

U.S.-UKRAINE POLICY DIALOGUE

A Discourse Among Partners



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Politics & Governance Task Force: ACTION PLAN

The positive achievements of President Yushchenko, the Government, and the Verkhovna Rada should be dutifully supported by the Euro-Atlantic community of nations. We understand that this is a two-way process whereby Ukraine's positive achievements in different aspects of reform and battling corruption are recognized and given due credit. The form and type of this recognition is an issue for western government and international organizations to decide themselves. We underscore the importance of providing tangible support and moral support to permit President Yushchenko, the Government, and the Rada to continue on the path of democratic reform and Ukraine's Euro-integration. We urge the United States and other western donors to evaluate carefully the needed technical assistance to meet Ukraine's stated goals of reform in creating a European democracy.

The promises of President Yushchenko to the people of Ukraine are vitally important. Promises from the West to Ukraine are no less important. The joint statement issued by President Bush and President Yushchenko on April 4, 2005 "A New Century Agenda for the Ukrainian-American Strategic Partnership" is directly relevant. The two presidents stated, "We commit our nations to working together to advance freedom and security grounded in democratic principles and institutions, which form the foundation of our relationship....We will work together to strengthen democratic institutions in Ukraine." One of the commitments made by the United States has been to remove Ukraine from the Jackson-Vanik provisions. It is in this spirit that the U.S.-Ukraine Foundation and the U.S.-Ukraine Policy Dialogue has brought together a coalition to support Ukraine's graduation from the Jackson-Vanik Amendment. This U.S.-based coalition is chaired by former ambassadors to Ukraine Ambassador William Green Miller and Ambassador Steven Pifer. We are gratified to learn that, in support of the joint statement by the two presidents, Secretary of State Condoleezza Rice has already communicated with the U.S. Congress that the Jackson-Vanik Amendment should be repealed for Ukraine.

We iterate the importance, from the historical perspective, that the promises made to Central European and Baltic States were crucial for those states to maintain their course of domestic reform. This kind of support to Ukraine is no less crucial.

The Dialogue members support the efforts of the Ukrainian government led by President Viktor Yushchenko to strengthen the values of democracy in Ukraine that were embodied in the ideas of the Maidan, to achieve the goal of Euro-Atlantic integration, and to ensure execution of the election obligations undertaken by President Yushchenko at the Maidan.

At the same time, we are deeply concerned about the internal conflicts that emerged within the governmental team, which resulted in doubt by some of the population that the Orange Revolution would be able to achieve its goals.

The Dialogue participants consider that the following main challenges facing the new Government have not yet been adequately addressed: corruption, abuse of office, illegitimate influence of business interests upon politics ("political corruption"), a lack of transparency in governmental processes and politics, and a lack of political accountability to the public.

The Dialogue members pay especial attention to the upcoming elections to the Verkhovna Rada of Ukraine and local governments. These elections should clearly answer the question whether or not Ukraine has made an irrevocable step on the path of democratic development and closed the post-Soviet period in its history. Depending upon how honest and transparent the elections will be, the Euro-Atlantic and international community of democratic nations will be able to judge Ukraine's progress towards Euro-Atlantic integration.

The process and outcome of the upcoming elections will determine whether there will be a genuine democratic restructuring of society. Free and fair elections will enable citizens' understanding of democratic values and will encourage citizens' participation in the democratic political process through membership in, or support of, various political parties.

Considering the present-day social and political situation in Ukraine, the Dialogue participants have identified a set of short-term and long-term priorities and propose the following:

Short-Term Tasks (pre March-2006 elections)

A call to the leaders of political parties with an initiative to sign a document "Standards of Ethical Conduct for the Election Campaign", and to focus their attention on the following issues:

- to ensure the transparent and democratic compilation of voter lists at all levels. Specifically, by providing access for Ukrainian and international observers, NGO representatives, media representatives and allied political forces from other countries to congresses and conferences where the party lists are to be approved;
- all candidates, including the top five candidates in each party list, should publish data on their financial standing, ownership and actual earnings;
- to ensure the transparent financing of the election campaigns by publishing information on their budgets and sources of income;
- to ensure access by Ukrainian and international observers to monitor the activities of political parties at all stages of the election process.

A call to the private sector

Encourage NGOs involved in election monitoring activities to continue to:

- monitor that political parties abide by the "Standards of Ethical Conduct for the Election Campaign". Violations should be published in the mass media, and the public informed by all possible methods. Effective means of such monitoring would be enhanced by the creation of coalitions of NGOs for monitoring the elections on the national and regional level.
- call on western observers to monitor the entire election campaign process, as well as the election day activities.

The Dialogue participants welcome the political leadership's rejection of the use of any kind of administrative resource on any level, and

- call upon the leaders of the state to ensure political neutrality, particularly by high level officials and civil servants, and to guarantee adherence to this during the election campaign.

The Dialogue participants welcome the declared intention of the President, Government, and political parties to provide legal guarantee of the rights of the legitimate political opposition parties in Ukraine, but stress the need to complete this process before the elections.

Medium and Long-Term Tasks

In supporting the intentions and actions of the authorities in conducting public administration reform in Ukraine and, specifically, reform of the civil service, we believe it is imperative to stress the need for better coordination of both the system and process. With this goal in mind:

- we propose the creation of a single coordinating center of public administration reform at the level of the Cabinet of Ministers.

The Dialogue participants acknowledge initial efforts by the President, Government and Rada in the battle against corruption. We believe that there are several additional vital steps that need to be taken:

- a comprehensive national program on battling corruption should be passed as a strategic document;
- a new law on preventing corruption should be passed;
- a special body at the upper level of government should be created, charged with the prevention and battle with corruption at all levels of government.

We believe that there is an urgent need to adopt a law establishing appropriate standards of appropriate behavior for civil servants, including the creation of a centralized system monitoring adherence.

We commend the intentions of the new government to introduce active mechanisms for declaring property, income and expenditures by officials at all levels. We call particular attention to this need in order to ensure both public and media access to this information.

We reaffirm the need to develop and adopt a law on lobbying and lobbying activity as a means of ensuring greater transparency for public monitoring of the legislative process and the work of interest groups in this process.

The relationship between the Government and NGOs, particularly for work on such as studies of important matters of public policy, should be clarified in order to assure that such activities are not subject to conflicts of interest. The interaction between NGOs and Government is necessary for the strengthening of civil society, but it is also necessary to assure the independence of NGO activity.

We approve of the President's and Government's efforts to assist the development of NGOs and their involvement in the policy formulation process as well as the goal of creating a better environment of support for their activities. We also hope that the question of regulating the process of allowing NGOs to work on government contracts on a competitive basis and without any compromise of independence will be taken seriously.

The Dialogue participants reaffirm the recommendations made during its June session and urge that the President, Government and Rada continue to implement the recommendations.

On their part, the Dialogue participants are prepared to continue their work in a joint effort both in Ukraine and in the United States in order to achieve the abovementioned goals for the strengthening of democracy.

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