

# The Ukrainian Week

International edition

#3 (145) March 2020

Interview with Marek Zagórski,  
Minister of Digital Affairs (Poland)

The achievements  
of Euromaidan

Russian crimes  
in Crimea

Babyn Yar:  
The memory that unites

## WHAT PRICE THE FUTURE?



[WWW.UKRAINIANWEEK.COM](http://WWW.UKRAINIANWEEK.COM)

FOR FREE DISTRIBUTION



ONOVO

• DENDRA • HOTEL •

BORYSPIL HIGHWAY 18 KM, 400 METERS FROM  
KHARKIVSKA PLOSHCHA, KYIV, UKRAINE  
+38 044 585 11 65 ●● WWW.ONOVO.UA





## BRIEFING

- 4 **Catching up with reality**  
How might the president interpret bad news better?

## POLITICS

- 7 **Modi-Trump tango amid riots in Delhi**  
Mridula Ghosh on the polarization as a way to strategic dialogue
- 8 **Lawrence Freedman: "If you let you down too much, you can have expansion by stealth"**  
Emeritus Professor of War Studies at King's College London on the issues of modern conflicts, global superpowers and strategy for Ukraine
- 10 **Preventing evil**  
Michael Binyon (London) on the inefficiency of the British program on deradicalization
- 12 **The fight against the flight**  
On Zelenskiy's plans to attract migrants back and establish ties with the diaspora

## FOCUS

- 14 **The axe behind God's door**  
How to preserve the achievements of the Revolution of Dignity?
- 16 **Afterimage of the Maidan**  
What happened to all the faces of 2013-2014 events?
- 20 **From perfidy to repression**  
What crimes Russia has committed during the occupation of Crimea and is still committing on the peninsula
- 24 **The architecture of faith**  
How many Ukrainians believe in God

## ECONOMICS

- 26 **Inflationary nosedive**  
What kinds of problems does the low pace of consumer inflation suggest?
- 29 **The danger of "cheap gas"**  
What are the risks of reducing gas production in Ukraine?



## SOCIETY

- 32 **The language bogeyman**  
Who wants changes in language legislation
- 34 **Stanislav Aseyev: "One of the people exchanged with me beat me and was involved in tortures"**  
A journalist, who spent two years as hostage to the "DNR" militants, on his dreadful experience and future plans
- 36 **Almost grown-up**  
A social portrait of those who will vote for the first time in 2024
- 38 **A thriving ruin**  
Why, despite high-profile promises, industrial decline cannot be stopped in the liberated Donbas

## NEIGHBORS

- 40 **Marek Zagórski: "Digitalisation solutions should not be implemented to make people's lives harder – they need to provide tangible benefits"**  
Minister of Digital Affairs (Poland) on Warsaw's approaches to the implementation of modern electronic services, the economic benefits and risks of digitalisation
- 43 **In Ukraine under the crescent moon**  
How and under whose influence the Muslim diasporas live in our country
- 46 **The Kremlin's lawfare targets the Bering Strait**  
How Russia's manipulation of international and domestic law is gaining global proportions
- HISTORY**
- 48 **Memory of horror**  
What is the tragedy of Babyn Yar today



## The Ukrainian Week

**The Ukrainian Week #3 (145) March 2020**  
**Founder** ECEM Media GmbH. **Publisher** ECEM Media GmbH  
**Address** Austria, Am Gestade, 1, 1010 Vienna  
 State registration certificate KB № 19823-9623ПП 19.03.2013  
**Chief Editor** Dmytro Kravchenko  
**Editors** Max Nesteliev, Lidia Wolanskyj

E-mail office@tyzhden.ua

www.ukrainianweek.com

Tel. (044) 351-13-00

Office address Kyiv, Ukraine, 36A, vul. Bohdana Khmelnytskoho, apt. 3

Print run 15 000. Free distribution

Our partner

ТИЖДЕНЬ



# Catching up with reality

Roman Malko

Not that long ago, Volodymyr Zelenskiy was a successful man. Everything in life seemed to go his way. He found his vocation, he made a huge career out of it, became famous, made millions, and even managed to be elected president. In a classic example of the Peter Principle, this seems to have marked the end of his rise to success. It now looks like Zelenskiy really was not prepared for such a heavy role. His original profession has left too much of a mark on him, allowing him to reach unprecedented heights of power, but now proving to be a serious handicap.





Nor is it just a matter of lack of political experience. Lack of experience can always be fixed. Learning to take reality for what it is, unadorned and with no illusions – this is the challenge that Zelenskiy seems unable to face up to.

*Everything will be fine. Just call Vladimir Putin, just have a chat, just look him in the eyes. We just have to stop shooting. After all, there's no real war, it's just a bunch of guys shooting at each other. We should just apologize to the people of the Donbas. Let's just get the water going to Crimea again, because it's our people there. Everything's really very simple.*

This is the tune Ukraine's president and his "servants of the people" have been singing, so certain they are that everything is negotiable and everything can be worked out if you want it enough – just have a positive attitude and apply a little creativity. After all, that's what carried them to power and they figure that the same principle will keep working. Possibly this is something they learned at courses in the art of positive thinking. Don't give the public negative information, but transform everything into something positive – or into a joke if positive doesn't work. In fact, for a time this kind of approach can and does work. You can even win elections this way. But running a country on this basis just doesn't work.

ZELENSKIY AND HIS TEAM ARE NOW THE HOSTAGES AND VICTIMS OF THEIR OWN ILLUSIONS. AFTER ALL, HAVING SWALLOWED RUSSIAN PROPAGANDA ABOUT HOW MOSCOW WAS READY TO TALK TO ANYONE BUT POROSHENKO, THEY WERE 100% CONFIDENT THAT THEY COULD SIT AND CUT A DEAL WITH THE VERY DEVIL HIMSELF

Reality is a cruel mistress. You can't prettify it, cover it in make-up, fool her, or make it look the way you want it to. You can't kid it away or buy it off by playing the upbeat guy who's saving the country and bringing peace. Reality has to simply be recognized, accepted and taken into account. Yet no one, not Zelenskiy, not his team, nor even his new premier, is ready for this. They haven't been taught how to react to negative signals. Unexpected challenges that haven't been written into their scripts lead to shock, panic, the suspension of all processes, to chaotic hunts for a way out, and then to senseless attempts to fix the situation. And then either the situation exacerbated or everything just goes to hell.

What else might one call the response of the Commander-in-Chief to the last serious round of artillery fire on the front in February? At the time, Russia's proxies attempted to break the defense of Ukraine's armed forces, just a day before Zelenskiy's "in-house peacekeeper" Serhiy Syvokho was preparing to present his "National Platform for a True and Unity..." A long silence, and then something irrelevant posted on Facebook.

Then came brief explanations at a press conference: "We're certain that this provocation will not change our course, because only with a strong army can we sit at the negotiations table. The course we have taken to our goal, we're determined to move closer to an end to this war, to peace." After which came a non-sequitur to the subject of the coronavirus and a threat that Ukrainian citizens evacuated from China would be delivered to Koncha-Zaspa, the state-owned R&R preserve with sanatoria just outside Kyiv...

This kind of reaction to an unexpected challenge and confusing plans hardly come across as appropriate. But this is very much in line with Zelenskiy's normal style of behavior. How about the announcement of the new PM, Denys Shmyhal his first day on the job, that potable water might be supplied to Crimea again – and then his clumsy walk-back: "You must have misunderstood me."

Was this an innocent mix-up, without malice, in response to a confusing situation and a typical desire of the "servants" to make a positive impression with their hypertrophic love of peace and

humaneness? Or is it really the latest well-prepped Kremlin-oriented attempt to test the waters? It's really anybody's guess. Many in Ukraine are certain it is the latter. And that in this way public opinion is being prepared for concessions that have already been secretly agreed to.

In either case, Zelenskiy and his team are now the hostages and victims of their own illusions. After all, having swallowed Russian propaganda about how Moscow was ready to talk to anyone but Poroshenko, they were 100% confident that they could sit and cut a deal with the very devil himself. Somewhere in the middle...

Of course, a deal can always be cut – but only on the devil's terms. Any attempts to be clever or to demand control over the border or the withdrawal of forces results in only one response: escalation on the front and more provocations, which Moscow is successfully demonstrating now and will continue to do so in the future. The problem is not that you can be screwed over at the age of 42. Things happen. The problem is when you aren't able to draw the right conclusions and find a better approach.

Zelenskiy's interview in *The Guardian* brilliantly illustrated the essence of the entire presidential team. His efforts to please foreign journalists and to offer them some kind of idyllic image of a peace-loving dude came across as foolish. In the West, everyone understands perfectly well what's going on. "His future success will depend on whether he can use it to good effect on the European leaders who are his best hope of escaping his unenviable position, stuck between Trump and Putin," British journalists wrote about Zelenskiy. These words are more than irony: they are a diagnosis. Running a country and resolving a conflict on the domestic or international level with the help of such idiosyncratic instruments as personal charm and engagingness is, to say the least, counterproductive. Sooner or later, Volodymyr Zelenskiy will have to climb down from the clouds of his fantasies, stand on sinful soil, and accept reality for what it is. He's understood for a long time now that the role of president in a TV serial and actually being one in reality are not the same thing. "It's true there are more problems. They are catastrophic. They appear, I'm sorry to say, like pimples on an 18-year-old kid. You don't know where they will pop up, or when," the greatest leader today admitted to *The Guardian's* journalists. Only he's not prepared in any way to step away from his familiar style of behavior. Or he can't. Or he doesn't want to. Whatever the case, if he wants to stay in power for his full five years, he will have to deal with the negatives, today or tomorrow. Moreover, he will have to do it personally, call a spade a spade and admit his mistakes rather than turning them into some kind of joke. Passing the buck to others, as he did with the Honcharuk Cabinet, works from time to time. But his ratings show that Ukrainians nevertheless associate this administration with the president. He's in charge and so, if anything is not working out, it means that the president is doing something wrong. Nobody really cares about the premier, the speaker or the prosecutor general – especially in a situation when their names don't mean anything because they all sound like "Zelenskiy."

What's more, the moment of truth is approaching, which will require clear, professional answers, and not clowning around. With a global economic crisis looming, hiding his head in the sand won't work any more, nor will bragging about the strong hryvnia, the modest rise in incomes, digitization, and so on. There's an epidemic racing around the globe that telling jokes, assuring people that everything's under control, and forcing the minister of health to go into quarantine for the sake of PR will not forestall. Just like ending the war. To simply withdraw fighting forces from the front means that every day there are more of them killed and wounded. To simply enact the Steinmeier formula means trying to do something that cannot be done. Peace at this price means the full and inevitable capitulation of the entire country. ■

# Modi-Trump tango amidst riots in Delhi

Mridula Ghosh



When US President Donald Trump and Prime-Minister of India Narendra Modi, leaders of the oldest and largest democracies respectively, met in friendly embrace, visiting the Taj Mahal, Mahatma Gandhi's ashram and a stadium rally during Trump's first visit to India on 24-25 February, 2020, terrible things happened. A wall was built to

hide the slums along the route of Trump's motorcade from the airport to the stadium in Gujarat. Poor slum dwellers had no say; their human dignity went unheeded. On 24<sup>th</sup> February, trouble started in north-east Delhi. People protested peacefully against amendments to the Citizenship law, simplifying procedures for Indian citizenship for religious minorities from neighboring countries of India, excluding Muslims. Most mainstream media ignored these protests, but ruling Bharatiya Janata Party supporters were enraged to see such "dissent" during a state visit. Clashes led to the killing of a policeman and an intelligence worker. A full-blown riot ensued, following which, at the time of writing this column, 46 were killed, hundreds injured. Majority were Muslims, but there were Hindus also. Never were state visits accompanied by such bloodshed.

Media headlines stroke bizarre chords, discussing, on one hand – the attire of Ivanka and Melania, menu of the state reception – on the other – the number of people killed and injured, inaction of police at the initial stage of the riots, responsibility of the politicians etc. The ruling party and opposition accused each other. While outside provocateurs entered the districts to escalate the riots, only unprecedented civic solidarity and courage of all inhabitants, irrespective of their faith, Hindus, Muslims or others, brought back harmony. Democracy worked better on the grassroots, not at the top.

Earlier visits of US Presidents produced catchy headlines: Covering President George Bush's 2006 visit, an English language daily wrote – "Guarding Bush is monkey business". A photo and text explained that a chimpanzee, trained in detecting explosives was part of Bush's security team! Hence – the headline! During President Obama's visit, the headline "Mu-Barack Obama!" wittily rhymed his name and the word "Mubarak", which is felicitation in Hindi and some other languages. President Trump's pompous visit had no crispy headlines, but the rally in world's largest cricket stadium in Ahmedabad, was the largest in Trump's political life.

Excessive focus on the image of two leaders overlooked less progress in trade relations, except a USD 3 billion defense contract, agreements on liquefied gas and 5G technology. Vol-

ume of US-India bilateral trade in 2019 was USD 150 billion. In the history of 21st century US-India relations, there were other historical dates: visit of President Clinton in 2000, two years after India was sanctioned for its 1998 nuclear tests, and signing of the India-US Civil Nuclear Agreement in 2008.

Many connect Trump's visit with his electoral campaign, aimed at winning Indian diaspora votes. Trump was the first to meet the Republican Hindu Coalition in New Jersey in 2016. Back then, he won one-sixth of the Indian diaspora votes, because Hillary Clinton had good relations with them, which is not the case with any of his Democratic rivals in the 2020 elections.

Trump also realizes Modi's popularity among the 800000 strong Indian diaspora from Modi's home state – Gujarat. As per 2010 Census data, the number of Indian diaspora is 128000 in Florida, 103000 in Pennsylvania, more than 77000 in Michigan. These states are crucial. Thus, it is clear why Trump took part in the Ahmedabad rally, and also in the September 2019 «Howdy Modi» event in Houston, speaking before 50,000 Indian-Americans.

FOREIGN POLICY HAS BOTH POLITICAL AND PROFESSIONAL ASPECTS. VISITS ARE POLITICAL EVENTS AND RESULTS OF HARD PROFESSIONAL WORK.

THE POLITICAL ASPECT, SUBJECT TO CHANGE, SHOULD IDEALLY BE BASED ON SHARED VIEWS, VALUES AND NOT ONLY ON PERSONAL RELATIONS OF LEADERS OR SUPPORT TO ONE POLITICAL PARTY OR SIDE

Trump, usually exuberant, was reserved, avoiding comment on sensitive issues, saying that the visit was "unforgettable" and "extraordinary". Despite the Modi-Trump tango, there are problems in bilateral relations. Sharp exchanges between the Minister of External Affairs of India Subrahmanya Jaishankar and US Senator Lindsay Graham on the issue of Kashmir at the recent Munich Security Conference is one example.

Foreign policy has both political and professional aspects. Visits are political events and results of hard professional work. If visits do not yield results, the dialog of professionals-diplomats still go on. The political aspect, subject to change, should ideally be based on shared views, values and not only on personal relations of leaders or support to one political party or side. To recall, US attitude towards Modi has a rocky past. Modi is the only one to have faced a US travel ban under the International Religious Freedom Act because of the 2002 Gujarat riots, killing 2000. When Modi became the Prime Minister in 2014, this ban was withdrawn. Protests on the Citizenship amendment law in India are not likely to stop. Further political polarization in India, US elections, political future of the leaders will dominate over the strategic work of foreign policy in 2020 and impact US-India dialog. The issue is: in all these processes, what place will fundamental democratic values have, which unite the two countries? ■



PHOTO: YURIY LAPAYEV

# Lawrence Freedman:

“If you let you down too much,  
you can have expansion by stealth”

Interviewed by Yuriy  
Lapayev, Olha Vorozhbyt

During the Third Lviv Security Forum, *The Ukrainian Week* met with Lawrence Freedman, Emeritus Professor of War Studies at King's College London to discuss issues of modern conflicts, global superpowers and strategy for Ukraine.

## What is new in modern competition of global superpowers?

— There are not many superpowers. The United States is the only superpower. But there are a lot of other powers, great powers including Russia. But in terms of war the problems are twofold. First, it is hard to occupy another country. It always has been so. If you don't have mass armies, that is not so easy. We've seen this experience in the Middle East or even in Europe. Trying to occupy, you face resistance of various sort. So, the conquest is not straight forward. That is one key feature. And you also have to ask what you actually try to achieve in the war if you can conquer another country.

Second, if you really try hard, then there is a risk of escalation to nuclear war. The arsenals exist. The dangers are there. So, the pressure is to keep conflict into a range of below the level of active arm force. So, economic sanctions, cyber-attacks, information campaigns are used. Another way is to use sort of limited paramilitary activities when you try to avoid major clashes of regular forces. We may, of course, fail. You cannot say that these things won't happen. But I think this is why a lot of conflicts these days take non-military forms. It is hard to win a war.

## How will the modern war look like?

— Wars are very similar. What happens in a new war? Lots of artillery exchanges, mortars, small arms fire, mines. This is pretty familiar in many conflicts around the world.

If to talk about so called high tech wars that you have seen in the magazines or in the Frontline American forces or NATO forces. They are used not very much, because they are expensive. Even Russia has not used it's the most advanced kit. In Ukraine it has more advanced things then in Syria, but not the most advanced ones.

## If we talk about the war not in a such distant future?

— Well, it is possible. But once more you cannot separate any discussion of war from political purpose. You have to ask what you are trying to achieve. When Russians took Crimea and supported separatists in 2014, they initially hoped that what happened there, could have been replicated in the Eastern Ukraine. It didn't happen. Then they were pushed back. You had the most dangerous situation. Russian regular forces operated in Ukraine. That was to stop there. The people they supported, were defeated.

Once their position was relatively secure, the Russians sort of backed off a bit. You always have to think, what they are trying to achieve. But in terms of military practice, most modern wars are fought and raised and had been recognized 20-30-40 years ago. Often with the same sort of weapons.



**Some people compare current state of Donbas war with the trench war during First World War.**

— Yes, trench war furthers. Limited airpower, lot of artillery, not much maneuver. Because it settled down. Which has their own dangers. People die. It is not frozen at all. It is fluid. But there is no maneuver.

**How does the domestic politics of international powers affect international policies and security situation globally?**

— Liberal democracies can change very quickly with the new election. Though I think the Trump election continued some trends you could see before, obviously it was quite an abrupt change and it unsettled many American allies. The US underpins a lot of international security. If you cannot be sure in underpinning, you of course can have doubts that things can unravel. I think that is a risk.

With China it is slightly different. It is a rising power. But it behaves quite cleverly. Not by being particularly threatening, but being quite cooperative, making partnerships.

But over the last few years it obviously become much more assertive. President Xi has become president for life. His predecessors were rotating. But it changes into more threatening power. It wants to show its muscle. It tries to extend its influence. And we do not really understand enough about its economic strength. We think it is strong. But it possibly it is not as strong. We don't know. The statistics is not reliable. When you have a government like that, the evidence can be threatening. Nothing is more dangerous than getting into situation when you threaten by good evident. Because the facts catch you out eventually.

Russia is a great power in its military strength, but not in its economic strength. Taking into consideration the latter, it is no greater than Spain or Mexico. But it wants to be treated like a great power. They want big consultation, respect. They have the position in the UN Security Council. They put their effort into Syria. But all this on the very narrow economic base. They are stretched. I think that puts real limitation on Putin.

It suits him to have this oral great power. If people started mocking Russia, that it is not as great. He would hate it. He likes to exaggerate Russian strength. The problem with the Russia, they keep on the requiring problems. Russian position in the Middle East is far stronger than it has ever been, even during Soviet times.

The problem of Russia, it does not have resources to put into it. It cannot offer great economic assistance like the Chinese can. That means all its foreign policies are about conflict. It is not about building trade partnerships or anything like that.

I think in the end it is fundamental weakness that Russia faces. It doesn't stop them from causing other problems, but it limits how far they can get.

**You expressed your assessment of Putin's strategy and actions. Which next steps can we expect by Kremlin?**

— I honestly don't know. First, Putin is very preoccupied with the Middle East. It is their priority. They went behind Assad in Syria. He now has the problem of managing the country that is broken. It needs economic assistance. But Putin cannot provide it. Because he does not have it. While they have Iranians, Israelis, Turks, Kurds and so on. He has lots of things going on. I think that his major preoccupation is trying to keep looking after that. I doubt that he really wants anymore big initiatives round here. I think he is lost to know what to do next. Because the Eurasian Union is clearly not an amazing success.

**Lawrence Freedman.** He was educated at Whitley Bay Grammar School, the Victoria University of Manchester (BA), University of York (BPhil), and University of Oxford. Freedman held positions at the International Institute for Strategic Studies and Royal Institute of International Affairs (Chatham House). In 1982, he was Professor of War Studies at King's College London. He was head of the War Studies until 1997. In 2000, he was the first head of the College's School of Social Science and Public Policy. From 2003 to December 2013, he was a Vice Principal at King's College London. He was appointed a Visiting Professor at the University of Oxford in the Blavatnik School of Government in 2015. Author of numerous books.

He is getting some easing of relations with Ukraine, but it cannot go any far. I think his approach for some timing with regard to Ukraine is not to let the conflict get out of the boil. He does not want Ukrainians to feel very confident. He wants to deter Ukraine from doing things. I may be terribly wrong, but I doubt he may take major initiatives himself as he has Syria. That is not going to be easy. He has lots of work to do there.

**What about the Arctic?**

— The Arctic is a developing story in terms of things that became possible there. You can move your navy around. You can explore the resources. And these closed by. It is not clear how easy it is. The Arctic is a strategic opportunity. Others are also interested in it. Russians have lots of the Arctic at hand. There is obviously potential of the clashing with other part, but it doesn't involve populations. Partly it is the question of how you are able to explore recourses in the region.

**You wrote a book about Ukraine and strategy. Which strategy could be effective against Russian aggression?**

— I do not think on behalf of Ukraine there should be a military offensive. Because we know what happened last time. I do not think Putin will allow its separatists to be overtaken. Like he didn't in 2014. I can imagine Putin or his successor at some point being prepared to sacrifice and betray them. That would be Russian decision. But I do not think there is a military option for Ukraine to do your offensive. Of course, there is an option, but it is dangerous. Because it will be very hard for Putin not to intervene on their behalf.

On the other hand if you let you down too much, you can have expansion by stealth. Russians will start probing the ground. And if you haven't got frontline forces in position, then you cannot do much about it. I am afraid you are fully stuck more or less with the strategy you have got.

**Is it a kind of a stalemate?**

— Yes. It is a stalemate. It is not frozen. I found it very hard to see the diplomatic brake. There are the limited concessions Ukraine can make. It can stick to the Minsk formula, but that requires Russians to agree to elections in terms that will see their people move, pulling their forces out and so on. It is hard to see how it will all happen. You still have Crimea which is still harder to resolve. Ukraine's current situation is not ideal, but I think you will cope with it. There was a believe about the exciting new strategy around the corner. But I do not see it.

I do not have any problem in an attempt to ease relations with Russia it terms of making it harder for Putin to squeeze Ukraine by. But you cannot be naïve about it. ■

# Preventing evil

Why the British program on deradicalization proved to be ineffective

Michael Binyon, London

Coming out of prison in south London after serving only half his three-year sentence for terrorism, Sudesh Amman, a 20-year-old Muslim, knew what he wanted to do. He was going to kill “unbelievers” – white non-Muslims – and die a “martyr” so that he could go to paradise. He outlined his intentions in a crude note to himself, and had already boasted to his fellow prisoners about the need to kill. He had even staged mock executions with his cell mate.

And that is what he did. Ten days after his release, he put on a fake suicide vest, broke into a shop, stole a knife and rushed out into the street to stab the first people he could see: a man and a woman. But undercover police, already concerned that he was still dangerous, had been watching him. Within a minute they were on the scene and shot him dead. Amman, as he wanted, was now a “martyr”. His victims, luckily, survived.

The danger of Islamist extremism getting a grip on Britain's population of nearly 3 million Muslims, mostly descended from Pakistani and Bangladeshi immigrants, has been a worry for British governments ever the since mass attacks on London's underground railway in 2005

It was the second time in two months that a Muslim extremist had stabbed those around him within weeks of release from prison. In November a man who was attending a rehabilitation course on the treatment of ex-offenders suddenly produced a knife, killed the Cambridge student organising the course and a young woman, ran into the street and started stabbing people until he was overpowered by passers-by and by other ex-prisoners on the course. He too was shot dead – but he left three innocent people stabbed to death and several others badly wounded.

What is going on in British prisons? Have they become training grounds for Muslim extremists? There was outrage when it was revealed that both men, serving sentences for plotting extremist atrocities or inciting others to terrorism, had been released early under a system that automatically allows prisoners to leave halfway through their sentence. No one assessed whether they were still dangerous. No probation officers was assigned to supervise them. Nothing could be done to keep them any longer in prison to protect the general public.

The British government immediately rushed emergency legislation through parliament to halt the early release of terrorists. It is now considering indefinite sentences for extremists plotting or engaging in terrorism – effectively jailing them for life unless it was proven

that they had been deradicalised and no longer held Islamist beliefs. Some 224 people are still being held for terrorism-related offences, of which three quarters are Muslims.

But there was also uproar over what the two cases have revealed about conditions in Britain's prisons – said to be among the worst in Europe. They are mostly very old Victorian buildings, with no proper toilets, bleak cramped cells, rats and vermin abundant and extremely overcrowded, with twice as many people being held in prisons as the numbers they were built for. The government has repeatedly refused to build new prisons, and with prison ministers changing almost every year, little attention has been given to the high rate of re-offending and the dangers of prisons making criminals more dangerous.

Rory Stewart, the former Conservative prisons minister who said he would resign if conditions did not improve within a year, wrote recently that in one wing of a prison in Liverpool “half the windows were broken. Prisoners could stick their hands straight out to take drugs from drones.” He said violence had tripled in five years. There were more than 10,000 assaults on prison officers a year.

In such conditions, extremist Muslims find it easy to recruit and brainwash prisoners – including white non-Muslims – who are bored, angry, locked for long periods in their cells and living in filthy conditions. Most prisons are meant to run deradicalisation programmes, getting Muslim clerics to preach against violence and convince extremists that the Koran does not endorse terrorist killings. But few such programmes work. There is little time or space to run them. There is no way of assessing whether the thinking of Muslim extremists has changed or whether they just pretend they are reformed in order to get better privileges in their cells and early release. And some of the imams working in prisons themselves do not believe in deradicalisation and are actually preaching extremist messages. Amman's mother claimed that her son was effectively brainwashed by material he viewed online in prison.

Rory Stewart, who had previously worked as a British administrator in Iraq, said he saw how the mass incarceration in the Abu Graib prison created a terrorist training school. When the US army released these prisoners, many of them formed the core of the Islamic State terror organisation. He asked whether it was sensible to house all terrorists in the same place. Should they not be isolated from recruiters and scattered throughout the prison system? Or would this simply allow the cancer of extremism to metastasise across the whole system?

The shortage of prison staff, the cutting of budgets for probation officers and scrapping of several rehabili-



PHOTO: REUTERS

**Recidivists.** Having been punished for preparing for a terrorist attack, extremists, after being released, still make armed attacks on passers-by

tation and training programmes to prepare prisoners for release have all made things worse. In many prisons, without supervision, fanatical self-styled emirs exert a radicalising influence over the Muslim prison population. Some inmates have reported the existence of covert “Sharia” trials and the circulation of banned jihadist literature. Not enough attention is being given to this, especially as there is no money for one-to-one counselling services.

The danger of Islamist extremism getting a grip on Britain’s population of nearly 3 million Muslims, mostly descended from Pakistani and Bangladeshi immigrants, has been a worry for British governments ever since mass attacks on London’s underground railway in 2005. The Labour government at the time set up a comprehensive deradicalisation programme, which stopped the immigration of untrained Muslim imams from abroad, encouraged Muslims to report any signs of extremism among their children or relatives, increased the penalties for circulating terrorist propaganda or recruiting others to extremism and paid moderate Muslims to give talks in schools and colleges.

The programme has largely failed. Muslim communities say the government is trying to “spy” on them, and that people are pretending to be moderate leaders in order to earn extra money. Those speaking out against violence often do not have a thorough understanding of

Islam, and so their message is not accepted by extremists who are often well acquainted with the teachings of Islam.

The problem is that Muslims who show signs of extremism at an early age are often ignored. Their families have no wish to report them to the police. Non-Muslims have little idea of Muslim culture. And teachers or others who come into contact with them are reluctant to get involved in case they are accused of Islamophobia.

A number of those preaching extremism in mosques or online have already been imprisoned or sent back to their home countries. But more and more the extremist message, especially from groups such as Islamic State (Isis), is being transmitted by the internet. And internet providers are often slow to remove such dangerous messages. Young Muslims – often alienated from society and unable to get good jobs – are vulnerable, especially if they end up in prison.

Reforming Britain’s antiquated jails will cost a lot of money. But the dangers of leaving them as breeding grounds for terrorism and crime are obvious. Britain is looking enviously at Scandinavia, where prisons are well-run and effective in providing rehabilitation. Less than half the ex-offenders in Scandinavia return to crime. The rate in Britain is much higher – and terrorism is increasingly being planned, plotted and organised in prisons. Boris Johnson’s government has a big challenge to change things. ■



# The fight against the flight

President Zelenskiy's plans to attract migrants back and establish ties with the diaspora are missing the point

Maksym Vikhrov



**The power of identity.** Even as citizens of other countries, the Ukrainian diaspora can foster the development of their historical homeland

At the beginning of his presidency, Volodymyr Zelenskiy announced two ambitious goals: to return Ukraine's migrant workers home and to engage Ukrainian community abroad in helping Ukraine grow. Both goals are absolutely right. The fact is that labor migration has reached mass levels: the Ministry of Social Policy has estimated the number of permanently employed migrant workers at 3.2 million. In certain periods, such as seasonal work, this balloons up to 7-9 million. Of course, migrant workers represent a substantial amount of income. According to the NBU, Ukrainians working abroad sent remittances worth US \$5.5 billion home, just in the first six months of 2019. However, even this sum does not compensate for the shortage of workers within Ukraine – and the entire bouquet of negative social consequences as a result of this situation.

And so, in order to attract migrant workers back home, at the end of 2019 Zelenskiy launched a government program called "Come back and stay." However, just what it encompasses has not been made clear to date. All that is known is that the first phase involves providing business loans worth UAH 1.5mn for a five-year period. For instance, for an existing or new business that generates at least two new jobs, the interest on the loan will be capped at 5%. When it comes to Ukrainian communities abroad, estimates of their size vary greatly. Numbers provided by analysts fluctuate from 10 to 20 million. Back during his inaugural

speech, Zelenskiy said that he would "gladly offer Ukrainian citizenship" to all foreigners of Ukrainian origins, inviting them to "bring your know-how, experience and mentality." For this purpose, he presented Bill #2590, which so far is still being reviewed by the profile committee in the Verkhovna Rada. Its purpose is to effectively institute dual citizenship, which, according to Zelenskiy, is necessary "so that our diaspora can freely return."

One of the countries that has accumulated considerable experience in countering the emigration of workers is neighboring Poland. Its accession to the EU in 2004 led to a huge wave of labor migration to western Europe. Three years later, in 2007, some 2.3mn Poles were working abroad. At the same time, there was an ongoing reverse process: based on data from the Labor Force Survey, Polish researchers say that 580,000 came back to Poland over 2004-2008. Starting in 2008, this phenomenon picked up pace as a global economic crisis went into full swing. But before and after this period, the process was left to go on its own: the Polish Government did everything it could to attract its citizens back to their homeland.

The first thing Warsaw did was to carry out an active information policy by setting up an online service offering employment searches in Poland, consultations about investing and doing business in Poland, and so on. One interesting product of this period was a booklet called "The Homecomer," a guide on return-

ing to Poland that was disseminated among Polish emigrants through consulates and diaspora organizations. A Government campaign called “Are you planning to come back?” had a similar purpose, targeted at Polish communities outside Poland.

Next, economic incentives were offered to those coming back. First among these was avoiding double taxation. Returnees were also offered grants, tax credits and more. Although Poland’s economy is one of the most dynamic in Europe today, this policy has been kept up. Last year, personal income tax on individuals under the age of 26 whose annual income is under €20,000 was dropped altogether. Poland has also been competing actively to attract highly skilled workers. In 2008, the Polish office of HAYES, together with the Polish-British Chamber of Commerce and the Ministry of Labor and Social Policy launched a program aimed at searching for and incentivizing Poles who were working in the IT, banking and financial services sectors abroad, to come home. In 2018, a program was launched to attract Polish scientists back to their homeland. Homecomers are offered funding for their research, and positions with universities and research institutes.

Finally, together with government-sponsored measures, a slew of local and non-government initiatives were introduced across the country. For example, in 2007, the London-based Barka Foundation, a Polish NGO, began a program of transferring Polish migrant workers who had run into difficulties abroad – some had lost their housing, others had become addicted, and so on – back home and helping them reintegrate. Also in 2007, the town of Bilgoraj in Lublin Voivodeship started its own “Back home again, and now what?” program aimed at encouraging business initiatives among homecomers. It was carried out by a local employment center together with the Regional Development Agency. In 2009, another Polish organization in London launched a program they called “12 Cities. Coming back, but where,” under which 12 Polish cities held open houses on a monthly basis and promoted the opportunities that they could offer homecomers. The 2010 program called “Stay in Poland – be your own boss,” launched by the city of Warsaw together with the Collegium of Management and Finance, offered educational support and grants to homecomers or potential emigrants to develop their own business initiatives.

This is not a complete listing, of course, but it’s very demonstrative. At a certain point, the battle for migrant workers became one of Poland’s national priorities and the scale of the effort put into this is hard to exaggerate. Of course, these programs were variously effective, but the number of Poles who were working abroad temporarily by 2010 went down to about the numbers that had been seen in 2004, according to the Labor Force Survey.

One interesting example of a country working with its own diaspora is Ireland. Today, the country has a population of around 5 million, but according to historians, some 10 million emigrated from there starting in the 18th century. So, it’s not surprising that the number of individuals with Irish roots around the world at the beginning of the 21st century numbers an estimated 80 million. In the US alone, the 2008 census showed that there were 36 million Americans who primarily considered their ethnicity Irish. And this dispersal of the Irish continues to this day. In 2015, Eurostat reported that 17% of those born on the Emerald Isle were living outside their country. But labor migration is nowhere near the scales it once reached in the past. In fact, Ireland has become an attractive destination country for migrant workers, especially from Central and Eastern Europe. An estimated 220,000 Poles came to Ireland from 2004-2007 to work in Ireland. In 2015, the Polish Embassy in Dublin says that some 150,000 Poles were still living in Ireland, most of them hoping to stay permanently.

For Ireland, the priority is to maintain ties with its colossal diaspora, 57% of which lives in the UK, 15% in the US and 11% in Australia, and a slew of other countries, according to UN data from 2015. In a Government document called “Global Irish. Ireland’s diaspora policy” laid out the basic approach in 2015. The cornerstone was the support of the diaspora and emigrants wherever they resided. Ireland has, in fact used this approach for a very long time now.

For example over 2004-2014, Ireland’s Emigrant Support Program supported some than 470 organizations in more than 30 countries with grant money worth €126mn. Of this funding, 65% went for welfare, that is, to support members of the Irish community who had found themselves in a difficult position due to age, illness and other life circumstances. Ireland also funds projects and events directed at developing the Irish diaspora communities, strengthening Irish identity, supporting the well-being of Irish emigrants and so on. This is, in fact, a permanent spending item in the national budget. In 2017 alone, 398 projects and events organized by 260 Irish organizations and communities received funding worth a total of €12.5mn.

The Ministry of Social Policy has estimated the number of permanently employed migrant workers at **3.2 million**. In certain periods, such as seasonal work, this balloons up to **7-9 million**. When it comes to Ukrainian communities abroad, numbers provided by analysts fluctuate from **10 to 20 million**

Ireland works to maintain relations with the diaspora not just horizontally, based on personal and organizational ties, but to ensure that there is an extensive system of two-way communication with the country. In any case, this kind of disbursement of funds and, more importantly, this scale of international communication are impossible without the necessary institutions in place. In this sense, working with the diaspora is a key area for the Department of Foreign Affairs and Trade (DFAT), as well as the ministries of the Prime Minister of Ireland. At the same time, there is a separate position called the minister of state for the diaspora and international development, which is currently filled by Ciarán Cannon.

Compared to the accomplishments of Poland and Ireland, President Zelenskiy’s initiatives regarding migrant workers and the diaspora look fairly small apples for now. Lending to small businesses is definitely a good instrument to combat labor migration, but it’s just one of many. Transforming all current and potential migrant workers into successful SMEs is not so much overly ambitious as it is naïve – not the least because only 26% of Ukrainians have expressed a clear desire to engage in commercial activity and another 22% are willing to consider such a possibility, according to a Rating survey in 2018.

When it comes to the Ukrainian diaspora, the main problem is not the lack of passports but the absence of effective communication. In 2018, the Groisman Government approved a Program for Cooperation with Ukrainians Abroad through 2020 and gave it a budget of over UAH 100mn. In practice, the program proved not to be viable. The problem was not a lack of money, but the superficiality and inconsistency of the Ukrainian officials running it, and the lack of systematic communication. And so, Ukraine’s ties to its own diaspora are primarily based on horizontal links that depend on interactions with the third sector, religious institutions and so on. In short, the Zelenskiy project remains fairly raw at this point. ■

# The axe behind God's door<sup>1</sup>

The Maidan continues to be an effective factor in Ukraine's politics. How to preserve its achievements?

Maksym Vikhrov

From time to time, claims appear in the press that the Revolution of Dignity was a failure. Some point to what they call the "corrupt counter-revolution" of Petro Poroshenko, others to what they consider Volodymyr Zelenskiy's massive betrayal of voters, and so on. And yet, emotions aside, such conclusions fly in the face of reality.

The direct results of the Maidan are there for everyone to see. First of all, Viktor Yanukovich's criminal regime was brought down, and the pro-Russian camp found itself in complete collapse, moreover one that it has not recovered from to this day... Secondly, the political landscape in Ukraine has changed dramatically, and the balance of power, as the Maidan made it possible for the country to irreversibly turn to the West, something that had been sabotaged or ignored by its leadership for more than two decades. Thirdly, civil society was given an enormous impulse to develop. In the few extreme months of late 2013 and early 2014, it was able to gain the kind of experience that the Orange Revolution 10 years earlier had not provided, let alone the "Ukraine Without Kuchma" movement or earlier protests. Each of these milestones was historically significant, but the expectations that were born on the Euro-maidan were far more ambitious.

The feeling that Ukraine had radically and irreversibly changed slowly turned to disenchantment and even loss of faith. Yet, the Maidan was and remains a factor in Ukraine's politics today. The point is to properly assess its impact in the past and its potential for the future.

As a matter of fact, it's impossible to objectively evaluate the far-reaching consequences of the Revolution of Dignity because even as it was winding down, another overwhelming factor – Russia's invasion – weakened the revolutionary impulse. To begin with, civil society in Ukraine threw most of its forces into defending the country, and not into taking advantage of opportunities for sweeping internal change that appeared in the first months after the Maidan. A substantial part of these forces were consumed by the war.

This had an impact on human resources, as many of the activists of the Maidan went to the front in 2014 and were killed. The desperate needs of the country's decimated armed forces meant that the volunteer community shifted focus to supporting the military. Similarly, the threat of Russian occupation – which remained very real even after the front was stabilized and is still very much there today – restricted the means of influencing those in power. Where Ukraine could allow itself large-scale civil disobedience in 2013, once the war started in the Donbas, any loss of stability in the rearguard threatened the loss of even more territory. Coupled with an economic crisis, this became one of the factors hampering change.

Could serious reforms have taken place without pressure from ordinary Ukrainian? Realistically, it was unlikely, given that Ukraine was one of the post-soviet countries that found itself trapped in the "unfinished transformation," as economist Joel Hellman wrote back in the 1990s. Essentially, it was described as: the elites wanting to destroy the socialist order, become aware of the benefits of a transition phase, when the

advantages of a market economy are combined with a hand-managed judiciary, while nascent democratic institutions are operating in the midst of political corruption, and so on. Finding themselves the beneficiaries of the circumstances, the elites work to protract this transition.

After the Maidan, the government was once again formed by individuals who had been part of the same system as Yanukovich. But can this be considered a failure of the Maidan itself? Not at all. Obviously, the desire to change those in power was universal among those who took part in the Revolution of Dignity, but their actions were a fairly spontaneous response to current events. In December 2013, 70% of those involved in the Maidan said that they had come out because of the people who were beaten up on November 30, 53% said that it was because Yanukovich had refused to sign the Association Agreement with the EU, and 50% said they wanted to see life in Ukraine get better, according to a poll taken by the Democratic Initiatives Fund (DIF) and the Kyiv International Institute of Sociology (KIIS). In retrospect, from five-year distant December 2018, 55% said that the reason they had taken part was because of the beating of the students, 47% said it was because of the Association Agreement, and 35% said they had wanted to remove Yanukovich and his team from power, according to a Sotsioinform survey.

It seems that the massive objective of rotating elites was not something the Maidan had had in mind. In order to do this, the revolutionaries would have to not only promote leaders from their own midst, but they needed to have a political organization that would ensure the transit of power from the old elite to a new one. But these elements were outside the Maidan's agenda. A hypothetical rotation of elites could have been ensured by the elections in 2014, but this also never happened, among others because no "Maidan party" ever emerged from the revolution. Yes, the party lists in the fall of 2014 shimmered with the "glamorous" names of guardsmen, activists, veterans and volunteers, but for the most part their role was largely ornamental. The political projects that these individuals attached themselves to made active use of revolutionary rhetoric, but it all just became part of the populist narrative designed to suit the moment. However, this hardly means that there were no changes to the country after the Maidan, even if their pace and depth left a lot to be desired.

Does this mean that the Maidan came and went without any impact on the elite? Hardly. As a powerful impetus for civil society that whipped up the nation, it was something that no group in power could afford to ignore. Ukraine's Revolution of Dignity is a very convincing example of what kind of direct confrontation with society a government might find itself in. During the Maidan, we saw that critical minority emerge that was capable, at a critical point, of mobilizing broad swathes of the population and driving street protests. What's more, these protests can very easily move beyond the non-violent model that took place, say, during the Orange Revolution.

<sup>1</sup> The axe behind God's door refers to a poem by Taras Shevchenko about a man stealing God's axe in order to cut down a tree, only to have the axe fly out of his hands and start cutting down everything in sight.





PHOTO: ROMAN MALO

**Ironclad argument.** During the Revolution of Dignity, an active minority emerged that was capable of mobilizing broad swathes of the population and driving the street protests

But once there was an attack from outside, a repeat of the Maidan was extremely unlikely, which the elite understood very well. Moreover, the war changed the priorities of the revolutionary minority: its main demand of those in power was to organize the defense of the country, while the battle against corruption and other reforms took a back seat. Still, the threat of a third Maidan remains an effective restraining factor for the elite. Mass street protests, such as last year's "No capitulation!" rallies, can affect the decision-making process – or at least make it clear what's unacceptable. One of the obvious results of that is that the pro-Russian comeback never took place. Today, even as the russophile camp looks like it's getting more energized, engaging in pro-Russian activity is a risky business in Ukraine.

And yet, the Maidan is hardly a universal tool. As the last six years have shown, the fall of a regime does not automatically lead to reforms: it merely provides the necessary window of opportunity. To actually take full advantage of it, taking over the streets is not enough. State institutions have to also be taken over. But for this, the revolutionaries – or, perhaps more appropriately, the drivers of reform – need to not just be outside the windows of those in power but inside, that is, not to just influence the government but to be the source of its power. This does not necessarily require a revolution if there are democratic means of transferring power. Still, the rotation of the country's leadership does not guarantee results if those who replace the old elite are not a "counter-elite" that is fundamentally different in nature. While barricades and even election headquarters can be set up spontaneously,

forming a counter-elite and organizing it politically requires a very different approach.

Indeed, although the Revolution of Dignity involved millions, like any revolution it was the business of a minority. Only 20% of the population of Ukraine participated in the events on the Maidan – 11% directly engaged in the street protests, and 9% helping with food, supplies and money. It's also well known that there were significant regional and social disproportions. Whereas in western oblasts the Revolution engaged more than 30% on one level or another, in southern and eastern oblasts, participation was as little as 2-3%. In terms of education, 25% of those with a university education participated, while 14% of those with a high-school diploma did, and only 7% of those who had dropped out of school, according to a 2014 survey by DIF and KIIS. In short, calling the Maidan a nationwide event would be an exaggeration – but it's hardly a reproach. At critical points in history, the active minority can push events to develop in one direction or another, while the majority goes along with it or not.

On the other hand, no country can develop successfully by stumbling from one revolution to another. So the Maidan, while remaining the basis for consensual values, should not become the only model for collective action. Moreover, the only criterion for collective action cannot be its level of radicalism. Having learned the difficult science of street protests, Ukraine's civil society has to learn to fight in other forms, including peaceful ones – meaning within the system. As the results of the last few years have demonstrated, this requires at least as much determination and resources as fighting on barricades. ■

# Afterimage of the Maidan

The Euromaidan, aka the Revolution of Dignity, gave some Ukrainians a big boost while others were brought down. What happened to all the faces of 2013-2014?

Roman Malko, Andriy Holub

A revolution is always a window of opportunity – and not just for opportunists, who know how to always take advantage of any situation. Romantics and pragmatists also can take advantage of revolutionary lift to rise to the top of the pyramid, although not all of them will be able to hang on there. Too many circumstances can mix the cards up and knock the dream out of someone's hands.

Sooner or later, revolutionary euphoria is overtaken by attempts at a reversal, albeit not always successful. In any case, the events and the people involved in them begin to look completely different over time, colored by both the further steps and actions, as by many subjective circumstances. And so, of the large cohort of politicians whose profiles became very visible during the course of the revolution, only a few managed to ride out the tumultuous waves of Ukraine's political seas.

## THE OLD FACES

One strong surfer proved to be the Maidan Commander, Andriy Parubiy. He not only gained authority and was re-elected to the Rada, but he became Speaker and held on to that position until the 2019 election brought in a new administration. Still, he was elected to the Rada yet again, even if on the lists of a different party and now as a mere MP.

FOR THOSE WHO ARE CONVINCED THAT THE MAIDAN DID NOT CHANGE ANYTHING, IT'S WORTH JUST LOOKING AT WHAT HAPPENED TO THOSE PEOPLE WHO WERE ITS MAIN OPPONENTS. MOST OF THOSE WHO WERE THEN IN POWER DID NOT END UP BEHIND BARS FOR THEIR CRIMES. STILL, THEIR FATES TOOK A SHARP TURN IN A DIFFERENT DIRECTION

Clearly, the main beneficiary of the Revolution of Dignity was Petro Poroshenko, although he wasn't among the leaders of the revolution and did not himself take part in discussions about how to divide up the pelt of a bear that was still running around. A number of factors played in his favor. For one thing, widespread fear over an inevitable war that Ukrainians were not prepared for, the desire to stop the collapse as quickly as possible, and so on. But if not for the power of his promise to stop the war within a matter of hours, Poroshenko might not have become president, let alone in the first round of the election on May 25. Whether Poroshenko himself believed in what he was telling voters or was bluffing doesn't matter much today. Still, the level of distrust felt by a major part of Ukrainian society, which once again was hooked by promises of a swift peace in the east from his rival, failed to knock him out politically in 2019. The leader of a modest faction in the Rada today, Poroshenko's influ-

ence over domestic politics nevertheless remains considerable and he continues to take the lead at least in foreign affairs. Next to the new president, Poroshenko's touch remains virtuoso.

Yet there was one more factor that enabled Poroshenko to win the presidency in the first attempt. Who knows what might have happened had one of the other candidates, in fact the most popular of the triumvirate of political leaders on the Maidan, not withdrawn his candidacy in favor of Poroshenko: Vitaliy Klitschko, the leader of the UDAR party. Poroshenko managed to persuade the world boxing champion-turned-politician to not run for the presidency but focus instead on the mayoral race in the capital. Klitschko wasn't thrilled with the idea but he agreed. Now, it looks like he made the right choice. At least he's still mayor of Kyiv and it's possible that greater things are yet to come, for him.

The same cannot be said for other leading politicians on the Maidan, such as Oleh Tiahnybok, the leader of Svoboda. His party lost 19 of its members during the shootings on the streets of Kyiv and its faction in the Rada played one of the key roles in legitimizing the achievements of the revolution. When the next round of elections took place in the fall of 2014, Svoboda found itself out of the big political game.

Arseniy Yatseniuk, one of the three initial politicians on the revolutionary stage, fared a bit better. In the October 2014 election, he and his allies managed to bring the largest number of deputies to the Verkhovna Rada and to form the second largest faction after Poroshenko's. This guaranteed Yatseniuk the premiership and, as unfortunately usual, a swift decline in his personal ratings. Eventually, it also affected the ratings of his party, *Narodnyi Front*, as well. What caused this was not so much Yatseniuk's efforts to bring to life a package of radical reforms – he called himself the *kamikaze* premier – as unfair competition on the part of Poroshenko and his allies. They managed to knock down the NF leader to almost zero and then pushed him out of the premiership into political limbo.

Obviously, both Yatseniuk, 45, and Tiahnybok, 51, have not given up hope of a return to the big game, but for now neither of them has many prospects. The huge attack launched against both them personally and their political entourages did its dirty deed. *Narodnyi Front* has basically died a quiet death, and Yatseniuk has no access to the political fray right now. Svoboda's prospects are slightly better as it has a large faction in several city councils, including Kyiv, but it still lacks sufficient support nationally to overcome the 5% threshold for gaining seats in the legislature. Even attempts to join forces with other nationalist parties have not yielded any results so far.



PHOTO: REUTERS

**The new and the old.** Parasiuk's passionate declaration became famous because of its radical position, coming after months of restrained statements from the political leaders in the protest

## THE RISING YOUNG STARS

Prior to the Euromaidan, people like Tetiana Chornovol, Ihor Lutsenko, Yehor Sobolev, Yevhen Nishchuk, and Mustafa Nayem were quite well known in their individual areas. But it was their involvement in the revolutionary events that brought them nationwide popularity and catalyzed their entry into big politics.

Yevhen Nishchuk, the voice of the Maidan, became minister of culture in the first Yatseniuk Cabinet almost immediately after the Revolution of Dignity. Unfortunately, he did not last long. After the snap Rada election in the fall of 2014, he was not re-appointed to his post when the new Yatseniuk Government was formed and returned to his old job at the Ivan Franko Theater in Kyiv. However, in April 2016, he was once again appointed to this ministry, but this time under PM Volodymyr Groisman and this time he stayed until the Government itself was dissolved. He tried to get a seat in the Rada in the 2019 election under the Groisman's Ukrainian Strategy party but that failed and he once again returned to the theater.

Tetiana Chornovol, an activist and a well-known investigative journalist whose widely published articles exposed corruption under the Yanukovich regime had already generated enormous hype among Ukrainians by

the first days of March 2014, was appointed government ombudsman for anti-corruption policy in the revolutionary Cabinet. In this position, she did not manage to make her mark, but in the snap election, she gained a seat through the Rada under the *Narodniy Front* party list, where she had been given the prestigious second place slot. Thus began her first and only term as an MP where she managed to engage in piano-voting very early on and otherwise did not distinguish herself. She did not make it into the new Rada and has returned to community activism.

A similar story happened with her colleague, Ihor Lutsenko, also a journalist and activist. He became famous across the country when he and another activist, seismologist Yuriy Verbytskiy, were kidnapped from the Zhovtneva Hospital in Kyiv by unidentified men on January 21, 2014, in the morning. After a few days, Lutsenko was found crippled, but alive. Fifty-year-old Verbytskiy was dead. Both had been tortured. When the war started, Lutsenko joined the Azov volunteer battalion, and later became an MP from Batkivshchyna, Yulia Tymoshenko's party. Still, like Chornovol, he only kept his seat for one convocation and then returned to activism.

Journalist Mustafa Nayem ended up in politics with the blessing of Poroshenko himself. Poroshenko put Nay-



em on the party list of the Petro Poroshenko Bloc in the 2014 election but eventually appears to have regretted the decision, as Nayem did not exactly return his trust. Joining forces with a group of eurooptimists – it was Nayem who called young people to protest Yanukovich's reneging on signing the EU Association Agreement in November 2013 – he effectively stood in opposition to his own faction. He, too, lasted in the Rada for a single convocation and then got himself a job with UkrOboron-Prom, the state-owned defense industry giant as deputy general director.

## THE UNKNOWNNS

Other activists like Volodymyr Parasiuk, Mykhailo Havryliuk and Dmytro Bulatov were complete unknowns prior to the Maidan. The Maidan skyrocketed them to national fame and politics. Just a young guy from a village in Bukovyna, Havryliuk became world famous when a Jaguar special forces team kidnapped him, beat him up, and then threw him naked out of their trailer, smacking him in the head for good measure and dousing the pony-tailed young man with water as he stood outdoors in the frigid winter. The officers photographed and videoed their abuse and posted it online, where an employee at the interior ministry was outraged by the video. A scandal ensued and a court case was launched. In the end, despite the victorious revolution, none of the guilty parties was brought to justice. Havryliuk's reward was to be elected to the Rada in the fall of 2014, but he did not enjoy his new role. When the convocation ended, he left politics and is unlikely to have any plans to return.

FOR THOSE WHO ARE CONVINCED THAT THE MAIDAN DID NOT CHANGE ANYTHING, IT'S WORTH JUST LOOKING AT WHAT HAPPENED TO THOSE PEOPLE WHO WERE ITS MAIN OPPONENTS. **MOST OF THOSE WHO WERE THEN IN POWER DID NOT END UP BEHIND BARS FOR THEIR CRIMES. STILL, THEIR FATES TOOK A SHARP TURN IN A DIFFERENT DIRECTION**

One of the Maidan guardsman, Volodymyr Parasiuk found fame on the morning of February 21, 2014, on the revolutionary stage. His angry statement that day is considered by many to this day to have been the turning point. Addressing the opposition politicians who had issued yet another ultimatum to Yanukovich, Parasiuk warned them that if, by the next morning, they did not formally demand that Yanukovich resign, he and his fellow guardsmen would start an armed attack. During the war, Parasiuk fought in the Dnipro-1 battalion, was captured at Ilovaisk and miraculously avoided being identified by the enemy. Eventually, he was part of a prisoner exchange and returned home. He, too, was elected to the Rada, with a huge lead over all his rivals in a by-election in his home district. He failed to be re-elected, however. The CEC rejected his application to run because his documents were supposedly improperly filled out. He tried unsuccessfully to sue. Today, Parasiuk reports that he's developing junior football in his native Lviv Oblast and is helping his parents expand a family business.

Dmytro Bulatov had a small business prior to the Euromaidan and had had a number of management positions in the public and private sectors, but had no connection to politics. After protestors were dispersed and beaten by the Berkut on November 30, 2013, Bulatov and some friends decided to start up the Automaidan, a

mobile movement involving volunteers with cars, which turned into a real nightmare for Yanukovich's administration. Shortly after the first killings in late January, Bulatov disappeared. His friends posted a reward for any information about his whereabouts, but soon he appeared himself and announced that he had been kidnapped, tortured and then driven outside the city and tossed in the snow. After the revolution, he was appointed minister of youth and sports as part of the Maidan cohort in the Yatseniuk Cabinet. Bulatov lasted until December 2 and six months later he was drafted into the ATO. He was injured outside Shchastia in Luhansk Oblast and after being successfully treated, he returned to the army. After being demobilized, he once again joined the volunteer activist movement. In June 2018, Bulatov became deputy director of the State Reserve Agency and lasted until September 26, 2019, when he was dismissed by the newly elected Honcharuk Government.

## THE ANTI-MAIDAN

For those who are convinced that the Maidan did not change anything, it's worth just looking at what happened to those people who were its main opponents. Most of those who were then in power, carried out Yanukovich's orders, or were simply the media face of the Anti-Maidan did not end up behind bars for their crimes. Still, their fates took a sharp turn in a different direction.

Six years later, Ukraine's fourth president, Viktor Yanukovich, remains in Russia where he fled after trying first to find support in Kharkiv and then shelter in Crimea. No one has been able to figure out the details of his life in the Russian Federation, but from time to time he is allowed to hold some kind of press conference at which he offers his interpretation of certain events. In Ukraine, Yanukovich has become one of the few representatives of his regime who has at least been tried *in absentia* and he was sentenced to 13 years in prison for treason. At the moment, his lawyers are appealing the sentence.

The Moscow City Center, Tower on the River Bank, 47<sup>th</sup> floor. According to *The Insider*, a Russian publication, this was the address of an organization called "The Ukraine Salvation Committee" back in 2017. USC was organized by a slew of political refugees from the Yanukovich era and media personalities associated with the Anti-Maidan. The USC site does not offer an address and there is no mention of Moscow City. The committee was set up almost immediately after the revolution ended and the Russian war started. The first persons of this committee were designated as: ex-premier Mykola "Nikolai" Azarov; one of the authors of the January 16, 2014 dictatorship laws Volodymyr "Vladimir" Oliynyk; leader of Rodina, once one of the biggest pro-Russian parties in Ukraine Ihor "Igor" Markov; and Yuriy Kot, a popular one-time TV personality and eventually emcee on the Anti-Maidan stage – mirroring Yevhen Nishchuk on the Maidan stage.

Like Yanukovich himself, the organization initially tried to be active and even supposedly set up a "government in exile." Over time, however, information about it turned to a trickle. The site continues to be updated with news, with sections with labels like "Repressions," "Political emigration," and "Refugees." The last two sections talk about how different individuals have settled down in the Russian Federation and the problems they face.

Azarov has completely disappeared from the public eye at this point, while Oliynyk has turned into a kind of “expert on Ukraine,” for the Russian press. In 2019, he even attempted to run for the presidency in Ukraine and actually paid his UAH 2.5 million “application fee,” so clearly the group has money. Another “expert,” but for largely marginalized media outlets, is Yuriy Kot. The last anyone heard about Markov was his arrest in Italy in 2015 for questioning by Ukraine’s PGO – not to be confused with Vitaliy Markiv, the National Guardsman recently jailed in Italy. The warrant was later withdrawn and he returned to Moscow.

One individual who might be sponsoring the USC is another political emigrant and Yanukovych’s bag man, Serhiy “Sergei” Kurchenko. According to the press, the office at the Moscow City Center belongs to him and Kurchenko is currently busy running his businesses under Russian cover in occupied Donbas.

Another individual at the Moscow presentation of the USC was Oleh “Oleg” Tsariov, but his name is no longer on the organization’s personnel lists. Tsariov was one of most infamous spokesmen for the Party of the Regions during the Euromaidan. Nor was there a spot for Vadym “Vadim” Kolesnichenko in Russian politics, another infamous PR spokesman. After fleeing to Crimea, he tried several times to find a political spot for himself there, but was unable to do any better than joining the management of the Crimean Football Association.

For obvious reasons, the path to Russia brought most of the opponents of the Maidan together, regardless of their position prior to 2014. Among others, this included members of the Interior Ministry’s Berkut forces who were involved in almost all the police actions against the protesters on the Maidan. For instance, as of mid-2017, officially it was known that at least 15 members of the “black squad,” which was suspected of killing protesters on vul. Instytutska on February 20, 2014, had become citizens of Russia, while another three had been granted political asylum. Russia was given five more Berkut officers who were awaiting trial in Kyiv as part of the prisoner exchange on December 31, 2019. The most notorious was Serhiy “Sergei” Kusiuk, ex deputy commander of the Kyiv Berkut. Kusiuk had gained notoriety during the protests on the Maidan and in 2017 became even more notorious when he was photographed wearing the uniform of a local OMON squad in Russia that was breaking up a protest in Moscow.

Other leaders of Yanukovych’s enforcement agencies were far less visible publicly: top cop Vitaliy Zakharchenko, SBU Director Oleksandr “Aleksandr” Yakymenko and Prosecutor General Viktor Pshonka. All of them also fled to Russia but have returned to private life. Yevhen “Yevgheni” Zhylin, leader of OPLOT, the enforcement wing of the Anti-Maidan, also ended up in Russia. According to reports in the Russian press, he was shot to death at the Vyetyerok Café outside Moscow in 2016, but so far this information has not been confirmed.

The fates of the Anti-Maidaners who decided not to cut ties with Ukraine so radically after all went variously. Yanukovych’s chief-of-staff until January 17, 2014, Serhiy Lyovochkin, had no problems getting elected to the Rada twice in a row. Today he’s in the OP-ZZ faction and is on the VR national security, defense and intelligence committee. One of the two heads of the Kyiv Municipal State Administration back then, Oleksandr Popov, is suspected of being responsible for the first violent breaking

up of the Maidan on November 30, 2013. Although he is still being sued in court, this didn’t prevent Popov from running as the MP for Kyiv District #212 in 2019. He came third, with nearly 10% of the vote. Mykhailo Chechetov, suspected of organizing the vote on the infamous laws of January 2016, fell to his death from a 17th floor window in 2015. Notorious Anti-Maidaner Ignat “Topaz” Kromskiy spent a few years in prison and was released in 2018 under the Savchenko law, which says that pre-trial detention should count as part of the prison term in final sentencing.

Two high-profile former Yanukovych officials – ex-Justice Minister Olena Lukash and ex-deputy Chief-of-Staff Andriy Portnov – have reinvented themselves as “Maidan experts” on television channels owned by the odious Viktor Medvedchuk, whose daughter is the god-child of Vladimir Putin. Both insist that the Euromaidan was an coup, as Russia has always insisted. Portnov returned to Ukraine not that long ago and is already causing trouble, while Lukash never really left, although the criminal cases against her were never actually closed all these years.

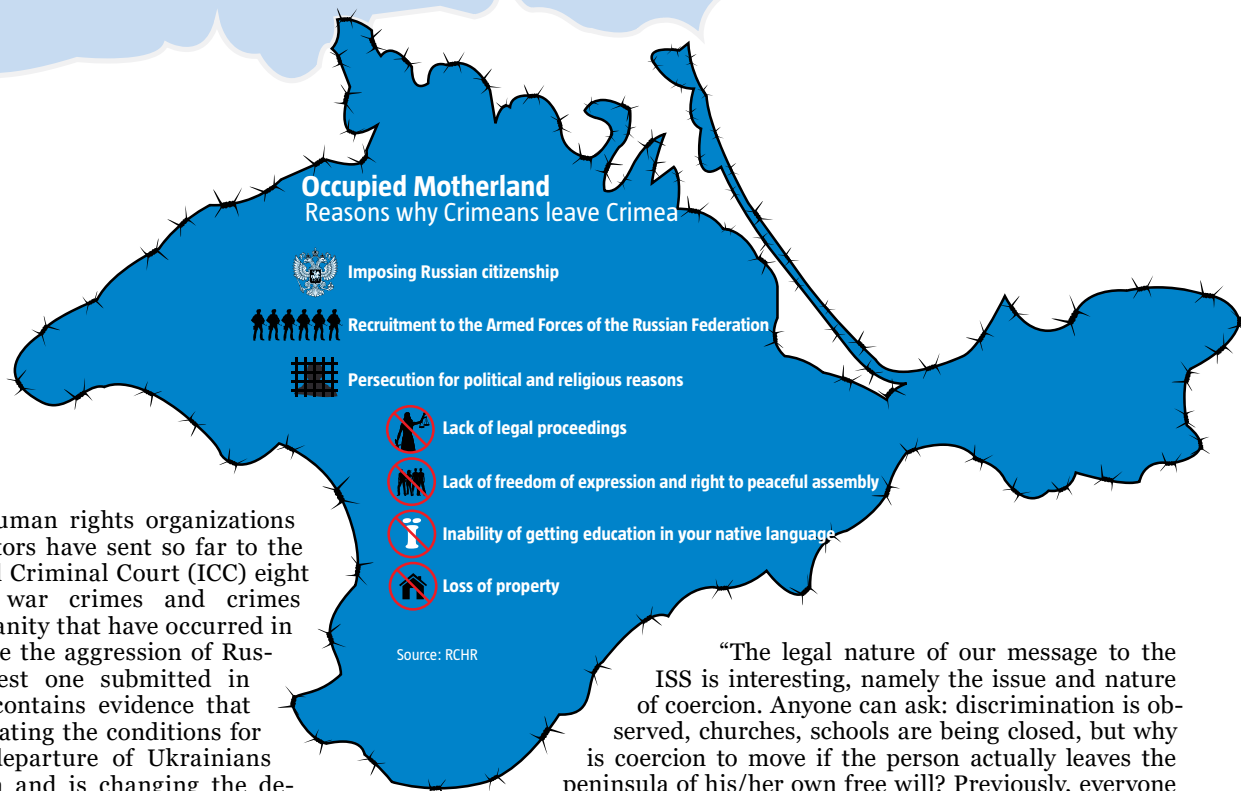
And so we have it: some heroes have gone home and some villains are nosing their way into power again. ■



# From perfidy to repression

What crimes Russia has committed during the occupation of Crimea and is still committing on the peninsula

Hanna Chabaray



Ukrainian human rights organizations and prosecutors have sent so far to the International Criminal Court (ICC) eight reports on war crimes and crimes against humanity that have occurred in Ukraine since the aggression of Russia. The latest one submitted in early 2020 contains evidence that Russia is creating the conditions for the forced departure of Ukrainians from Crimea and is changing the demographic situation on the peninsula, populating it with its citizens.

“At the end of 2019, the number of only officially registered internally displaced persons from Crimea exceeded 43 thousand. However, according to the data of some international and Ukrainian non-governmental organizations, the actual number of displaced persons from Crimea is many times higher and may reach about 100 thousand. This is true to people who are not officially registered as internally displaced persons,” told a news conference Vitalii Nabukhotny, lawyer of the Regional Center for Human Rights.

According to him, the reasons for the departure of Crimeans from the peninsula are very different: the imposition of Russian citizenship, discrimination against Ukrainians, the Ukrainian Orthodox Church and Muslims, the inability to study in the Ukrainian and Crimean Tatar languages, the need to re-register businesses under Russian laws, confiscation of property, etc. (see **Occupied Motherland**). In addition, since the occupation, Russia has been conducting a military conscription in Crimea, which is a violation of international humanitarian law and qualifies as a separate type of war crimes under the Rome ICC Statute. The number of recruits known at the moment is about 14,000. Those who refuse to join the Russian army are held accountable: during 2017–2019, at least 71 recruits were criminally prosecuted.

“The legal nature of our message to the ISS is interesting, namely the issue and nature of coercion. Anyone can ask: discrimination is observed, churches, schools are being closed, but why is coercion to move if the person actually leaves the peninsula of his/her own free will? Previously, everyone understood that forced displacement was when, for example, during World War II, Jews were directed to concentration camps. Today, the position of many international courts and political institutions is different because the world has become more civilized and the approach to the interpretation of legal terms has changed”, Nabukhotny said.

There are no precedents in the ICC’s practice that are contextually reminiscent of the Crimean situation, but there are relevant practices of the International Criminal Tribunal for the Former Yugoslavia, says the lawyer. For example, the speaker of Republika Srpska, Momčilo Krajišnik, in particular, was accused of crimes of forced displacement through a policy of discrimination Muslims in Serb-controlled territories of Bosnia and Herzegovina. They were deprived of water in their homes, denied opportunities to get education; the most active Muslims were persecuted – what is happening now in Crimea and the Donbas.

“For the ISS to act in the same way in its practice, the Courts’ bold position is required. Even in Yugoslavia, the context is not exactly the same, and the accused were charged with dozens of other counts. However, it should be understood that such precedents exist, and we are trying to prove to the Court some analogy to situations”, explained Nabukhotny.

There are several aspects of citizens’ displacement from Crimea, says Roman Martynovsky, lawyer of Regional Center for Human Rights. First of all, it is deportation across the Ukrainian border to the Russian Federation.



The first whom Russia began to bring over to its territory were Ukrainian prisoners, who were in Crimean prisons at the time of the occupation. Human rights defenders have provided the ISS with about 200 files of Ukrainian prisoners deported from Crimea to its territory by Russia. “In total, according to our estimates, at least 12,000 Ukrainian citizens have been transferred from Crimea to the Russian Federation today to serve sentences. That is, Russia continues to hear criminal cases, and the persons sentenced to imprisonment are mostly exported from Crimea”, Martynovsky said.

In addition, they began deporting people who had allegedly violated Russian migration law, which the Russian Federation extended to Crimea, while violating international law.

“They have deported citizens of Ukraine and 37 other countries of the world that we have been able to identify. As a result, there was a displacement of citizens of Ukraine from the territory of Crimea to the territory of mainland Ukraine. The decisions taken by the occupation courts as a result of consideration of administrative protocols on violation of migration rules, ended with either deportation or voluntary departure, for which the person had several days”, the expert said. Instead, moving in the opposite direction began: the Russian Federation creates the conditions for populating the occupied territory by its own civilians.

According to Martynovsky, during the years of occupation the number of people who leave Crimea does not change (approximately 10 thousand a year. – Ed.), and sometimes it increases. People accumulate reasons to leave the peninsula and eventually they do.

“Such actions of the Russian Federation correspond to the concept of crime against humanity – Part 1 (d) Art. 7 of the Rome Statute. In terms of war crimes, they can be qualified in accordance with the separate points of Part 2 Art. 8 of the Rome Statute. Our arguments are based on the fact that those responsible for policies aimed at changing the demographic situation in Crimea, displacement of the population, should be criminally responsible in concordance with these articles”, says the lawyer.

The list added officials of the Russian Federation who are more or less responsible for human rights violations in Crimea. “For Prosecutor’s Office of ISS consideration, we have provided a list of 14 representatives of the top state leadership of the Russian Federation who are to be held responsible for the crimes committed,” said Crimean Prosecutor Ihor Ponochohny. According to him, the ISS Prosecutor is expected to submit a request to the ISS Pre-Trial Chamber to open an investigation into the situation in Ukraine as early as 2020.

## HUMAN SHIELD AND “GREEN MEN”

One of the previous reports to the ISS sent by Ukrainian human rights defenders with the Crimean Prosecutor’s Office concerned the events in Crimea in February – March 2014, when Russian armed forces covered themselves with civilians, seizing Ukrainian military units (see **Perfidious methods**). The Regional Center for Human Rights (RCHR), the Ukrainian Helsinki Human Rights Union (UHHURU), and the Crimean Prosecutor’s Office, based on this submission presented the investigation with evidence that Russia was using prohibited methods of warfare. Human rights activists interviewed eyewitnesses about the capture of military facilities, found videos from the spot, and used information of the voluntary community InformNapalm whose business is intelligence from the open source.



**Human shields.** Involvement of civilians for capture of Southern Naval Base of the Ukrainian Navy in the village of Novoozerne

Analysts have found evidence of the use of human shields during the blockade and capture of military units of the Armed Forces of Ukraine and administrative buildings. “The war crime of the use of human shields means that a person involved in a military operation and who is a party to an armed conflict uses civilians who have their rights to protection to gain military advantage. In fact, he is covered by a civilian and thus protects himself from attack and guarantees the advantage, because his opponent does not use weapons and other methods. This is exactly what the Russian Federation actively used in Crimea. You can find photos and video evidence of this”, said the author of investigation Anton Korynevych, Permanent Representative of the President in Crimea.

According to him, it is the first case in practice of the ICC when the issue of war crime of using human shields by the state is considered before only armed groups, but not the parties to the international armed conflict used them.

“It is important to analyze what was the key point: the civilian’s intention to voluntarily become a shield for the enemy’s armed forces, or the subjective intention of the enemy to use these men for military advantage. It seems to us that the latter is more important. All the agitation on the Russian side, of course, testifies that it was a targeted activity and forbidden methods of warfare”, notes he.

In addition, there is evidence of the use of so-called “green men”, uniformed armed men without insignia. Similarly, in history there have been cases of using uniforms without chevrons, but not by states.

“For international law, there has never been a question of whether the armed forces of the state should have chevrons and stripes, and there is nothing about that. This is what goes without saying. Therefore, if an organized armed group could behave like that, then the states would not. It is also a violation of international humanitarian law. Russia, as a party to the international armed conflict, had to make it clear that it was its military”, Korynevych says.

Another aspect of the investigation is perfidy, that is, the illegal use of emblems, uniforms of the Ukrainian Armed Forces, Navy and Ukrainian militia during blocking and seizing of military units and administrative buildings. There are few such cases, but they happened and confirm Russia’s use of prohibited methods of warfare, the authors say. It is difficult to qualify such actions of the Russian Federation under Ukrainian law adequately, because the Criminal Code of Ukraine does not contain all analogues of international crimes.

“The state, the law, the law enforcement agencies were not ready for the challenges that they faced in 2014, be- ▶

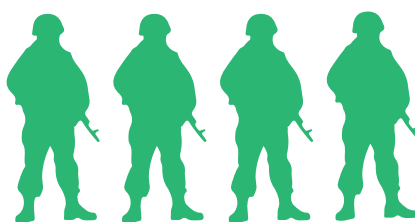
## Perfidious methods

The main war crimes of Russia during the occupation of Crimea



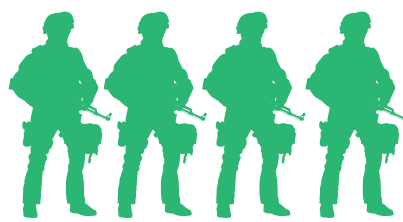
### Human shields

The side of the conflict is covered by civilians protected by international humanitarian law and cannot be attacked by the opponent. In February – March, at least five such cases were reported involving 1,000 civilians.



### "Green Men"

The parties to the conflict must distinguish between military and civilians. If there are doubts about belonging, the person is considered civil. Russian "green men" in Crimea, who seized government buildings and military facilities of the other state, are the first case in the history of international humanitarian law.



### Perfidy

Disguising in the uniform of the Ukrainian army and police to seize buildings is a classic example of a violation of international humanitarian law.

Sources: RCHR, UHHRU

cause international law was studied in legal colleges at a rather limited volume, and international humanitarian law was not studied at all. When we decided to qualify the actions of the Russian Federation not under the common criminal law, as it happened before, but as a violation of the laws and customs of war, we were faced with even more challenges. Because it was a whole new area of law for prosecutors. We were helped by human rights organizations", says Ponochozny.

Now the prosecutor's office qualifies the actions of the Russian Federation under Art. 438 of the Criminal Code of Ukraine, violation of the laws and customs of war. In the event of the ratification of the Rome Statute and the harmonization of Ukrainian criminal law with international law, a detailed list of war crimes and separate provisions on crimes against humanity will appear in the Criminal Code.

## CRIME IN CRIMEA DOES NOT STOP

During the six years of occupation in Crimea, an atmosphere of repression against those disloyal to Russian politics has developed. Muslims are being searched and arrested for their religious views, evidence-free accusations of terrorism and extremism. The Crimean Tatars make up a large part of the Kremlin's prison list. Peninsula is not accessible for international organizations, so monitoring the rights of its inhabitants is only possible remotely or through people at their own risk.

"There are statements at the international level that Russia can be negotiated because it has released seamen and 11 political prisoners. But, in the same 2019, Russia illegally imprisoned 43 more people. We do not see any positive trends", said Olha Skrypnyk, chairman of the board of the Crimean human rights group. Among those 43 people, 36 were imprisoned for being involved in Muslim organizations, most notably Hizb ut-Tahrir, which is legally active in Ukraine but banned in the Russian Federation.

According to her, in recent years there has been no change in the trend of inappropriate detention of people in pre-trial detention centers and prisons: violence during detention, torture for the purpose of obtaining testimony, especially in so-called spy or sabotage cases, where people are accused of working for the SBU or the Ministry of Defense of Ukraine. In prisons, inmates do not have access to medical care.

"According to international law, such treatment is recognized as torture. These people should be released not only because they are innocent, but also because there is a real

threat to their lives every day in a prison colony and detention center", the human rights activist says.

The Russian Federal Penitentiary Service has confirmed that at least 25 deaths occurred in Simferopol pre-trial detention center from 2014 to 2018. "Even if Russia recognizes such deaths, then the official version is natural death or suicide. And there were no investigations there. No international missions have visited the detention center to find out the real causes of death. Such cases are left uninvestigated. We do not know what the people in the detention center are dying for", Skrypnyk said.

Human rights activists suggest that Russia continues to persecute people to detain them and then exchange them for witnesses to Russian war crimes in Ukraine. Moreover, the judges of the occupation courts are corrupted: they do not pay heed to the statements of the torturers, but instead accept the testimonies of interested parties, members of the so-called law enforcement agencies.

"The Russian Federation, in violation of international humanitarian law, continues to use the Russian Criminal Code in the occupied territory, so the sentences that are now being announced in Crimea are illegal. This also applies to cases where people are held accountable for actions that are not in violation of the law in terms of Ukrainian law, when the occupation authorities intend to persecute Crimean Muslims. In addition, the Russian Federation uses the retroactive law: in 2019, five people were convicted of "February, 26 Case", these events took place before the occupation of Crimea", says Oleksandr Sedov, Crimean group for human rights analyst.

The activists who give publicity to searches and seizures are being persecuted. "In March 2019, some civic journalists were arrested in the Hizb ut-Tahrir case after fabricated allegations in terrorism, and they are now imprisoned. By having pushed out professional journalists, the occupying authorities have taken in hand those who simply post information on Facebook, share photos and videos that tell about human rights abuses in Crimea", said Iryna Sedova, media expert of the Crimean group for human rights.

At the same time, access to Ukrainian media sites is blocked on the peninsula, and Russian radio is switched on at the frequencies of the Ukrainian radio stations immediately beyond the administrative border. In particular, providers block access to 18 Ukrainian sites, and the signal of Ukrainian radio is completely off in 19 settlements in northern Crimea. All facts recorded by human rights activists are already in place or will be sent to international courts. ■



# PREMIER

PALACE HOTEL

- KYIV -

## THE EXECUTIVE FLOOR

EXECUTIVE FLOOR — COMFORT AND MAXIMUM PRIVACY

Private butler • Meeting room and reception on the floor  
High-speed Internet • Royal and Presidential suites  
Separate dinner and afternoon tea

Kyiv, 5-7 / 29 T. Shevchenko Blvd / Pushkinskaya Str.

Premier Palace Hotel

+380 (44) 244 12 00    [premier-palace.phnr.com](http://premier-palace.phnr.com)

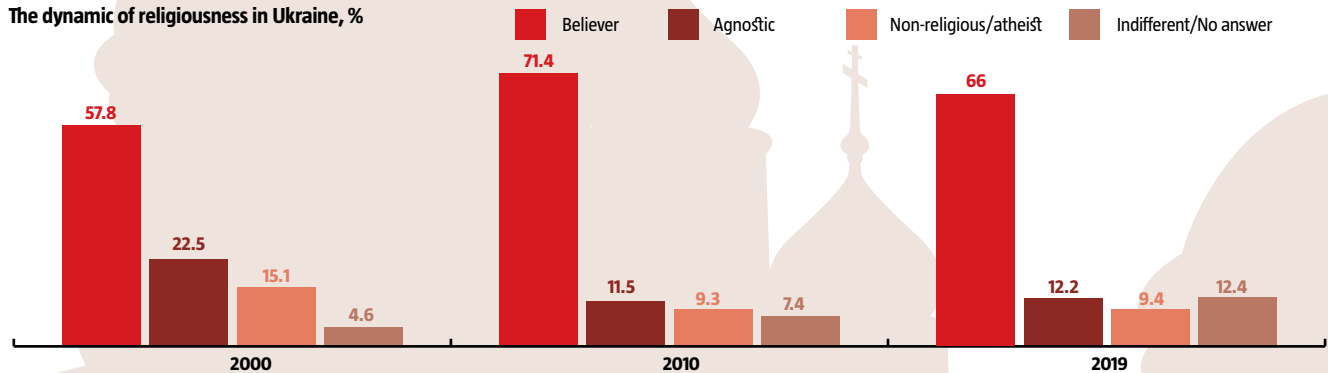


# The architecture of faith

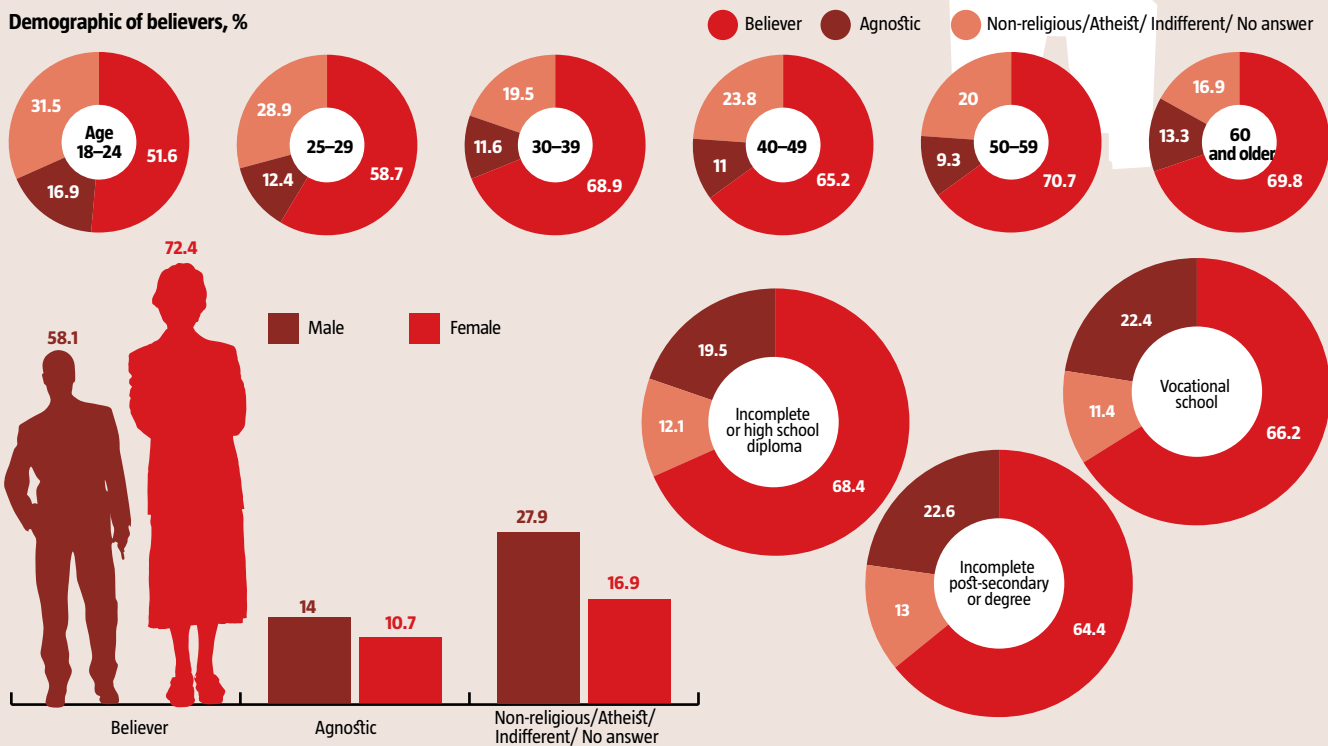
Maksym Vikhrov

A clear majority of Ukrainians are religious believers. The most popular religious holidays for Ukrainians are Christmas and Easter, while the Church for them is one of the few institutions in which the balance of trust continues to be positive. The only institutions that have outdone it in recent years are the volunteer movement and the Armed Forces. Ukraine's religious environment is quite varied, but relatively small confessions such as Judaism, Roman Catholicism, Islam, Protestantism, and so on, are difficult to track through standard polling methods. Effectively, the dominant religious group is orthodox Christians. Moreover, they dominate in all macro-regions, except western ones, where Greek Catholics tend to dominate. However, since the wave of religious revival in the 1990s, all churches, without exception, face serious challenges. Despite the religiousness of Ukrainians, their respect has to be earned. Nor should any church expect state support.

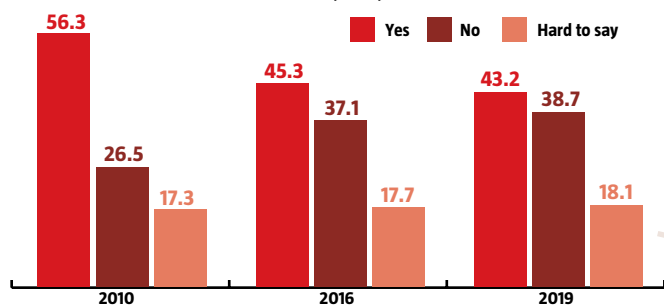
The dynamic of religiousness in Ukraine, %



Demographic of believers, %

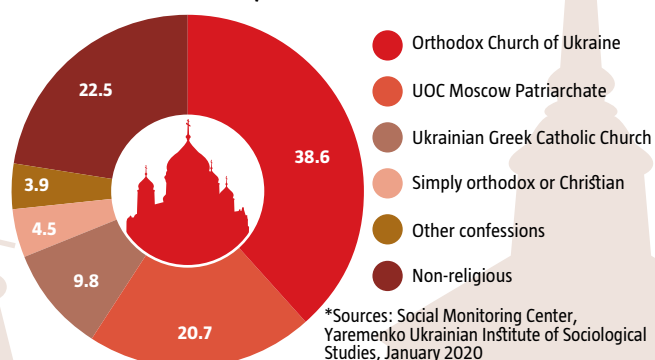


## Does the church have moral authority for you? (%)



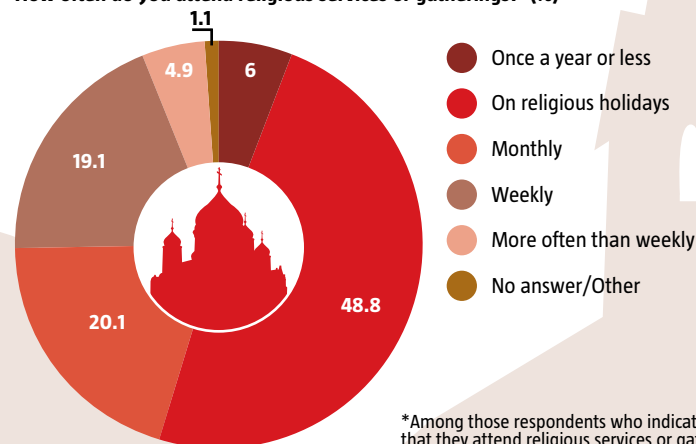
\* Figures for 2016 and 2019 do not include information about public opinion in Crimea and occupied areas of Donbas where polling did not take place.

## Profile of faiths in Ukraine, \* %



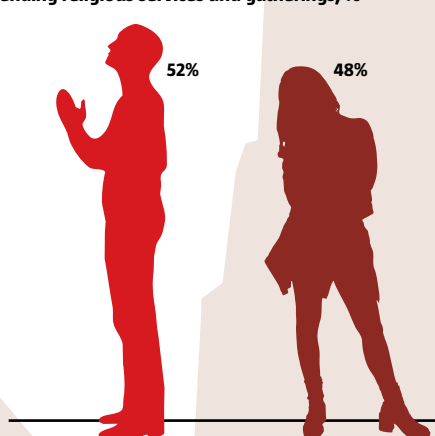
\*Sources: Social Monitoring Center, Yaremko Ukrainian Institute of Sociological Studies, January 2020

## How often do you attend religious services or gatherings?\*(%)

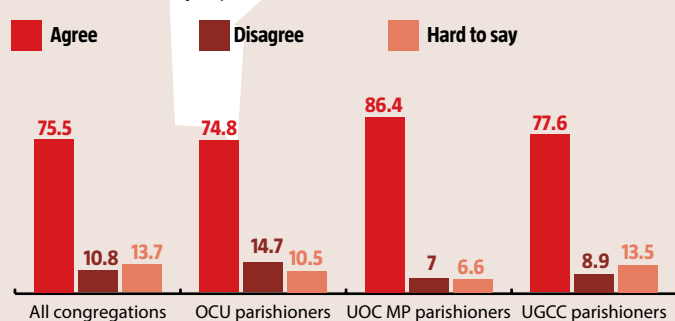


\*Among those respondents who indicated that they attend religious services or gatherings

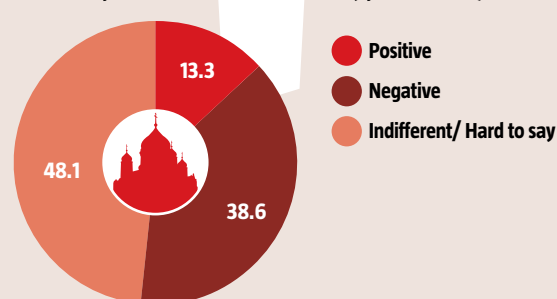
## Attending religious services and gatherings, %



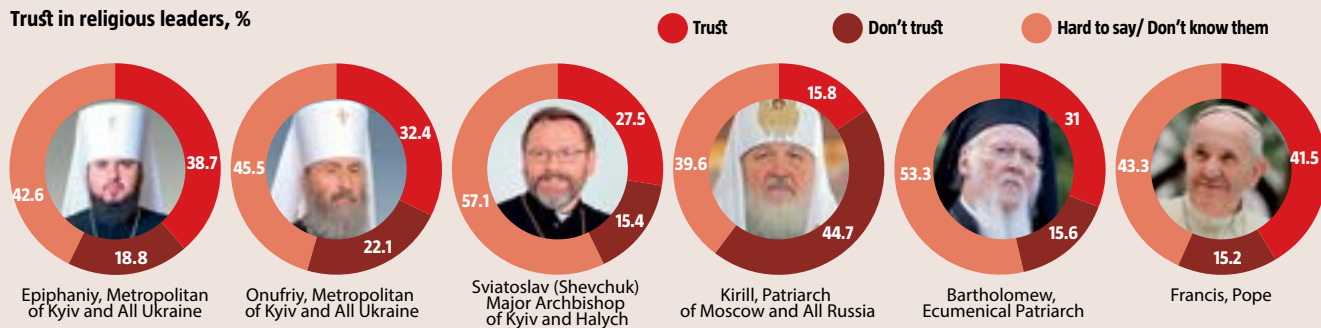
## Should the State be equally distant from all churches? (%)



## Reaction to public demonstrations of faith by public officials, %



## Trust in religious leaders, %



Source: The Razumkov Ukrainian Center for Economic and Political Studies

# Inflationary nosedive

What kinds of problems does the low pace of consumer inflation suggest?

Liubomyr Shavaliuk

Derzhstat, Ukraine's statistics bureau, reports that annual inflation slowed down to 3.2% in January. At first glance, this looks like good news. It's been a long time since prices grew so slowly in Ukraine, and that not very often. Right now, the inflation rate is below that of many developed economies, including China, Brazil and Mexico. Meanwhile, Ukrainians are seeing their disposable income increase, making them feel wealthier as prices stabilize. Those with deposits at banks are also enjoying watching relatively high interest rates against low inflation and a strong hryvnia boost value.

As the dollar grew stronger lately, its annual decline went from **15.0%** in December to **13.5%** in January. Meanwhile, inflation has continued to decline, from **4.1%** in December to **3.2%** in January

But this is just one side of the coin – pleasant for many, yet superficial and fleeting. When looked at comprehensively, the situation reveals a slew of serious problems in Ukraine's economy and the way it's being managed behind the attractive façade of the low inflation rate.

## TALKING ABOUT PRICES

In 2019, many complained that the dollar was going down and prices were not. In September 2019, when the exchange rate was UAH 25 to the dollar, annual inflation began to really slow down (see **Arid percentages**), but prices were still growing month-on-month. December

was an exception, when prices slipped 0.2%. Yet, two developments that took place that month offered a good explanation for what was going.

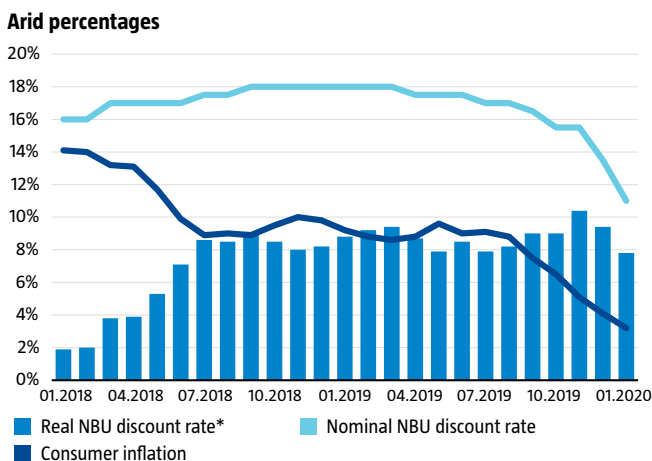
One was a meeting between President Zelenskiy and gas station operators on December 23 at which the owners agreed to lower gasoline prices. In fact, although for years the price of a liter of gasoline was typically just below a dollar in hryvnia terms, the price of a liter of A-95 gasoline had barely changed since mid-summer, remaining at an average of UAH 28.75 per liter, according to the A-95 Consulting Group. In fact, in the last few years, it had tended to be slightly above a dollar, unlike the past. Prices finally started going down when the dollar fell below UAH 24 in early December, but only by about 50 kopiykas a liter before the meeting with Zelenskiy. Over the month following that meeting, gasoline prices fell another UAH 1.60 per liter. Three days after the meeting, Premier Oleksiy Honcharuk instructed enforcement agencies to shut down all illegal gas stations within two weeks.

The developments around gasoline revealed three important things. Firstly, competition is poor in the Ukrainian economy and market segments are highly monopolized. Thanks to the cheap dollar and steady prices, gas stations were making windfall profits for months. This would be impossible in a developed country. When an industry starts making windfall profits there, the inflow of capital is immediately followed by lower prices for the product. Competition and the fear of losing market share quickly force even the greediest producers to adjust prices for their products. That is missing in Ukraine.

Secondly, nobody, not rivals nor the Anti-Monopoly Committee, seemed to want to solve the problem. It took an intervention from the president himself to get at least some results, illustrating for the umpteenth the power of monopolists in Ukraine and the absence of effective mechanisms against them. It also showed a revival of presidential hand-management of the economy, which is not good, regardless of the results in this particular instance.

Thirdly, the president had to make concessions to the gas station operators to reach his goal. It was most likely these operators who insisted on having illegal operators shut down, in exchange for reducing prices. This also shows the power of the legal operators. Nobody mentions the fact that illegal chains may have popped up precisely because they saw that they could compete with the monopolists by offering more reasonable prices that reflect the market more accurately. Shutting them down will help the monopolists make up whatever they lost, regardless of oil price or dollar rate.

The other development was a decline in rates for natural gas. Officially, started changing in May, but the



\*The difference between the nominal discount rate and real, not projected, inflation

Sources: Derzhstat, NBU



changes were not felt until November. In December, it finally went down 11.2%, according to Derzhstat. This also did not happen without the intervention of the country's leadership: on November 30, President Zelenskiy hosted a meeting on this issue while Premier Honcharuk actively talked it up in the press in December.

### CHECKING MONOPOLIES AND THEIR RATES

December statistics and the actions that led to these numbers deserve some consideration. In Ukraine, inflation has two important components whose prices are not determined by the market. The first is monopolist/oligopolist. Economic theory says that the law of supply and demand is undermined in monopolized markets, as monopolists can set whatever prices suit their interests. The situation with gasoline prices was just the tip of the iceberg that Zelenskiy touched.

How many more monopolized markets are there in Ukraine? A study by the NBU showed that, while car prices reflected dollar dynamics very well, as dozens of international makers and dealers compete strongly for Ukrainian buyers, prices for household appliances barely responded to the cheaper dollar although 90% of appliances in Ukraine are imported. This strongly suggests that a cartel is colluding in an attempt to make high profits on a highly concentrated market. In the past, the Anti-Monopoly Committee exposed signs of cartels among chains of supermarkets, gas stations, and others. If the Committee worked effectively, it would find a good dozen industrial sectors with signs of monopoly or oligopoly, neither of which ever lowers prices voluntarily. After all, the president cannot possibly meet with each of these business groups to persuade them to make prices more reasonable.

The second component is consumer rates. The government strongly influences rates for a wide range of goods and services, directly or indirectly. It sets natural gas rates directly and it influences the price of alcohol and tobacco through excise duties that are set in the budget every year. Meanwhile, education and healthcare seem relatively market-driven sectors, but most facilities are owned by the state, so the cost of their services depends on government decisions. Similar examples are plentiful.

All these non-market-driven components of inflation lead to serious problems. Prices for certain categories of goods hardly ever go down, but they leap up whenever there is an opportunity to do so. It's as though they wrap Ukraine's inflation rate in a hard shell that prevents it from properly reflecting the dynamic of supply and demand. In developed countries where the mechanisms of their economic systems are far more precise and effective, and competition is incomparably higher, the inflation rate is good at showing the temperature of the economy. Competition prevents unjustified price increases: whenever prices spike, everyone understands that something bad is happening and the economy is close to overheating. When demand is too low, competition forces producers to quickly lower prices in order to sell their goods. So, when inflation approaches zero or deflation kicks in, it's understood that the economy is entering a crisis. Indeed, this is actually worse than rapid price growth.

Unfortunately, such mechanisms do not work properly in Ukraine. Because the two inert, non-market components are so important, Ukraine's inflation rate

is double-digit when the economy begins to overheat, yet it never manages to go down to zero when there is a crisis of effective demand. This is similar to mechanics: in a system of two balls, where one moves and another does not, the center of the system's mass has to move at half the speed of the first ball. Overall, Ukraine's indicators create a false impression of movement where the key component is actually standing still. And that is key.

### TAKING THE ECONOMY'S TEMPERATURE

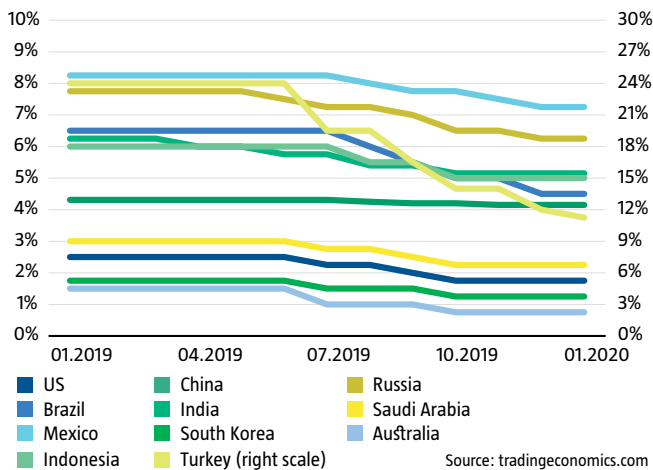
The consequences are easy to see. Annual inflation was 3.2% in January. Taken out of context, this figure looks good. Stripped of the monopoly and rate components, however, the result is dramatically different. Yet this shows the real situation in the economy. If Zelenskiy had spoken to supermarket bosses or appliance chain owners, the January inflation rate would have been far lower. Another important fact is that the two industries where prices have grown the most are education, up 13.5% year on year, and alcohol and tobacco, up 12.6%. The state directly affects these two categories because they are part of the controlled rate component. If they are taken out of the formula, the outcome changes even more.

In October, the National Bank predicted that inflation would be **6.3%** at the end of 2019, but it was only **4.1%**. The **2.2%** difference with such low figures is quite significant and has left the NBU behind the eight ball

In short, price growth would be much lower even than what Derzhstat reported if the current inflation rate were looked at without the inert components. Indeed, it might even be deflationary, which would create serious grounds for concern rather than joy over the economy. Something similar happened in 2012-2013 under the Azarov Government, when the economy suffocated from a lack of effective demand.

It matters not where the causes of the current crisis signals – industrial layoffs, reduced budget spending or insufficient lending – come from. What matters are the consequences. The Government says that the economy is doing well, but there are reasons to doubt that. If officials are saying this strictly for public consumption, then that's not so bad, provided that they are doing the right things to move out of the risk zone. However, if the leadership actually believes what it is saying, an economic crisis is inevitable and will arrive far sooner than expected. The "40% economic growth in five years" will end up being just another pompous bit of fakery – which the current administration seems to like to produce.

Such a line of thought is supported by a number of key indicators. The dollar has been growing against the hryvnia since December and was 2.2% higher on average in January than in December. But prices grew just 0.2% in January, even though January inflation has hardly ever gone below 1.0% in the past. How much, then, did the market component fall? With the dollar growing stronger in the last few weeks, its annual decline eased from 15.0% in December to 13.5% in January. But annual inflation has continued to decline, from 4.1% in December

**Synchronized central banking**

to 3.2% in January. There is hardly any explanation for this, other than weak demand.

**ORIENTING THE NATIONAL BANK**

The paradox is that this imperfect, quasi-market, inert inflation rate forms the basis for the NBU's inflation targeting policy. The regulator has set a goal to establish a stable inflation rate in the  $5 \pm 1\%$  range. Formally, this is a sound target that should bring Ukraine closer to most progressive states. But in reality, annual price growth of 5% in Ukraine's highly uncompetitive economy is the equivalent of 2%, 0% or even -1% in the US. The first option could well be the right one, but given the overall dynamic of macroeconomic processes, the impression is that January's 3.2% inflation is the same as -1% in a more developed country: deflation caused by the lack of effective demand. In the US, all the economists would be lamenting by now, especially those working at the Federal Reserve. In Ukraine, too many of them keep saying that the economy is doing well, including some who seemed on the ball not that long ago.

This is leading to a very specific problem. The NBU has been building its monetary and currency policies on inflationary forecasts. For example, the higher the forecast inflation, the higher the NBU's interest rate, with the downward dynamic the same. This should be the right mechanism, as it works in many developed economies. In Ukraine, however, the movement of prices in the inert components is not in line with market trends, so the standard extrapolation methods in the NBU's forecasts are not actually working as they should.

In October, the National Bank predicted that inflation would be 6.3% at the end of 2019. In fact, it was only 4.1%. The 2.2% difference for such low figures is quite significant and it has left the NBU a month and a half late in its response. On February 6, it published its latest inflation report, anticipating a slowdown of price growth to 3.5% in Q1'2020 and a minimum of 3.2% in Q2. Four days later, Derzhstat reported that inflation was 3.2% in January, below any of the bank's forecasts. This disinflation seems to not be going away anytime soon, as there are no macroeconomic reasons to support such a shift. Meanwhile, Ukraine is nowhere near the end of the first quarter, let alone in the second one.

Is all this a reflection of incompetence in the executive or flaws in the basis for NBU policy? Whatever it is, quality policies require a reliable analytical foundation. In the short run, Ukraine cannot do much about the non-competitiveness of its economy or the quality of inflation indicators, but it can apply appropriate expert adjustments that take into account the nature of its economy. Forecasts or decisions about the prime rate should be adjusted accordingly. Otherwise, the NBU will continue to come up with imperfect solutions that raise criticism, even if the regulator is doing so with the best intentions.

**FLYING IN THE COMET'S TAIL**

Even if the questionable quality of the NBU's forecasts is overlooked, it is hard to ignore its excessive conservatism. On January 31, it set the prime rate at 11.0%, 2.5 p.p. down from the rate set on December 13. In the past few months, however, the average disinflation rate was close to 1.0pp. If the prime rate is lowered 2.5pp every six weeks in this context, the ratio between it and inflation – reflecting the real rate – will change too slowly.

Economic theory says that the real interest rate is what affects effective demand and, therefore, economic growth. In Ukraine, the real interest rate, based on statistical expectations, meaning on real data about inflation, spiked to 8% in July 2019 and has barely gone down since. The NBU claims that the optimal interest rate should be 2-3pp above inflation, that is, 7-8% with 5% inflation, but in fact, it has been keeping it far higher. This policy probably made sense in early 2018, when Ukraine was facing huge uncertainty in cooperation with the IMF and badly needed foreign funding. It could have been justified even a year ago, when Ukraine was going into two elections, which tended to push non-residents to move capital out of the country.

But the NBU's overly conservative policy surfaced when the Federal Reserve started lowering interest rates in July 2019, followed by the central banks of 11 of the 20 largest economies (see **Synchronized central banking**). While dozens of countries were loosening their monetary policies, the NBU seemed in no hurry to do the same. Foreigners took notice and grabbed their chance: Ukraine saw an unprecedented inflow of foreign money for its government bonds. The side effects included a steep revaluation of the hryvnia and an abnormal slowdown in inflation, which has already gone below the floor of the NBU's forecast range.

As a result, Ukraine found itself in a disinflationary nosedive. Excessive real interest rates stifle economic activity, trigger rapid disinflation and stimulate short-term financial speculative behavior. This did not raise serious threats for the economy for a while. But if the current disinflation and interest rates continue to decline, the real rate will hit a normal 3% at the end of the year, when inflation is deeply negative. This will put Ukraine into a full-blown economic crisis.

To be fair, the NBU started working more proactively on the currency market in late December. It has been buying back more foreign currency, thus injecting more hryvnia into the system and allowing the currency to support a rising dollar exchange rate. In time, this policy should support inflation and balance out the bank's earlier overly conservative monetary policy. Still, this looks too much like giving with one hand while taking with the other. ■

# The danger of “cheap gas”

The temporary dip in the price of natural gas on the European market is not a reason for Ukraine to stop expanding domestic extraction

Oleksandr Kramar

A massive shift in the European natural gas market has been pushing prices down in the past few years. Ukraine sees this positive trend in the quotations on key European gas trading platforms and in the changing rates for commercial consumers at home. At first sight, this trend seems to be having a positive effect on Ukraine's economy. But it hides serious challenges for Ukraine's energy security and plans to expand domestic gas extraction.

Unlike household users, commercial consumers in Ukraine have long been buying gas at prices shaped by the European market. At first, prices skyrocketed, going from a minimum of UAH 5/cu m ex-VAT in September 2016 to over UAH 10 in 2018. Then, prices started falling, going below UAH 6/cu m by the end of 2019 – and they are expected to go lower still, below UAH 4/cu m, in March 2020. At the current exchange rate, this is slightly above the traditionally subsidized price at which Russia sells gas to Belarus, US \$127 at the border – although Aliaksandr Lukashenka reports that Russia is insisting on US \$152 – and significantly below the US \$173 at which Gazprom sells directly to Moldova.

In general, this nosedive on the global market stopped the growth of domestic household gas rates and even pushed them down a little. The price set for February was UAH 3.95/cu m ex-VAT plus transit or distribution costs, which is way below the UAH 4.27–4.28/cu m price in October or December 2018. But unlike commercial customers, Ukraine's households barely noticed any change in rates, because the Government had, in 2017, kept household rates down at 50-65% of rates for commercial consumers relative to the 2016 heating season.

The 20% drop in gas rates for commercial consumers in just over a year was the result of a mix of circumstances: the EU and Ukrainian companies stocked up record-breaking volumes of gas in their storage facilities in anticipation of a gas war between Ukraine and Russia, and the winter was unprecedentedly warm. By early January 2020, stocks were still at 90 billion cu m, more than half the volume of gas that EU countries purchase from Russia yearly. A third factor was a

longer-lasting trend of growing competition on the EU market between pipeline and liquefied gas as more LNG is produced around the world. Shipments of liquefied gas to the EU almost doubled in 2019, compared to 2018.

## A HONEYTRAP

These factors are likely to continue to make a difference for some time, but the trend could easily reverse down the line. Firstly, the weather could easily get colder and low consumption could gradually exhaust the record-breaking stocks. Secondly, times of plummeting prices and dumping tend to come with a redistribution of the market. Once this is completed, prices will go up again.

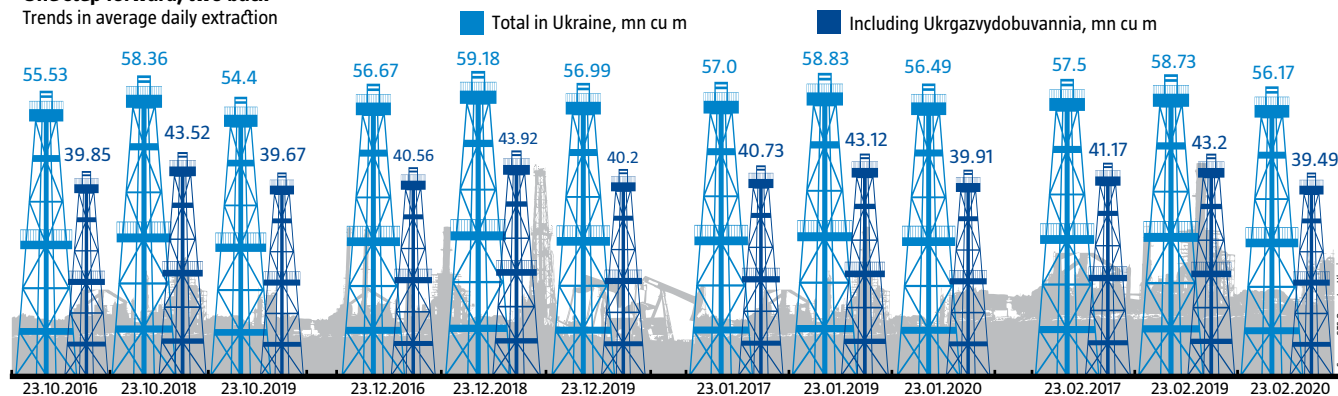
REFOCUSING ON GAS IMPORTS INSTEAD OF DEVELOPING DOMESTIC EXTRACTION IS THE DANGEROUS PATH OF EASY MONEY FOR UKRAINE'S ENERGY SECTOR. IF THIS APPROACH CONTINUES, UKRAINE'S DEPENDENCE ON GAS IMPORTS AND THE SHARE OF IMPORTED GAS IN OVERALL CONSUMPTION WILL GROW. WHEN THE ERA OF CHEAP GAS ENDS, THIS WILL INEVITABLY CREATE NEW CHALLENGES FOR UKRAINE

So where will Ukraine find itself after these balmy days of cheap gas? How much stronger or weaker will it be when the situation ends? Gas prices in the EU and Ukrainian markets have been going down in the past six years because of declining domestic extraction (see **Strategic short-sightedness**). According to Derzhstat, Ukraine's statistics bureau, Ukraine extracted 10.04bn cu m or 3.4% more gas in H1'2019 than the 9.65bn cu m it extracted in H1'2018, but in H2'2019, extraction was down 13.6%, from 11.17bn cu m in 2018 to 9.65bn cu m.

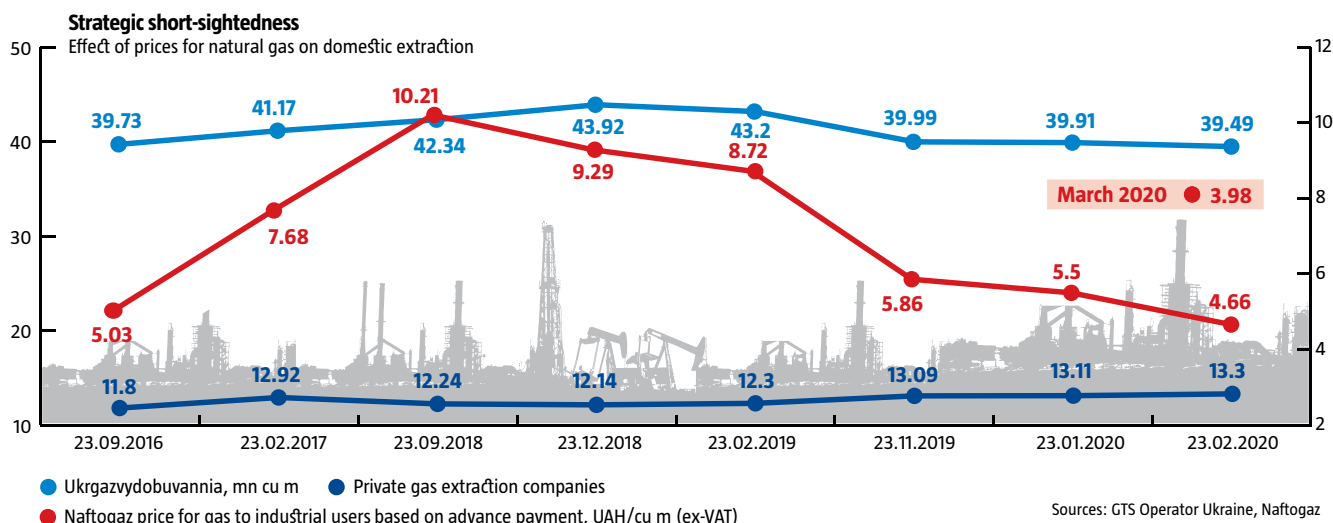
Naftogaz companies, including Ukrgezvydobuvannya, the extraction arm, and UkrNafta, were responsible for most of the decline. Ukrgezvydobuvannya produced 3.9bn cu m of gas in Q1'2019, an average of just 1.3bn cu m a month, and an

## One step forward, two back

Trends in average daily extraction







even lower 3.6bn cu m or 1.2bn cu m monthly in the fall, for a gap of 10% between 1.33bn cu m in March and 1.19bn cu m in November. Where Ukrgezvydobuvannia was extracting 44mn cu m daily in December 2018, it was down more than 10%, to 39mn cu m recently (see **One step forward, two back**). This means 1.5-2bn cu m lost on an annual basis, by contrast to the increase of extraction, even if slow, in the previous years. Moreover, this is not the result of the depletion of gas fields.

As a result, in 2019, Ukrgezvydobuvannia's extraction rate was back at 2015 levels, despite its plans to increase extraction to 20bn cu m by 2020 according to the 20/20 program announced in 2016. Meanwhile, private gas companies have continued to increase extraction, even if more slowly than in the past years, or maintaining levels, despite declining profits.

According to Derzhstat, Ukraine's statistics bureau, Ukraine extracted **10.04bn cu m** or **3.4%** more gas in H1'2019 than the **9.65bn cu m** it extracted in H1'2018, but in H2'2019, extraction was down **13.6%**, from **11.7bn cu m** in 2018 to **9.65bn cu m**

The worst thing is that top managers at Ukrgezvydobuvannia decided last year to prioritize current financial performance and profitability by sacrificing domestic extraction. Their rationale seems to be that as prices and profitability decline, extraction is no longer the priority. When Andriy Favorov, the newly-appointed head of the gas division at Naftogaz, presented the new strategy for Ukrgezvydobuvannia, he stated that the company's priorities had shifted: "... we are no longer interested in cubic meters. We need to decrease the risks of drilling in new fields and increase the certainty of successful extraction. We will thus not increase extraction, but we will make the company more profitable." Naftogaz's Supervisory Board approved this strategy, which led to a steep decline in extraction, especially in H2'2019.

This has created a situation in which Ukraine will import more gas and make quick money on it. Gas imports by private traders grew almost as much in H2'2019 as domestic extraction dropped, compared to last year. ERU-Trading developed by Andriy Favorov before he joined Naftogaz was the biggest importer of gas until H1'2019, accounting for almost 25% of

total imports by private companies. Other major private importers included a number of Ukrainian companies allegedly linked to Dmytro Firtash and Ihor Kolomoisky through Azerbaijanian Socar and the international Axpo group. But this started to change in H2'2019 when private companies began to import far more gas and EnergoTrade, a previously little-known second-rate player suddenly moved to the top. EnergoTrade nearly doubled imports compared to H1'2019, overtaking the two other biggest private importers.

Refocusing on gas imports instead of developing domestic extraction is the dangerous path of easy money for Ukraine's energy sector. If this approach continues, Ukraine's dependence on gas imports and the share of imported gas in overall consumption will grow. When the era of cheap gas ends, this will inevitably create new challenges for Ukraine as it becomes vulnerable to prices and sources of gas. These could lead to worse than just a likely rate hit for commercial consumers and households.

The rationale for shifting from domestic extraction to imports seriously threatens to revive the addiction to Gazprom gas, which is best placed to take over the Ukrainian market by dumping gas prices. What's more, Naftogaz and the newly-established GTS Operator appear to already be preparing Ukrainians to accept the idea of direct purchases of gas from Gazprom through traders, claiming that there are no barriers to drawing up such a contract. Arranging to directly supply gas to certain Ukrainian consumers will provide the necessary instruments for the Kremlin to reach key political objectives in its hybrid war. By engaging top Ukrainian officials in these schemes and offering attractive discounts to industrial customers who are loyal to "Russkiy Mir," the Russian world, the Kremlin will be able to count on their support in its ultimate aim of subordinating Ukraine.

## UNDER THE WHIP?

A wave of criticism for the failure of the 20/20 program and the decline in gas extraction in 2019 forced Naftogaz to quickly change the strategy that had been approved by the Supervisory Board just last year. On February 17, Andriy Favorov presented Trident, a new program whereby Ukrgezvydobuvannia would increase extraction. At its presentation, Naftogaz officials tried to explain why the previous 20/20 program failed and how the new one would deliver more volumes in just a few years.

The reasons for the failure offered by those in charge were mostly self-inflicted ones that could have been avoided or fixed with a bit of political will: “Red tape and politics blocked new licenses,” “Cheaper gas undermined the economies of extraction,” “25 years of poor investment in people and technology,” and “Energy consumption remains high.” The only objective ones included a simple claim that the biggest fields were depleted. All this might explain why 2018 output was lower than planned in the 20/20 program, but what it does not explain is why extraction mostly slipped in 2019-2020, especially after the company’s strategy changed in H2’2019.

In short, Naftogaz management offered nothing new. All they had to say was tired old rhetoric about how “Ukraine can no longer count on a steep rise in the extraction of hydrocarbons in the current fields with the available tools. We have come to the point where we need to launch a new project, about which there was only talk in the past.” Their conclusion? “If we get going today, we should have the first results in two-three years.”

The question is, why waste time on changing a strategy, prioritizing profitability over volumes? Naftogaz offered no explanation. The Trident program is based on extra-deep drilling, fracking and more proactive offshore exploration. The bet on shale gas extraction could prove problematic in Ukraine, given the opposition of environmental activists. A bet on offshore drilling could be equally risky, given how close it is to the Ukrainian platforms stolen by Russia in the Black Sea. It is also unclear what prevented Naftogaz from implementing an extra-deep drilling project all these years and successfully implementing the targets outlined back in 2016.

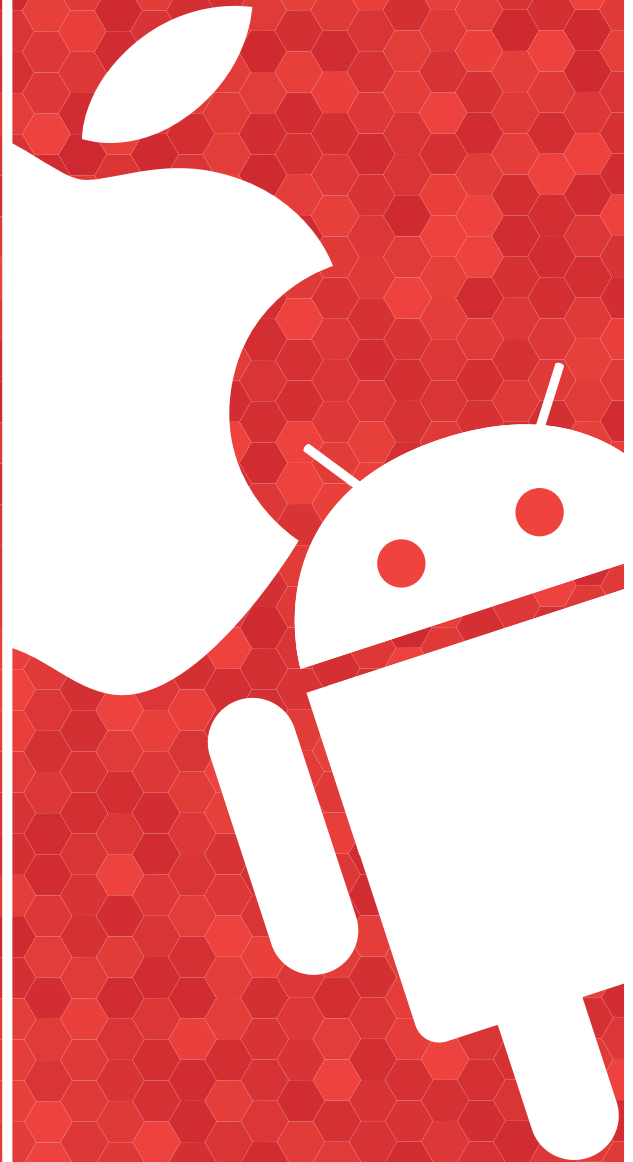
To avoid accountability for the failure of the 20/20 program, Naftogaz management has stated that both plans to increase extraction and plans to reduce consumption have failed. What is happening on Ukraine’s gas market deserves a closer look and a better response in state energy policy, including energy-saving policies. So far, the Government is doing nothing of the sort.

The data on consumption by various groups of users has shown no correlation whatsoever for years, and 2019 was no exception. For example, while household consumption went down more than 25% as a result of the warm winter, power companies used just 4% less gas in 2019, although natural gas is also used for heating purposes. And it is an important resource to reduce consumption of in a situation where most of the gas is used basically for heating purposes. Meanwhile, the volume of gas used to produce electricity soared, even though this type of power is far more expensive, while the generation of cheap electricity was limited during the year.

For the government not to reinvest the lion’s share of profits from domestic gas extraction by Ukgazvydobuvannia in expensive projects like extra-deep drilling to expand extraction is equally abnormal. Instead, the money is being pumped into the state budget through taxes and dividends. Over 2016-2018, UAH 40bn of investment was allocated to increase gas extraction, including just UAH 18.7bn for drilling. In 2019, Ukgazvydobuvannia paid UAH 46bn in taxes ex-VAT, including UAH 13.6bn in dividends and UAH 23.5bn in rent.

Ukraine’s government gas policy should, first and foremost, offer solutions for the country to produce enough natural gas to meet domestic needs. A good balance of extraction and consumption is the only option for keeping gas rates for Ukrainian consumers, as that would allow Ukraine to replace the “EU hubs plus transit” formula with an “EU hubs minus transit” one. Most importantly, the domestic gas market would no longer be hostage to the Kremlin’s geopolitical games. ■

У К Р А Ї Н С Ь К И Й  
**Тиждень**



# The language bogeyman

Someone is trying to turn language into an issue yet again. What are they doing and why?

Roman Malko

Because it's a powerful weapon, language will remain a fine-tuned instrument in political and geopolitical games for a long time to come. What's more, not to use such a powerful weapon in a hybrid war would not be smart. Certainly, those who want to destabilize Ukraine will do everything they possibly can to exploit it. While the Zelenskiy administration seems reluctant to be proactive on the issue of language, it could easily find itself forced to be so. Ukraine's pro-Kremlin forces, who can always find some allies in the presidential faction, are determined to do precisely that with their continuing efforts to play up the language issue.

**81% of Ukrainian citizens see the Ukrainian language as an important element of independence, 80% want the country's leaders and civil servants to speak Ukrainian during working hours, 69% believe that Ukrainian should be the only state language**

From their first days in the Verkhovna Rada, MPs in Viktor Medvedchuk's Opposition Platform—*Za Zhyttia* (OPZZ) registered two bills to change the country's language policy. The bill to amend the Law "On Education" is intended to prevent switching public schools that still have Russian as the language of instruction to the state language. The bill "On the Use of Languages in Ukraine" would effectively replace the recently passed law on the use of Ukrainian as the state language. Both bills were quietly removed from the legislative agenda once the profile committees reviewed them, only to be replaced by new bills.

The Venice Commission's judgment about the language law passed by the previous Rada came at the end of 2019 and were quite controversial. Written without understanding the Ukrainian context and in the spirit of obsessive European "concern" and tolerance, the Commission's conclusions seem made to order to serve Medvedchuk's interests. According to the EU experts, the law had some problematic elements that needed to be revised. Since it did not specify the rights of minorities, the Commission called for its force to be suspended until a separate law on minorities was passed. On top of that, the Venice experts recommended abolishing or suspending the sanction mechanism.

Oddly enough, the Commission also proposed abolishing the provisions "providing for differentiated treatment for the languages of indigenous peoples, the languages of national minorities that are official EU languages, and the languages of national minorities that are not official EU languages." This seems to be the key point. Ironically, the authors of the language law proposed this instrument to try and fix the imbalance that has allowed the Russian

language dominate over the languages of other minorities and stifle their normal development.

Needless to say, the advance team of *Russki Mir* did not miss this golden opportunity: MP Maksym Buzhanskiy (SN) boasted on social media the following day that he would sponsor a bill to abolish the language law based on the decision of the Venice Commission. This was later withdrawn, apparently thanks to the efforts of fellow SN MP Oleksandr Tkachenko.

But then another bill emerged in its place. In early February, OPZZ MPs Natalia Korolevska and Mykhailo Papiyev registered a resolution to abolish the language law in order to bring Russian back to schools. Korolevska then referred to the Ukrainian language as "a mere formality from the Verkhovna Rada tribune" because, as she put it, everyone spoke Russian in Ukraine anyway. That did not work and the resolution failed.

But that, too, was not the end of the story. On February 18, SN's Buzhanskiy and OPZZ's Oleh Voloshyn registered two bills, to amend the law on education and change the Verkhovna Rada Procedure on the Working Language. The goal was the same as in the two previous initiatives: to promote bilingualism under the guise of equal rights. The Rada is currently working on the two bills and will probably dismiss or withdraw them, yet again.

For Kremlin loyalists, however, any outcome will do. They aren't working towards a result because they know quite well that they won't get any. They're working for the sake of the process. What matters to them is making sure that the language issue remains in the spotlight. It's a tool that can help them speculate, gain voter support or even fuel instability, if need be. And they will feel especially happy if they succeed in shifting language discourse from the national security aspect, where it now is, to the field of human rights and liberal values. That is where they will finally have the chance to really exploit the issue.

President Volodymyr Zelenskiy and his team are reluctant to get involved this issue. They have plenty of more serious problems and no idea on how to deal with those. Yet language issues used in various Kremlin's narratives to attack Petro Poroshenko during the 2019 presidential and parliamentary elections. Nor did these attacks stop after the election – they just changed course.

Today, critics make fewer disparaging statements, focusing more on "constructive" action. Buzhanskiy attacks the laws on language and education, Andriy Bohdan proposed allowing Donetsk and Luhansk Oblasts to speak Russian in exchange for peace when he was Chief-of-Staff, and 25-year-old SN MP Oleksiy Ustenko claims that Russia attacked Ukraine precisely because the Kivalov-Kolesnichenko language law was canceled on February 23, 2014. This creates an impression that Zelenskiy's *Sluha Narodu* Party is actually trying to destabilize the situation and has chosen language as one of the biggest triggers for Ukrainian society.





PHOTO: UNIAN

**Chaos at any price.** Pro-Russian players are taking advantage of any and every opportunity to get rid of the current language law

SN monitors and probes the public mood in Ukraine regularly, sending out different messages, as needed. If there is interest in the language issue, they will play the language card. They just don't want to provoke conflicts when they don't need them. The VR Committee on Humanitarian and Information Policy hinted at that on March 2, when it advised the Rada against amending the Law on the functioning of Ukrainian as the state language to comply with the Venice Commission's recommendations until the Constitutional Court decides on their appropriateness. Just a week earlier, Commission's Chair Tkachenko lamented in an interview with Glavcom that the language law posed many risks for Ukrainian society and for MPs. In order to fix that, he said his committee had begun preparing for a national roundtable on the language issue.

How necessary is such a debate? Is the situation so fragile that it requires the Rada to re-open a public discussion that could grow into a conflict with the proper orchestration? Not really. Individual conflicts over the language that pop up here and there are not systemic. More than anything, they are the product of an inferiority complex that many Ukrainians have yet to overcome. Con-

flicts will keep popping up and Ukrainians will find ways to deal with them. They just need time. Roundtables won't make a difference.

Opinion polls have shown, time and again, that most Ukrainians see language as an important pillar of statehood and do not need a debate on that, whether they speak Ukrainian all the time or not. So any attempts to pick at this wound will not give the desired results. According to a January 2020 poll by the Democratic Initiatives Foundation and Razumkov Center, 81% of Ukrainian citizens see the Ukrainian language as an important element of independence, 80% want the country's leaders and civil servants to speak Ukrainian during working hours, 69% believe that Ukrainian should be the only state language, and 79% believe that the ratio of Ukrainian to other languages in domestic media should be at least 50-50. This is despite the fact that Ukrainians admit that they often use both Russian and Ukrainian in private communication: only 32.4% speak Ukrainian all the time. These are very important numbers. They show that both national self-awareness and a clear understanding that Ukrainian is a critical unifying factor for the country, as well as a weapon in its war for independence are on the rise. ■



PHOTO: STANISLAV KOZLUK

# Stanislav Aseyev:

“One of the people exchanged with me beat me and was involved in tortures”

Interviewed by  
Denys Kazanskiy

Stanislav Aseyev, journalist and contributor to *The Ukrainian Week*, spent two years as hostage to the “DNR” militants. In his interview, he shares why he decided to stay in the occupied part of the Donbas, how he ended up in the “basement” and how he started writing a book in jail.

**You decided to stay in ORDİLO (occupied parts of Donetsk and Luhansk oblaſts) and do journalism. Did you realize what danger you were in if uncovered? Why did you take that risk?**

— I was not in the media in 2014. I was an average man without publicity. The only reason I stayed there was my family – my mother and two old grandmothers live there. I could not leave them. Other family members offered me to leave and stay with them, they could have hosted me. But I refused. The situation was difficult, everyone had their emergency bags packed with the most necessary things in case they had to hide in shelters from danger. To leave my mom with my grandmother who was then 85 years old and barely moved was inhuman. I started doing journalism later, in the early 2015. Of course, I realized that I was on the “DNR’s” radar as soon as I appeared in the public domain, writing on Facebook, Radio Liberty, *The Ukrainian Week* and other media, that they would be looking for me. While I used a pseudonym, I still had to be very cautious. In my case, two factors merged: firstly, I had to stay with my family; secondly, I decided to show people what was going on in that territory since I had that opportunity anyway. It would have been wrong to keep silent because there is very little objective information about what’s happening in ORDİLO.

**You once described on Facebook, then in an op-ed for *The Ukrainian Week*, about how you witnessed a shooting in a street of Donetsk. What was that?**

— This was a real story. Not everyone found it credible then, even here in the Kyiv-controlled territory. Although shooting of a person in the early 2015 does not seem extraordinary compared to what I have seen at Izoliatsia (a former art space transformed

from a factory, now a prison of the “DNR” militants – **Ed.**). It happened near the bridge in Motel. People from Donetsk know that the bridge goes over garages and railways. When I passed by, I saw that an unknown man was shot between the garages for whatever reason by people in fatigues. It was still complete chaos there back in 2015, the militants just started building some structure of brigades and units. So, I don’t know where those people were from or who they reported to.

**When did you realize they were looking for you? And how did that affect your work?**

— In fact, I was not sure whether they were looking for me or not until the very end. Of course, I realized that it was possible and most likely. But I didn’t know for sure. I received many threats in Facebook messages. But I don’t think it was the “MGB” (the “DNR Ministry of State Security” – **Ed.**) people, so I did not pay much attention. Once I was arrested, I learned that they had started looking for me the moment I appeared in the public space. They said their search lasted a year and a half, i.e. from early 2015. If I had known for sure that they had been hunting for me, I would probably have left. Because it would have been impossible for me to remain in that territory while being aware of it anyway. I would have developed paranoia.

**Do you know how exactly the “DNR special services” located you?**

— It’s a very difficult question. When I was arrested, they pretended it was by accident, that they did not know my real name until the very end. However, I wrote on Facebook shortly before that I was thinking of leaving with my family by the end of 2017. It was clear that the situation there was getting close to that of Transnistria, so it made no sense to stay there. I now think that that post that triggered my arrest. Once they realized that I could leave and never return. I don’t know whether someone leaked information about me or where from, or how they found out that Aseyev was hiding behind the pseudonym Vasin. Only a limited number of people know about it. Even my family did not know I

was doing journalism or that Stanislav Vasin existed. Just a few colleagues in the media knew about it. So if there had been any leak, it must have been from there.

#### **How were you arrested?**

— It happened at the Lenin Square in the center of Donetsk on the so-called Republic Day. First, the patrol stopped me pretending it was just by accident. They checked my documents and called someone. The “MGB” people arrived immediately and put handcuffs on me. They first brought me to their office at 26 Shevchenka. That’s where the interrogations and tortures began. Then they brought me down to the basement of that same building where I stayed for a month and a half. Then they took me and other prisoners to Izoliatsia.

#### **Those who interrogated and tortured you – did they really believe you were an SBU agent? Or did they realize that you were just a journalist and had nothing much to accuse you of, so they tried to beat testimony out of you to move up in their career?**

— I think it was the first option. They thought that I had some connections with special services, so the people who tortured me asked very specific questions about the work of special services: contact persons, my callsign, and how often I met with my curators. Of course, I denied it all, but that did not matter. They had the task to beat testimony out of me. Even if they realize that they have taken an innocent man, they cannot just admit it and release that person. So, anyone who ends up there sign papers claiming that they are special agents. In my case, they realized that they would find themselves in a big scandal if they put a journalist in jail. So they had to show that they arrested me for work for the SBU, not for my professional activity. Although all six articles they charged me with were on journalism. Extremism, calls for a coup, slander against the “DNR” – they took all that from my articles.

#### **Was it the locals or the Russians who interrogated and tortured you? I have seen information earlier that it is the FSB (Federal Security Service of Russia) that interrogates people there. How accurate is this?**

— It’s hard to say. Firstly, they all wore balaclavas. Secondly, the situation was critical and I didn’t pay attention to their accent too much. I only know that the Russians are in the top positions at the “MGB”, and they are there unofficially, often presented as advisors. Rank-and-file people are locals. They are mostly the ones doing all routine work.

#### **When you were arrested, someone tried writing from your account, creating an illusion that you were free. Why do you think they were doing that?**

— Perhaps they initially wanted to exchange me quietly, to arrange it with someone on our side. They have this procedure of deportation from the “DNR”. That’s what they do with people from whom they can get something. For example, with businessmen who own some assets. They arrest them, force them to give up what they own and then deport them from the “DNR” when it no longer makes sense to keep them in the basement. They just bring them to the grey zone and leave them there, closing entrance to the “DNR” for them. Perhaps they tried to get some financial or political bargains for me too.

#### **When you were in jail, a Russian TV channel did an interview with you recorded by the Russian military correspondent Sladkov. Did he realize that he was talking to an innocent man, a colleague who was forced to say all that? Were you instructed on what to say? Or was there someone behind him during the interview dictating the answers to you?**

— No, there was nobody behind him. I’m 99% sure that he did not realize what was going on and believed that I was a spy. I remem-

**Stanislav Aseyev** was born in 1989 in Donetsk. He graduated from the Donetsk State Institute for Informatics and Artificial Intelligence with a degree in Philosophy and got his Master’s Degree at the Donetsk National Technical University. He wrote the novel *A Melchior Elephant* and wrote reports from the occupied Donbas for *The Ukrainian Week*, *Radio Liberty*, *Dzerkalo Tyzhnia* and *Ukrayinska Pravda* since 2015. Arrested by the militants in 2017, he was released and exchanged in December 2019.

ber this one episode. One of the “rebels” who is now in a detention center for “treason” asked to meet Sladkov so that he could help get him out of jail. Sladkov first promised to figure out the situation, and then he said: I was told that you really are a spy, so I can’t help you. Apparently, Sladkov fully trusts the “MGB” information on these things. I think they just showed him my file and he believed it. As to our communication, Sladkov first spoke very appropriately. He asked me whether he could help and left a good impression. After his show came out on TV, I realized that my impression was wrong. I said what they told me to say from the very beginning, but even those words were eventually twisted and distorted. They inserted some blatant propaganda about children killed in the Donbas into the interview. Nothing like that was mentioned in our conversation.

#### **You were instructed what to say before the interview?**

— First, I didn’t want to give any interviews, but they told me that this was decided above the local level and it wasn’t my choice – I would have to do it anyway. Two days before the interview, they told me in detail what I should and shouldn’t say. They forbid me to speak about tortures. I told Sladkov before the interview that I would not be able to say anything about their “tools of influence”, and he thanked me for that. I don’t know whether he was aware of what Izoliatsia really was from where I was brought.

#### **Some prisoners at Izoliatsia collaborated with the administration and were involved in tortures. Can you share more details about this?**

— Yet, some prisoners collaborated with the administration. Some were civilians jailed under the same “ukrop” charges as mine – spying, extremism – but they agreed to comply with the orders of the administrations to avoid tortures. They were beating other prisoners, took the packages they received from outside, food and clothing. For example, Yevhen Brazhnykov did that for several years – he was released and exchanged in the same group as I was. He often acted on his own initiative, without any instructions. They just beat and humiliated people in cells because they enjoyed it. Oleksiy Kuskov also did that, he was exchanged in 2017. He now lives in Kyiv freely. Both Brazhnykov and Kuskov beat me personally. Kuskov ruptured my kidney in November 2017. They broke into our cell in the middle of the night and broke down everyone. I have already testified about this at the General Prosecutor’s Office and the SBU. They registered my file but I have not yet received any response. They are not calling me for interrogations, not interrogating me as a witness. Total silence. I don’t know whether anything is being done about these people. When we were still in Izoliatsia, one inmate asked Brazhnykov whether he realized what awaited him if he were to be exchanged back to the Kyiv-controlled territory. He said that he knew a lot and could share that information, so he would be useful. As soon as we were brought to the Ukrainian side, people started beating Brazhnykov in the bus. It was only the military who saved him from lynching. ■



Go to [ukrainianweek.com](http://ukrainianweek.com) to read the full version of the article



# Almost grown-up

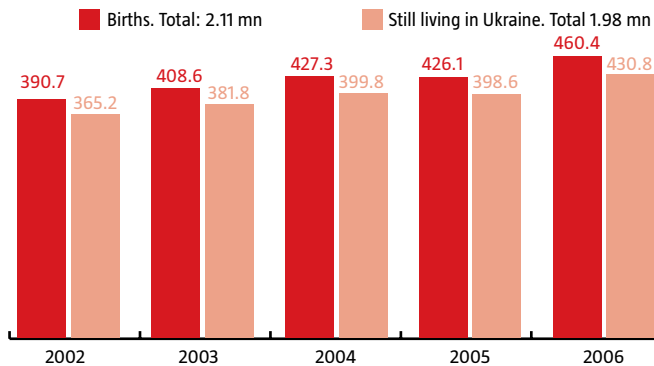
Andriy Holub

The last electoral cycle in Ukraine ended with the total defeat of traditional politicians and parties at the national level. A new cycle begins with local elections in 2020 and should wrap up in 2024, when the next presidential race is scheduled. The dates could change significantly, of course, as has

happened more than once in the past, but one thing is certain: Ukrainians born between 2002 and 2006 will join the voting electorate for the first time. Information about how many of them there are, their interests and lifestyles are presented here.

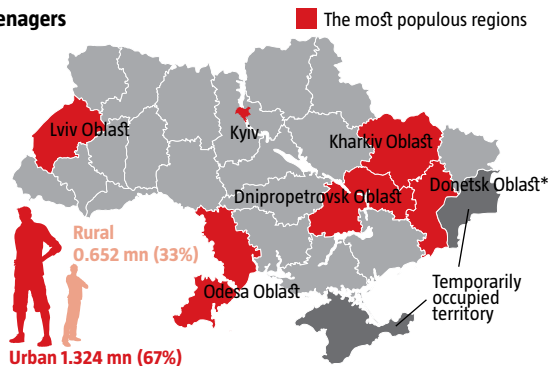
## Ukraine's baby boom

At the beginning of the 2000s the birthrate began to climb in Ukraine after declining throughout the 1990s to a historical low. The peak of this Ukrainian baby boom came later, as there are somewhat more 13-17 year-olds today than 18-22 year-olds.

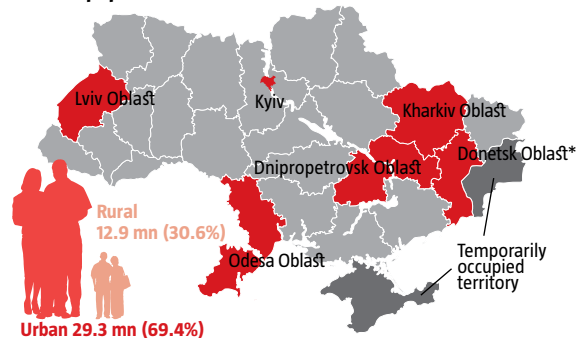


According to government statistics, the national distribution of adolescents is almost identical to other age groups. These figures could differ substantially from actuality, as a significant number of Ukrainians do not live at their registered domiciles. Getting more accurate figures is impossible without undertaking a census.

## Teenagers

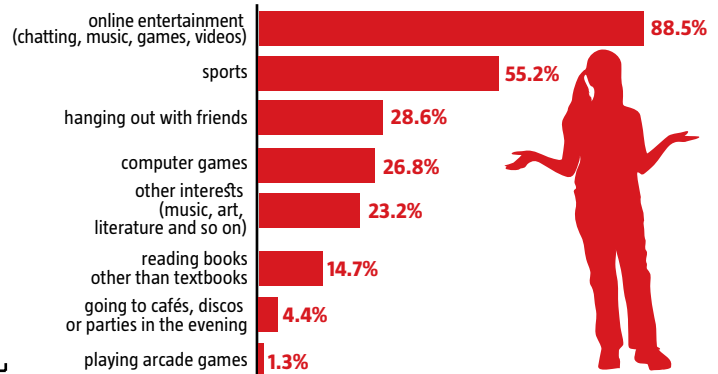


## General population

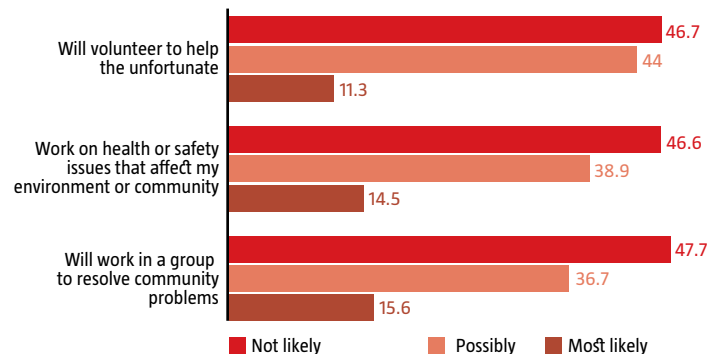


\*In the case of Donetsk Oblast, the number is based on an evaluation of the population size based on available administrative data on registered births and deaths, and on changes in registered domicile.

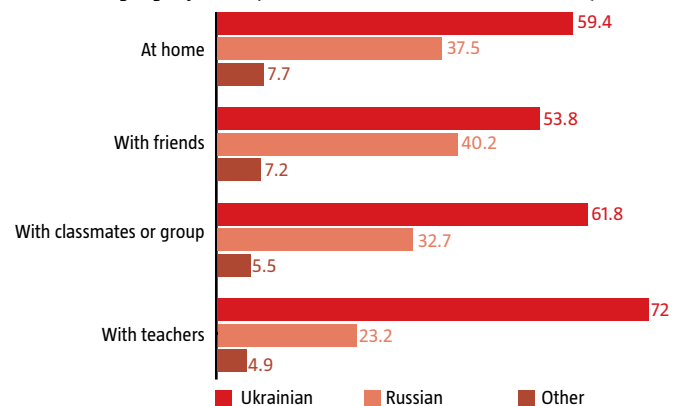
## Adolescents born over 2002–2004 report that they engage on almost a daily level in



## View of civic activism in their futures, %



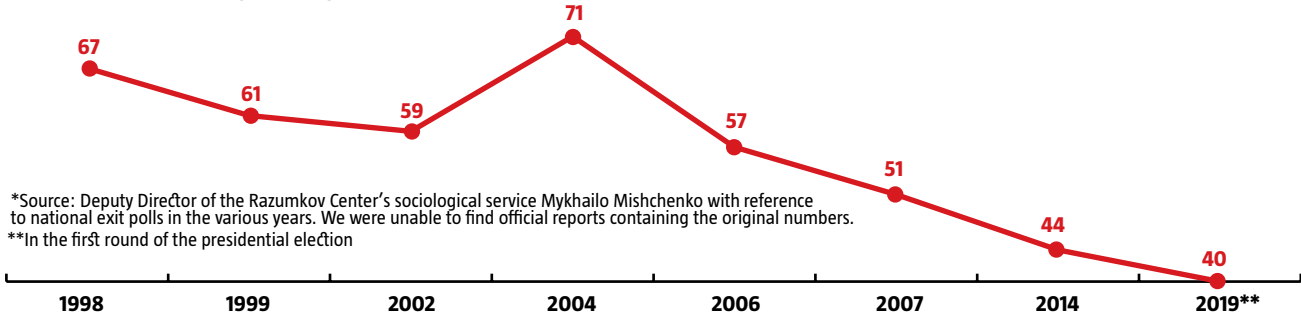
## Main language spoken by teens in various social environments, %



## Youth and politics

In 2024, today's adolescents will constitute nearly 15% of all voters in Ukraine. Still, this does not mean that they will have a significant impact on the results. Previous elections have shown that young people are steadily growing less, not more, active

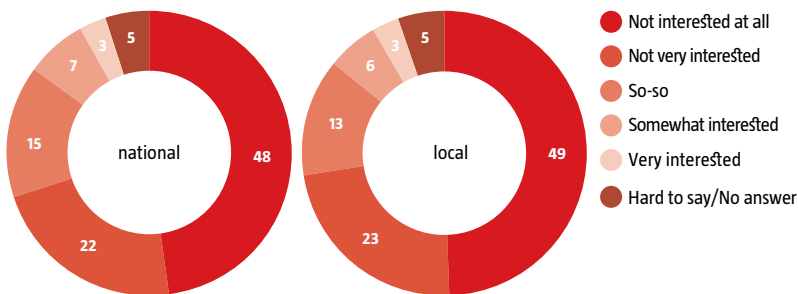
### Electoral activeness among voters age 18–29\* as share of those who voted



\*Source: Deputy Director of the Razumkov Center's sociological service Mykhailo Mishchenko with reference to national exit polls in the various years. We were unable to find official reports containing the original numbers.

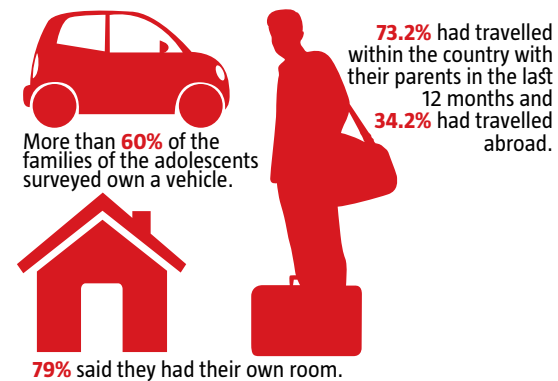
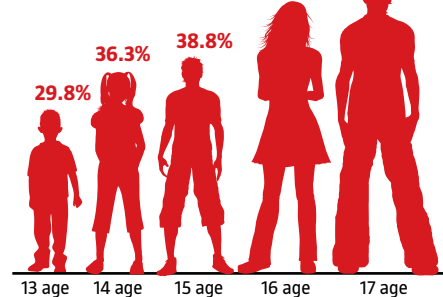
\*\*In the first round of the presidential election

### Personal interest in politics at the national (local) level, 14–17 year-olds

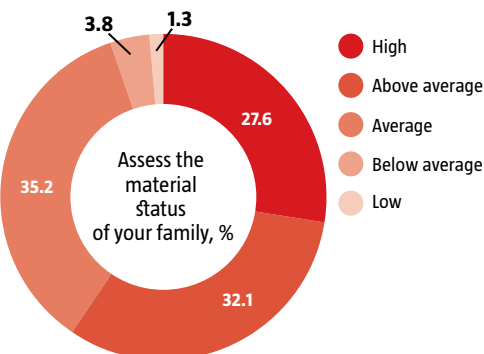
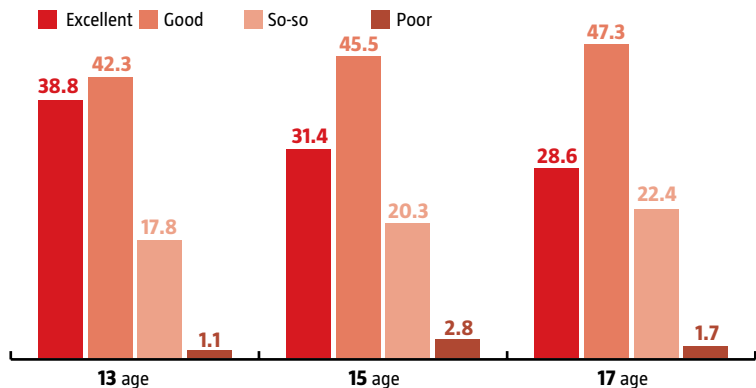


In 2017, the New Europe Center and the Friedrich Ebert Foundation, jointly with GfK Ukraine, ran a large-scale survey of the mood among Ukraine's young people, including those who were then 14–17 years of age and are today 17–21. The poll demonstrated a low level of interest in political affairs in this age group. With age, it has to be added, interest does tend to grow.

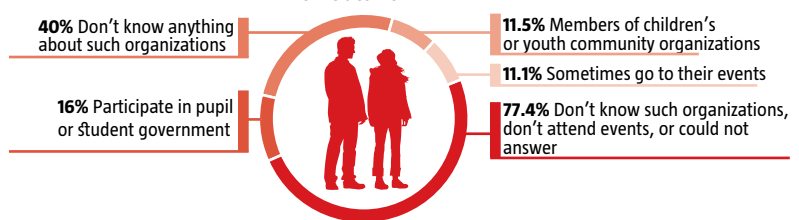
### Adolescents who have done any kind of work, for money or for free, to bring in income for themselves and their family



### Assessments of the state of their own health. %



### Civic activism



Sources: Derzhstat data as of January 1, 2019; the studies under the «Health behavior of school-aged children in Ukraine» project (HBSC) and the European School Survey Project on Alcohol and Other Drugs (ESPAD); field stage by the Yaremko Ukrainian Institute for Social Research with the support of UNICEF Ukraine

# A thriving ruin

Despite many official pronouncements, industry in the liberated Donbas is in its death throes

Denys Kazanskiy

The team of Ukraine's current president, who largely won thanks to promises to bring an end to the war in the Donbas, is finally indicating that it intends to carry out these promises. Government officials regularly make pronouncements on the need to build bridges, establish dialog with the residents of OR-DiLO – meaning, roughly “occupied rayons (counties) of Donetsk and Luhansk Oblasts” – and talk about plans for the future reintegration of the occupied territories. At the same time, no specific timeframes for taking control over these territories are ever mentioned, and all the discussions about its future sound like so much manly talk about how to divvy up the pelt of a bear that still hasn't been killed.

A recent example was the first briefing with President Zelenskyy's new Chief-of-Staff Andriy Yermak, who repeated, yet again, the line about how the government planned to transform occupied Donbas: “We should turn this place, which everyone in the world associates with war, into a truly thriving land with a developing economy. That's the dream.”

Needless to say, Yermak provided no concrete timeframes for making this dream come true. Given the latest news from the

front, it's not going to happen any time soon. So far, no progress in resolving the conflict is evident and the war keeps piling up victims. The paradox is that, while making all these promises to turn occupied Donbas into a “thriving land” and develop its economy, the Ukrainian government is somehow completely ignoring the difficult economic state of those parts of the Donbas that are under its control. Nothing stands in the way of restoring all those places that were liberated back in 2014 from the illegal military formations and helping them grow. And yet, not only are they not thriving, but their state of decline and depression keeps getting worse.

Take long-suffering Lysychansk. In the past, the city was a prominent industrial center in Luhansk Oblast. Today, one of the last remaining factories, the huge Proletariat glass plant, is being cut up for scrap. And despite the fact that the plant is government-owned and the Ministry of Economic Development is responsible for it, no one seems in a hurry to stop the destruction.

The Proletariat has a long and difficult history. Originally, this was a major manufacturing plant with thousands of em-



PHOTO: DENYS KAZANSKIY

**Cutting up for scrap.** This is typically what happened to enterprises that were privatized under the gun. Still, in the Donbas today, this is being done with state-owned enterprises as well, in particular with the Proletariat glass plant in Lysychansk



ployees. The factory survived the hyperinflationary nineties but was unable to make it through the “stability” of the Yanukovych years. In 2013, it closed.

For a number of years, the property of the Proletariat had been leased to business entities belonging to one-time Lysychansk mayor Serhiy Dunayev, now an MP from the Opposition Bloc-Za Zhyttia and closely associated with Yuriy Boyko. The company was called PAT Proletariat and initially ran the factory relatively successfully. But over 2011-2013, it managed to run up debts for natural gas and power, and also took out loans at various banks that it then refused to pay back. The factory slowly became hostage to its tenant and fell into a black hole of debt.

Eventually, production was paralyzed. Dunayev's companies began to break up the plant for scrap. Since it was actually still government-owned, the tenant was supposed to get permission from the State Property Fund in order to write off assets. By early 2014, the country was in the throes of a revolution and the interim government refused to grant permission. But Dunayev found a way around the situation by going through the Luhansk Oblast Commercial Court, which ruled in his favor on May 7, 2014. At that point, the regional government was effectively no longer under Kyiv and permission was in fact granted by the LNR military leadership. Yet the court's decision was never overturned and the destruction of Proletariat began.

For a number of years, the plant was involved in lawsuits as creditors tried to collect. In the end, PAT Proletariat was declared bankrupt by the courts in 2017 and all its assets reverted to state control. It would seem that, after this, nothing stood in the way of the government putting an end to the factory's trials and tribulations, and get it up and running again. Instead, the green light was given to its complete destruction.

In March 2019, then-Minister for Economic Development Stepan Kubiv wrote a letter to deputies at the Lysychansk City Council explaining that the state would not restore the company because it was too close to the frontline: “The current conditions, with the manufacturing facility located less than 150 km from the line of conflict, the cost and duration of restoration work, and the uncompetitive nature of the final product, make it impossible to continue to use the entire facility of the Proletariat glass plant for its designated purpose.”

WHILE MAKING ALL THESE PROMISES TO TURN OCCUPIED DONBAS INTO A “THRIVING LAND” AND DEVELOP ITS ECONOMY, THE UKRAINIAN GOVERNMENT IS SOMEHOW COMPLETELY IGNORING THE DIFFICULT ECONOMIC STATE OF THOSE PARTS OF THE DONBAS THAT ARE UNDER ITS CONTROL

Then, in summer 2019, the government changed. The Hroisman Cabinet and Kubiv resigned. The new team announced its intentions to transform the Donbas into a “thriving land.” It seemed after this that there might be some positive move for the better at the Proletariat plant, especially with the new administration promising to restore the region's economic potential. But the promises never turned into deeds and the stripping of the plant continued.

In February, photographs began circulating that showed very clearly the state of the various workshops at Proletariat. In some places, the equipment had been completely removed: cutting machines, assembly lines, metal structures – basically everything could possibly be moved was being cut with welding equipment and sold off for scrap. It won't be long before all that's left of this manufacturing giant is the empty premises of the denuded shops. Nor can this free-for-all simply be blamed on the previous administration, the way Ukrainian politicians like to do.

It's highly ironic that the final disposal of this major plant is taking place while the government makes charming promises to restore the Donbas. With this depressing example before their eyes, it's hard to believe that they really mean any of it.

As it happens, it wouldn't be that difficult to renew the production of glass products at Proletariat, nor would it cost all that much. According to estimates included by that same Stepan Kubiv in his letter to the Lysychansk City Council, the cost of preparing the plant to relaunch operations was in the neighborhood of UAH 30-40 million. Investing a few hundred million would make it possible to buy new equipment, an amount that Ukraine's government is completely capable of covering.

Of course, the company is unlikely to be able to produce the volume of output it once did, but even if operations were only partly restored, with several dozen jobs created, it would be a major breakthrough for the city. Impoverished and robbed Lysychansk would be a clear demonstration that the new government really does plan to do something to restore the region. All of the Donbas would get the message, loud and clear, that the era of industrial collapse was finally over and a new trend to revive the region was on its way.

After so many years of standing idle, without any doubt, news about the revival of Proletariat would quickly reach the occupied territories as well. For the Ukrainians living in ORDİLO, this would be a clear and unambiguous argument in favor of Ukraine. But the money to revive Proletariat was not found. And this means that all those promises about the transformation of the Donbas are empty words that no one will believe. Such noble intentions need to be backed by deeds. So far, the Government is having problems doing this. ■



PHOTO: DENYS KAZANSKY



PHOTO: PRESS SERVICE OF THE MINISTRY OF DIGITAL AFFAIRS

# Marek Zagórski:

“Digitalisation solutions should not be implemented to make people’s lives harder – they need to provide tangible benefits”

Interviewed by  
Yuriy Lapayev

During the XIII Europe – Ukraine Forum, *The Ukrainian Week* met with Marek Zagórski, Minister of Digital Affairs (Poland), and discussed Warsaw’s approaches to the implementation of modern electronic services, the economic benefits and risks of digitalisation.

## Can you describe Polish government’s approach to digitalisation?

– We are doing our best to be active, respond to the current trends and take advantage of the opportunities offered by the development of modern technologies. We live in an age of step change in technology taking place right in front of our eyes; therefore, we are doing our best to take advantage of that fact and treating it as an investment in the future.

Today, there is virtually no area that is not permeated by ICT solutions. This is an enormous opportunity for the economy and for businesses. At least two of the projects we are carrying out as a government are quite highly regarded internationally and even arouse a kind of jealousy.

These projects include the plan to eliminate the so-called blank spots on the map – places with no broadband internet access. Due to its scale, the project can be considered unique across the whole of Europe, and it will provide more than two million Polish households with access to a high-speed broadband internet. This project mainly focuses on small towns, even villages and tiny hamlets. These days, such areas often do not have access to the Internet at all, because investing in them is not profitable to operators. With state support, it will finally be possible to ensure access to broadband internet in these areas.

Why am I bringing this up? Because access to the Internet is the foundation of modern economy. We can talk a lot about different activities aimed at digitalisation and carry out numerous projects, but in the end, it only makes sense if there is right infrastructure in place. What does it matter that we can have excellent services if citizens and businesses do not have access to the internet and won’t be able to take advantage of them? Access to high-speed broadband internet is as natural today as access to run-

ning water or electricity. You can have the best investment areas, but if there is no adequate telecommunications infrastructure, no self-respecting investor will decide to take you up on your offer. Hence, infrastructure is the first foundation.

#### What is the second one?

– The second foundation, which serves as the basis for our measures and activities aimed at digitalising the country, encompasses broadly understood skills and competencies. This ranges from issues such as training for the elderly and digitally excluded people, to programming classes for children, as well as measures aimed at supporting the development of more advanced digital skills and competencies. To date, we have launched Young Programmer Clubs in 16 medium-sized cities, one in each voivodeship, where children and their guardians can take advantage of free programming workshops. The interest in these activities is enormous. This shows us how much interest modern technologies arouse in society. We are trying to take note of this fact and meet the demand. We treat activities such as Young Programmer Clubs or the development of the National Educational Network as an investment in the young generation. Of course, it is not about turning everybody into computer scientists; however, we know that logical thinking and problem-solving skills will soon be needed by everyone, just like the ability to use the solutions provided by digitalisation. In other words, the competencies and skills acquired by children during their programming classes and activities will surely be useful in the long term, and if they make some of them decide to continue their education in this direction – that would be great! We know that we will need more and more IT specialists.

#### Recently, Poland has introduced a number of modern solutions.

– Poland is a large European country and as such, we are ambitious to become creators and trendsetters, rather than just consumers of modern technologies. If I were to summarise our approach to digitalisation in a nutshell, I guess that would be the shortest way. Over the last four years, we have witnessed the increased dynamics of these processes. We are doing our best to become a European leader. Sure, we might be a few paces behind the most advanced countries, but we are quickly catching up. In addition to this, there are some sectors where we definitely do not have anything to worry about, such as e-banking. Even the smallest shops in Poland accept contactless payments, even payments by phone. Business helps us a lot in this regard.

#### Which services should be digitalised, and which should stick to paper?

– These days, almost everything is being digitalised, and it is a process that goes on regardless of what the administration does. Why? Because it is driven by business, which responds to people's needs. Please remember that due to their nature, administrative institutions will always be one step behind enterprise. Why this is the case? Because the administration is always a little more cautious and reserved than businesses, which can afford more risks. However, we need to keep in mind that these risks very often result in concrete benefits such as savings or optimisation of various processes. In other words, the barrier is not so much technical – it is based more on our mental-

**Marek Zagórski** was born on 6 August 1967 in Kamień Pomorski. He graduated from the Faculty of Humanities of the University of Szczecin (Master of Education, 1993) and postgraduate studies in banking and finance at the Warsaw University of Life Sciences (2001). He managed the editorial office of the Szczecin cable television TV Gryfnet (1993-95) and was President of the board of the Pomeranian Radio Station (1995-98). In 1999 he worked as Deputy Director in the Agency for Restructuring and Modernisation of Agriculture. Between 1999 and 2001 he was Head of the Political Cabinet in the Ministry of Agriculture and Rural Development. In the years 2005-2006 and 2009-2015 he was President of the board of the European Fund for Polish Rural Development. Between 2006 and 2007, he was Secretary of State in the Ministry of Agriculture and Rural Development, between 2015 and 2016 he was Secretary of State in the Ministry of Treasury, and from 2016, he was Secretary of State in the Ministry of Digital Affairs.

ity and awareness, but you can believe me that the administration looks at business and quickly implements solutions that turned out to be successful.

Are there any processes that should stick to paper? I am one of those people who think it would not be appropriate to digitalise the act of voting itself, not only because many countries are moving away from this concept, but also for many other reasons. Please note, however, that by this I mean the very act of voting. This is not about processing, transferring or analysing data, because that's something that's already happening.

#### What are the benefits of digitalisation?

– That's the most important aspect. Considering digitalisation processes in administration, one needs keep its benefits in mind. In many cases, these are tangible financial benefits. In recent years, Poland has managed to significantly reduce the so-called VAT gap, with vastly improved collection of this tax. Expert analyses by economists show that the VAT gap decreased from 13.7% in 2017 to 9.5% in 2018. In actual figures, this amounts to more than 24.5 billion PLN, or about 5.8 billion EUR, which allows us, for example, to finance the 500+ pro-

ACCESS TO THE INTERNET IS THE FOUNDATION OF MODERN ECONOMY.

WE CAN TALK A LOT ABOUT DIFFERENT ACTIVITIES AIMED AT DIGITALISATION AND CARRY OUT NUMEROUS PROJECTS, BUT IN THE END, IT ONLY MAKES SENSE IF THERE IS RIGHT INFRASTRUCTURE IN PLACE

gramme. It is no secret that such a significant reduction of the VAT gap was possible thanks to the digitalisation of tax returns processes, among other things. By analysing the data, audits carried out by tax authorities can simply be much more effective, which means that it is easier for them to actually catch people who commit tax fraud. The same goes for many other things. You need to keep in mind that data and its analysis is a great opportunity for the economy. It can be its fuel, but only if you are able to use it properly.

#### What should be possible using a smartphone and why?

– A smartphone is becoming a basic tool we use on a daily basis, something that is particularly evident in young »



people, who can hardly imagine life without one. 94% of Polish teenagers use smartphones. Nearly every teenager in Poland is online every day. Surveys and studies clearly show that this is what the world looks like these days and this is how people function on the Internet. A smartphone, which is simply indispensable for young people, replaces radio, television, telephones and desktop computers. This increasingly applies not only to youth, but also to older people. These days, our smartphone is no longer used simply for calling, taking pictures or browsing the web. It has become our everyday source of information, learning, entertainment... We are using them to browse websites, shop, pay for things. There is no reason why all these functions should not include various activities related to administration. Hence our mobile first approach to the creation of digital services, which is in line with the current trends, and which is particularly important, given that we all have our smartphones with us all the time. This led us to the idea – unique in Europe – of developing the mObywatel [mCitizen] application for Poles – a digital wallet of sorts for all kinds of documents – identity card, school and student IDs, car registration and driving licence, as well as electronic prescriptions. Thanks to this solution, Poles can already confirm their identity with a smartphone in virtually all everyday situations. They can have their car registration data with them on their phones, and they don't have to have their paper document with them, thanks to efficient state registers. Thanks to the ap-

GOV.PL – a gateway to websites of the most important offices and authorities, as well as all electronic services – has **18 million** hits every month

plication, Poles can also use ePrescriptions. The application is already used by a million people and we plan to develop it further and gradually add more documents to its list of features. The increasing popularity of smartphones is an irreversible phenomenon.

#### **What risks or threats are apparent, concerning the development of the e-state?**

– There are a number of risks. People need to be aware of the fact that the internet is not only about convenience, saving time and a whole bunch of benefits and conveniences, but that it also brings certain dangers. Although, to be honest, the virtual world is hardly different from the real world in this respect. The most significant risks and threats seem to be related to cybersecurity – something that we did not see several years ago, or at least not with such intensity. Here, I am talking about manipulation or deliberate disinformation in order to influence our behaviour. There are also attempts at destabilising state systems. You don't have to be a futurologist to imagine the consequences of a successful attack on such systems, and we also take this into account. Various things that happened in many countries have shown how dangerous this may get. We also need to remember that Poland is currently starting the development of its 5G networks, which will open up a whole range of new opportunities and will certainly give the economy a strong boost for further growth. However, we are also well-aware of the fact that if we forgo security right now, at the very outset of

this project, this may open up a whole can of security worms. That is also why we are so concerned about cybersecurity right now; however, proper education and raising citizens' digital literacy is also extremely important in this regard. We all need to be aware of the dangers, risks and threats brought about by the internet. We must also know how to protect ourselves.

#### **What do Poles think about digitalisation?**

– Poles show that they are more and more willing to take advantage of the opportunities offered by digitalisation, and the last few years were a true breakthrough in this respect. A few years ago, Poles were far more reluctant to use such services; however, it looks like we finally managed to break this vicious circle. Our data indicate that 40% of citizens use e-services. Of course, we would like to see even more people taking advantage of such opportunities, but as of now, we are seeing a 5% growth year on year. A few days ago, we surpassed 5 million Trusted Profile users. A Trusted Profile is a free tool that allows Poles to confirm their identity and authenticate online – it serves as a kind of a key to various state systems, and at the same time a free electronic signature, which allows its users to handle various official matters online. Again, we would like to see more users – there are about 28 million adult Poles. However, we need to keep in mind that four years ago, only 400,000 people set up a Trusted Profile, and last year alone Poles set up more than 2 million of them. All Poles are already using e-Medical Certificates and e-Prescriptions, and implementing these services went much faster than in many other countries. Modelled after the British GOV.UK website, our GOV.PL – a gateway to websites of the most important offices and authorities, as well as all electronic services – has 18 million hits every month, and the most popular Polish service, which enables users to check vehicle history online, was used as many as 120 million times last year. We are also in the middle of last year's tax returns process. For many years, most Poles have been doing it online, but every year brings more records. Out of 20 million Polish taxpayers, as many as 16 million of them filed their tax returns online last year. This is probably the best way to show what ordinary Poles think about digitalisation. Their lives are revolving around the Internet more and more.

#### **What advice do you have for the Ukrainian government to make digitalisation processes more effective and avoid mistakes?**

– Avoid mistakes? Only people who don't do anything never make mistakes. What is important, however, is to use these mistakes to draw the right conclusions, instead of making the same mistakes over and over. It is also worthwhile to look at proven solutions from other countries and develop them in various creative ways. Keep in mind that digitalisation in Poland saw a period riddled with serious errors, failures and unsuccessful projects. Thankfully, that's already behind us. How did we manage to change this situation, so that these days we can proudly claim that when it comes to digitalisation, we are not far from other European countries, and in many aspects, we even surpass them? I think the key to this success lies in listening to people and responding to their needs. Digitalisation solutions should not be implemented to make people's lives harder – they need to provide tangible benefits. And that's the key thing to remember! ■

# In Ukraine under the crescent moon

How and under whose influence the Muslim diasporas live in our country

Mykhailo Yakubovych

The results of the “census” (in fact electronic evaluation) of the population of Ukraine have recently been released. Without going into the accuracy of the data collected, it can be stated that this “census” gave practically nothing to study the religious or ethnic situation. Because the technology has not yet come to be able to determine, for example, a citizen's religion by his or her valid phone number or identification code. Therefore, there are no relevant statistics. Especially when it comes to different ethnic minorities, and with “non-Christian religiosity” in addition (by the way, the paradoxical term “non-Christian religions” is used in some normative documents).

## PARADOXES OF PERCEPTION

Some time ago, I was asked to prepare a report on Islamophobia in Ukraine, that is, an expression of hatred, fear or other hostile feelings towards Muslims. It included, in particular, political statements, that is, the rhetoric of central and local government that could offend the religious sentiments of Muslims. However, no Islamophobic allegations were found. First of all, because in our political discourse, neither anti-immigrant nor, more importantly, anti-Muslim topics are presented today, no matter how often citizens would express themselves on social networks about migrants or local Muslims. Somewhat ethnophobic content can be found only in statements by far-right organizations and various Telegram channels dedicated to the promotion of “white supremacy” and the like. What is the reason for this? Why is our situation better than that of Western or even Central European one? What are the Islamic diasporas in general in Ukraine and is there a consensus at societal level between indigenous population and new inhabitants of the country? What are the “centers of gravity” among the Muslim diasporas and how does it affect the religious life of the country? Is there a contradiction between “native” and “foreign” Muslims?

To begin with, the fact that since 2014 the attitude towards Muslims in Ukraine (at least at the level of central government) has changed somewhat should not be overlooked. The question of the Crimea and the Crimean Tatars as an indigenous people was raised, and therefore pursuing the anti-Muslim theme further, as it happened in the 2000s and early 2010s, became unprofitable either in terms of internal or foreign policy. However, an interesting paradox has arisen: the attitude towards the Crimean Tatars as indigenous people has improved, but sociological surveys are steadily fixing Islamophobia at the level of 14-15%, and in the southern regions it reaches 18% (Razumkov Center data). However, as soon as news of the construction of the mosque appears, say, in Lviv or in Kiev, it causes a flurry of negative comments. Not to mention the reaction to the criminal news featuring members of some “Asian diaspora”.

## INTERNAL DIVERSITY

If you look at the main Muslim organizations of Ukraine (there are five of them including those based in the occupied Crimea), almost all of them are led by Ukrainian citizens. This applies to both central government and regional communities. All Muslim structures, including the Spiritual Administration of the Muslims of Crimea, which during the occupation “re-registered” in the Crimea as the Spiritual Administration of the Muslims of the Republic of Crimea and the city of Sevastopol, represented either by Tatars or Ukrainians. The exception, of course, is the Spiritual Administration of Muslims of Ukraine, which has been led since 1992 by a Lebanese Arab, as well as some other organizations with Arab leadership, but these are mostly “naturalized” Arabs who have long lived in Ukraine, have citizenship, families here etc. According to our legislation, registration of a religious community requires Ukrainian citizenship. Another question is that the function of an imam, that is, the head of the Friday (Juma) or other prayers, may be

BY LEAVING THE “HOME” CULTURE, NEWLY CONVERTED MUSLIMS  
ARE SO COMPLETELY UNABLE TO TAKE ROOT  
IN DIFFERENT ETHNOCENTRIC COMMUNITIES, BECOMING RELATIVELY  
EASY PREY FOR RADICALIZED TRANSNATIONAL NETWORKS

performed by a foreigner. Yes, several Turkish imams (in the line of the Turkish Administration of Religious Affairs) come to us each year, and foreign students and others can gather in separate prayer rooms, particularly at universities.

There are also various “transnational” Muslim groups (the so-called Jamaats), but they are mostly transient and usually promote the heritage of a particular school or a spiritual leader (such as Said Nursi), with little regard for the local specifics. There are also a constant number of illegal migrants (estimated from several thousand to tens of thousands), but they usually try to get to EU countries without much delay here. Moreover, Ukraine maintains a visa regime with Muslim countries, where there is a significant threat of migration. But, as practice shows, even after obtaining a visa, citizens of these countries can once again find themselves being “interviewed” at an airport or other checkpoint.

Among the “naturalized” Muslim diasporas, the first places of influence, as a rule, were occupied by those who came from the former republics of the USSR, first of all Azerbaijan, Uzbekistan and the North Caucasus. The history of Ukrainian-Azerbaijani relations in general is very ancient, and in the twentieth century many common pag- »



**Not en bloc.** The Muslim community of Ukraine is divided by national, religious, and sometimes even political factors

es appeared in it. In 2001, there were nearly 50,000 Azerbaijanis in Ukraine, and today, according to diaspora representatives, this figure ranges from 100-500,000 people. Knowledge of Russian, Soviet education, orientation to work in the business sector and even the authorities gave Azerbaijanis many advantages. Therefore, despite the return of many to their historical homeland (in 2014-2015, primarily from the temporarily occupied territories), the influence of the Azerbaijani community is still strong. Of course, there are different trends in the diaspora: some focus on cooperation with the current authorities (under the presidency of Ilham Aliyev, the work with the diaspora has become much more active), others are somewhat remote or even oppositional.

In 2019, the three largest local Azerbaijani organizations united in the Council of Azerbaijanis of Ukraine, which (hereinafter quoted from the official document) “is guided by exceptionally wise advices and large-scale tasks set before our union and addressed to it, including in Kyiv, by a great leader of Azerbaijani people Heydar Aliyev, and implements the policy of consolidation of the nation of the President of the Republic of Azerbaijan Ilham Aliyev.” To some extent, the union represents not only the Ukrainian Azerbaijanis, but also the cultural politics

of Azerbaijan itself in Ukraine. Azerbaijanis, along with Iranians, are also distinguished by their religious affiliation, in fact, they make up the vast majority of Ukrainian Shiites.

The Uzbek diaspora (30-50 thousand people) is not as organized as the Azerbaijani one. When it comes to religious life, there are some imams and even religious preachers, but they are primarily aimed at their communities. The same can be said about the Chechen and Dagestan diasporas: there is a very strong aspect of the fellow-countrymen, business and family ties, but at the same time they are characterized by great differentiation. Some focus on the authorities of the Caucasian republics of the Russian Federation, others are in opposition to them, and this stratification became particularly noticeable after 2014. It is known that many of the Caucasian volunteers fought on the Ukrainian side in the ATO-JFO (ATO – Anti-terrorist operation, further JFO – Joint Forces Operation – Ed.). Among them, of course, the Dzhokhar Dudayev International Battalion and Sheikh Mansour Volunteer Battalion. Tens, if not hundreds, of people have served in these units, many of them owning passports of different EU countries. Among the non-governmental organizations that bring together immigrants



from the North Caucasus, it is worth mentioning the Chechen people's diaspora, which has more than 1,000 people in its ranks.

## MIGRATION OF IDEAS

Various religious figures from the Caucasus, who for various reasons ended up in Ukraine (some were accused of extremism in Russia), caused a lot of controversy between 2014 and 2019. On the one hand, they sought refuge in Ukraine and were threatened with extradition to the courts in the Russian Federation, and on the other hand, they often continued to profess the same approaches to understanding religious life that they had before. The exemplary in this sense is the story of Dagestan preacher Abdulhalim Abdulkarimov, who requested asylum in 2016 and in October 2019, was ordered out of the country by the SBU (he was given the opportunity to go to Georgia because Turkey, where he wanted to go, refused to harbor him and sent back to Ukraine). Along with other religious apologists from the Caucasus, Abdulkarimov could not find common ground with local religious leaders, condemning them for alleged incompatibility with Islamic practices, recognition of "non-Muslim power" (that is, Ukrainian authorities), etc. Many preachers drew with them the "tails" of radicalism, the habit of accusing of infidelity those who didn't accept their methods. It was noticeable that with the exception of individual activists, few advocated for them. Moreover, there are known facts when the visitors in the Ukrainian mosques were shown the door, they were told, "pray and go", and "we do not need such problems". There are a few other cases when Muslims with Russian passports displayed, to say the least, paradoxical beliefs. On the one hand, they sought asylum in Ukraine and tried to acquire citizenship, and on the other hand, crushingly criticized Ukrainian Muslims for "nationalism" and respect for the Ukrainian state. There are known cases in Dnipropetrovsk region when visiting "Russians" tried to appoint their imams in some communities (however, unsuccessfully). At the same time, there are many positive examples when Muslims of "moderate" orientation actually came from the Russian Federation.

Ironically, the most integrated and least involved in the various internal Muslim controversies are representatives of the Arab and Turkish "new" diasporas, that is, those who have come to Ukraine in recent years and are significantly different from their fellow countrymen who have lived here since the 1990s or 2000s. For example, many Muslim religious figures complain (not for camera) that the contingent of Arab students nowadays arriving in Kyiv and regional centers is, to say the least, problematic in terms of religiosity. These are mostly secular people, disillusioned with any Islamic movements of today. They often get into different troubles like fights in nightclubs and other apparently "non-halal" places. "When I was flying to Lviv by a Turkish plane, I did not like the faces of my countrymen very much – I didn't feel much piety in them," a representative of some religious foundation in Istanbul complained to me. It also happens that practicing Muslims (that is, those who refrain from alcohol, read prayers, visit mosques, etc.) often belong to various "Jamaats" in which other Muslims see sectionalism. It also produces a certain atmosphere of distrust, not to mention that the Arab diaspora itself is not the only one. For example, Palestinians, Syrians, and natives of Maghreb countries (they are most numerous in Ukraine) are very

united, which are mostly "scattered" between two main organizations: the Spiritual Administration of Muslims of Ukraine and the Spiritual Administration of Muslims of Ukraine "Umma". There are also many internal movements among them. For example, some Syrians are loyal to Bashar al-Assad, others are in opposition to him (they are much greater in number). Recently, there has been a tendency for "new" citizens of Ukraine to move to EU countries, especially from Western Ukraine, where there is considerable turnover among young people in local Muslim communities. As a result of the migration crisis of 2015-2016, many of their relatives got in the West. And now, with Ukrainian passport, they are able to reunite with families quite freely.

## FINANCIAL CONNECTIONS

Against this background, Arabs from the Persian Gulf are somewhat different. They come to Ukraine mainly in business affairs and usually retain their identity. To some extent, this becomes fundamental to them because of their desire to present themselves as the "Arabs of all Arabs". The growing controversy between countries in the region (in particular, between Qatar on the one hand, and Saudi Arabia and the UAE on the other) has led to tensions between religious organizations focusing on sponsorship. And practically all such structures are oriented to it. Despite the fact that the Muslim diaspora in our country is primarily associated with small and medium-sized businesses (which to some extent is true), funds for the maintenance of mosques and other needs are not enough.

The attitude towards the Crimean Tatars as indigenous people has improved, but sociological surveys are steadily fixing Islamophobia at the level of 14-15%

That is why very often Muslim organizations remain as such states within the state. Once the theme of Euro-Islam was popular, but beyond the doorstep of any mosque in Germany, France or another EU country, whether a small Turkey or one of the Arab countries began. On the one hand, there is the concept of a global umma; on the other hand, national identity often manifests itself under the guise of a religious one. The latter is a problem often faced by newly converted Muslims: by leaving the "home" culture, they are so completely unable to take root in different ethnocentric communities, becoming relatively easy prey for radicalized transnational networks. In view of the presence of the indigenous Muslim population (primarily the Crimean Tatars), it was somewhat easier for Ukraine to deal with this problem. Moreover, many ethnic diasporas gladly favored local religious leaders because it greatly facilitated dialogue with the authorities and fellow citizens of other faiths. Moreover, according to our calculations, today we have more than 20 imams-Ukrainians practicing, which is a significant progress compared to the 1990s and 2000s.

As the problem of illegal immigration is still relatively small in Ukraine, the topic of Islam will not be the focus of political attention. And Muslim diasporas, at least their religiously active part, will continue to "naturalize", although they are unlikely to get rid of outside influence. ■

# The Kremlin's lawfare targets the Bering Strait

The global outreach of Russia's manipulation of international and domestic law

**Mark Voyger**, scholar at the Penn Biden Center for Diplomacy and Public Engagement, Washington, D.C.

On 29 January 2020, the US awoke to the news that Russia is considering to leave unilaterally the US-USSR Maritime Boundary Agreement delimiting the maritime area of the Bering Strait, according to the statements made to Russian media by Konstantin Kosachev, the Head of the Russian Duma's International Relations Committee. Such a move, if implemented, will allow Russia to laying claim on a portion of the US economic zone off Alaska, a step that has been promoted strongly by Boris Nevzorov, a Russian senator from Kamchanka, in order to restore what he claims is a loss of 500,000 tons of fish and crab per year, as well as gain access to oil and gas fields worth hundreds of billions of dollars.

ANY AGREEMENTS OR DEALS MADE WITH RUSSIA ARE ONLY TEMPORARY IN NATURE, AND CAN BE ABROGATED AT THE BEHEST OF THE RUSSIAN LEADERSHIP, OR TWISTED BEYOND RECOGNITION UNTIL THEY ARE HOLLOVED OUT AND DEVOID OF THEIR ORIGINAL SPIRIT

The proposed legal move targeting the Bering Strait is based on a loophole in Russia's domestic laws – article 15 of Russia's law on international treaties – which stipulates that all agreements concerning Russia's borders must be ratified in order to enter into legal force. Since, according to Russian Deputy Foreign Minister Sergey Ryabkov, the agreement was not properly ratified neither by the USSR, nor by Russia, its application is considered by Russia as merely “temporary”. The Russian senators blamed the late Edward Shevardnadze, for conceding to delineate the US-Soviet border according to the US rules (based on a straight line), and not international ones (equidistant from both shores). This exploitation of loopholes or retroactively claimed irregularities in negotiating international agreements, is fundamental tenet of Russia's aggressive manipulation of international legal regimes, known as “lawfare”. Lawfare” is a pivotal domain of Russia's hybrid warfare that has received relatively less attention in the West compared to its information and cyber warfare, but that is not less dangerous to America and the West, as a whole, due to its global outreach (as currently demonstrated) and the opportunities it provides to the Kremlin for manipulating the international legal system in favor of its expansionist goals in Eurasia and beyond.

The Kremlin unleashed its aggressive lawfare campaign upon its neighbors as early as 2008, when it launched the war against Georgia on the pretext of protecting Russian citizens there. This was followed in 2014 by the annexation of Crimea that the Kremlin claimed to have been justified

through a sham “popular referendum” that purportedly aimed merely to satisfy the rights of self-determination of a fictitious “Crimean nation”. Now the Kremlin's lawfare campaign is about to be deployed to the Far East and threatens to touch upon the American shores, and our vital interests in one of the most strategic areas of the world – the Arctic. There, Russia has long been pushing to extend its exclusive economic zone based on an excessive claim to the UN CLOS that the underwater shelf there is a natural extension of the Russian landmass. Based on that, last year Russia upped the ante and demanded that all naval vessels crossing the northern Route comply with its excessive demands for advance permission, information and accepting Russian pilots. In NATO's European zone of responsibility, the Black and the Baltic Seas have been the scene of constant Russian violations of international law that are also being justified as based on legal claims – unresolved territorial waters disputes over maritime borders, especially the legal control over the Kerch Strait and Crimea. In December 2018, Russia justified its attacking and kidnapping of Ukrainian naval vessels and their crews in the Kerch Strait by claiming that they had violated Russia's territorial waters due to the improper or lacking delineation of the two maritime areas. In that case, a technical legal claim of bilateral nature had serious human and security consequences, and now Russia's success there has emboldened it to apply its lawfare techniques outside of the Black Sea area where it first tested them by laying the groundwork for limiting the Western nations' freedom of navigation in the Arctic, and now potentially in the Bering Strait.



**The *Pueblo* incident.** North Korean troops seized US sailors to pressure US in the midst of Vietnam War



WWW.MARINETRAFFIC.COM

**Naval lawfare.** Russia may resort to provocations in the Bering Strait like the capture of the Lithuanian *Juras Vilkas*

If the Kremlin follows through on its intended withdrawal from the Bering Strait Treaty, in the future it could resort to harassing US ships that sail through maritime areas that Russia would consider as falling within its exclusive economic zone under its rules of delineation of the Bering Strait. These will likely not be military ships, as those are considered pieces of the sovereign territory of every nation, and an attack on one is tantamount to war. A softer, easier target could be a fishing vessel, or a sea exploration ship that could be mistaken for a naval intelligence vessel. In that case, Russia's justification would be that those ships have entered its exclusive economic zone and have been performing commercial activities there without explicit permission. In a situation of contested maritime borders in a high-traffic area such as the Bering Strait, it is easy to imagine a situation whereby Russia tries to assert its exclusive rights over maritime areas that the US still considers as falling within its exclusive economic zone under the original treaty. Thus, the US would be forced to either renegotiate the treaty to accommodate the Russian demands, which it will most likely not agree to do, or advise its vessels to navigate with caution in the Russia-contested areas – which would still inevitably result in an incident sometime in the future.

Such incidents are far from hypothetical potentialities, but rather – cases of “been there, done that” for both Russia and its Soviet-era allies. The most recent one of those was the case of the Lithuanian fishing vessel “Juras Vilkas” (Sea Wolf), apprehended by the Russian Coast Guard in the Barents Sea in September 2014, then taken to the Russian port of Murmansk. The Russian claim was that the ship had been fishing in the Russian exclusive economic zone, so the Russian authorities confiscated its cargo and detained the crew for a period of time. The captain asserted that the ship had been operating in international waters according to the navigation records on board. Russia has been known to intentionally jam navigation equipment and GPS systems in the Black Sea and the Baltic by testing advanced military equipment during military exercises in the Black and Baltic Seas in recent years. If such jamming is used against a fishing vessel, it might as well be sailing through Russian waters while its navigation systems show that it is still in international waters.

The “Juras Vilkas” incident coincided with the high international tensions surrounding the Russian military aggression against Ukraine in the summer of 2014, and therefore it was used to exert military pressure on Lithuania as

a staunch supporter of Ukraine and a vocal critic of Russia within NATO. History, however, remembers another case, the “Pueblo Incident” of 1968, in which the Communist regime of North Korea, encouraged in this case by China, attacked and apprehended a US vessel, the “Pueblo” – an environmental research ship used by the US navy as an intelligence ship. North Korean navy vessels and air forces apprehended the ship, and threw its crew of 83 persons in a prison camp, where they suffered abuse and torture until released almost a year later. North Korea's claim was that the Pueblo had violated its territorial waters several times, while the US asserted that the evidence had been fabricated. The incident occurred in the midst of another major international crisis – the Vietnam war, as it was meant to put pressure on the US and humiliate it publicly.

The Bering Strait, is the easternmost gateway to the Arctic, in which Russia has been playing a long-term strategic game along the entire Northern Route. Its lawfare efforts have been directed lately also against an important NATO member in the region – Norway. The issue at stake is the island group of Svalbard (Spitzbergen on the Russian maps) that has been contested between Russia and Norway for the last 100 years. The Svalbard Treaty of 1920s confirmed the Norwegian sovereignty over the archipelago, but allowed Russian citizens and companies to reside and conduct commercial activities there. Since the launching of its aggression against Ukraine, Russia's behavior regarding Svalbard has been particularly provocative, to include visits by Russian politicians on the EU visa ban, or reported exercises by Chechen special forces units on, or around the island. A week ago, the Russian Foreign Ministry accused Norway of restricting Russia's activities on the island and demanded that the existing issues be resolved. Thus, Svalbard has been emerging as one of the potential flashpoints in the confrontation between Russia and NATO in the Arctic, as Russia has been eager to use lawfare tools to match its “legal” efforts with its “lethal” ones – the military buildup in the High North aimed at exerting effective control over the Northern Route and substantial additional Arctic maritime areas.

Such significant revision of important international regimes is designed to cause trouble to the US, as well as exert control over international navigation and commerce, right at America's back door. In all of these cases, the Kremlin has resorted to manipulating Russia's national legislation in order to circumvent its international treaty obligations. This is yet another proof that any agreements or deals made with Russia are only temporary in nature, and can be abrogated at the behest of the Russian leadership, or twisted beyond recognition until they are hollowed out and devoid of their original spirit.

Following the constitutional changes announced by Putin earlier this month that aim to codify the supremacy of the Russian constitution over international law and Russia's international treaty obligations, this potential lawfare offensive in the Bering Strait proves beyond any doubt that Russia's international behavior has become a function of its selectively detaching itself from the rules and norms of the international legal system. The risk for the US and the West now (and not only for Ukraine and Russia's other neighbors) is that this winning “lawfare formula” will embolden the Kremlin to apply it even more aggressively across the global Commons and challenge the existing security arrangements in strategic areas for the US such as the Arctic Ocean, while continuing to test NATO's resolve in other vital areas, such as the Black, Baltic and the Barents Seas. ■



# Memory of horror

What is the tragedy of Babyn Yar today

Vakhtang Kebuladze

The Holocaust was one of the worst horrors in human history. Babyn Yar in Kyiv was one of its most terrible episodes. It was also a tragedy with many dimensions. It was a place where Jews were killed and the memory of it was systematically distorted and stifled — not by the German Nazism that died after World War II, but by the Russian chauvinism that pierced through the entire soviet historical narrative.

## SHOULD WE REMEMBER THIS HORROR? AND ARE WE ABLE TO FORGET IT?

Our memories fluctuate between possible answers to these two questions. Sound pragmatism pushes us to say ‘no’ to the first question, yet sober realism also pushes us to say ‘no’ to the second one. We want to forget about the horror, but it is extremely difficult to do that. So, we should focus our greatest efforts on forgetting about the horror while re-

I not consult with experts — doctors — about this?

## «МОЖЕМ ПОВТОРИТЬ» VS «НІКОЛИ ЗНОВУ»

Experts on the historical and socio-political horrors experienced by humans are humanity scholars — historians, philosophers, sociologists, psychologists etc. They do not simply have the right, but an obligation to enter the plagued barrack of history, yet they cannot stay in it. This is like in Plato’s allegory of the cave. According to Plato, a true thinker should peek beyond the cave of this world — on which wall we only see the shadows of ideas — in order to see the real light, then return to other people to bring that light to them. With the horrors of history, a scholar must plunge into the darkness of these horrors, see the ugly nature of crimes against humanity, leave that darkness without losing his mind, and find a way to tell other people about it in a way that safeguards them from repeating that horrible experience.

This is where we once again face the question: what if the account of horrors provokes new horrors? Some develop

disgust for crimes from such accounts, while others develop a sadistic desire to repeat them. For example, the slogan of the contemporary Russian historical narrative about the horrors of WWII — “Можем повторить” or “We can do it again” — is horrible in itself. It does not just distort the memory of the dead, but it pays no mind to the present and the future of the generations to come. What do they want to do again? Have millions of people killed and disabled, cities ruined and grounds burned? By contrast, Ukraine’s slogan — “Ніколи знову!” or “Never again” — gives hope of a humane future where you want to live. For some, disgust for the crimes is a safeguard against them. In others, it awakens the thirst for revenge against the criminals. But who do we see as criminals? Those who fulfilled the criminal orders or those who gave them? What about those

who watched the crimes silently, supporting them or even condemning them, but not daring to speak against them publicly? Here is where we face two fundamental questions once again. The first one is about collective responsibility. The second one is about the fairness of punishment and the difference between it and revenge. Both have at least two dimensions — moral and legal.

## EVIL THAT WAS NOT ROOTED OUT

“The moral code does not forbid hating murderers,” Yuri Andrukhovych wrote in Kyiv. Tear Substance, his article about the Maidan, referring to the Berkut fighters and other Ukrainian and Russian special services that went berserk and tortured and killed peaceful protesters. By the way, antisemitic sentiments were quite widespread in the Berkut — their website had many antisemitic publications during the Revolution of Dignity blaming the organization of Maidan on the Jews and calling to violence against them. It is not just the absurdity of these publications that is shocking; it is that the personnel of Ukrainian special services, built on the fragments of the soviet punitive system, were infected with the xenophobic virus of antisemitism. Almost 80 years after Babyn Yar, bastards were once again torturing and killing people in the middle of Kyiv, some using antisemitic slogans. That antisemitism was inherited not from German Nazis, but from Russian imperial chauvinists who built their tsarist or soviet empire on different forms of xenophobia.

## KYIV MEMORY

I ask myself over and over again: how was this possible in my native Kyiv? As I look for an answer, I feel personal accountability — even if I may have ended up among those killed by the antisemites in 2014, although I’m not a Jew. Our collective accountability is in that the horrible experience of Babyn Yar did not push us to take every effort to uproot all kinds of aggressive xenophobia in our society. This partly resulted from the fact that antisemitism and other forms of aggressive xenophobia were perceived as a sort of moral sickness by the people close to me, a self-explanatory evil that did not require additional condemnation because it was already condemned. The quintessential condemnation was the Nurem-

THAT ANTISEMITISM WAS INHERITED NOT FROM GERMAN NAZIS, BUT FROM RUSSIAN IMPERIAL CHAUVINISTS WHO BUILT THEIR TSARIST OR SOVIET EMPIRE ON DIFFERENT FORMS OF XENOPHOBIA

alizing that these efforts are in vain? But isn’t that a profoundly wrong strategy for our own past? The horror of the past, however carefully forgotten, does not disappear. Instead, it will ruin our present and future. Memory of the past horrors does not safeguard the modern world from them, but it at least creates an opportunity to avoid them.

Or is it the opposite? Does constant reminding of the horrors entice us to recreate them? Human nature is weak and tends to romanticize crimes and mock goodwill. So, maybe we should try and forget about the horrors of the past?

We could answer ‘yes’ to this question and stop the debate. But who is entitled to make such decisions? The survivors of that horror, their direct descendants, those who were involved in that horror, or all humans? Do we have the right to privatize horror? Can we say that this is our horror, so what we do with it is our personal business? It would be so if the horror was not infections like a disease. I don’t need to tell others that I’m sick until I’m a risk to their health. But am I in the place to decide on this? Should

“Mozhem povtorit” means “We can do this again” in Russian. It is a slogan used lately in Russia with regard to the war against Ukraine and with references to the soviet march towards Berlin during WWII, often used around May 9 celebrations. “Nikoly zнову” means “Never again” in Ukrainian, a slogan increasingly used in Ukraine to commemorate WWII and other atrocities, especially after Ukraine shifted to commemorating WWII on May 8 from celebrating soviet-style Victory Day on May 9.



**A common tragedy.** The Nazis killed both the Jews and the Ukrainians who publicly opposed and resisted the occupiers in Kyiv and across Ukraine

berg process that resulted in the moral and legal condemnation of Nazism and antisemitism as the typical element of it, as well as racism and other kinds of criminal xenophobia.

The history of Babyn Yar is part of the unwritten history of many Kyivites. It so happened that the story of my family was closely intertwined with that of one Jewish family in Kyiv. We are close enough for me to call one of them brother, and he calls me the same. He is a very close person for me for a lifetime, my real brother. Our common history has one fragment. One of the first times that soviet TV showed episodes about Babyn Yar was in the 1970s. My Jewish brother, still a kid, was alone in the yard of his house in downtown Kyiv. His parents were at work, his grandmother went to a store leaving him by the building entrance with older women. These women were talking about what they saw on TV and he took it as reality — he was 5 and did not realize that this was the past. He thought that his mom and dad must have been taken away and his grandmother would not be coming back. When she appeared in the yard, he rushed to her, happy and in tears, and told her the story. “What were you doing?” she asked him. “I was sitting quietly and pretending I’m not a Jew.” We recount that horrible anecdote from generation to generation. While I’m not a Jew and I was born many years after WWII, this is something I will never get rid of — this is rooted in the history of my city, my family, something I will pass on to my daughter. This narrative of the horrible violence is rooted in our history and we cannot pretend that it never happened.

In this case, we cannot shed our collective accountability. Of course, accountability under law is only for those who committed these crimes and gave the respective orders. But we all have inherited moral accountability from the previous generations

— not just for this happening during the occupation of our land by the German Nazis, but for the fact that these tragic events were not explored properly and were not a subject of massive discussion in society during the occupation of Ukraine by the soviet communists. The tragedy of Babyn Yar was admitted but it was also sidelined in the official doctrine of the communist propaganda. Anatoliy Kuznetsov’s *Babi Yar* offers a good illustration of this official attitude: it was published in the Soviet Union after heavy censorship; the author managed to publish the full version in emigration. Why was it not published in full? Why the communist censorship fragmented the novel about the crimes of the German Nazism? Why did the author flee from the Soviet Union and only published it abroad? The official discourse of the soviet communists was anti-Nazi after all, so they should have widely discussed and radically condemned all crimes of Nazism without exception.

Instead, the memory of the Babyn Yar tragedy was kept by the Jewish and Ukrainian dissidents first and foremost as they felt the deep link between the Nazi and the communist totalitarian regimes. Ivan Dziuba’s speech to commemorate the Babyn Yar shootings in 1966 expressed this: it started with the moving words about our common tragedy of the Jewish and the Ukrainian people because the mass extermination of the Jews happened on Ukrainian land.

### THE MEMORY THAT UNITES

Another reason why Babyn Yar is our common tragedy is that the German Nazis killed both the Jews and the Ukrainians who dared speak publicly against them and oppose them in the occupied Kyiv and across Ukraine. Therefore, the street near Babyn Yar was named after Olena Teliha, a Ukrainian poet shot with

her husband in February 1942. The exact date and place of their execution are unknown. But that does not matter because Babyn Yar is about pain in our hearts more than it is about a spot on the map. Another street was named after Oleh Olzhych, a Ukrainian poet and political activist who died in a Nazi concentration camp where he ended up for his anti-Nazi work. There are well-grounded suspicions that Gestapo was getting information about Ukrainian national resistance against German Nazism from soviet special services — this should also be studied well as this could point to the continuation of a conspiracy between some segments of soviet communists and German nazis even after Germany under Hitler attacked the Soviet Union in violation of the secret Molotov-Ribbentrop pact. This could also give ground for new answers on why the official soviet narrative sidelined the tragedy of Babyn Yar.

We should admit that there were collaborators among Ukrainians and some were involved in the Babyn Yar executions. This is a painful element of our historical memory. We should learn to speak openly and honestly about this, while not forgetting the Ukrainian heroes who rose against two horrible political regimes — German Nazism and soviet communism. This is part of the overall anti-totalitarian development strategy for Ukraine, which is reflected in the law banning the propaganda of nazi and communist ideologies, among other things.

Babyn Yar as part of the Holocaust horrors is the tragedy of the Jewish people foremost, yet it is also a tragedy for all Kyivites, all citizens of Ukraine and all of humanity for different reasons. In our historical memory, we should represent all former and modern totalitarian and authoritarian regimes based on radical right and left ideologies, the regimes that killed and are killing many people, as incarnations of radical evil.

Kyiv should turn from a crime scene into a scene for memory and commemoration of the killed. We must united all Ukrainian citizens with diverse ethnic backgrounds, political views and religions around common non-acceptance of any form of aggressive xenophobia and discrimination for ethnicity, religion or political views — unless these views are discriminating in nature, such as nazism, chauvinism or communism. Finally, we must show all peoples of the world how to remember about horror and prevent it from repeating once again. Memory of a horror is poisonous when it breeds new horrors. Memory of a horror is healing when it makes repetition impossible. ■



We look forward to seeing you every day from 9 to 21 at such addresses:

#### KYIV

vul. Lysenka 3A (044) 235-88-50  
vul. Spaska 5 (044) 351-13-38  
prospekt Povitroflotskiy 33/2 (044) 221-30-86  
vul. Lva Tolstoho 1 (044) 287-54-87  
boulevard Lesi Ukrayinky 24 (044) 285-08-87  
prospekt Mykoly Bazhana 16D (044) 355-59-16  
vul. Vadyma Hetmana 1 (044) 594-57-17  
vul. Khreshchatyk 46 (044) 337-97-72  
vul. Yevhena Sverstiuka 2A BC «Livoberezhny»  
(044) 338-32-06  
vul. Andriy Malysenko 2D (044) 337-97-71  
ploshcha Lvivska 8 (044) 383-25-50  
vul. Sichovykh Striltsiv 103-105 (044) 383-61-49  
vul. Petra Sahaidachnoho 41 (044) 228-42-75  
prospekt Myru 3 (094) 829-36-62  
ploshcha Sportyvna 1-A, SEC Gulliver, 4<sup>th</sup> floor  
(044) 338-62-74

KYIV, Vyshneve  
vul. Sviatoshyńska 27-G (044) 383-25-53

#### LUTSK

vul. Lesi Ukrayinky 30 (0332) 72-43-76

#### VOLODYMYR-VOLYNSKIY

vul. Kovelska 6 (03342) 2-19-57

#### LVIV

prospekt Svobody 7 (032) 235-73-68  
vul. Halytska 9 (032) 235-70-06  
vul. Kostyushka 5 (032) 297-01-90  
ploshcha Mickiewicza 1 (032) 243-02-80  
LVIV, Sokilnyky  
vul. Stryiska 30 SEC King Cross Leopold  
(032) 226-75-52

#### IVANO-FRANKIVSK

vul. Nezalezhnosti 31 (094) 928-31-41  
vul. Hetmana Mazepy 3 (0342) 74-04-68

#### RIVNE

vul. Korolenka 2 (0362) 26-39-41

#### KHMELNYTSKIY

vul. Proskurivska 2 (0382) 70-97-92

#### DNIPRO

prospekt Dmytra Yavornytskoho 55  
(056) 787-17-19

#### VINNYTSIA

vul. Soborna 89 (0432) 52-93-41

#### TERNOPIL

vul. Valova 5/9 (0352) 25-44-59

#### ZAPORIZHZHIA

prospekt Soborniy 139 (094) 885-39-03

#### SUMY

vul. Soborna 44 (054) 270-19-04

#### KHARKIV

vul. Sumska 3 (057) 771-04-66

#### SLOVIANSK

vul. Vasyliivska 27 (9am-7pm)  
(050) 636-47-24

#### KROPYVNYTSKIY

vul. Dvortsova 31(0522) 59-57-70





A unique restaurant  
in a house with a 200-year history

**DOM**  
**№10**  
RESTAURANT

10 Spaska St. Kyiv | reservations +380 (67) 502 03 54  
dom10.com.ua | [f](#) @ dom10.restaurant



# Vegan Season

at Park Kitchen Restaurant

30 Tarasa Shevchenka Blvd.

+38 067 690 2353

