



EYEWITNESS TO HISTORY

OSCE diplomacy in action

Searching for a solution in Ukraine

On 21 November 2004, a nation of 47 million in the heart of the OSCE area found itself faced with its most hotly contested election since it gained independence in 1991. The presidential contest in Ukraine, now on its second round, had turned into more than a mere competition between two candidates. For voters and their families, much more was at stake: the country's future direction, as epitomized by two different visions.

Secretary General Ján Kubiš (left) with international mediators and Ukrainian leaders, 6 December 2004, at the Mariinsky Palace. AFP photo/Sergei Supinsky

BY OLEKSANDR PAVLYUK

Long before the first round on 31 October, many observers were convinced that the election would have historic significance not only for Ukraine but also for the Commonwealth of Independent States and for Europe. No one, however, could have foreseen the suspense and drama that would build up in the country as the year drew to a close.

It all started on the morning of 22 November, when more than a hundred thousand Ukrainians gathered at Kyiv's *Maidan Nezalezhnosti* (Independence Square), protesting against what they perceived as blatantly fraudulent practices the day before. Their numbers were to grow with every passing day. In a simultaneous development all across the country, millions flooded into the streets.

For 17 straight days and nights, men and women, young and old, rich and poor, Ukrainian- and Russian-speaking, kept vigil on *Maidan*, often in freezing temperatures.

The entire capital was transformed into a landscape of bright orange — the campaign colour of the opposition party. Orange flags fluttered from cars and balconies, orange ribbons adorned tree branches and everyone wore something in orange — a hat, a scarf, or a sweater.

It was this emotionally charged, politically uncertain and potentially explosive situation that set the stage for the OSCE's participation in an urgently initiated international mediation effort. Secretary General Ján Kubiš arrived in Kyiv in the early afternoon of 26 November, having been asked to represent the Organization by the 2004 OSCE Chairman-in-Office, Bulgarian Foreign Minister Solomon Passy. Lamberto Zannier, Director of the Conflict Prevention Centre,

and I had flown in earlier and were standing by to provide support.

From the airport, we whisked the Secretary General to a bilateral meeting with departing President Leonid Kuchma. He was spending the last few weeks of his presidency in his official residence outside the city. As we drove through the snow-covered woods, I felt uniquely privileged — as a Ukrainian-born staff member of the largest security organization in Europe — to be taking part in the making of history in my own country.

After the one-hour meeting, we proceeded to our next appointment: discussions with the leader of the democratic opposition, Viktor Yushchenko. We found his election headquarters in Podil, the historic part of the city, buzzing with revolutionary fervour. People exuded conviction and deep confidence in their cause.

That evening, the first of what was to be a series of “roundtable” meetings was held in the presidential Mariinsky Palace, in central Kyiv. President Aleksander Kwasniewski of Poland, President Valdas Adamkus of Lithuania, EU High Representative Javier Solana, OSCE Secretary General Ján Kubiš, and Speaker of the Russian State *Duma*, Boris Grizlov, were joined by the central figures in Ukraine’s crisis: President Kuchma, Chairman of the *Verkhovna Rada* (parliament) Volodymyr Lytvyn, and the two presidential contenders, Viktor Yushchenko and Viktor Yanukovych.

The meeting proved to be a timely and ground-breaking confidence-building measure. It was the first face-to-face encounter between the two camps since the election. Tension and unease were in the air. Gradually, however, this gave way to dialogue — a major feat, given the wide chasm between the two sides.

The OSCE’s preliminary findings and conclusions concerning the second round of the presidential election served as the springboard for discussions. Citing the report of the Office for Democratic Institutions and Human Rights (ODIHR), the Secretary General pointed out that “the second round of the Ukrainian presidential election did not meet a considerable number of OSCE commitments and Council of Europe and other European standards for democratic elections”.

This first meeting ended with a joint statement urging all sides to refrain from the use of force and to start negotiations towards a peaceful settlement of the political stalemate. Although the Ukrainian leaders

and the citizens themselves were the key players, the engagement of the international mediators — at the roundtable talks as well as in the flurry of behind-the-scenes diplomacy — was essential to maintaining the momentum of the complex process.

A second meeting was held on 1 December, followed by a third on 6 December. The latter lasted six hours, ending only after 2.00 a.m. the next day, reflecting the general intransigence on both sides. At a particularly trying moment, the heads of delegation secluded themselves in another room to try to come up with an agreement among themselves. The rest of us waited anxiously and impatiently, exchanging views and trying hard to fight exhaustion and drowsiness. Everyone was eager to bring about a positive outcome.

When Parliamentary Chairman Lytvyn emerged from behind closed doors and shook his head, looking dejected, I realized our optimism had been premature: the meeting was to conclude without an agreement after all, although a statement to the press was issued.

The discussions did serve to create a sound basis for the critical compromise reached the next day, 8 December, at the *Verkhovna Rada*, which, in turn, paved the way for the repeat of the second round of elections on 26 December.

People’s faces reflected determination while radiating peace and good cheer.
Photo: ODIHR/Urdur Gunnarsdottir





The mood was festive at the inaugural ceremony of Ukraine's new leader.
Photo: OSCE/BOBO

The solution, said Ukrainian Foreign Minister Kostyantyn Gryshchenko in a letter of appreciation to the Secretary General, was “civilized, legal and, most importantly, non-violent”. The broad package of agreements in parliament included amendments to the Law on Election of the President of Ukraine that were specifically meant to prevent fraud and falsification. Another set of intended amendments focused on changes to the constitution of Ukraine, aimed at reforming the political system and maintaining a better balance between the branches of power.

Besides participating in the roundtable meetings, we also held numerous bilateral meetings with Parliamentary Chairman Lytvyn, presidential contender and Prime Minister Viktor Yanukovich, leaders of the opposition Yuliya Tymoshenko and Borys Tarasyuk, Foreign Minister Gryshchenko, and the Russian and American Ambassadors to Ukraine.

By the time the crisis was over, Secretary General Kubiš had visited Kyiv four times within a 10-day period. In every single discussion with Ukraine's leaders, he remained focused on his core message: Refrain from the use of force and proceed with political dialogue. He also expressed the OSCE's commitment and readiness to do everything possible to help ensure that the repeat of the vote on 26 December would be free, fair and transparent.

Several aspects of the OSCE's constructive role had become apparent: the Organization's impartiality, its internationally recognized election standards, its outstanding reputation in election-monitoring, its professional track record in Ukraine, and,

last but not least, the cordial personal relations between Ján Kubiš and several Ukrainian leaders.

A few days after the much-heralded compromise was reached in the *Verkhovna Rada*, Chairman Lytvyn wrote a letter to the Secretary General expressing “sincere gratitude” for his active participation in resolving the political crisis. He was confident that the relationship between Ukraine

and the OSCE would become even closer, and would contribute to “strengthening peace and stability in the Euro-Atlantic space and in the world”.

The series of visits left me with many deep and lasting impressions. There was the night after the first meeting when we went without any sleep as our hotel rooms were almost directly facing Independence Square, which was pulsating with non-stop energy.

There was one evening when the Secretary General and I deliberately sought out a closer look at the action on *Maidan*. We were overwhelmed by what we saw: a sea of humanity as far as one could see, dominated by orange and blue-and-yellow Ukrainian flags, with splashes of Georgian, Lithuanian, Polish and Russian banners. People's faces reflected determination and self-discipline but at the same time radiated a feeling of peace and good cheer.

Another memorable incident took place on our way from one meeting to another. Our car was blocked by demonstrators and it took about an hour and the personal intervention of Yuliya Tymoshenko — now Prime Minister — before we could get going again.

Looking back, I realize now that the people's unbowed spirit that emerged from the “Orange Revolution” is the best guarantee that Ukraine will ultimately come into its own. The OSCE stands ready to continue playing its part in the country's progressive steps towards democratization — whether through the office of the Project Co-ordinator in Ukraine, or by sending observers to the parliamentary elections in late March 2006.



Oleksandr Pavlyuk is Acting Head of the OSCE Secretariat's External Co-operation Section.