



BULLETIN

No. 135 (588), 11 December 2013 © PISM

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Ukraine's Political Winter: Three Ways the Crisis Could Unfold

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The “March of Millions,” the massive anti-government demonstrations across Ukraine, has shown that the protest movement in the country is growing stronger. The authorities' attempts to disperse it on 11 December have shown the fragility of the political crisis. In the coming week or so, the authorities are likely to take further retaliatory measures. There are three probable scenarios for the short term: the stand-off continues, incidents are instigated by provocateurs, or violent clashes occur with the police. The EU should be prepared for each of these outcomes, not only in terms of diplomatic rhetoric but also tangible involvement.

The Political Situation in Ukraine. Despite the cold weather in Ukraine and a lack of a solid plan amongst the opposition, the protests on 8 December resulted in peak turnout for the past two weeks. According to various estimates, the number of protesters in Kiev ranged from 300,000 to a million. Moreover, the anti-government protests have grown stronger in eastern Ukraine, too, where, for example, more than 6,000 protesters marched in Dnipropetrovsk (in comparison to 3,000 last week) and 1,000 in Luhansk.

The stand-off between the police and protesters has so far focused on blockades of government buildings. Under cover of huge crowds on Sunday, the protesters managed to increase the blockades in Kiev by putting up tents and barricades. The protesters' tactical gains were wiped away on the evening of 9 December when units of riot police and internal security troops removed the barricades and tents near the Presidential Administration building. An attempt to clear Maidan Square on the night of 10-11 December was unsuccessful given the rapid mobilisation of protesters. No major clashes between the protesters and the authorities have occurred in the meantime, but the growing presence of police around the protest sites is likely to escalate tensions.

The huge turnout on Sunday (8 December) prompted the opposition to set its first deadlines for the authorities. An opposition spokesman announced a 48-hour ultimatum for President Viktor Yanukovich to comply with three conditions: punish the police forces responsible for the crackdown on 30 November, release protesters arrested on 1 December, and resign the government. As the authorities have not complied with these conditions, the opposition must decide whether to make good on its threat to start a march towards Yanukovich's mansion in Mizhgirya, located just 5 km from the Kiev city line. Considering the concentration of special police forces there, such a march is laden with possible escalations of the conflict.

However, in counteracting these bold demands by the opposition, the government has resorted to near-criminal threats against the opposition leaders. The Ukraine State Security Service (SBU) has launched investigations against opposition politicians on charges they have called for the overthrow of the government. Besides this, the authorities have attempted to pressure the opposition leaders using other law-enforcement means: Arseniy Yatseniuk, the leader of the opposition party Batkivshchyna, was summoned to the prosecutors office to give testimony on 9 December. His party headquarters had been stormed by police on 9 December, and computer servers were confiscated. In these circumstances, the president's agreement to participate in roundtable talks can hardly be seen as a credible step towards compromise, though his declaration that he intended to see some of those detained set free look like a partial concession. Based on these trends, the situation in the next week will develop along one of three scenarios.

Scenarios. Most likely, the stand-off between the protestors and authorities will continue on the streets. The authorities will continue to prevent new blockades of administrative buildings. They will also try to “behead the protests” by arresting and intimidating individual activists. The recent arrests of a dozen protestors serve two purposes: in addition to intimidating the remaining protestors, they isolate the most active ones, for example, the arrest of journalist Andriy Dzyndzha and charges against his lawyer. However, further arrests might raise the risk of increasing radical sentiments among the protestors as coordination and mediation within the protest environment becomes trickier without them. The authorities might also try to rein in coverage of the protests in the private media to control the information flow; several media outlets have fallen victim to regular cyberattacks recently. The opposition, on the other hand, is likely to take up more of a defensive posture until the weekend, as the number of protestors in Kiev’s centre is lower during the week. The march to Yanukovich’s mansion in Mezhyhirya would most likely be blocked by police forces, and the logistics of a longer blockade make it complicated for a long period. Hence, an outcome to the stand-off will guide the opposition’s agenda for the next big rally, likely on Sunday, 15 December.

The second scenario would follow along the lines of a “mild” repression of the protestors. The authorities would continue increasing the number of (allegedly, paid) counter protestors “deployed” from outlying areas to Kiev in the run-up to Sunday in order to shore up its legitimacy in the state-owned media and clog some areas and keep them from anti-government protestors. More importantly, frequent provocations of the opposition are likely to be carried out by what are essentially paid thugs (dubbed “titushki” in Ukraine) or even by undercover security service employees that infiltrate the crowds. The discovery of an armed undercover agent of the State Guard Service, who had been detained by protestors on 8 December, could be a harbinger of the type of potential provocations the authorities have in mind. If there is a struggle for control of the streets, the deployment of provocateurs would be used to instigate clashes with protestors at government buildings. This might in turn create a pretext for riot police units to be deployed to the frontline. This would likely cause skirmishes with the crowds of protestors at the barricades and, potentially result in injuries on both sides, as the provocateurs would be largely ignored by the police. However, if the police forces refrain from openly escalating the situation, the protestors are likely to maintain security and control.

The third, most dangerous scenario starts with bloody clashes between protestors and security forces that prompt Yanukovich to declare a state of emergency, or even to try to enforce it without parliament’s approval. In keeping with the move by police forces and internal security troops to unblock the administration building this past Monday, the authorities will continue to station sizeable security forces deployed from outside the city in order to prevent protestors from once again barricading government buildings. In doing so, the authorities are likely to continue using internal security troops as cannon fodder for the protestors, while any attempts to actually resist would be met with a clampdown by riot police (Berkut). Clashes with protestors after the weekend would be particularly risky as the opposition is expected to hold another major rally, with half of the protestors likely to leave Kiev afterwards.

If these units were to meet with massive resistance over the weekend, Yanukovich might resort to announcing a state of emergency at the beginning of next week. Given the apparent split within the major oligarchic groups regarding the protests, the regime might not have the full support of a majority in the Verkhovna Rada (parliament) and a vote against his declaration might be seen as risky and a large loss politically. Hence, Yanukovich might opt for one of two equally questionable outcomes. His first would be to hold the parliament vote in an alternative location with restricted access to journalists so as to falsify the vote to secure the majority. His other option would be to try to enforce the emergency declaration without parliament’s consent, which would pose a dilemma for the country’s military about whether to execute the order. Both of these outcomes would further radicalise the protests and deepen the rift inside Ukrainian society. Considering the regional divide of Ukraine, the escalation of tensions could spill over into a civil conflict laden with secession threats from some regions.

Conclusions and Recommendations. The situation in Ukraine has reached a critical point where a political solution cannot be forged between the government and the opposition on their own. The government is unwilling to listen to the other side, while the opposition most likely cannot yield its three major demands under the upward pressure from the protestors. An attempt to disperse the protestors on Maidan has undermined any remnants of credibility the authorities had left. Based on the scenarios developed above, the security situation may soon be aggravated as the government seeks to restrict the opposition left’s expansion of protests ahead of the next big rally on 15 December. Given these circumstances, Ukraine is in dire need of external mediation, although the initial efforts of representatives from the EU and the U.S. failed to put pressure on Yanukovich’s repressive apparatus.

The EU as well as Poland itself should start engaging all major regional actors to prevent the violent use of force by the authorities. Rather than trying to bring the opposition and the government to roundtable talks, which is very likely to fail, foreign mediators should instead opt for a form of proximity talks and negotiate terms with each party in turn. A key demand for the government should be to withdraw all of its non-Kiev forces to prevent the clashes seen on 9-11 December. This condition should become *sine qua non* for further negotiations regarding the Association Agreement.