesa as an important seaport, not a center of the gubernia or the region. But she allocated little funding to the building of the port in Khadzhybei, compared to the sums channeled to the Mykolayiv, Kherson and other seaports. The empress often mentioned “Khadzhybei’s convenient location” in her decrees, and this compliment is often quoted today to prove the importance of the city to the Russian



## THE RUSSIAN GOVERNMENT DID NOT REALIZE THE IMPORTANCE OF ODESA’S LOCATION UNTIL DUC DE RICHELIEU BECAME MAYOR

ruler. However, historian Volodymyr Yakovlev explained that these were merely clichés used in the then administrative language for all, even less promising settlements. Catherine exempted Odesa from taxes and the obligation to quarter troops for five years, and allowed wine trade there. On the other hand, similar privileges were enjoyed by all “new” cities, yet they hardly thrived as a result. In fact, it took Odesa a decade to get greater privileges that other, more important cities already had under Catherine.

Apparently, Odesa turned into the capital of Southern Ukraine contrary to the wishes and plans of Catherine the Great, not as a result of them. The empress herself would probably be shocked to learn that she is seen as the greatest “benefactor” of Odesa these days. What caused Odesa’s turbulent development in the early 19th century then? In fact, it was no secret to either historians or dwellers of Odesa at the time. Back in 1791, a French traveler who visited Southern Ukraine wrote that “enough bread to feed the entire Europe is rotting in Podillia and Volyn”. He mentioned many other foods that had then been popular in the West. When the Right and the

<sup>1</sup> Zaporizhian Sich was the stronghold of the Cossacks and their state. Located in today’s Zaporizhia Oblast, it was organized as a free military state, a bulwark against Tatar attacks, and a shelter for peasants who fled the oppressive rule of the ruling class elsewhere in Ukraine

<sup>2</sup> Wallachia is a historical and geographical region of Romania. At different periods, it had been under the Hungarian, Ottoman and Russian rule



Left Bank Ukraine united under the rule of the Russian Empire, the Black Sea ports became the shortest path for Ukrainian grain to reach Europe. Khadzhybei turned out to be the most convenient of all.

Unlike Russian officials, the merchants demanded immediate repair of the local quay and construction of the port. They found allies in the government. Platon Zubov, General Governor and another confidante of the empress, supported the idea to build the seaport in Khadzhybei, probably seeking a benefit for himself. He signed a request to Catherine the Great to provide the necessary funding. She did not reject the idea but allocated only part of the sum needed immediately. As a result, the seaport construction was only completed under Duc de Richelieu. Until then, “the sailors were reluctant to enter the seaport lacking a reliable shelter from a storm.” Moreover, both Catherine the Great, and her successor, Paul I, restricted grain exports from Odesa for fear of poor harvests – or so they explained this. All this hampered rather than facilitated the city development.

Abundant trade compensated for the lack of goodwill from the tsars. Thanks to the exports of Ukrainian and partly Moldovan grain, Odesa hit many records of economic and demographic growth by the standards of the 19<sup>th</sup> century. In its golden years, grain exports constituted the biggest part of trade at Odesa seaport.

Hardly any historian researching Odesa before the October Revolution did not point it out. However, almost all of their stories began with glorification of Catherine the Great as the “founder” in an attempt to fit into the imperial framework of the time.

Similarly, Soviet historians first paid due allegiance to the Communist environment, then wrote what they really knew about Odesa’s history.

Meanwhile, it was Ukrainian Cossacks who liberated Khadzhybei that later became Odesa, and the surrounding land, from the Ottoman rule. It was the descendants of the Black Sea and Zaporizhian Cossacks who were building and developing Odesa starting from the late 18<sup>th</sup> century. It was Ukrainian farmers who worked hard to provide Odesa’s enormous growth in the first half of the 19<sup>th</sup> century, making it the wealthiest city in Ukraine. Why, then, regard the empress who crushed old freedoms of the Cossacks, dooming them to exile and miseries and Ukrainian peasants – to serfdom, as the founder and benefactor of Odesa.

### THE GOLDEN YEARS

When Catherine’s son, Paul I of Russia, lifted restrictions on grain exports, Odesa saw enormous economic growth that surprised the entire Europe. By the end of the 1820s, the exports of Ukrainian and partly Moldavian grain made Odesa the first and the fourth most populated city in Ukraine and the Russian Empire respectively, outnumbered by St. Petersburg, Moscow and Warsaw. “Grain controls Odesa” went a 19<sup>th</sup>-century local saying. Grain was delivered by chumaks from all over Ukraine. In good years, the carts heading to Odesa counted hundreds of thousands, sometimes millions.

The common population of Odesa grew as peasants from adjacent Ukrainian territories moved in. This could not but affect the language. In 1842, Professor Kostiantyn Zelenetskyi wrote in Odesa Newslet-

ter that the “Great Russians” who came to Odesa instantly noted the peculiar local dialect, including different accents in words that were typical for Ukrainian rather than Russian; a multitude of “Little Russian” words; “Galician” structures in sentences; and different pronunciation of many letters and verbs – Professor Zelenetskyi explained that these were all borrowed “from Ukraine”. According to him, native speakers of this “incorrect language” were the indigenous population, as well as “many Great Russians who, as they mingled with Little Russians, took over many phrases, although they guarded their nationality.” This was the birth of the “Odesa language”, a mix of Russian and Ukrainian.

Odesa elites, including officials, landlords and intelligentsia, too, felt vibrant connection with the rest of Ukrainian terrain. Many stemmed from old noble and free Cossack families, and were graduates of Kharkiv and Kyiv universities. Hence the proactive role Odesa later played in the national liberation movement of Ukrainian culture and politics. Fundamental volumes on the history of Zaporizhian Sich by Apollon Skalkovskiy were written and published in Odesa in the 1830-1880s. Ukrainian community in Odesa led by Leonid Smolenskyi was among the most powerful and well-organized in the late 19<sup>th</sup> century. Odesa-based Prosvita, the educational initiative, emerged in 1905 to become one of the earliest and the largest of the kind in the Russian-ruled Ukraine. A number of outstanding figures in Ukrainian National Revolution of 1917-1921 were born and educated in Odesa. In January 1918, the most violent battles between the Ukrainian haydamaky and the Red Guards took place in Odesa (120 fallen participants were buried in a common grave at Kulikovo Pole, the arena of the May 2, 2014 tragedy).

History seems to be repeating today. Despite the long-standing and determined attempts of Russian imperialistic forces, Odesa once again unexpectedly shows its Ukrainian face. This is hardly surprising: despite its somewhat foreignness, something not unusual in a seaport city, it has for centuries remained primarily Ukrainian. Geopolitically and historically, it is a link between Ukraine and the Western world, a city that is Ukrainian and European at the same time. ■



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# Miljenko Jergović:

## "Ukraine is fortunate in that it is so large. It cannot be swept under the carpet"



Interviewed  
by  
**Kateryna  
Kalytko and  
Anna  
Vovchenko**

One of the most influential contemporary writers from Central-Eastern Europe spoke to *The Ukrainian Week* about the wars in the Balkans and Ukraine, language conflicts and nationalistic preconceptions

**U.W.:** You came to Ukraine during its worst military conflict since gaining independence. A native of Yugoslavia and a national author of two new countries, which also suffered military turmoil... One way or another, every war moves and marks the borders of countries and cultures. What is the impact of such movement?

This is a difficult question. To be more precise, it's a question that has become difficult. Prior to the Balkan Wars in the 1990s, we felt that the borders between countries were clearly determined, the 1977 Helsinki Accords, which noted that they would not change, were in effect. This was important for the entire continent, and our belief that it would remain so, was based on the conviction that this was in the inter-

est of strong countries, such as Germany, France, etc. During the Balkan military conflict, for the first time, I was very shocked when the West first began to say that governments could come to an agreement (we well know how this is arranged), and the borders – redrawn. This has become a terrible precedent, like a time bomb, following the example of former Yugoslavia, which was not a large country, but was divided into many even smaller ones. From the outside, this does not appear to be important. 20 years later (not a particularly long period) it is the turn of Crimea and South-Eastern Ukraine. From the viewpoint of Western Europe and its "large countries" (in inverted commas, because Ukraine is significantly bigger than them) once more, this is not seen as a particular matter of principle, because it's the East, the former Soviet Union: everything will balance out once Putin is satisfied...

But no. And the process will not end if it has already begun. So the following problem arises: such situations force us to believe in false-

hoods, as if the borders of countries coincide with those of culture or cultural identities. These are completely different things. Ukrainian cultural self-identity spreads to all territories where Ukrainians live: to three-four villages and the small town of Prnjavor in Bosnia, to metropolises in the USA and Canada, as well as cities in Russia – this is also Ukraine. Similarly, Russian identity is present in Ukraine and probably, throughout the world, because there are so many Russians, that they have left their mark everywhere. This is the thing. It is not related to state borders. The latter should never be touched. Moreover, it offers no practical benefit in the 20th and 21st centuries. It is impossible to achieve the goals today that were possible in the Middle Ages or 300–400 years ago. There is also no point in impinging on foreign territories because such upheaval will inevitably lead to war, while the change of borders will lead to a change of others, there will be no means to stop this process, other than with the drawing up of some kind of global treaty. In other words, if Ukrainian borders are under threat, so are those of France, Germany and America, however improbable this may seem. This is a fact.

**U.W.:** Who are Ukrainians from the Balkan perspective? Somewhat strange Russians? How do they see us?

Of course not. But your fear of being identified as Russians has some grounds. For example, for me, it's not particularly important that we were all Yugoslavians, I had no objections. But you were unfortunate, because the name "Soviet Union" was always dominated and supplanted by another – "Russia". This is why you were not viewed as Soviets, but as Russians. Unfortunately! In the Balkans, or should I say former Yugoslavia, we make a clear differentiation: Ukrainians are Ukrainians and Russians are Russians, no one mixes them up. This could also be a result of tourists visiting the Adriatic in the last 10 years or so. It has been engraved into people's awareness that Ukrainians have yellow-blue symbolism, while Russians have the tricolour, etc. But the difference has been clearly understood, no one mixes it up.

I don't know much about Ukraine – almost nothing, I can distinguish the figures in your public

life, but I know hardly anything about them, I judge people in the basis of a single announcement. I have heard quite a few good, intelligent, and, if I may say, calming statements by Patriarch Filaret. On several occasions, he made very pertinent comments regarding this history between Ukraine and Russia. He just came to mind because I flew on a plane with him. It's quite funny. I was flying from Vienna and suddenly saw a dignified person. I kept thinking to myself: I know him from somewhere... It only dawned on me later that this was Filaret! He was accompanied by a young assistant, a red-bearded monk who was flying economy class, while Filaret was travelling in business class.

**U.W.:** How does war help build or destroy identity? As a person who understands the experience of the Kingdom of Yugoslavia and corresponds with the image of a resident of Austria-Hungary, how do you view wartime and post-war identity?

Very often, we view identity as nationalist, less frequently – religious, although this notion is far broader, more unique and complex. In addition, it is wrong to think that its scope is fixed, because it changes from day to day, gaining new forms and characteristics, and becomes more stratified. In the case of Europe, wars were breaks in continuity, rather than drivers for changes in our identity. They temporarily suspended our coexistence with a certain country, transformed the sense of native land, but did not fundamentally change us. Lviv is currently celebrating the centenary of the battle for Lviv in the First World War. Two Bosnian regiments and a very large military unit made up of Croats and Croatian Serbs fought for it. And they all stood for a specific native land and a specific country, which they considered to be their own. Many died here. The mythical map of Galicia from 1914, just as the mythical portraits of great-grandfathers or other ancestors who died here, still remain in the consciousness of the people of Bosnia and Croatia and in family recollections, passed on from one generation to another. This image is part of identity, albeit not as vivid as before, but it still exists. However, the feelings and values with which and for the sake of which they battled, are not being reconstructed within them-

selves: against whom, for which country, for which native land and what is really the point of coming from, say, Travnik or Višegrad in Bosnia, only to die in battle in Lviv. Today, this makes no sense, but it did then, because there was a single multi-identity that existed for everyone – a common world.

**U.W.:** Do you agree with the theory that the First World War supposedly began, but did not end, just had some pauses?

Not entirely. I think it concluded twice: the first time – in the spring of 1945, and the second time, in earnest – with the collapse of communism. In my view, the problem is that the finale of this war has returned us to the situation that existed before it began, to issues that were not resolved then and set aside for one hundred years, because Lenin brought about the October Revolution and established the Soviet Union. A whole range of inconvenient problems pertain to this very fact. Russia, alarmingly large and somehow anarchic and totalitarian, did not even have a five-minute attempt to live under conditions of a parliamentary democracy and civil society. Meanwhile, 100 years after the revolution, there is not even a trace of its nobility or tsarist crown, for everything to somehow “become civilised”. This is the only thing missing, everything else remained unchanged. There is no institutional elite, which is why this country is extremely unstable. The history of countries or people, who were unfortunate enough to be Russia's neighbours, has returned to its beginnings – the time before the First World War. This is somewhat tragicomic. I don't have a nationalistic bias, but am sometimes very glad that my country does not border Russia.

**U.W.:** We suddenly became aware of our alarming solitude. For a while, we still believed that someone would come to help us, but now understand that this isn't the case. Can a smaller country save itself, withstand a larger one and continue to be compassionate?

Yes, it can – through fanatical patience as well as fanatical resistance to externally imposed logic. Here, just as in any similar history, everything boils down to who will hold out the longest. Patience must always be on the side of the conditionally weaker party. And, which-

#### BIO

**Miljenko Jergović** is a Bosnian and Croatian prose writer, poet, playwright and columnist. He was born in 1966 in Sarajevo, and graduated from the Faculty of Philosophy at the University of Sarajevo. It was there, in the capital of Bosnia and Herzegovina that the Balkan war began. In January 1992, with four associates (Ivo Kormšić, Ivan Lovrenović, Mile Stojić and Ivan Kordić), the author sent an open letter to the Croatian President, Franjo Tuđman, accusing him of the political destruction of Bosnia and Herzegovina. He's lived in Zagreb since 1993 and is a member of the Croatian and Bosnian PEN Clubs. An ethnic Croatian, Jergović is known for his strong criticism of the Croatian political system. His works have been translated into more than 20 languages. In 2012, he received the 2012 Angelus Award in Poland, for his novel *Srda Sings at Dusk at Pentecost* (the Ukrainian translation was published in 2014)

ever way you look at it, Ukraine's fortune lies in the fact that it is so large, and in contrast to, let's say, Bosnia, which is small, it's difficult to sweep it under the carpet. It would have to be a giant carpet, to it to hide a vast country and for no one in Europe to notice what is going on.

**U.W.:** What happens to language during a war? Is it an instrument for division or bridges between people? Based on war and post-war experience, how widespread is the situation with the word – an alarm beacon or the national marker described in *A White Ship at Arkhangel'sk* (a short story by Miljenko Jergović from the *Stories about People and Animals – Ed.*)?

In the case of Yugoslavia, it's a very painful and idiotic problem. In other words, Serbs, Croats, Montenegrins and Bosnians speak one language. Yes, it was an artificially created construction in the times of Vuk Karadžić. Actually, just like any other at the time of its standardisation. There isn't a language that would be created without external interference. Vuk took the language as its foundation that was and continues to be used largely in Herzegovina. Serbs, Croats and Bosnian Muslims always lived there and it always belonged to these peoples. This is a phenomenon without any national markers. But this isn't the issue, because 150 years after Vuk Karadžić's death, this was the only native language for all of us in Yugoslavia and remains so. So if he made it up for us, this is still no longer a subject for discussion.

At the time when Serbian and Croatian nationalism arose, it was suddenly heard that Croats, Bosnians and Montenegrins had stolen this language from the Serbs. How someone can appropriate someone else's language is questionable. Croats and other nations then felt an urgent need for – let's call it linguistic separation and in exaggerating small linguistic differences in order to create a real difference between them. This is how assertions about different languages appeared. In truth, it's unfounded, although there are more differences between the variations now than there were 50 years ago, under Communism. In spite of everything, it's a common language, which has been given different names by the nations, which is completely normal and logical. In this case, the differences in stan- ➤



dards are actually so insignificant, that we are not even talking about different dialects.

So the consequence of this trend became a certain form of linguistic “motor-terror”. Let’s say, a TV camera crew stops a passer-by on a street in Zagreb and asks him random questions, for example, about prices on the market, the latter responds awkwardly and in panic, because he could pronounce something incorrectly, in the Serbian manner... And a single word would be enough to say: “Ah, now I see”. One word of the thousand uttered, could cause a problem. It’s a completely absurd situation. In this, there is no similarity between us and you. As far as I know, during the Soviet era, Ukrainians or Belorussians who spoke their native languages were either considered to be nationalists, peasants, or both. Either way, politically, they were unreliable elements. This was a classic, completely predictable case of chauvinism, hidden under the guise of internationalism, which was the norm in the Soviet Union. But the Ukrainian and Belorussian languages did not disappear. The extent to which they differ or are similar to Russian is clearer to you, and in any case, they are different languages. It’s different for us.

**U.W.: Can a language build borders, add or take away forces? Can it be a weapon?**

Of course. It was and is in many wars. Although it seems to me that something quite extraordinary happened in Ukraine (correct me if I’m wrong). It appears that Yanukovych, Putin and goodness knows who else, counted on the fact that the country would divide based on linguistic issue, into Ukrainian- and Russian-speakers, and this is where imperial ambition will be implemented, since the latter are in the majority. But ultimately, Ukrainians had the upper hand. It emerged that some of them simply speak Russian. And if you look at this from the side-lines, it’s the best thing that has happened, because the country did not fall apart based on linguistic-cultural issues. Otherwise, there would have been a catastrophe on all fronts. It would have been used for manipulation, declaring that Ukrainians were Fascists, terrible people that it’s better to keep away from...

**U.W.: Today, some people are dying simply because they speak**



**Ukrainian. So a fear of speaking and the spoken word is emerging. Is it still important to articulate and heal ourselves by communicating?**

The fear of communication in your language, Ukrainian, is completely natural for many reasons. One of them, I think, is people’s uncertainty that they really know it. And because of this, it would be worth defusing it as much as possible, if it is possible to say and do so; helping people to speak and write, regardless of the language in which they do this and its quality. Because language will only be fluid when people speak freely and they will only learn it at a proper level through a lot of communication. I think this is a real problem. In our case, the fear of speaking in our own language leads to an ever-greater lack of knowledge of it. People began to speak Croatian like Google Translate. This is a consequence of the ideological and political fear of making a mistake when speaking.

**U.W.: Can today’s intellectuals still play a romantic role, change the world in these dark times, or are they simply chroniclers?**

Chroniclers are also very important, let’s not underestimate their significance. First and foremost, intellectuals must change themselves before changing the world and the other people that surround them, as well as re-forming society. It’s doubtful whether there are enough of them to achieve the latter, because the first task is more than enough to do. I’m not talking about adapting to the situation; one should never resort to mimicry. The most valuable things about intellectuals (whoever we regard in this light over the last 200 years, since the French Revolution) – is that they showed society and the world that it is necessary to be in the

opposition. This is where their function lies – to consistently be in the opposition. Against what? – General hysteria in any form. It is easily recognisable, particularly when there is a whiff of war or when there is partial martial law – at such times it is exceptionally important to lean on any collective madness. I don’t consider myself to be a special intellectual, but, let’s say, I cannot support the Croatian national (football – Ed.) team, because it is frightening mass hysteria. Also because the fans on the stands shout “Forwards, onwards, Ustashes” and sing Fascist songs. As a fan, am I supposed to be like this? At the same time, my friends are constantly convincing me that the footballers themselves have no relation to this. So? At first glance, this is an absurd example, but life is made up of such small absurdities during happy times.

**U.W.: We appear to be a generation that has gained a special sense of existence since the onset of war. Previously, we lived with the ghosts of our heroic ancestors in the shadow of colonial complexes, and now, we are beginning to fight for a better future with our own hands. Some people consider this to be our only designation, which is also a little frightening...**

The transformation of any war into an object of pride is dangerous. Also faith, as if it’s possible to win a better world, because such disillusion then sets in, that few words can express (laughing).

**U.W.: When does war come to an end? Is it possible to determine that specific moment?**

I think we’ll recognise it post factum. We realise: this is when it ended. I once imagined that it would be just like in American photographs: the return of soldiers to the USA from the German front, the girl hanging onto the neck of the sailor, etc. Reality is completely different. The last time something like this happened was probably after the Second World War. That war was possibly the last one, about which it was possible to clearly identify the exact moment it ended: with the announcement of Hitler’s signing of the document of capitulation. Not even with the first train of returning soldiers. The radio announced that Germany had capitulated, and everyone believed and knew: peace had arrived. ■



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