

# Ukraine Supreme Court orders new presidential run-off election

By Peter Schwarz  
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On Friday evening, after five days of deliberations, the Ukraine Supreme Court issued its ruling on the disputed presidential election. The court invalidated the November 21 run-off vote, in which the sitting prime minister, Viktor Yanukovich, was declared the victor by state election authorities, and ordered a new vote to be held between Yanukovich and the leader of the US- and European-backed opposition, former prime minister and central bank head Viktor Yushchenko. The court cited claims, coming mainly from the Yushchenko camp and its Western sponsors, of widespread election fraud.

The court set December 26 as the date for the new election.

The decision largely coincided with the agenda of the opposition, which had organised mass protest demonstrations in Kiev to demand a new run-off election and had rejected suggestions by Yanukovich and President Leonid Kuchma that any new election should start from scratch, allowing for the introduction of new candidates. The court ruling also met the opposition's demand that a new run-off between Yanukovich and Yushchenko be held quickly.

Washington and the European Union (EU) had openly and forcefully supported the position of the so-called "democratic" opposition, which they had helped form and had largely financed, and, in particular, Yushchenko's rejection of an entirely new election.

Russian President Vladimir Putin had campaigned for Yanukovich and publicly denounced the moves for a revote.

The day before the court's ruling, Ukraine President Kuchma flew to Moscow. There, appearing before television cameras alongside Putin, Kuchma sharply spoke against a repetition of the ballot. Putin said of the demand for a new run-off that "one could vote 3, 4 or 25 times, until one side had a result that suited it."

Afterwards, the Russian Duma adopted by a large majority a resolution accusing the European Union, the European parliament and the Organisation for Security and Cooperation in Europe (OSCE) of fomenting unrest. The

Duma warned that the intervention of these organisations could lead to "massive disorder, chaos and a split of the country" and declared "this will have the most negative consequences not only for Ukraine, but for Russia, all of Europe and for the international community as a whole."

Up until now, the Ukraine Supreme Court has, to put it mildly, not been known for its political independence. Most judges owe their position to the 10-year rule of President Kuchma, and have served his regime as faithful supporters. The fact that they have now turned against their master reflects the shift that has taken place within the Ukraine ruling elite in the course of nearly two weeks of bitter conflict.

After US Secretary of State Colin Powell and numerous European governments had made unmistakably clear that they would not accept the judgement of the Ukraine electoral committee in favour of Yanukovich, numerous supporters of the regime changed sides. These include military leaders, intelligence personnel and other senior officials, including central bank head Sergei Tigipko, who had led Yanukovich's election campaign.

At the same time, differences emerged within the government camp. After the Donbass region in the east of the country—a stronghold of Yanukovich—threatened to split off if Yushchenko became a president, President Kuchma demonstratively reduced his support for the man he had backed to succeed him.

Kuchma strongly opposes a division of the country. His base lies in the eastern industrial city of Dnepropetrovsk, whose business oligarchs compete with those of the Donbass. Backing away from Yanukovich, he called for new elections, but under conditions that would have provided him time to reorganise his forces.

Along with Powell, European Union Commission President José Manuel Barroso and EU Council President Peter Balkenende clearly expressed their support for the opposition. The European Union sent a mediating delegation to Kiev, which included EU foreign policy representative Javier Solana and the presidents of Poland and Lithuania,

Alexander Kwasniewski and Valdas Adamkus—two of the most prominent proponents of close relations with the US.

The German minister of foreign affairs also publicly spoke out in favour of a new election, and on the eve of the Supreme Court pronouncement, the European parliament passed a resolution demanding that a revote be held before the end of the year, with the participation of international observers. For the first time, EU officials indicated support for a possible entry of Ukraine into the European Union, a development they had excluded up until now.

The demonstrators supporting Yushchenko, who had remained in the centre of Kiev for several days despite frigid weather conditions, celebrated the court decision as a “victory for democracy.” However, those who genuinely believe the outcome of a victory for Yushchenko will be a flowering of democracy will be rapidly disabused of their illusions. The program that Yushchenko represents—a radical “reform” of the economy along neo-liberal principles—offers no basis for a democratic development of Ukrainian society.

In Poland, Hungary and other eastern European countries, similar policies have led not only to the destruction of the living conditions of millions of workers and small farmers, but also to the frustration of any genuinely democratic aspirations. Election turnouts in these countries have plunged, and ultra-right parties have been able to profit from the general crisis.

No less illusory is the notion that Yushchenko will take on the clans of oligarchs who exercise an octopus-like grip on the economy of Ukraine. He played his own role in their ascent to power during his period as head of the central bank.

On the other hand, the consequences of the installation of a regime in Ukraine that serves as a proxy for the Western imperialist powers are very significant for the European balance of power—with potentially explosive results.

Before the court ruling, the governors of the Donbass region had announced plans to hold a vote in January on demands for autonomy, and it is not clear whether they will withdraw this threat in the event of an election victory for Yushchenko. The unresolved conflict over the rebellious region of Transnistrien, which is presently under Russian protection, could also flare up again.

Russian President Putin reacted bitterly to the court decision. He denounced the US and the governments of Europe, whom he accused of supporting Chechen terrorists and displaying a “notorious double standard.”

Putin was in New Delhi when the court handed down its ruling. He told the *Hindu* newspaper that Europe and the US were accommodating “terrorist envoys.” Putin also attacked US policy in Iraq in unusually sharp tones. As was previously the case with Afghanistan, he said, Iraq had

become an “important breeding place” for terrorism, in which “thousands of future members of terror networks are recruited.”

Following Washington’s moves to bring about regime change in Serbia and Georgia—by very similar methods to those now being employed in Ukraine—and the stationing of American troops in former Soviet republics in Central Asia, Moscow feels increasingly under pressure. In recent years, Putin has striven to bind the former Soviet republics more closely to Russia. White Russia, Ukraine and Kazakhstan were at the heart of this policy. A change of power in Kiev threatens to torpedo this course.

One of the most prominent American geo-strategists, the former national security adviser Zbigniew Brzezinski, referred seven years ago to the crucial role of Ukraine in Russian foreign policy. In his book, *The Grand Chessboard: American Primacy and Its Geostrategic Imperatives*, Brzezinski wrote: “Even without the Baltic states and Poland, a Russia that retained control over Ukraine could still seek to be the leader of an assertive Eurasian empire.... But without Ukraine and its 52 million fellow Slavs, any attempt by Moscow to rebuild the Eurasian empire was likely to leave Russia entangled alone in protracted conflicts with the nationally and religiously aroused non-Slavs, the war with Chechnya perhaps simply being the first example.”

It is still not clear how Moscow will react to the recent developments in Ukraine. Intensified international tensions and conflicts that contain the potential for violent clashes are, however, inevitable. A change of regime in Kiev, which is likely in the aftermath of the Supreme Court ruling, will only increase also the appetite of the Bush administration for further foreign policy adventures. Iran—another country bordering the former Soviet Union—could very well be the next target.

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