

## Ukraine Politics

### President Poroshenko Courts the West, Falters at Home

*A move to adopt controversial autonomy-and-amnesty laws for the Donbas last week has President Poroshenko and his allies on the hot seat, with the public demanding an explanation. It may, though, be part of a strategy to sway additional support and secure arms from the West. If so, that plan will require additional work after Poroshenko came away empty-handed from a two-day visit to key allies in the US and Canada. Meanwhile, comments from a key Russian official suggest the Kremlin is angling for a frozen conflict that promotes processes that would contribute to an insolvent Ukraine.*

The past week saw Ukraine swallow a series of defeats. With the two week-old ceasefire and peace plan barely relevant, President Poroshenko was forced into more concessions at the hands of the Kremlin. Moscow now looks to have secured progress on several of its key demands after the adoption of a package of controversial laws by Ukraine's parliament granting a measure of autonomy to the Donbas and amnesty to the terrorists and an agreement to delay the introduction of the EU Association Agreement until 2016.

Domestically, the Ukrainian public began to demand of Poroshenko an explanation of his thus-far opaque strategic military and foreign policy plans, and the calls intensified sharply after a Tuesday that saw both the ratification of the delayed EU Association Agreement and the passing of the contentious bills.

The content of the two laws passed on Tuesday had not been presented to the public, which served to stimulate combative discussions and retributive accusations after their passing. The autonomy-and-amnesty laws call for elections to local councils to be held on December 7, for de facto official status for the Russian language, the creation/legitimization of a National Militia, and amnesty for participants of the events in the Donbas. Importantly, it also places the responsibility for financing the re-construction of infrastructure in the Donbas and the creation of new jobs, among other things, squarely on the Ukrainian budget.

The laws legitimize, partly, the Donetsk and Luhansk National Republics. According to Serhiy Rakhmanin, a respected writer for the *Dzerkalo Tyzhnya* weekly, the laws effectively legitimize the illegally formed institutions of the DNR and LNR, and legalize them into the future, regardless of the holding of the elections in December. They also formalize Moscow's influence over the courts, the prosecutor's office, and other institutions.

The package of laws, which was adopted with material procedural violations, is in fact non-constitutional, according to Rakhmanin and other experts. But that's all immaterial given that President Poroshenko and House Speaker Turchynov (an ally of PM Yatseniuk) were reportedly instrumental in pushing the laws through.

The question, then, is why parliament approved the legislation (note that the bills have not yet been signed into law by the president)?

One possibility is that the initiators of the laws know the legislation is already dead in the water since the terrorist groupings would not respect anything coming out of Kyiv, meaning Poroshenko and Turchynov have no intention on pushing for their implementation. Indeed, representatives of the DNR have already brushed the laws off as meaningless and the fantasy of the Kyiv administration.

The initiators, therefore, may view the controversial laws as a means to hammer home to the West Russia's and their subordinates' complete disrespect for international agreements, and that the aggressors, in fact, have no interest in a real and lasting peace. It follows, then, that Ukraine's end goal is to secure lethal military aid from the West or to have the West broker and oversee the implementation of a real peace plan with a full withdrawal of all Russian troops from Ukraine. But the results of Poroshenko's official visit to the US and Canada this week show that point has not yet come.

Ahead of the important visit Poroshenko reportedly considered two different themes for his speech to Congress: one that focused on the reforms facing Ukraine and on the need for a peaceful resolution to the war and the other calling for lethal military support.

In an impassioned speech to a joint session of US Congress, President Poroshenko appealed for military aid. "Blankets and night vision goggles are important, but one cannot win a war with a blanket," he said, and closed out the speech with a nod to the tradition of freedom entrenched in US institutions: "Live free must be the message Ukraine and America send to the world while standing together."

But the Ukrainian president came away from his two-day visit to Canada and the US with little more than additional sanctions from Canada, \$53mn in new non-lethal US military aid, and the bittersweet memory of standing ovations and messages of support.

It is too early, however, to label the trip a failure. Poroshenko was extremely well received both in Washington and Ottawa, and his visit and speech will likely serve to further catalyze the discussion on whether to arm Ukraine. Republicans have been especially vocal and active in slamming President Obama's reticence to show Ukraine true support. President Poroshenko's speech – possibly chosen to remind President Obama of the Republicans' advance and the public's growing distrust in his foreign policy record ahead of the mid-term elections to Congress in November – will likely galvanize the opponents further.

Moreover, Poroshenko is heading back to the US mid-week to address the United Nations in New York, where discussions will continue on arms sales and more direct support to Ukraine's stand against Russia. And it looks as though those discussions and Ukraine's wooing of the West may last until the G20 meetings in mid-November. US Treasury Secretary Jack Lew stated as much over the weekend in demanding concrete actions from Russia in stabilizing the situation in Eastern Ukraine.

In the meantime, President Obama's preference for a diplomatic resolution and the lack of any announcements of concrete lethal support mid-week forced Ukraine to return to the negotiating table in Minsk on Friday.

The new agreement announced over the weekend essentially seeks to entrench and strengthen the original ceasefire and outlines the establishment of a buffer zone between the parties to the conflict. Nevertheless, those that saw Russia's efforts at promoting peace at the negotiating table as genuine were quickly proven wrong over the weekend as the pro-Russian groups failed to respect the ceasefire, according to Ukraine.

In an interview with Russian state-owned newspaper *Rosiyskaya Gazeta* this week, key Kremlin official Sergey Ivanov again shifted the responsibility for the future reconstruction of the ruined Donbas onto Ukraine. In doing so, Ivanov looks to have delivered two key messages from the Kremlin to Ukraine, to the local separatist-terrorists, and to the international community: first, at this time Russia has no interest in an annexation and incorporation of the Donbas into Russia (it was perhaps a reflection of the feeble support for Russian annexation among Donbas residents and thus a recognition of that Russia would not actually be able to incorporate the Donbas), and second, that Ukraine will be shouldering the difficult, economically taxing, and financially destructive process of rebuilding the Donbas.

It seems, therefore, that the Kremlin's preferred option is indeed a frozen conflict (and not necessarily a peaceful one) that would promote the processes that would contribute to an insolvent Ukraine. Indeed, economists have started to sound the alarm on the sustainability of Ukraine's debt and pointed out that the likelihood of a sovereign default is on the rise.

Thus, the tide has turned against Ukraine in just one month. As of August 23 Ukraine's Armed Forces and volunteer battalions had booked impressive territorial gains at the hands of the Kremlin-backed Donbas-based forces. The military victories and territorial gains during Russia's one month of direct military incursion have afforded Russia the stronger hand at the Minsk negotiating table and forced Ukraine into accepting several dangerous demands from Russia. Ukraine's plan, however, remains to be seen, and for the time being, President Poroshenko is keeping the cards close to his chest.

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