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Democracy-Building in the New Independent States of the Former Soviet Union: Progress and Implications for U.S. Interests

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ABSTRACT

This report provides a discussion and analysis of democratization efforts in the New Independent States of the former Soviet Union (NIS; Armenia, Azerbaijan, Belarus, Georgia, Moldova, Kyrgyzstan, Kazakstan, Russia, Tajikistan, Ukraine, and Uzbekistan) and U.S. democracy-building assistance. It lists benchmarks of democratization and groups NIS according to their apparent democratization progress. It discusses problems of democratization in the NIS and criticism of U.S. democracy-building efforts. The prominent recent concerns of many in Congress and elsewhere with the effects of NATO enlargement on Russia's democratization are presented. The paper highlights several issues for Congress in assessing U.S. democracy-building efforts in the NIS, including the propriety of such assistance, the kinds of assistance programs to promote, criteria to use in assessing who receives assistance, and the effectiveness of democracy-building. Tables include a checklist of democracy-building progress in each NIS; U.S. aid data ordered by democracy-building program; and cumulative aid obligations for each NIS for FY1992-FY1997, the Administration's FY1998 estimated spending, and the Administration's FY1999 aid request. An Appendix presents brief information on democracy-building in each NIS and on proposed Administration assistance programs for FY1999. The report will be updated as democratization and legislation warrant. Related products include CRS Issue Brief 95024, *Armenia, Azerbaijan, and Georgia*; CRS Issue Brief 93108, *Central Asia's New States*, and CRS Issue Brief 92089, *Russia*.

Democracy-Building in the New Independent States of the Former Soviet Union: Progress and Implications for U.S. Interests

Summary

Since the end of the Cold War and the advent of independence for the former Soviet republics, these new independent states (NIS) have made varying progress in implementing democratic reforms. Some NIS such as Russia appear to be making some progress, a few such as Kyrgyzstan appear to be faltering, and several such as Turkmenistan appear to be making scant progress.

Successive U.S. Administrations have fostered democracy-building in the NIS as a primary foreign policy objective. Broadly, U.S. policymakers have stressed that the containment policy of the Cold War has been replaced with the policy of engagement and enlargement to increase the world's free market democracies. Democratic NIS are regarded as more likely to conduct peaceful foreign policies and to uphold civil and human rights. Also, U.S. trade and business would likely be attracted to democratic NIS where the rule of law is respected. The Administration generally adheres to the idea that democracy-building and the creation of market economies can proceed simultaneously in the NIS as the best means to ensure stable reforms. Several U.S. agencies carry out democracy-building programs, with the U.S. Agency for International Development playing a prominent role.

In practice, U.S. democracy-building aid reflects various interests and aid goals and particular needs in an NIS. Cumulative data for FY1992-FY1997 appear to some degree to show that democracy-building aid has been targeted to NIS that are faltering or making scant progress in order to bolster civil society. Democracy-building aid to Belarus, Kazakstan and Uzbekistan has been aimed at bolstering the growth of NGOs in countries where the political systems are largely undemocratic. The Administration has placed some priority on democracy-building in Russia and Ukraine because of their large populations and territory (and the strategic threat of an unstable, nuclear-armed Russia), their geopolitical and cultural connections to Europe, and the view that democratization in these NIS provides examples to other NIS. Cumulative aid figures for Armenia, Georgia, and Tajikistan reflect a recent shift to some democracy-building aid and efforts to relieve humanitarian suffering related to conflict.

Most in Congress have supported aid for democracy-building in the NIS, though there have been varying concerns about the duration, conditionality, and scope of such aid. Some have urged earmarking or otherwise highlighting democracy-building aid for Armenia, Georgia, Ukraine, and other NIS, while others have criticized the effectiveness or pertinence of existing democracy-building and other NIS aid. Foreign operations appropriations for FY1998 (P.L.105-118) reduced the Administration's request for aid to the NIS to $770 million (from $900 million), but otherwise generally reflected a shift in program priorities to grassroots democracy-building efforts. Congressional debate on the FY1999 NIS aid request appears supportive of the Administration's plans for democracy-building programs in the NIS, but less receptive to other NIS programs and requested funding levels.

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Introduction

Many analysts argue that a process of political liberalization undertaken by former Soviet President Mikhail Gorbachev in the late 1980s contributed to the collapse and breakup of the Soviet Union at the end of 1991. The new independent states (NIS)[1] that emerged from the breakup professed intentions to democratize and to uphold human rights. These assurances were given to the United States when diplomatic relations were established, and several NIS leaders on U.S. visits have repeated these assurances.[2]

According to some analysts, the interest in democratization in the NIS is part of the expanding worldwide appeal of democratic governance.[3] But democracy is only one of several possible outcomes of transition from communist rule in the NIS. Many observers optimistically argue that all the NIS have at least formally disavowed communism. They contend that a majority of the NIS have made at least faltering progress in democratization, despite the harsh obstacles and legacies the NIS have faced. Other observers are less sanguine, concluding that only a few of the NIS appear to be making much progress in becoming democracies. They also argue that none of the NIS has made enough progress that democratization might be termed consolidated, or unlikely to face reversal. This paper examines democratization in the NIS, grouping them broadly into three categories based on their progress in reaching various benchmarks. The paper will examine U.S. Administration policy on democracy-building in the NIS and Congressional and other concerns and issues. In practice, U.S. democracy-building efforts in each NIS reflect various interests and aid goals, as well as the particular needs of an NIS and its receptivity to aid.

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[1]The Baltic states regained their independence in September 1991. They are usually considered in U.S. aid and policy discussions as part of Central Europe rather than as members of the NIS, and are not included in this study.

[2](name redacted), *Diplomacy in the Former Soviet Republics*, Westport CT: Praeger, 1995, pp. 61-64. Several analysts have stressed that the collapse of communism removed it as an alternative model for developing states to follow. See Francis Fukuyama, *The End of History and the Last Man*, New York: The Free Press, 1992.

[3]The fall of communism in Central Europe and the Soviet Union was preceded by the collapse of authoritarian regimes in Southern Europe, Latin America, and elsewhere. See Samuel Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, Cambridge, MA: Harvard University Press, 1991.

The United States long has been committed to expanding the number of democracies in the world. Broadly, U.S. policymakers have stressed that the containment policy of the Cold War has been replaced with the policy of engagement and enlargement to increase the world's free market democracies. The Administration has argued that good relations with Russia and Ukraine are a primary objective of U.S. foreign policy and that fostering democratization in these and other NIS is one of the central objectives of U.S. aid. Democratic NIS are viewed as a U.S. security interest, since democracies are considered unlikely to start wars.[4] In this view, a democratic Russia and other NIS could be integrated into the Western community of democratic states and they would uphold international civil and human rights standards. Also, U.S. trade and business would be attracted to democratic NIS where the rule of law is respected, according to the Administration.

Congress has generally supported Administration efforts to foster democracy in the NIS, with differences in emphasis and timing. Congress was at the forefront in the early 1990s in calling for a coordinated U.S. aid response to the breakup of the Soviet Union, and more recently in directing the Administration to devote more resources to bolstering independence and democracy-building in the non-Russian NIS. For FY1998, Congress also generally endorsed the Administration's Partnership for Freedom Initiative (and partly funded it), which calls for shifting and increasing aid resources devoted to civil society programs. At the same time, many in Congress have voiced concerns about the long-term commitment of Russia and other NIS to democratization, the effectiveness of U.S. aid programs in fostering NIS democratization, and the aptness of Administration support for NIS engaging in nondemocratic actions. (See below, *Issues for Congress*.)

What Is Democracy-Building?

Democracy-building is usually defined as those activities that aim at establishing and strengthening democratic processes and institutions. Efforts to promote democracy, according to the State Department, include civic education, conflict prevention and resolution, ethnic, racial, and religious diversity programs, human rights education and training, legislative, political party, public administration, and trade union development, rule of law initiatives, support for elections and electoral reform, and support for civilian control over the military.[5] More generally, many observers have focused on several benchmarks of progress in democracy-building.

- The establishment of civil peace (or at least the geographical containment of conflict) is one of the precursors of successful democratization. Contending

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[4]Some observers have warned that, while mature democracies have not been warlike, democratizing states may pursue aggressive foreign policies. See Michael Doyle, *The Ways of War and Peace*, New York, Norton, 1997; and Jack Snyder and Edward Mansfield, *Foreign Affairs*, vol. 74, May-June 1995, pp. 79-97.

[5]U.S. General Accounting Office. *Promoting Democracy.* GAO/NSIAD-94-83, January 1994, pp. 1, 10; and U.S. General Accounting Office. *Promoting Democracy: Progress Report*. GAO/NSIAD-96-40, February, 1996, p. 10.

ethnic, clan, or regional groups can stymie the development of a broadly democratic state.[6]

- Approval or amendment of a constitution providing for representative institutions, the separation of powers, and broad protection of human and civil rights. Rights include freedom of speech and media, and protections allowing the growth of myriad and influential interest groups.[7]

- Occurrence of substantive and open debate and the passage of important laws by the legislature.

- Adoption of a multiparty electoral system and repeated occurrence of free and fair elections that result in a peaceful transfer of power.[8]

- Minimal public support for parties or groups opposed to democracy.[9]

These benchmarks do not necessarily all need to be present for democratization to occur, but substantial progress on the benchmarks will usually lead to a consolidated democracy (where reforms are less likely to be reversed). Some analysts take the view that democracy-building marks its first success when the first competitive and free and fair election occurs and seems more assured when the second and third such elections take place. Many suggest that such elections and other benchmarks can be seen as part of a continuum of gradual consolidation. The Appendix discusses progress on benchmarks for each of the NIS.

Democracy-Building in the NIS: Progress and Problems

Democratization faces more difficulties in the NIS than in long-existing countries in Latin America and Southern Europe that have recently democratized, according to many observers. The NIS face problems of national identity (including defining citizenship), that are wrapped in issues of contested borders, separatism, and ethnic tensions. In this view, a legacy of communist habits of thinking and acting makes democratization more difficult, although such habits may be less entrenched where NIS have had previous experience with some degree of democratization.

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[6]Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation*, Baltimore, Johns Hopkins, 1996, pp. 366-400. Rogers Brubaker argues that titular ethnic elites in the NIS tend to promote their language, culture, demographic strength, economic welfare, and political hegemony, rather than democratic inclusiveness. See *Theory and Society*, February 1994, pp. 47-78.

[7]Other important issues bearing on the effective separation of powers include the supremacy of the rule of law and its exercise through a free judiciary, and control of military and security forces by civilian leaders.

[8]Lawrence LeDuc, Richard G. Niemi, and Pippa Norris, eds., *Comparing Democracies*, Thousand Oaks, CA, Sage, 1996. They argue that "elections are a central, if not the central, institution of democratic governance" (p. 4).

[9]Richard Rose, *Journal of Democracy*, Vol. 8, No. 3, 1997, pp. 92-108.

Armenia, Azerbaijan, and Georgia can point to brief periods of independence and non-totalitarian existence after World War I as historical models. On the other hand, it can be argued that the bad memories many citizens have of communism may spur them to support democratization rather than permit backsliding.[10]

National Identity Issues

The cases of Georgia, Azerbaijan, and Tajikistan illustrate the difficulties of state-building in multiethnic states. In these states, a democratization policy that emphasized the inclusion of minorities in the political and economic life of the state was not followed. Inclusive policies focusing on ethnic or regional representation in the legislature, federalism, multiple official languages, teaching in multiple languages, economic equality, and legal protections for minority rights can sometimes allow democratization to occur in multiethnic states. Where leaders do not follow these policies, minorities might be faced with choosing between assimilation or secessionism, or face repression and "ethnic cleansing."

Setbacks to democratization in Armenia, Azerbaijan, and Georgia (with the latter resuming progress after 1995) and the uncertainties faced in Tajikistan are signs that internal civil peace appears to be a basic condition for substantial and consolidated democratization. Georgia's and Moldova's progress will remain conditional until internal dissension and the political status of ethnic minorities are resolved, according to many experts. Armenia's relationship to Nagorno Karabakh (NK; a breakaway part of Azerbaijan inhabited mostly by ethnic Armenians) also remains ambiguous (are NK Armenians citizens of Armenia?) and has given rise to conflict and dissension.

Some observers argue that the underfunded and inadequately manned and provisioned armed forces in the NIS threaten civilian leaders and democratization, while others argue that a greater danger to democratization is posed by paramilitary groups. In the case of Russia, some observers conclude that the military's involvement in political disputes in 1991 and 1993 increases the possibility of its future involvement, including a possible coup.[11] More commonly, however, paramilitary groups have posed regional or regime threats in Georgia, Moldova, Russia, and Tajikistan. In Georgia, paramilitary coup forces were partly supported by a badly split Georgian National Guard in overthrowing President Zviad Gamsakhurdia. Paramilitary forces led separatism in Abkhazia and South Ossetia (assisted by Russian irregulars and military forces). Paramilitary groups successfully prosecuted the Chechen separatist conflict in Russia. In Azerbaijan, paramilitary forces (supplied with arms by the Russian military) pressured the resignation of President Abulfaz Elchibey. In Moldova, paramilitary forces (assisted by the Russian

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[10]Samuel Huntington, *Global Resurgence*, pp. 3-25; Kenneth Jowitt, *Global Resurgence*, pp. 26-35; Linz and Stepan, pp. 55-56.

[11]On the debate, see U.S. Library of Congress. Congressional Research Service. *Russia's Conventional Armed Forces*, by Stuart Goldman. CRS Report 97-820, pp. 31-33; and *Russia's Civil-Military Relations*, by (name redacted). CRS Report 94-631.

military) led separatism in the Transdniestr region. Military and paramilitary forces have clashed during Tajikistan's seven-year civil war.[12]

Leadership

The pace of democratization in the NIS is also influenced by the disposition of ruling elites toward reform, as well as variations in mass political culture. Several NIS leaders have discouraged democratic participation -- ranging from peaceful demonstrations to elections -- sometimes leading to civil conflict. In the late 1980s, Soviet Russia had developed many new interest groups that urged Gorbachev to implement more reforms. Central Asia, in contrast, had lower levels of urbanization and education, and local and clan-based loyalties were often more significant than wider political engagement and civic responsibility.

Strong presidential systems in the NIS have hampered the emergence of political parties and effective legislatures.[13] The presidents either feel themselves to be "above politics" or head or back dominant communist-type parties. Several NIS presidents altered their constitutions to enhance their powers relative to their legislatures. Other analysts argue that presidential systems can be conducive to democratization if power is shared more equitably among the branches of governance.

Marking at least a concern with appearing democratic, NIS leaders have not usually canceled elections, except in three Central Asia states, where referendums on extending presidencies were held to circumvent competitive elections. Some NIS leaders have delayed or forced early elections, such as legislative elections in Kazakstan, Kyrgyzstan, and Russia (in the latter, the legislature was forcibly dissolved). Efforts to manipulate or unfairly influence electoral results are more common, as in the Armenian presidential elections of 1996, the 1993 Azerbaijani presidential race, and the Tajik legislative races of 1995, where international monitors did not judge the elections as free and fair.

A peaceful leadership transition is a stringent test of democratization. Peaceful leadership transitions have occurred in Ukraine and Moldova. Undemocratic and violent changes of executive power have occurred in Georgia and Azerbaijan. In Belarus, Kazakstan, Turkmenistan, and Uzbekistan, presidents have clung to power by holding referendums to extend their rule, without benefit of contested elections.

Crime and Corruption

While some observers argue that some crime and even corruption may be useful in some cases in facilitating economic decision-making, the distribution of resources, and even the development of free markets, others caution that rampant crime and corruption are bound to erode and retard economic and democratic reforms.[14]

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[12]Charles Fairbanks, Jr., *Journal of Democracy*, October 1995, pp. 18-34.

[13]Juan Linz, *Global Resurgence*, pp. 124-142.

[14]For details, see U.S. Library of Congress. Congressional Research Service. *Crime in* (continued...)

According to a recent World Bank report, public officials in Russia, Ukraine, Azerbaijan, Kazakstan, and Uzbekistan, were viewed as most corrupt in these NIS, and corruption and crime in the NIS region were viewed as higher than in any other area of the world.[15] Where NIS officials are corrupt and crime is rampant, the issue of aid diversion also becomes critical. Congressional concerns about corruption and crime in the NIS and effects on aid contributed to a provision in P.L.105-118 (Foreign Operations Appropriations for FY1998) that some U.S. assistance to Ukraine would be withheld until problems affecting U.S. private investment were resolved, and to a conference report request (Conf.Rept. 105-401) for an Administration assessment of the effects of crime and corruption in the NIS.[16]

Grouping NIS by Progress in Democratization

There have been various efforts to group NIS by their progress in democratization. Prominent among these have been those carried out by the human rights organization Freedom House, in cooperation with USAID. They have undertaken to "assess the progress of ex-Communist countries in ridding themselves of the shackles of a repressive political system" and a centralized economy. Their 1997 "Nations in Transit" project discerned three groups or subgroups among the NIS, more and less advanced transitional states and autocracies. Freedom House categorized all the transitional states as unstable democracies capable of progressing, stagnating, or retrogressing, and stated that these countries may be most influenced by Western democracy-building aid.[17]

Based on the benchmarks of progress reflected in Table 1, and other criteria evaluated by Freedom House and the State Department, this report will discuss three groups of NIS, those that are democratizing, faltering, and backsliding or failing to democratize. Four NIS -- Russia, Ukraine, Moldova, and Georgia -- appear to have made some democratization progress. Three NIS -- Armenia, Kyrgyzstan, and Azerbaijan -- appear to have faltered, while the remaining NIS -- Belarus, Kazakstan, Tajikistan, Turkmenistan, and Uzbekistan -- have made scant progress or have substantially reverted to autocracy. The groupings are suggestive rather than definitive, and democratizing NIS may well "straddle" groups or move from one group to another. The question of the future of democratization largely defines the middle group of faltering states. Kyrgyzstan may strengthen its commitment to

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[14](...continued)
Russia, by (name redacted). CRS Report 94-713F; *Crime in Russia: Situation Update*, by (name redacted). CRS Report 95-486F; and *Crime in Russia: Recent Developments and Implications for U.S. Interests*, by (name redacted). CRS Report 97-705F.

[15]World Bank. *Improving the Environment for Business and Investment in the CIS and Baltic Countries*, Background Paper presented at the Annual Meeting of the European Bank for Reconstruction and Development, 1997.

[16]See also Senator Mitch McConnell, Chair of the Foreign Operations Subcommittee, Senate Appropriations Committee, Opening Statement, Hearing on Crime Programs, April 21, 1998.

[17]In consultation with USAID, Freedom House developed 46 questions to score the countries on seven categories of economic and political transition. The categories correspond to major programmatic concerns and funding emphasis at USAID and other U.S. agencies. Scoring of the categories for each NIS was carried out by Freedom House and other experts.

democratization, while Armenia's March 1998 presidential election presented a mixed picture of some improvement in voting procedures along with many voting irregularities. Azerbaijan's future democratization appears more problematic, and recent events surrounding the upcoming October 1998 presidential race raise critical concerns of further backsliding. Among the states making scant progress in democratization, Tajikistan's future is still clouded by civil disorder, though the reconciliation efforts between the government and former opposition raise hopes of progress toward stability and democratization.[18]

Table 1
Checklist of Democracy-Building in the New Independent States

Criterion	Armenia	Azerbaijan	Belarus	Georgia	Kazakstan	Kyrgyzstan	Moldova	Russia	Tajikistan	Turkmenistan	Ukraine	Uzbekistan
1.	N	N	Y	N	Y~	Y	N	Y~	N	Y	N	Y
2.	Y	Y	Y/N	Y	Y/N	Y/Y~	Y	Y	Y~	N	Y	N
3A.	Y	Y	Y	Y	N	N	N	Y	N	N	Y	N
3B.	N	N	N	Y	Y~	Y~	Y	Y	N	N	Y	N
4A.	N	N	—	—	—	Y~	Y	Y	—	—	Y	—
4B.	—	—	—	Y	N~	Y~	Y	Y	—	—	Y	—
5.	N~	N	N	Y	Y~	Y	Y	Y	N	N	Y	N
6.	Y	Y	---	Y	---	Y	Y	N	---	---	N	---
7.	Y~	Y~	N	Y	N	Y~	Y	Y~	Y~	N	Y~	N

Key: Y=Yes; N=No; ~=qualified Yes or No; Y/=constitution was later amended or superceded
1. Separatism is not a threat and civil war and conflicts have ceased
2. Democratic constitution has been approved
3A. Free and fair presidential election—first time
3B. Free and fair legislative election—first time
4A. Free and fair presidential election—second time
4B. Free and fair legislative election—second time
5. Multiple political parties at local level operate freely
6. Democratization is not threatened by extremist parties
7. The legislature is significant as a rule-making body

Sources: U.S. State Department, *Country Reports on Human Rights*; Freedom House, *Freedom in the World 1997-1998*; Freedom House and USAID, *Nations in Transit 1997*, and information in the Appendix.

[18]The groupings examined here are broadly comparable in most instances with trends and rankings on political rights and civil society as reported most recently in Freedom House, *Freedom in the World 1997-1998*, March 1998.

Implications for U.S. Interests

To further its support for political and economic reforms in the NIS, the Bush Administration submitted the Freedom Support Act to Congress in early 1992, and an amended version was signed into law in October 1992 (P.L.102-511). It states that the collapse of the Soviet Union presents a "historic opportunity" to the West to encourage the new states to enter the "community of democratic nations," and that the United States should play a special role in fostering "the development of institutions of democratic governance, including electoral and legislative systems." Other U.S. aid goals in the NIS include meeting urgent humanitarian needs, fostering free markets systems, encouraging trade and investment, promoting food production and distribution, enhancing health and human services, promoting educational reform, fostering upgraded safety at civilian nuclear reactors, enhancing environmental protection, improving transportation and telecommunications, combating illegal drugs, and protecting and caring for refugees and displaced persons.

The Clinton Administration has stressed that support for democratic reforms in Russia and other NIS are important objectives of U.S. foreign policy.[19] More generally, the Administration's *Strategic Plan* and its *National Security Strategy*, and the FY1999 Budget Request for international affairs declare that the core objectives of U.S. foreign policy are enhancing U.S. security, promoting U.S. prosperity, and fostering democracy worldwide, and form an integrated strategy of engagement. The *Strategic Plan* argues that more and more states are seeking to democratize and that U.S. and other international influence can be "crucial" to democracy-building. The Administration has placed some priority on democracy-building support for Russia and Ukraine because of their large populations and territory, their geopolitical and cultural connections to Europe, and the view that democratization in these NIS provides an example for similar democratization among other NIS. The Administration has hailed "free and fair" legislative, presidential, and regional elections held in Russia since 1995.[20] It also has welcomed democratization progress in Georgia, Kyrgyzstan, and Moldova, though in recent years criticizing some setbacks in Kyrgyzstan.[21]

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[19]U.S. Government Printing Office. *Budget of the United States Government, FY1999*, p. 155; The Secretary of State, *Congressional Presentation for Foreign Operations, FY1999*, p. 607; U.S. Department of State, *United States Strategic Plan for International Affairs*, September 1997, pp. 11-13, 37-38; President Clinton, *A National Security Strategy for A New Century*, May 1997, pp. 2-5, 22, 25, 28.

[20]U.S. Library of Congress. Congressional Research Service. *Russia's December 1995 Legislative Elections: Outcome and Implications for U.S. Interests*, by (name redacted). CRS Report 96-17F; *Russia's Presidential Election,* by (name redacted). CRS Report 96-620F; *Russia's Local Elections*, by (name redacted). CRS Report 97-276.

[21]According to the U.S. Congressional Commission on Security and Cooperation in Europe (CSCE), "more than any other [member of the Organization for Security and Cooperation in Europe], the United States has urged genuine, if measured, progress in democratization" in Central Asia. See *Political Reform and Human Rights in Uzbekistan, Kyrgyzstan, and Kazakstan*, March 1998, p. 5.

Critiques of U.S. Democracy-Building Efforts

The Administration generally adheres to the idea that democracy-building and the creation of market economies can proceed simultaneously as the best means to ensure stable reforms. Secretary Albright argued in early 1998 that "I do think that there are a set of needs [in developing states] that need to be fulfilled practically simultaneously . . . in the best of all worlds, [political development and economic development] go together." She was in part responding to criticism that U.S. support for economic development should precede support for free elections and other democratization efforts, because the latter could be destabilizing.[22]

Other critics have argued that the Administration should focus aid on NIS that have made the most progress in democratization, rather than spreading it "thinly" among most NIS. They lament that the progressive NIS are not receiving enough U.S. aid to surmount their tendencies to "stagnate" and "decay" rather than fully democratize. They criticize what they view as shallow U.S. efforts to merely foster more free elections worldwide. They point out that in countries such as Kazakstan and Belarus, where relatively free and fair elections have been held, democratization since has faltered. Consolidation efforts should include more focused and longer-termed efforts to foster individual rights and freedoms, the rule of law, the separation of church and state, and checks and balances on executive power, they argue.[23]

Among critics faulting U.S. democracy-building programs, professor Michael McFaul has called for the Administration to devote more aid to buttress Russia's substantial progress in democratization, rather than pessimistically to emphasize NATO enlargement as a hedge against democratic collapse in Russia. Others criticize a U.S. shift toward closer ties with a strategically significant Uzbekistan, rather than with the more democratically-inclined Kyrgyzstan, warning that such an emphasis does not encourage democratization in the region. They have endorsed, along with some opposition leaders in the NIS, Administration plans to focus more U.S. aid on grassroots democracy-building rather than continue aid programs viewed as directly or indirectly supporting regimes that resist democratization. Opposition figure Akezhan Kazhegeldin, former prime minister of Kazakstan, has urged that "America should demand that Central Asia go forward with democratization [and] liberalization. If you do not, you will lose. There will be expectations in society, and all the Western companies will lose, as they did in Iran." Opposition figure

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[22]Secretary of State Madeleine K. Albright, Remarks and Q&A Session at Center for National Policy, January 13, 1998. The National Endowment for Democracy likewise responded that U.S. policy should support broad democratization. See Marc F. Plattner and Carl Gershman, *Wall Street Journal*, January 26, 1998. These officials were in part reacting to articles by Robert D. Kaplan, *The Atlantic Monthly*, December 1997, pp. 55-80; and Fareed Zakaria, *Foreign Affairs*, November-December 1997, pp. 22-43. Ross Burkhart and Michael Lewis-Beck conclude in a cross-national analysis that while economic development fosters democratization, the latter can be pursued for its own sake "without sacrificing economic development." This view might be seen as supporting Administration policy. See *American Political Science Review*, December 1994, pp. 903-910.

[23]Alexander Motyl, in *Nations in Transit 1997*, pp. 17-22; Zakaria, pp. 22-43.

Rasul Guliyev, former legislative speaker in Azerbaijan, too warned in February 1998 that the lack of democratization in Azerbaijan meant that unexpected government changes in the future there could lead to the confiscation of U.S. investments.[24]

Secretary Albright appeared to address such criticism in her Congressional testimony on February 10, 1998, when she argued that U.S. democracy-building efforts were tailored to needs and receptivity in each NIS and had proved helpful to democratic groups in the NIS. She stated that "In recent months, some have criticized America for, in their words, trying to 'impose' democracy overseas. They suggest that it is hopeless and sometimes damaging to encourage elections in countries that are not yet developed. They appear to assume that our efforts are limited to the promotion of elections . . . America's aim is to assist democratic forces, where and when we can . . . we employ a wide variety of means from vigorous diplomacy to training judges to providing technical advice."[25]

NATO and Russia's Democratization

Prominent among recent criticism of the Administration's democracy-building policy has been the argument that U.S. security interests in NATO's enlargement could be harmed by a countervailing rise to power of nondemocratic ultra-nationalists and militarists in Russia.[26] The Administration has countered that NATO enlargement will bolster democracy in Europe, including democratization in Russia, Ukraine, and other NIS. However, the Administration also has attempted to take these concerns into account by backing NATO-Russia cooperation efforts. In signing the NATO-Russia Founding Act on May 27, 1997, President Clinton stated that because "Russia has opened itself to freedom . . . we see a future of partnership too long delayed, that must no longer be denied." He stressed that NATO would be dedicated "to advance the security of every democracy in Europe — NATO's old members, new members, and nonmembers alike."[27] In a speech a few days later, he argued that NATO enlargement, NATO's Partnership for Peace (PFP), and special accords with Russia and Ukraine, "will erase the artificial line in Europe that Stalin drew .... we must not fail history's challenge at this moment to build a Europe peaceful, democratic, and undivided, allied with us to face the new security threats of the new century."[28]

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[24]Michael McFaul, *Foreign Affairs*, January-February 1995, pp. 87-99; and *Washington Post*, May 19, 1998, p. A21; and Robert Dahl, *Democracy and Its Critics*, New Haven, Yale University Press, 1989, pp. 316-317; Bess A. Brown, *Authoritarianism in the New States of Central Asia*, Berichte des Bundesinstituts fur ostwissenschaftliche und internationale Studien, 1996; *New York Times*, February 17, 1998; Radio Free Europe/Radio Liberty, *Newsline*, February 6, 1998.

[25]Secretary of State Madeleine K. Albright, Statement Before the Senate Foreign Relations Committee, February 10, 1998.

[26]Michael Mandelbaum, *The Dawn of Peace in Europe*, 20th Century Fund, 1997.

[27]*Remarks by President Clinton...At NATO/Russia Founding Act Signing Ceremony*, White House, May 27, 1997.

[28]*Remarks by the President at the U.S. Military Academy Commencement*, White House, (continued...)

The impact of NATO enlargement on Russian democratization was a major concern among many in the Senate during debate on the resolution of ratification on the accession of Poland, Hungary, and the Czech Republic to NATO. Many opponents of enlargement highlighted the dangers it posed to Russia's democracy and peaceful foreign policy, and the possible negative impact on U.S. national security. Many proponents countered that enlargement would have no effect on Russia's democratization or would even support it. Others argued that stepped-up U.S. and NATO ties and aid could preclude possible harm to Russia's reforms. The Resolution of Ratification to Treaty Doc. 105-36 reflects a consensus that it is in the interest of the United States for NATO to pursue good relations with a democratizing Russia.

Senator Paul Wellstone, in opposing enlargement, contended that the forces supporting democracy in Russia would suffer, and argued that "a democratic Russia is unlikely to ever threaten its neighbors." He warned that many Western experts and Russian democrats think that enlargement "is likely to sow the seeds for the re-emergence of antidemocratic and chauvinistic trends in Russia." Senators Daniel Patrick Moynihan and Dirk Kempthorne likewise urged support for strengthening democracy and free enterprise in Russia rather than creating security problems for the West. Senator Patrick Leahy similarly warned that "the enlargement of NATO, no matter how benign, can only strengthen the hand of left and right-wing extremists in Russia." Senator Bob Smith concurred that "we ought to be doing everything in our power" to bolster democratization in Russia as the best way to preserve the independence of Central Europe.[29]

In contrast, Senator Alfonse D'Amato voiced views common to many of those endorsing enlargement that "Russian democracy will be better served by having healthy, stable, and prosperous democracies on its western border," and that "a failure to expand NATO and the European Union ... would be a victory for the anti-democratic forces in Russia." Senator Joseph Biden concurred that "if you want to give antidemocratic forces in Russia a boost," then vote against enlargement. At the same time, he called for bolstering the U.S. "hand of friendship and help to Russia." Senator William Roth argued that NATO's relations with Russia serve to draw it out of isolation and hence bolster its reforms. Senator Lugar argued that, despite years of debate over NATO enlargement, democratization in Russia has continued to make progress. Russia has cooperated with the West on some foreign policies and not on others, and this will not change with NATO enlargement, he concluded.[30]

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[28](...continued)
May 31, 1997. Others have disagreed with these arguments. On the debate, see U.S. Library of Congress. Congressional Research Service. *NATO Enlargement and Russia*, by Stanley Sloan and Steve Woehrel. CRS Report 95-594S; and *NATO Enlargement and Russia*, by Steve Woehrel. CRS Report 97-477F.

[29]*Congressional Record*, April 27, 1998, pp. S3632-S3633; April 30, 1998, pp. S3836, S3743-3744, S3857, S3889.

[30]*Congressional Record*, April 27, 1998, pp. S3603, S3617-S3620, S3633, S3638-3639, S3643; and April 30, 1998, pp. S3837, S3880. For further details, see U.S. Library of Congress. Congressional Research Service. *NATO: Congress Addresses Expansion of the Alliance*, by (name redacted). CRS Issue Brief 95076, updated regularly.

U.S. Democracy-Building Assistance

Even before the collapse of the Soviet Union, a debate occurred in the United States and in other Western countries about aiding Gorbachev's reform efforts. After the Soviet Union broke up in 1991, this aid debate intensified. Some observers have argued that reforms in Russia could be bolstered with significant U.S. assistance. The 1992 Freedom Support Act (P.L.102-511) reflected a consensus in Congress and the Administration that increased aid for reforms should be given to Russia and other NIS. The incoming Clinton Administration in early 1993 highlighted assistance for reforms in Russia and the NIS as a national security priority of the United States.[31]

Table 2
Democracy-Building AID to the NIS
*Cumulative Obligations (million dollars)**

Freedom Support Act Funds:	
Agency for International Development:	
Democratic Pluralism	259.16
Eurasia Foundation	79.77
NIS Exchanges & Training	160.11
U.S. Department of Commerce:	
SABIT Business Intern Training	15.57
Commercial Law Development	3.00
United States Information Agency (USIA):	
Freedom Support Act Exchanges	283.76
U.S. Department of State:	
Anti-Crime Training & Technical Aid	2 1 . 7
U.S. Department of Justice: Criminal Law	3.6
Peace Corps	51.35
U.S. Department of Agriculture Exchange:	
Cochran Fellowship Program	7.11
Faculty Exchange Program	1.33
Congressional Research Service	4.69
Non-Freedom Support Act Funds:	
U.S. Department of Agriculture:	
Cochran Fellowship Program	5.18
USIA Base Budget	190.95
U.S. Department of State: International	
Military Exchanges & Training	7.26
Peace Corps Base Budget	27.26
Total	1121.8

**as of September 30, 1997*

Note: Democracy-building programs as administered by the Democratic Initiatives Division, NIS Coordinator's Office, U.S. State Department.

The Freedom Support Act (Sec. 498) calls for support for the establishment of democratic and free societies in the NIS through programs to foster: (1) political, social, and economic pluralism; (2) respect for human rights and the rule of law; (3) development of institutions of democratic governance, including electoral and legislative processes; (4) improvement of public administration at all federal levels; (5) free media; (6) effective control by civilians over the military; and (7) a strong justice system. Criteria for aid (Sec. 498A) include making significant progress and commitment to creating democracy based on the rule of law, individual freedoms, and representative government formed by free and fair elections.

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[31]For background, see U.S. Library of Congress. Congressional Research Service. *U.S. Assistance to the Soviet Union and Its Successor States 1991-1996*, by (name redacted). CRS Report 98-43F.

The Democratic Initiatives Division of the State Department's Office of the Coordinator of U.S. Assistance to the NIS oversees USAID and other agency democracy-building and training and exchange aid to the NIS.[32] The branch also consults with the State Department's Bureau of Democracy, Human Rights, and Labor on policy issues of interest to the Bureau. The Coordinator's Office works closely with USAID and other agencies to establish country levels of aid. Factors determining aid levels include the strategic importance of the country to the United States, the country's commitment to moving toward democracy and free markets, and how well U.S. aid efforts achieve results. A country where U.S. aid is not achieving results might face cuts in aid, or a refocusing of aid.[33] Country aid levels are also established by Congressional earmarks or strong Congressional views. Within each NIS, planning for aid for democracy-building and other programs is carried out by resident USAID offices and approved by the U.S. ambassadors.

U.S. democracy-building aid for the NIS is partly extended under the umbrella of the Democratic Pluralism Initiative "to promote democratization by supporting democratic processes and institution-building, with a special emphasis on promoting the rule of law, democratic local governance, and a strengthened civil society and independent media."[34] Democracy-building programs administered by the Democratic Initiatives Division of the Coordinator's Office also include activities of the Eurasia Foundation and various agencies' training and people-to-people exchanges that are deemed to at least partly enhance respect for the rule of law and civil society (see Table 2). The Democratic Initiatives Division works with the Economic Division of the Coordinator's Office in overseeing economic training and exchange programs such as the Cochran fellowships.

Freedom Support Act funds are administered by USAID or transferred by it to other agencies, and account for the largest share (80%) of U.S. aid for democracy-building in the NIS. USAID's democratic pluralism initiatives have been grouped into three broad components (enhancing citizen participation, legal system reforms, and local government reforms) and five programs:[35]

- Citizen Participation, Political Process Programs: These strengthen local, regional, and national democratic institutions and processes by supporting the

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[32]Office of the Special Advisor to the President and Secretary of State on Assistance to the NIS, U.S. Department of State, Democratic Initiatives Division, Table, *Cumulative Obligations for NIS Democracy-Building Programs by Country as of 9/30/97.*

[33]U.S. Congress. House of Representatives. Committee on Foreign Affairs. Testimony of Assistant Secretary of State for Human Rights and Humanitarian Affairs John Shattuck. Hearing, September 14, 1993, p. 29.

[34]*Freedom Support Act Annual Report FY1996*, p. 99; USAID, *FY1998 Planning Sheet: Democratic Pluralism Initiatives*. The Democratic Pluralism Initiative was launched by USAID in 1990 to sharpen its focus on democracy-building in Asia, the Middle East, and Eastern Europe. The NIS were added with the passage of the Freedom Support Act in 1992. According to the initiative, political reform can facilitate economic development as well as vice versa. See USAID, *The Democracy Initiative*, December 1990.

[35]USAID, *Congressional Presentation, Annex III, FY1999*; Office of the Coordinator of U.S. Assistance to the NIS, *FY1996 Annual Report* and *FY1997 Annual Report*.

development of political parties, civic organizations, and independent labor movements, and promoting free and fair elections.

- Citizen Participation, Civil Society Programs: These help NGOs to provide services and participate in public policy-making. USAID-funded U.S.-based private voluntary associations (PVOs) assist NIS counterparts by training trainers in leadership, fund-raising and networking, and by providing seed grants for the implementation of small projects. Local NGO and PVO staffs are trained in project design and organizational management and in networking, communication, and participation in public policy-making.

- Citizen Participation, Independent Media Programs: These support the development of independent newspapers and broadcast media by providing journalists with training, technical aid, and equipment.

- Legal System: Rule-of-law programs to support U.S.-based NGOs whose mission is to promote the development of transparent legal and legislative processes, foster human rights, and enhance the free flow of legal information. These NGOs help establish independent, effective court systems by providing training to judges, prosecutors, and defense attorneys, help establish bar associations, help develop the capacity to provide legal education, provide expert commentary on draft commercial and criminal codes and draft constitutions, and promote grassroots legal reform by supporting public law clinics. A program of parliamentary development encourages the transparency of law-making and its effectiveness as a check on executive power.[36]

- Local Government: The public administration program aims to help local governments become more transparent, accountable, and responsive. Several pilot projects have been undertaken to introduce new management and financial practices and to help upgrade service delivery. Advisors have helped municipal officials to prepare presentations of their budgets, identify spending priorities and account for municipal expenditures through media and town meetings.

Non-Freedom Support Act Democracy-Building Aid

Some other agency funds are used for NIS democracy-building besides Freedom Support Act funds. The State Department's International Military Exchanges and Training (IMET) program, administered by the Department of Defense, helps foster military respect for democratic institutions and civilian control over the military. The Peace Corps has volunteers in most NIS who carry out some democracy-related education. Some portion of USIA's base budget bolsters democracy-building in the NIS. In FY1998-FY1999, USIA obligated or proposed aid to the NIS of about $24 million a year, of which about one-half is used by USIA's Office of Eastern Europe and the NIS for democracy-building programs. These include fostering free elections, helping to improve legislation governing human rights, protecting the

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[36]USAID funded technical support to the legislatures in Georgia, Russia, and Ukraine to increase their institutional capacity. For background on the CRS program in Russia, see U.S. Library of Congress. Congressional Research Service. *Russia's New Legislature*, by (name redacted). CRS Report 96-878F.

independence of the judiciary and media, and introducing civic education into the schools. Other USIA programs involving aspects of democracy-building in the NIS include those dealing with law enforcement, the free flow of information, and international cooperation.[37] Besides agency programs included in the table, other U.S. activities might also be included, such as transfers from the Foreign Military Financing Program to NATO's PFP, some of which foster democratic civil-military relations in the NIS.

Recent Trends in Democracy-Building Assistance

Freedom Support Act assistance was initially considered by the Administration to be transitional "to help move the countries of the region far enough along the road to becoming market-based democracies that they can . . . complete the journey on

Table 3
Democracy-Building: Cumulative Obligations by Country, the FY1998 Estimate, and the FY1999 Request
(million dollars)

Country	*Cumulative Obligations**	*As Percent of Country Cumulative Obligations*	FY1998 *Estimate***	FY1999 *Request***	*As Percent of Country Planning for FY1999*
Belarus	25.13	6.9	5.01	7.0	61.9
Russia	545.55	12.0	41.575	96.9	43.0
Kyrgyzstan	35.87	10.8	6.71	10.0	34.5
Uzbekistan	38.52	36.2	5.85	11.05	34.5
Tajikistan	13.59	7.5	2.2	5.75	30.7
Kazakstan	64.02	13.9	8.23	14.0	30.4
Ukraine	208.13	14.1	41.37	64.0	28.6
Moldova	26.03	10.2	3.96	9.5	26.8
Azerbaijan	13.37	11.9	4.19	8.0	25.4
Armenia	40.42	5.6	21.745	19.0	23.8
Turkmenistan	19.26	13.2	1.3	3.5	23.3
Georgia	27.12	5.5	25.45	16.2	20.1
Total (Average)	1121.8	(11.0)	175.505	280.7	(30.3)

**as of September 30, 1997; includes Freedom Support Act and non-Freedom Support Act funding; in addition, $64.79 million in regional aid is used for democratization and is included in the total.*
***includes only Freedom Support Act democracy programs; for the FY1998 estimate, $7.915 million in NIS regional aid was estimated for democratization and is included in the total; for FY1999 planning, $13.3 million in NIS and Central Asian regional aid was planned for democratization and is included in the total. Democracy-building efforts administratively include democratic pluralism initiatives, the Eurasia Foundation, and various training and exchange programs.*
Source: State Department

their own" as aid winds down.[38] The South Caucasus and Central Asian states,

[37]USIA, *USIA FY99 Budget Proposal*; USIA, *USIA Performance Plan FY1999.*

[38]USAID Congressional Presentation, Annex III, FY1998, p. 8.

among other NIS, were felt to need longer-term assistance, but all Freedom Support Act aid was proposed to end by the year 2002.

The Partnership for Freedom (PFF) aid initiative unveiled by the Administration in early 1997 indefinitely extends the anticipated duration of aid to the NIS to reflect a more long-term view of U.S. relations. It ostensibly focuses on NIS that have come the farthest in their transitions "and are ready for trade, investment, rapid growth, and a multitude of economic, political, and cultural ties to the West," although the Administration also has highlighted PFF programs for Central Asian regimes that have made little progress in democratization.[39] The democratic component of PFF calls for enhanced cooperative aid to encourage the development of civil society through grassroots partnerships between U.S. and NIS organizations and exchange programs. At the same time, some technical aid, in the guise of support for U.S. experts who advise recipient governments on policy reforms, will continue.[40]

In its Congressional Presentation for FY1998, USAID proposed aid for enhancing citizens' participation by supporting NGOs for all NIS except Moldova and Belarus, and to foster more effective, responsible, and accountable local government for Kazakstan, Kyrgyzstan, Georgia, and Ukraine. Support for legal system reforms was proposed for Armenia, Georgia, Russia, and Ukraine. USAID also anticipated that increased funding under the PFF initiative would be used to increase cooperative U.S.-NIS activities to promote lasting ties and civil societies in the NIS.[41]

Actual FY1998 Freedom Support Act funding for democracy-building fell short of the Administration's request for most NIS, because of Congressional earmarks and reductions in funding, and changing program needs and country receptivity. USAID indicated in Congressional testimony that, if its request was not fully funded, it would give priority to economic restructuring and democratic initiatives.[42] The latter appeared to suffer substantial reductions, however. Estimated funding by USAID in most NIS for democratic pluralism initiatives for FY1998 amounted to about one-half of what USAID originally requested. In Georgia and Armenia, however, Congressional earmarks apparently protected democracy-building programs. In the case of Russia, estimated democracy-building funding in FY1998 is substantially less than what USAID requested, being reduced from $69.8 million to $12.8 million.

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[39]USAID Congressional Presentation, Annex III, FY1998, p. 10.

[40]U.S. Library of Congress. Congressional Research Service. *The Partnership for Freedom*, by (name redacted). CRS Report 97-342F, updated May 8, 1997. These goals for PFF were reiterated by Donald Pressley, Acting Assistant Administrator for Europe and the NIS, USAID, in testimony before the House International Relations Committee on March 26, 1998. He stressed that the need for PFF results in part from the "longer and deeper isolation" of the NIS from Western influences.

[41]USAID, Congressional Presentation, Fiscal Year 1998, Annex III, Europe and the New Independent States, pp. 2, 9-10, 13, 17, 53-54, 122-125, 162-165, 185-188, 282-285, 356-361, 382-383.

[42]Hearings Before the Subcommittee on Foreign Operations, Export Financing, and Related Programs, House Appropriations Committee, March 19 and April 17, 1997, p. 401.

The State Department's Congressional Presentation for Foreign Operations for FY1999 requests $280.7 million in Freedom Support Act aid for the NIS for "increasing [the] adherence to democratic principles." This is an increase from estimated spending for democracy-building of $175.505 million in FY1998 (22.8% of Freedom Support Act funding in FY1998 compared to 30.3% proposed for FY1999),[43] reflecting the objectives of expanding civil society and local economic and exchange programs under PFF. Cumulative funding for Freedom Support Act and Non-Freedom Support Act aid to the NIS for democracy-building, broadly defined, is about 11% of all obligated funds 1992-1997 ($1.1 billion out of $10.2 billion).[44]

The cumulative rankings do not clearly parallel the three groups of NIS ranked by progress in democratization (Table 3). In practice, democracy-building aid appears to some degree to have been targeted to NIS that are faltering or backsliding, in order to bolster civil societies in these states, although the cumulative data also reflect other U.S. interests, aid goals, needs and receptivity of an NIS, or Congressional earmarks. The FY1998 estimates and FY1999 planning data (Table 3) also reflect varying objectives and do not precisely parallel the rankings. In some NIS, the Administration and Congress have placed greater emphasis on targeting aid for civil society initiatives where the governments have made little progress in democratization or are backsliding (Belarus, Kazakstan, Tajikistan, and Uzbekistan), while in others, aid has supported further progress in democratization (the cases of Russia and Ukraine). Democracy-building aid to Belarus, Kazakstan and Uzbekistan has been aimed at bolstering the growth of NGOs where the political systems are largely undemocratic. In the case of Armenia, Georgia, and Tajikistan, cumulative aid figures reflect a focus until recently on relieving humanitarian suffering caused by conflict.

In the case of democracy-building support for backsliding NIS, the Administration has argued that support for grass roots and other local civil and human rights efforts can contribute to popular pressure that may eventually result in changes of leadership or other top-level support for wider democratization. Such programs have been endorsed by some human and civil rights advocates of these NIS, though some have doubted their usefulness where regimes stifle meaningful dissent, or warn that close attention must to paid to keep such programs from bolstering authoritarian regimes. In his Congressional testimony in March-April 1998, Richard Morningstar, then-Special Advisor to the President and the Secretary of State on Assistance to the NIS, argued that PFF efforts are particularly salient to democracy-building in South Caucasian and Central Asian states where "we have foot-dragging on democratic reform" by authoritarian leaders. In these states, the United States has tried to "pry open the door of progress, focusing in particular on

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[43]Amended estimated spending provided by the State Department, May 29, 1998.

[44]Besides democracy-building aid, about 23% of cumulative obligations are for Nunn-Lugar or DOE programs and 28% are food assistance, with the rest devoted to economic and other humanitarian aid.

supporting NGOs as key components of grassroots democracy," and training and exchanges such as for legislators and law enforcement personnel.[45]

Issues for Congress

Most in Congress have supported aid for democracy-building and economic reforms in Russia and other NIS. Over the six years of Freedom Support aid, some Congressional observers have urged greater emphasis on democracy-building in Russia, while others have criticized the effectiveness or pertinence of existing democratization and other U.S. aid to Russia and other NIS.[46]

The increased funding for the NIS region contained in the FY1998 PFF initiative was partly supported by Congress (Congress reduced the Administration's FY1998 request for aid to the NIS from $900 million to $770 million, but increased the level of aid over the $625 million allocated the previous year). The House Appropriations Committee reported that it welcomed the PFF shift in program priorities to private sector investment and grassroots democracy-building efforts. Further support for NIS democracy-building was provided when Congress approved a provision in Foreign Operations Appropriations for FY1998 (P.L.105-118) that permitted government-to-government democracy-building aid to Azerbaijan. At Congressional hearings in the first half of 1998 on the FY1999 NIS aid request, many in Congress appeared supportive of the Administration's plans for PFF programs in the non-Russian NIS, but less receptive to other NIS programs and requested funding levels. S.2334, Foreign Operations Appropriations for FY1999, was reported favorably by the Senate Committee on Appropriations on July 21, 1998. It provides for $740 million for NIS assistance, below the Administrations request of $925 million, and earmarks aid to Armenia, Georgia, and Ukraine. The Committee reported that its earmarks and other NIS support strengthen free market democracies there and "enhance U.S. interests through increased stability, security, and prosperity" (S.Rept.105-255).

Should the United States Foster Democracy-Building in the NIS?

While a consensus supports democracy-building in the NIS, some voices believe that current U.S. aid policy may not be the most effective means to reach this goal. Some believe that the United States should not seek to impose the U.S. system of governance on NIS but rather allow them to develop their own democratic systems. Some call for less reliance on U.S. taxpayer-provided assistance and more recognition and support for the substantial private efforts of U.S. citizens, companies, and media to spread democracy. Others call for other democratic countries and

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[45] Ambassador Richard L. Morningstar, *Statement Before the House International Relations Committee on Assistance to the NIS,* March 26, 1998; Statement of Ambassador Richard L. Morningstar, *On Assistance to the [Caucasian and Central Asian] NIS*, House International Relations Committee, April 30, 1998.

[46] U.S. Library of Congress. Congressional Research Service. *Russia and U.S. Foreign Assistance*, by (name redacted). CRS Report 96-261F; and *The Former Soviet Union and U.S. Foreign Assistance*, by (name redacted). CRS Issue Brief IB95077, updated regularly.)

international organizations to shoulder more of the NIS aid burden. Some warn that U.S. aid to foster democracy-building in the NIS might cause a backlash by nondemocratic and ultra-nationalist groups in these states and harm the efforts of indigenous democrats. Others argue that democracy-building efforts might contribute to civil disorder if NIS governments are not able to cope with increased citizen participation and demands, possibly harming U.S. trade and private investment interests. The general consensus in Congress supporting NIS democracy-building aid may come into question if NIS democratization efforts encounter mounting setbacks and reversals.

What Kinds of Democracy-Building Programs Should Be Promoted?

There are narrow and broad criteria of what constitutes democracy-building programs. Democracy-building can be narrowly defined as encompassing support for writing constitutions, setting up free and fair electoral systems, and executive, legislative, and judicial branch institution-building. Support for upholding the broad range of human rights is also sometimes included, as are many or most economic reforms. Many would include such programs as crime fighting and fostering civilian control over the military as democracy-building. Many have also advocated that democracy-building aid be targeted to localities and private groups as well as to central governments, and that central governments receive less aid when they are resistant to reforms. The State Department, as noted, has taken an expansive view that people-to-people exchanges that bring NIS citizens and officials to the United States, and some in-country training such as that conducted by Peace Corps volunteers, expose NIS participants to principles of the rule of law and to modes of behavior in a civil society.[47]

Virtually all observers agree that the kinds of programs and their scope should be tailored to each NIS rather than implemented across the board. USAID in part has based its democracy-building programs on reviews it has carried out in each NIS. In its FY1997 review for Kazakstan, for instance, USAID assessed Kazakstan as moving forward in creating effective, responsible, and accountable local government, so recommended beginning a program of training and assistance in local democracy-building in FY1998. In the case of Georgia, the review for FY1997 concluded that there had been good progress in USAID programs to foster citizen participation and legal reform, but less progress in creating effective, responsible, and accountable local government. It recommended a pause on large-scale local government aid or even curtailing the program if the central government did not pursue decentralization.[48]

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[47]On U.S. democracy-building aid for Russian legislative, judicial, party, electoral, and NGO development, see U.S. Library of Congress. Congressional Research Service. *Russia and U.S. Foreign Assistance: Current Issues*, by (name redacted), March 20, 1996, pp. 25-26.

[48]USAID, *Kazakstan: Results Review and Resource Request*, April 1997; USAID, *Congressional Presentation for FY1999, Annex III*, p. 120; and USAID, *Results Review and Resource Request: Georgia*, June 1997, pp. 2, 24. USAID's *Congressional Presentation for FY1999, Annex III*, requested less funding for local government democratization, pending local government elections (p. 102).

The question of what kinds of democracy-building programs to support also depends on the amount of NIS aid appropriated and earmarked, as well as on changes in the receptivity of each NIS to assistance. While Administration planning through FY1997 called for NIS aid to be wound down shortly after the year 2000, there were discussions about what programs important to the United States should be retained in the coming years. Crime-fighting training, some people-to-people exchanges, and civil society programs were among democracy-building programs many proposed should continue, and these programs have been highlighted as part of PFF.

What Should Be the Criteria for Democracy-Building Assistance?

Another issue is prioritizing which NIS to assist in bolstering their democratization. What are the criteria for determining which NIS are to receive the most aid, which NIS are progressive enough that they require reduced or no democracy-building aid, and which NIS are so nondemocratic that they should not receive any U.S. aid? U.S. assistance to the NIS, including democracy-building aid, has been conditioned on a wide variety of factors, including the Freedom Support Act and other legislation, as well as Administration policies. The Administration has mentioned criteria including whether an NIS is strategically important to the United States or is a regional power, the prospects for the creation of democracy and free markets, how open an NIS is to U.S. aid efforts, and whether democratization may have a demonstration effect on other NIS in the region.[49] Other conditions bearing on whether an NIS receives U.S. assistance, perhaps including democracy-building aid, include whether an NIS adheres to arms control agreements, does not wage war against its neighbors, does not support terrorism, does not transfer materials or technology that can be used to construct mass destruction weapons, and upholds human rights. Specific legislative conditions on aid to Russia that potentially affect U.S. democracy-building efforts have included whether it upholds religious freedom and abjures assisting Iran in building nuclear reactors and ballistic missiles.

Rarely does an NIS have a clear-cut record in democratization that makes policy choices simple. The Administration contends that U.S. ties with Uzbekistan, Azerbaijan, and Turkmenistan are important for economic reasons, and because of Uzbekistan's regional power status, despite their poor receptiveness to democracy-building. In these cases, aid levels are not perfectly related to the ranking of NIS in terms of democratization progress. But even in the case of Russia and Ukraine, besides their democratization progress, policy-makers have emphasized the geopolitical importance of these populous and territorially-large NIS, as well as strategic concerns with reducing nuclear weapons in Russia. Even in backsliding NIS, in practice the Administration has pursued some engagement to advance human rights and democracy-building at the grass roots level (see Table 3).

The range and scope of conditions on democracy-building aid to the NIS have been a perennial issue of concern to Congressional authorizers and appropriators. In February 1998, Representative Lee Hamilton reflected arguments of many in Congress and the Administration that rather than giving up on supporting democracy where NIS governments have faltered at reforms, the United States should maintain

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[49]U.S. Congress. Committee on Foreign Affairs. *Administration of Justice Programs.* Hearing. Testimony of John Shattuck, September 14, 1993, p. 29.

support for successful programs to aid democratic reformers.[50] On the other hand, Representatives Gilman, Gerald Solomon, and James Traficant have questioned the usefulness of giving aid to Yeltsin until he attacks high-level corruption and implements meaningful economic and foreign policy reforms. Answering those who might caution against cutting off aid to a democratizing Russia, Senator Gordon Smith stated that no country that suppresses religious freedom can be democratic. In May 1998, after receiving assurances in Russia that religious rights would be upheld, he emphasized the U.S. interest in a Russia that chooses the path of "democratic government, the rule of law, and friendly relations with its neighbors."[51]

Congressional concern over particular U.S. and international security interests at times has been considered to clearly outweigh broader security interests ensured through democracy-building support. Annual foreign operations appropriations since FY1996 have called for a partial aid cutoff to Russia -- possibly including some democracy-building aid -- if Russia assists Iran's nuclear and missile programs (a presidential waiver has been provided if Russia makes progress in curtailing such programs and on national security grounds).[52] Similarly, NATO's enlargement was widely supported in Congress as a core U.S. security interest, though in this case, concern over a possible clash of U.S. interests caused many in Congress to also urge stepped-up support for democracy-building in Russia. Senator Robert Torricelli highlighted this view when he argued that "if Russia is democratic and capitalistic and free, [then] Eastern Europe is secure," and that by enhancing Russian democracy, the United States enhanced its own security. Senator Patty Murray similarly stressed that "Russia matters to our own future ... peace and security," and called on the Administration and Congress to "rebuild" ties with "those in Russia who are advocating and following the course of democracy." Senator Strom Thurmond, while arguing that enlargement would provide a hedge against "a future, resurgent Russia," also urged continued support for Russia's transition to a peaceful free market democracy as "America's primary national security goal in Europe."[53]

Congressional debate and funding priorities have placed greater emphasis in recent years on U.S. aid to the non-Russian NIS, earmarking or strongly supporting appropriations for assistance for Ukraine, Georgia, Armenia, and Kyrgyzstan. These earmarks usually have been accorded to NIS demonstrating at least some progress in democratization, though other considerations, such as urgent humanitarian needs

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[50]*Congressional Record*, February 3, 1998, p. E63. He was supporting the National Endowment for Democracy against critics of U.S. democratization policy. For a similar argument, see Representative Steny Hoyer, *Congressional Record*, July 30, 1997, p. H6357, during debate on H.R. 2159, covering appropriations for FY1998 to the NIS.

[51]*Congressional Record*, June 19, 1998, p. 4873; April 16, 1997, p. H1546; November 5, 1997, p. H9996; and July 16, 1997, p. H7518; *Opening Statement for Senator Gordon Smith*, European Affairs Subcommittee, Senate Foreign Relations Committee, May 20, 1998.

[52]U.S. Library of Congress. Congressional Research Service. *Russia's Religion Law*, by (name redacted). CRS Report 97-696F; and *Russian Missile Technology and Nuclear Reactor Transfers to Iran*, by Stuart Goldman, (name redacted), and Robert Shuey. CRS Report 98-299F.

[53]*Congressional Record*, April 30, 1998, pp. S3829, S3847, S3868, S3876-3877, S3886-3887; May 11, 1998, p. S4626.

in Armenia and Georgia, also have entered into earmarking decisions. Support for non-Russian NIS to enhance their sovereignty and independence has been prominently stressed by Senator Mitch McConnell.[54] The Foreign Aid Appropriations Act for FY1998 (P.L.105-108) reflects these emphases, earmarking assistance to Ukraine, Armenia, and Georgia for democracy-building and other purposes. The Act also states that U.S. policy should promote democratization and other goals in the countries of the South Caucasus and Central Asia. The Silk Road Strategy Act (H.R.2867/S.1344) introduced in the House and Senate in late 1997, calls for added policy emphasis on the South Caucasian and Central Asian NIS. Representative Gilman, in introducing the bill in the House, stated that the first priority of U.S. involvement in these NIS should be to "see democratic government take root in these states. Stability in the region and in the broader Eurasian region may well depend on the successful consolidation of democratic governance in these states."[55]

Among non-Russian NIS that have been of special concern to Congress, Armenia has received support from an Armenian Caucus of Members of Congress and other Members who have advocated increased aid and diplomatic support. Senator Jesse Helms stated on June 8, 1998, that increased aid to bolster democratization in Georgia would be a priority. Senator Sam Brownback on February 10, 1998, warned that "if democracy is allowed to fail in Georgia, it is unlikely to succeed anywhere in the region," and urged the Administration to articulate to those who might try to destabilize the South Caucasus states that "we will do everything we can to facilitate democracy and free markets" among these states. Senator McConnell similarly stated on January 28, 1998, that Georgian President Eduard Shevardnadze's "vision for a free, prosperous, and democratic Georgia is one I support and believe him to be uniquely qualified to deliver."[56]

Representative Bob Shaffer on April 23, 1998, emphasized that "Ukraine has moved cautiously and steadily toward a free-market economy and multi-party democracy." While calling for Ukraine to improve its business climate for foreign investors, he also stated that the United States should "continue to engage this aspiring, recovering independent nation and encourage the constructive reform Ukraine has already initiated." He warned that "rebuking Ukraine" rather than engaging it would demonstrate that the United States had lost confidence in Ukraine's ability to reform and possibly harm its democratization.[57]

Representatives Gilman and others introduced a resolution on March 5, 1998, deploring limitations on human and civil rights in Belarus and calling for renewed democratization. Representative Smith stated that "the rights and liberties of the

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[54]*Congressional Record*, November 1, 1995, p. S16473.

[55]*Congressional Record*, November 7, 1997, p. E2240.

[56]*Congressional Record*, February 10, 1998, p. S547; January 29, 1998, p. S208; February 9, 1998, p. S523; February 3, 1998, p. S329-330; January 28, 1998, p. S184.

[57]*Congressional Record*, April 23, 1998, pp. E641-642.

Belarusian people are being eroded by their own authorities" and that "serious backsliding and a turn to the Soviet past" are occurring.[58]

Is Aid Having an Impact on Democratization in the NIS?

It is difficult to assess what effect U.S. government programs have on democratization, since indigenous efforts, U.S. private investment, and other nations' foreign aid also may have a substantial effect. Program successes may also be difficult to assess, especially in the short term, complicating the debate over future aid. The Administration has admitted that expectations in the early 1990s that democratization in the NIS would progress rapidly were exaggerated, and has proposed increased assistance over an open-ended time-span. Some observers have argued that U.S. aid to Russia and other NIS may have at most an effect at the margins, but might be usefully considered where extra support might bolster democratization efforts by reformers or localities.[59] Others counter that U.S. aid for democracy-building in the NIS has been largely ineffective because of corruption, crime, and mismanagement in these states, and argue either that aid should be cut off or that these problems must receive priority aid (see above*, Crime and Corruption*).

USAID's reviews in the NIS attempt to measure the democracy-building success of U.S. programs. In some cases, surveys and other data were used to assess progress toward objectives, but in other cases a qualitative "anecdotal narrative approach" was used, which included State Department's human rights assessments and other materials. USAID has generally argued that its reviews show that its democracy-building programs have facilitated and strengthened NIS democratization. In its review for Armenia, USAID judged Armenia as not meeting expectations in developing political parties and reforming electoral and legislative systems, and stated that some aid efforts had been recast or suspended. Nonetheless, it concluded that U.S. aid had improved some aspects of the electoral process. It blamed the "seriously flawed" and "questionable" 1996 presidential election and turmoil afterward on the still low level of political culture. In Georgia, USAID evaluated progress in citizen participation and legal reform as broadly meeting USAID expectations, although there appeared to be less progress in developing decentralized local governments. By USAID measures, Kazakstan has been meeting or exceeding expectations on some measures of democratization. The numbers of local NGOs formed and improvements in local public administration there have exceeded expectations.[60]

Severe backsliding in Belarus has shown that earlier positive Administration assessments of U.S. democracy-building there proved unsustainable. Nonetheless, USAID argued that its democracy-building aid proved useful in Belarus and that

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[58]*Congressional Record*, March 5, 1998, pp. E312-313.

[59]U.S. Library of Congress. Congressional Research Service. *Russia and U.S. Foreign Policy: Parameters of the Current Debate,* by Mark M. Lowenthal. CRS Report 94-491F, June 10, 1994.

[60]USAID, *Results Review and Resource Request: Armenia*, June 1997; *Results Review and Resource Request: Georgia*, June 1997; and *Kazakstan: Results Review and Resource Request*, April 1997.

continued aid would nurture reformist forces. USAID stated that "clearly, individuals who participated in USAID democracy-building programs became vocal and tireless advocates of democratic ideals." USAID concluded that "the negative trends [in Belarus] highlight the extreme importance" of PFF-type programs "aimed at sustaining the independent media, strengthening NGOs, developing respect for the rule of law at the grassroots level, and assisting in privatization."[61]

Other observers have viewed democracy-building programs as less successful. The U.S. General Accounting Office (USGAO) in early 1996 assessed U.S. democracy programs in Russia as having "mixed results in meeting their stated developmental objectives," since half of the programs reviewed did not "contribute to significant changes in Russia's political, legal, or social system." In responding to the USGAO report, the State Department and USAID agreed with USGAO that short-term results often were not significant, but stressed that U.S. democracy-building efforts in Russia were being refocused to longer-term efforts. Instead of support for central institutions and political parties where progress has proved difficult to achieve, they averred, a longer time-span for assistance would be adopted and support would be focused more on grass roots efforts to build a popular consensus for democratic reforms (in line with the subsequently announced PFF initiative).[62]

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[61]USAID, *Belarus: Results Review and Resource Request*, May 19, 1997.

[62]USGAO. *Promoting Democracy: Progress Report on U.S. Democratic Development Assistance to Russia,* pp. 2-9.

Appendix, Democratization in the New Independent States

This appendix provides assessments of democratization in the NIS, and proposed U.S. democracy-building aid. The NIS are provisionally grouped according to the benchmarks discussed above into those that have made progress in democratization (Russia, Ukraine, Moldova, and Georgia), those that have faltered (Armenia, Kyrgyzstan, and Azerbaijan), and those that have made scant progress or are substantially backsliding (Belarus, Kazakstan, Tajikistan, Turkmenistan, and Uzbekistan).[63]

DEMOCRATIZING NIS

Russia

According to the State Department, Russia's constitutional structures are democratic and citizens exercise the right to change their government peacefully, though democratization has proceeded slowly.[64] The legislature and the president faced elections in 1995-1996 that were judged by most international observers as largely free and fair, with a broad range of political parties and movements contesting office.[65] The judiciary shows signs of limited independence. Local elections in 1996-1997 were mostly free and fair, though some residency, age, or other requirements in some localities were considered illegal by the Central Electoral Commission. Crime and corruption increasingly threaten democratization, however.[66]

Many analysts have argued that democratization in Russia was retarded by Yeltsin's reluctance in late 1991 to call for new Russian legislative elections and a new constitution, at a time when the reformist movement was strong. Instead, his

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[63]Besides sources noted below, for background see U.S. Library of Congress. Congressional Research Service. CRS Reports for Congress 96-179, *Armenia*; 97-522, *Azerbaijan*; 95-776, *Belarus*; 97-727, *Georgia*; 97-1058, *Kazakstan*; 97-690, *Kyrgyzstan*; 95-403, *Moldova*; 98-594, *Tajikistan*; 97-1055, *Turkmenistan*; and 97-1060, *Uzbekistan*. See also CRS Report 96-245, *Ukraine*, and CRS Issue Briefs 93108, *Central Asia's New States,* and 95024, *Armenia, Azerbaijan, and Georgia*.)

[64]U.S. State Department, *Country Reports on Human Rights Practices for 1997;* Thomas Remington, in Karen Dawisha and Bruce Parrott, eds., *Democratic Changes and Authoritarian Reactions in Russia, Ukraine, Belarus, and Moldova*, Cambridge University Press, 1997, pp. 69-129. See also George Breslauer, Political Succession, *Problems of Post-Communism*, September-October 1997, pp. 32-37.

[65]Organization for Security and Cooperation in Europe (OSCE), International Observers Mission: Russian Presidential Election, Final Statement, June 18 and July 5, 1996. See also the generally positive assessments by Yitzhak Brudny, In Pursuit of the Russian Presidency, *Communist and Post-Communist Studies*, September 1997, pp. 255-275. Other analysts placed greater emphasis on Yeltsin's manipulation of the media and violations of campaign spending limits, among other transgressions. For a negative assessment, see Boris Kagarlitsky, Russia Chooses -- And Loses, *Current History*, October 1996, pp. 305-310.

[66]*Freedom in the World 1997-1998*, p. 428.

administration focused on economic rather than political reforms. The economic reforms were opposed by the legislature. The wrangling between the executive and legislative branches on economic and other issues was finally resolved with Yeltsin's forcible dissolution of the legislature in October 1993 with heavy loss of life, a setback for democratization. Another setback to democratization was posed by Russia's December 1994 military and police crackdown in Russia's breakaway Chechnya Republic, resulting in tens of thousands of civilian and other casualties and displaced persons and refugees, and massive economic damages. Highly unpopular among most Russians, the conflict was wound down in August 1996 with a cease-fire arranged during the Russian presidential campaign.

Although Russia has pledged to abide by existing borders with other NIS, some ultra-nationalists and communists in Russia have called for incorporating transborder areas such as those in Crimea, eastern Ukraine, and northern Kazakhstan where many ethnic Russians reside, or even urged reconstituting the Soviet Union. There are serious questions about the results of the December 1993 constitutional referendum that have never been addressed by the Yeltsin administration, but most political parties endorsed Yeltsin's proposal in 1994 to work within the constitutional framework. In the 1996 presidential race, Communist Party of the Russian Federation (CPRF) head Gennadiy Zyuganov stated that he would fundamentally amend or replace the constitution. The CPRF and the Liberal Democratic Party (LDPR; Vladimir Zhirinovskiy's party) won large numbers of seats in the State Duma in 1993 and 1995, but these and other ultra-nationalist or anti-government deputies have not been able to revamp the constitution, since agreement is required in the Federation Council and in the regions.

The electoral system for the State Duma was stable for two elections, but the Federation Council has shifted in its representation, and it remains to be seen whether it will be durable. There also may be changes in the State Duma electoral system, since Yeltsin and others have called for doing away with proportional representation by party lists or lowering the 5% threshold. The CPRF has regional units and the LDPR has some local though declining presence. The Our Home party has relied on support provided by regional leaders, and the Yabloko party has endeavored to create a grassroots organization, but other democratic parties tend not to have a local presence. There has not been a transfer of presidential power yet as a test of democratization, but the acceptance by the CPRF of the results of the 1996 presidential race set a fragile precedent.[67] The legislature is constitutionally constrained in initiating legislation involving appropriations, but has asserted itself in altering appropriations measures and passing some important laws. Yeltsin has vetoed many bills approved by the legislature and the government has often been lax in implementing laws.

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[67]Heinz Timmerman argues that there has been a "surprising" degree of political stability in Russia since 1993, because the CPRF has in practice worked within the political system rather than acting disruptively. Acquiescence by several CPRF deputies for Sergey Kiriyenko's confirmation as prime minister in May 1998 is a recent example of this stability. See *The Communist Party of Russia*, Berichte des Bundesinstituts fur ostwissenschaftliche und internationale Studien, No. 9, January 1998.

Yeltsin's "state of the federation" addresses to the Russian legislature in 1997 and 1998 stressed his continued commitment to democratization. In 1997, he urged the legislature not to try to amend the constitution but "to learn to respect [it], let us learn to live by it . . . And only after that will we think of amendments." He also warned that regional/republic efforts to circumvent laws will not stand: "I have enough will to ensure that the Constitution ... operates fully and over the whole territory of the country." His 1998 address reiterated this commitment to reforms. He stated that "we have built a system of democratic institutions" and that a "civilized political process" was emerging. He criticized the "poor juridical quality" of many laws passed by the legislature, though he also criticized executive branch agencies for laxity in formulating draft laws, some of which also were of poor juridical quality. He called for added support for NGOs in Russia to build a civil society. He decried the existence of dozens of political parties in Russia, calling for passage of a law on parties that would facilitate development of a "normal multiparty system," and for effective laws on campaign financing and electoral monitoring.

U.S. Democracy-Building Aid. The Administration requested $96.9 million in Freedom Support Act funds for FY1999 for democracy-building (more than double last year's estimated spending), including USAID's request of $15.9 million for enhancing citizen's participation in political and economic decision-making and $5 million for fostering a more democratic and market-oriented legal system. The Administration plans to stress U.S.-Russian private-sector and community-based partnerships and exchanges under the PFF program, as carried out by USIA, USAID, and other agencies. While these programs will emphasize economic reforms, the Administration maintains that they also foster respect for the rule of law.

USAID will provide grants to the National Democratic Institute (NDI) and the International Republican Institute (IRI) to encourage political party-building at the national and local levels and the strengthening of democratic institutions, and to other U.S. NGOs to carry out civil society, rule of law, and independent media programs. USAID's Regional Investment Initiative will focus partly on increasing citizen participation in local government. USAID legal assistance funding to the U.S. Justice Department, the National Judicial College, and the American Bar Association's Central and East European Law Initiative (ABA/CEELI) will buttress Russian criminal justice reform, law enforcement, legal education and training, legal ethics, commercial law drafting, and local NGO advocacy of civil rights. Other proposed programs with democracy-building components include IMET assistance to foster military justice and civilian control over the military.[68]

Ukraine

According to the State Department, Ukraine has continued its slow progress in building a law-based civil society. The new Ukrainian constitution adopted in 1996 creates a balance of power between the executive and legislative branches. The judiciary is funded as an independent branch, but remains subject to political interference. Citizens exercised the right to change their leaders in 1994 when they

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[68]U.S. State Department; USAID, *Congressional Presentation for FY1999, Annex III*, pp. 213-216; The Secretary of State, *Congressional Presentation for Foreign Operations for FY1999*, pp. 666-667.

elected a new president and a new legislature representing a wide range of parties.[69] Ukraine joined the Council of Europe in 1995 and is undertaking implementation of human rights standards required by the Council. Increasing crime and corruption, however, threaten democratization in Ukraine and other NIS.[70]

There are many political parties registered, but they are weakly supported by the citizenry. Some in the Ukrainian Communist Party and others call for integration with Russia, and some ethnic Russians in eastern Ukraine and Crimea urge secession, but most observers do not view such calls as a potent threat to Ukraine's independence or integrity. Ukraine's fragile integrity has been challenged by the strength of the Ukrainian nationalist party Rukh in the western areas of Ukraine, while the Communist Party has received its greatest support in eastern Ukraine.

There have been positive signs of democratization in Ukraine. The legislature has passed important laws after debate, including privatization, ratification of the Lisbon Protocol on Ukraine's non-nuclear status, the constitution, and on the status of Crimea. The Presidential election of December 1991 was deemed free and fair by most observers, with Leonid Kravchuk winning against five other candidates. The presidential election of June-July 1994 resulted in the peaceful transfer of power from Kravchuk to Leonid Kuchma. A cumbersome electoral process, requiring a major turnout by voters and a majority win by a candidate, created confused and time-consuming repeat legislative elections during 1994, though international observers judged the process generally free and fair. A new electoral law of October 1997 for legislative elections in 1998 created a mixed electoral system where 50% of the candidates would be elected from single-mandate districts and 50% from party lists.

On March 29, 1998, Ukrainian legislative elections were held, along with elections to the Crimean legislature and local council races. The Ukrainian legislative election resulted in about an even split between reformist and communist-oriented members. Thirty parties and electoral blocs successfully registered for the vote, out of 54 registered parties in Ukraine. Eight parties able to receive at least 4% of the vote gained representation in the legislature. Of the 450 seats, the Communist Party won 121, Rukh 40, the National Democratic Party (NDP) 30, the Ukrainian Peasant Socialist bloc 36, Hromada 32, the United Social Democrats 17, the Progressive Socialists 16 and the Greens of Ukraine 19. Some parties that did not gain representation via party lists managed to have some members elected in the single-district races. Candidates not announcing a party affiliation won 114 seats. Communists gained over three dozen seats over their previous numbers in the legislature, while Rukh gained about two dozen. President Kuchma's favored party, the NDP, did not do as well as he expected, but observers argued that the Communists and kindred factions would be blocked on many issues by reform-oriented factions. Some elections were challenged or invalidated and new elections were scheduled.

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[69]U.S. State Department, *Country Reports on Human Rights Practices for 1997.* According to Ilya Prizel, Ukraine has a chance to make further democratization progress and not decline into authoritarianism and dependency if it can improve its economy. See Dawisha and Parrott, *Democratic Changes*, pp. 330-369.

[70]*Freedom in the World 1997-1998*, p. 517.

The Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe election monitors stated that the election marked progress in democratization — that voters were generally free to express their will and the results appeared to reflect their will — but was tarnished by violations of freedom of the press and expression. There were procedural problems in accommodating large turnouts in several districts. Monitors also decried the ineligibility of most Crimean Tatars to vote in elections to the 100-seat Crimean legislature held at the same time as the country-wide election.[71] In the assessment of the U.S. CSCE, the composition of the new Ukrainian legislature made it unlikely that it would be "a force for significant reform. At the same time, the likelihood of significant backsliding from reform is small."[72]

The almost even split between the right and left wings in the legislature led to difficulty in forming legislative bodies. Wrangling over the speakership, other leading posts, and committee chairs stretched into July 1998, when a boycott by most rightist and pro-presidential deputies allowed Socialist-Peasant Party official Oleksandr Tkachenko to be elected speaker by leftist and anti-presidential deputies. In the interim, Kuchma — whose presidential powers are somewhat more circumscribed than Yeltsin's in Russia — issued several economic decrees instead of asking for the legislature to first enact them. He explained in a national address that the "political squabbles in parliament" and the need for reforms necessitated his action, and called on legislators to support his reforms.

U.S. Democracy-Building Aid. The U.S. Administration requested $64 million in Freedom Support Act funds for FY1999 for democracy-building in Ukraine, a sizable boost over FY1998 estimated spending. This includes USAID's request of $5 million to foster increased citizen participation in political and economic decision-making, $2.5 million to bolster legal system reforms, and $5.5 million for strengthening the accountability and effectiveness of local government. USAID plans continued grants to Freedom House, Internews, NDI, IRI, International Research and Exchanges Board (IREX), the NIS-US Women's Consortium, the International Foundation for Electoral Studies (IFES), and the Eurasia Foundation to foster independent media, democratic electoral processes, and public policy and human rights advocacy by private groups. USAID also plans to continue grants to Associates in Rural Development, ABA/CEELI, the U.S. Association of Former Members of Congress, and other U.S. groups to provide training, material assistance, and technical advice to the Ukrainian legislature, presidency, and Ministry of Justice, to the judiciary, to public prosecutors, to law schools, and to human rights, legal, and legal advocacy NGOs. Support for legal reforms includes aid for law drafting as well as for combating crime and corruption. USAID plans to continue grants to the Research Triangle Institute, IREX, USIA, the Eurasia Foundation, and other U.S. groups to improve local government management, financial planning, municipal

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[71]According to the OSCE, "the Ukrainian elections were conducted under a generally adequate legal and administrative framework. However, the campaign was marred by incidents of violence, arrests and actions against candidates and abuse of public office that represents a serious shortcoming in the conduct of the campaign, and raises questions about the neutrality of the state apparatus in the election." See OSCE, *Republic of Ukraine Parliamentary Elections, 29 March 1998*, 1998.

[72]U.S. CSCE*, Ukraine's Parliamentary Election*, March 29, 1998.

services, housing and land management, zoning, local legislative procedures, citizen relations, and legislative-executive relations. Besides these programs, increased funds were requested to support IMET efforts to foster military justice and respect for civilian control over the military.[73]

Moldova

In 1994, Moldova adopted a constitution that provides for multiparty representative government with divided powers. One constitutional provision states that organizations that oppose the sovereignty and independence of Moldova are unconstitutional, which some critics charge as discriminating against groups advocating reunification of Moldova with Romania. Competitive multiparty legislative elections took place in 1990, before the breakup of the Soviet Union. Another legislative race in 1994 was judged open and fair by international observers, as was the presidential race in 1996. The peaceful transition of presidential power represents further progress in the transition to democracy, according to the State Department. The judiciary is increasingly independent but still influenced somewhat by the prosecutor's office. Moldova remains ethnically divided, with Slavic separatists controlling the Transdniestrian region along the Ukrainian border. The separatists continue to demand status as a separate state in a loose confederation with the rest of Moldova. A cease-fire has been observed since 1992, but a May 1997 agreement on principles of a settlement has not resulted in substantial progress.[74]

Elections to Moldova's legislature were held on March 22, 1998. Nine parties, six electoral blocs, and over 1,400 candidates vied for the 101 legislative seats. Officials in the breakaway and nondemocratic Transdniestrian region refused to allow polling, but permitted a few residents to cross the border to vote. Parties had to gain more than 4% of the votes to win representation in the legislature. Four blocs and parties surmounted this barrier, with the pro-presidential Democratic and Prosperous Moldova Bloc (DPM) winning 24 seats, the heavily pro-Romanian Democratic Convention of Moldova (DCM) winning 26 seats, and the Party for Democratic Forces winning 11 seats. Reflecting societal discontent with the poor economy and wage and pension arrears, the Communist Party won the largest share of seats -- 40 -- in the new legislature. International observers found the election largely "free and fair."[75]

To keep the Communist Party from gaining power, the other winning blocs and party formed a legislative coalition on April 21 called the Alliance for Democracy and Reforms. This Alliance agreed that the speakership would be held by a DPM member, that most committee chairs would be held by Alliance members, that the

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[73]U.S. State Department; USAID, *Congressional Presentation for FY1999, Annex III*, pp. 268-273; The Secretary of State, *Congressional Presentation for Foreign Operations for FY1999*, 675-677.

[74]U.S. State Department, *Country Reports on Human Rights Practices for 1997.* See also William Crowther, in *Democratic Changes*, pp. 321-322.

[75]According to the OSCE, "The election process was as a whole satisfactory. The candidates could compete under generally good conditions, and the voters could freely express their will on election day. A major exception to this positive assessment was Transdniestria." See *Preliminary Statement issued on 23 March 1998 by the Election Observation Mission*.

prime minister would be a DCM member, and cabinet posts would be shared among the Alliance partners. In May 1998, however, President Petru Lucinschi insisted on his constitutional right to nominate the prime minister, and the DCM agreed to the appointment of DPM member Ion Cubuc in order to preserve the Alliance and to "watch against Communists' coming to power."[76] The head of one party in the DCM and the Alliance leader is Mircea Snegur, who lost the 1996 presidential race to Lucinschi. The fragility of the Alliance and its blocs and the rivalry between Lucinschi and Snegur threaten the effectiveness of the legislature, according to some observers.[77]

U.S. Democracy-Building Aid. The U.S. Administration has focused mostly on enhancing Moldova's economic reforms. Marking a partial shift, it requested $9.5 million in Freedom Support Act funds for FY1999 for democracy-building, a sizable boost over last year's estimated spending. This includes USAID's request for $1.5 million to increase citizen participation by providing legal education for law students, lawyers, and judges, strengthening NGOs that affect public policy or provide social services, and strengthening independent media. IFES provided information on elections and workshops and exchanges to foster civil society. IFES also set up the NGO Training and Consulting Center to hold seminars on public administration. It also sponsors a Mass Media Working Group, a Voter Education Working Group, and an NGO Working Group.[78]

Georgia

According to the State Department, citizens in Georgia exercised their right to freely change their leaders in October 1992 and November 1995. Despite some violations, international observers judged these elections as generally free and fair. Local leaders remain appointed by the president, however, and plans to hold local elections in 1997 were not fulfilled. The governments of South Ossetia and Abkhazia are ruled by undemocratic leaders, according to the State Department. Ajaria is “self-governing under conditions resembling a police state.” Problematic voting took place in Ajaria during Georgia-wide elections in 1995 and its regional elections in 1996.[79]

Although progressive elections have been held several times, most recently in 1995, there has been no change of leadership at the presidential level since the violent change in executive leadership in early 1992 to test the norm of a peaceful transfer of power. The 1995 legislative race was progressive in that the electoral law provided for most deputies to be elected by proportional representation and some through single-member constituencies, the former theoretically strengthening party formation. However, an extremely large number of parties (54) fielded candidates. This, and the mandated requirement that a party receive over 5% of the total vote in order to gain seats, resulted in only three parties winning representation on the party

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[76]Mircea Snegur, Foreign Broadcast Information Service, *Daily Report: Central Eurasia*, May 6, 1998.

[77]Vladimir Socor, Quo Vadis, Moldova? *Prism*, May 1, 1998.

[78]USAID, *Congressional Presentation for FY1999*, *Annex III*, pp. 159-160, 170-171.

[79]U.S. State Department, *Country Reports on Human Rights Practices for 1997.*

ballots, wasting a large number of votes. The ruling Citizen's Union party, which won 23% of the vote, gained nearly 50% of the seats because of these factors. The Citizen's Union and the National Democratic Party have some local organization. Regional parties include the Rivalist Union of Ajaria, Traditionalists based largely in Gori and western Georgia, and Zviadists in western Georgia.

Despite passage of a liberal constitution in 1995, the constitutional issue of unitary vs. federal relations was not resolved, so the basic form and structure of the state remains provisional and the possibility of further separatism cannot be ruled out.[80] Movements opposed to the constitutional order have declined. Some Zviadists boycotted the 1995 legislative and presidential races as illegitimate, and Abkhazia and South Ossetia oppose the present Georgian Constitution. As a result of negotiations with Abkhazia, South Ossetia, and Ajaria, there is the possibility of altering the constitution, including the formation of a federal upper legislative chamber, and changing the electoral system.

U.S. Democracy-Building Aid. USAID states that although progress in Georgia toward democratic governance has been impressive, institutions, policies, and practices are still fragile.[81] Political parties, independent media, and NGOs are "nowhere near being sustainable" and need continued aid, USAID avers. In the political realm, democratic rule is taking root. Citizen participation in the political process through parties and NGOs is increasing. Since economic and political stability has begun to emerge since 1995, USAID has been able to shift aid from humanitarian to other reform needs. U.S. aid has been instrumental in advancing democracy-building goals, though political evolution is not complete, USAID reports. The Administration requested $16.2 million in Freedom Support Act funds for FY1999 for democracy-building (a reduction from the previous year's earmarked funding), including USAID's request for $3.72 million to support citizen participation, $1.8 million to support judicial reform, and $800,000 to support local government reforms. Problems of corruption also will be addressed by supporting legal and judicial reform.[82]

FALTERING DEMOCRATIZATION

This category includes states that have suffered setbacks in democratization or whose progress is unsteady and tardy. Armenia and Kyrgyzstan appear to possess somewhat better prospects for further progress than Azerbaijan, according to some observers. Recent trends in Azerbaijan appear disquieting and may result in further setbacks (see below).

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[80]Linz and Stepan would say that Georgia is not yet a democracy, since the constitution has not settled the issue of unitary vs. federal relations (p. 4).

[81]Researcher Stephen Jones states that "it would be naive to expect a smooth road ahead for any society that has recently emerged from authoritarianism." He notes, however, that "the principles and procedures for resolving political and ethnic crises peacefully are in place and Georgians are already benefitting from their democratic gains," though reforms are vulnerable to setbacks. See *Current History*, October 1996.

[82]USAID, *Congressional Presentation for FY1999, Annex III*, pp. 99-102.

Kyrgyzstan

Kyrgyzstan's citizens have had a declining ability to change their government peacefully, according to the State Department. A new constitution was approved in May 1993, establishing a democratic presidential system upholding the separation of powers and expansive human rights guarantees. This constitution led some U.S. policymakers to view Kyrgyzstan a model of democratization among the NIS. However, Kyrgyz President Askar Akayev orchestrated the early disbandment of a legislature he found troublesome in 1994, and took over legislative power pending new elections. He decreed an October 1994 referendum to approve amendments to the constitution, including provisions creating a bicameral legislature and weakening it relative to the presidency. He argued that legislative and other provisions of the May 1993 constitution were too "idealistic" since the Kyrgyz "people are not prepared for democracy," and that a "transitional period" was needed. The amendment process, like the dissolution of the legislature, contravened the constitution, according to the State Department. The referendum questions were approved by over 96% of voters with a questionable 96% turnout, again according to the State Department. After the October referendum, detailed constitutional provisions were published for popular debate in early 1995, to be given final form and approval by the newly elected legislature.[83]

The early 1995 legislative races were considered by many international observers as generally reflecting the will of the people, although campaigning and voting were marred by some irregularities and confusion. Few candidates were elected in the first round of voting, and repeat rounds stretched into mid-1995. In September 1995, Akayev's supporters submitted a petition signed by 1.2 million (52% of the voting age population) urging the legislature to approve a referendum extending Akayev's term to the year 2001. After contentious debate, the legislature rejected holding a referendum, and Akayev instead announced that an early presidential election would be held in December 1995. Thirteen candidates were registered, but ten were disqualified. Akayev handily won re-election to a five year term in elections deemed generally "free and fair" by international observers, though questions were raised about the disqualifications and other irregularities.

Akayev spearheaded another constitutional referendum in early 1996. Although the turnout appeared low to media observers, Kyrgyz authorities announced a 97% turnout and a 95% approval margin. According to the State Department, the referendum violated the law on referendums and was marked by rampant fraudulent voting. It gave Akayev greater powers to veto legislation, dissolve the legislature,

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[83]There are differing assessments of democratization in Kyrgyzstan. OSCE electoral observers considered the 1995 legislative and presidential races as generally progressive, despite irregularities. See OSCE, *ODIHR Activity Report for 1995*, October 1, 1995. Others have placed greater stress on signs of problematic democratization. See U.S. State Department, *Country Reports on Human Rights Practices,* 1994, 1995, 1996, and 1997; and Freedom House, *Freedom in the World 1997-1998*, pp. 321-323. See also U.S. CSCE, *Parliamentary Elections in Kyrgyzstan*, February 1995; and *Political Reform and Human Rights in Uzbekistan, Kyrgyzstan, and Kazakstan*, March 1998, pp. 16-26. Eugene Huskey, Kyrgyzstan, *Conflict*, pp. 242-276, provides a detailed analysis of drawbacks to the 1995 legislative race. See also Amnesty International, *Kyrgyzstan: A Tarnished Human Rights Record*, May 1996.

and appoint all ministers without legislative confirmation, while making impeachment more difficult, along the lines of the Russian Constitution. The legislature increasingly has asserted itself by passing a large number of bills and overriding some presidential vetoes. In 1995, a Constitutional Court was sworn in, and judicial reforms were begun in 1996, though the judiciary remains under the influence of the executive branch. Most local officials are appointed by the president. Political parties are weak. Although nearly two-dozen are registered, some are inactive. Less than half the members of the legislature claim party affiliation, and voting rarely takes place along strict party lines.

President Akayev's supporters have petitioned the Constitutional Court to decide whether Akayev could run for a "second" term as allowed by the 1993 constitution (disregarding his election in 1991 under a previous constitution). The Constitutional Court agreed in July 1998 that Akayev could run again, leading some observers to criticize the decision as violating the spirit if not the letter of the rule of law. Other indicators of lagging democratization in mid-1998 include passage of a law requiring a permit to hold demonstrations (apparently violating a constitutional safeguard of the right to assembly) and the consideration of a draft electoral law calling for most legislators to be indirectly elected by local administrations.[84]

U.S. Democracy-Building Aid. According to the U.S. Administration, the challenge for U.S. aid is to ensure that Kyrgyzstan serves as an example of political and economic reform for other Central Asian states. Kyrgyzstan is "a 'laboratory' for demonstrating that democracies can work in Central Asia," according to USAID. The Administration has requested $10 million in Freedom Support Act funds for FY1999 for democracy-building, a slight increase over FY1998 estimated spending. This includes USAID's request for $2.05 million for citizens' participation and $2 million for local government programs. Democratic reform and respect for the rule of law took a step forward, USAID has reported, with a successful USAID-assisted housing program that included property auctions, construction, and the development of condo associations. USAID also has endeavored to strengthen civil society by supporting NGOs and the legal and media professions.[85]

Armenia

Armenia is in the early stages of an uneven transition to democratic order and free market economy, according to the State Department and others. Until 1994, Armenia appeared to be making progress in democratization, but in recent years authoritarian tendencies have caused a mixed picture to emerge. Armenia was among the first Soviet republics to begin building democracy, and it endeavored to secede from the Soviet Union in a peaceful and lawful fashion. Its legislature was freely elected in 1990 and its president was democratically elected in 1991. However, other events less favorable to democratization included the fortification of existing networks of favoritism, nepotism, and corruption among various government officials, enterprise directors, and leading families, according to some observers. The conflict over Nagorno Karabakh (NK; a breakaway part of

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[84] *Kyrgyzstan Bulletin*, July 15, 1998.

[85] USAID, *Congressional Presentation for FY1999, Annex III*, pp. 125-127, 133-135.

Azerbaijan inhabited mostly by ethnic Armenians who are supported by Armenia) has also impeded democratization. Some militant nationalists have stressed national security issues and a "united front" in the conflict over NK as more important than democratization. In 1994-1995, the Armenian government banned the major opposition party, the Dashnaktsutiun (Armenian Revolutionary Federation or ARF), increased controls over the press, and manipulated the 1995 legislative elections and constitutional referendum, according to some observers. These observers also allege that the constitutional referendum was presented to voters as a decision on whether or not to have a constitution, rather than a vote on the merits of the presidential republic it created. OSCE election monitors called the 1995 legislative race "free but not fair," reflecting the ban on the ARF and media and other manipulation of the electoral campaign by President Ter-Petrosyan.[86]

The Armenian government manipulated the results of the 1996 presidential election, thereby restricting the ability of citizens to change their government peacefully and contributing to a lack of public confidence in the integrity of the electoral process, according to the State Department. OSCE observers of the 1996 presidential election also concluded that there were "serious violations of the election law" that "raise questions about the integrity of the election process," and the official vote count, although they noted that it is uncertain whether the irregularities would have affected the basic outcome of the race.[87] Other observers have argued that, although the election was flawed, the conduct of the campaign was an improvement over the 1995 legislative elections. Although the constitution provides for independent judicial and legislative branches, in practice they are not insulated from political pressures from the executive branch.[88] The constitution allows the president wide scope to dissolve the legislature and the power to appoint the cabinet, chief prosecutor, and members of the Constitutional Court. There is an absence of a viable legal and regulatory framework for institutions such as the judiciary and procuracy, and the relative weakness of civil society impedes democratization, according to many observers.

In February 1998, Armenian President Ter-Petrosyan announced his resignation, stating that the "power bodies" (the security ministries) had "demanded" that he step down, and that he had acceded in order to prevent "destabilization in the country." Prime Minister Kocharyan, who had been critical of Ter-Petrosyan's NK policy, assumed the duties of acting president (after the speaker of the legislature, next in the constitutional line as acting president, also resigned). A presidential election was scheduled to be held on March 16, with a runoff on March 30 between the two top candidates if no one received over 50% of the vote. Twelve candidates successfully registered on March 13. No candidate won over 50% of the 1.46 million votes cast (a 63.97% turnout) as required, so the two top candidates -- acting

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[86]Nora Dudwick, Political Transformations in Postcommunist Armenia, in Karen Dawisha and Bruce Parrott, eds., *Conflict, Cleavage, and Change in Central Asia and the Caucasus,* Cambridge University Press, 1997, pp. 69-109; USAID, *Congressional Presentation for FY1999, Annex III*, pp. 29-30, 38-40; U.S. CSCE, *Report on Armenia's Elections and Constitutional Referendum,* 1995.

[87]U.S. CSCE, *Report on Armenia's Presidential Election of September 22, 1996*, 1996.

[88]U.S. State Department, *Country Reports on Human Rights Practices for 1997.*

President Robert Kocharyan and the former Armenian Communist Party leader -- were scheduled for a runoff election on March 30. Electoral observers from the OSCE witnessed myriad voting irregularities and judged the first round of voting as "deeply flawed," although they noted that the irregularities did not alter the basic outcome. Kocharyan received 59.49% of 1.57 million votes cast (a 68.49% turnout) in the runoff (CEC statement of final results, April 6). Based on reports from almost 140 electoral observers, the OSCE concluded that the voting irregularities observed did not affect the outcome. It stated that the election was a step forward from the troubled 1996 presidential race but did not meet OSCE standards.[89] Kocharyan's party coalition in the presidential race appeared to be unraveling in mid-1998, with the Yerkrapah Union of Karabakh Veterans seeming to vie with the Armenian Revolutionary Federation (Dashnaktsutyun) Party for elite support ahead of legislative races planned for mid-1999.

U.S. Democracy-Building Aid. Despite setbacks, there have been some positive democratization efforts, many achieved with U.S. aid, according to USAID. Legislation on a new civil and criminal code is nearing completion. The judiciary and the legislature are becoming more capable. USAID has fostered the growth of NGOs and opposition parties, enabling them to aggregate interests. An independent print and broadcast media are emerging. The Administration requested $19 million in Freedom Support Act funds for democratization for FY1999, a slight decline over FY1998 estimated spending. This includes USAID's request for $7.7 million to enhance citizens' participation and $4.3 million to support legal systems reforms.[90]

Azerbaijan

Azerbaijan's democratization efforts have faced damaging setbacks. Despite months of political turmoil, Azerbaijan had a progressive multi-candidate presidential election in mid-1992, although there were some balloting irregularities associated with family voting. However, popularly-elected president Abulfaz Elchibey proved slow in implementing political and economic reforms and in negotiating a settlement of the NK conflict. Even these efforts were set back when he was overthrown by paramilitary forces in mid-1993 and replaced by former Azerbaijani Communist Party leader Heydar Aliyev. A subsequent late 1993 presidential election was declared undemocratic by international observers. Aliyev's rule has been authoritarian, with intolerance of political opposition and criticism, according to many observers.[91]

According to the State Department, the Azerbaijani government widely interferes in the electoral process, thereby restricting the right of citizens to change the government peacefully. International monitors found irregularities in the 1995 legislative races and declared them neither free nor fair. The flawed election resulted in domination of the legislature by the New Azerbaijan Party, led by Aliyev, and

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[89]OSCE, *Republic of Armenia Presidential Election, March 16 and 30, 1998: Final Report*, April 13, 1998.

[90]USAID, *Congressional Presentation for FY1999, Annex III*, pp. 38-40.

[91]Audrey Alstadt, Azerbaijan's Struggle Toward Democracy, *Conflict, Cleavage, and Change in Central Asia and the Caucasus*, pp. 100-155.

other parties and independent deputies loyal to the president. Opposition party candidates were in many cases barred from running and these parties won only eight seats. Serious irregularities, including the apparent inflation of turnout, also put into question the constitutional referendum held at the same time. Aliyev, while acknowledging that the election and referendum did not meet international democratic standards, argued that they showed some democratization progress.[92]

Although democratic political reforms are "blunted" in Azerbaijan, "a modicum of press freedom and increasing citizen participation in various types of political and social service delivery organizations is laying the foundation for future political change," according to USAID[93] Also, despite government harassment, some opposition parties continued to be active, another sign that democratic tendencies have not yet been extinguished, according to the State Department.[94] The government continues to deny registration to two prominent opposition parties. The legislature is only marginally independent from the executive branch, exercising little legislative initiative. Aliyev forced the increasingly popular and independent Rasul Guliyev to step down as legislative speaker in 1996. Initially, Guliyev was accused of insufficient loyalty to Aliyev for urging stepped-up economic reforms, but later was accused of corruption and supporting terrorism.[95]

Azerbaijani presidential and belated municipal elections are scheduled for October 1998. The run-up to the presidential race, however, raises increased doubts about the future of democratization in Azerbaijan. An election law approved in June 1998 by the legislature — which is controlled by the ruling New Azerbaijan Party — calls for one-half of the Central Electoral Commission to be appointed by the president and one-half by the legislature. Several opposition parties have objected to this law as preordaining Aliyev's re-election and have threatened to boycott the presidential race. According to oppositionists, pro-Aliyev forces have responded to this boycott threat by fielding straw candidates to give the appearance of a multi-candidate race.

U.S. Democracy-Building Aid. A provision of P.L.105-118, signed into law in November 1997, relaxes the restriction on U.S. assistance to Azerbaijan by permitting government-to-government democracy-building aid. Reflecting this change, the Administration requested $8 million in Freedom Support Act funds for democracy-building in FY1999 (double FY1998 estimated spending), including

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[92]U.S. State Department, *Country Reports on Human Rights Practices for 1997; OSCE/UN Joint Electoral Observation Mission in Azerbaijan, On Azerbaijan's 12 November 1995 Parliamentary Election and Constitutional Referendum*, January 1996.

[93]USAID, *Congressional Presentation for FY1999, Annex III*, pp. 43. In April 1998, Azerbaijan halted rebroadcasts of Radio Free Europe/Radio Liberty (RFE/RL) programs, citing a license dispute. However, some critics linked the halt to increased attempts at censorship by the Aliyev regime prior to the presidential race, boding ill for a "free and fair" election. See Mirza Michaeli, Azerbaijan: Protest Fast To Renew RFE/RL Broadcasts Grows, *RFE/RL Newsline*, May 4, 1998.

[94]*FY1997 Freedom Support Act Annual Report*, p. 1.

[95]U.S. State Department, *Country Reports on Human Rights Practices for 1997.*

USAID's request for $3 million for citizens' participation programs such as electoral system support.[96]

BACKSLIDING OR FAILED DEMOCRATIZATION

According to Freedom House, Belarus, Tajikistan, Uzbekistan, and Turkmenistan rank lowest in democratization. Some civil liberties appear to be upheld in Kazakstan, but legal and constitutional restrictions on civil and human rights, and the question mark over Kazakstan's ethnic stability, place it in this group of NIS where democratization is problematic, though not impossible, according to some observers. Analyst Richard Rose, in noting the absence of substantive democratization in these states (he also includes Azerbaijan), states that "democracy is not necessarily the destiny of all post-communist countries." He observes that "Tajikistan, Turkmenistan, and Uzbekistan equal Burma, Iraq, and Sudan in the denial of freedom."[97] There may be some nascent democratization efforts in Tajikistan (see below).

Belarus

Belarus is substantially backsliding in its democratization. According to the State Department, the government severely restricts the right of citizens to change their government peacefully. After gaining independence in 1991, Belarus continued to be ruled by hardline Communists in the government and legislature who forged ties with kindred Russian hardliners. By 1994, they had forced out the moderate legislative speaker Stanislau Shushkevich, just before elections were held for the newly created presidency. The presidential race of mid-1994 pitted the hardline prime minister Vyacheslau Kebich against obscure legislator Alyaksandr Lukashenka. Lukashenka ran on an anti-corruption platform and won the second round of the presidential race with 80% of the vote. International observers judged the race as free and fair.[98] In contrast, the mid-1995 legislative races were afflicted by irregularities, including a media blackout on campaign information, harsh restrictions on campaign expenditures, onerous electoral procedures that in effect favored rural Communist Party candidates, and government propaganda aimed at discouraging turnout and reducing the appeal of nationalist parties.[99] Even after a second round of voting, many seats in the legislature remained unfilled, and Lukashenka used this opportunity to rule by decree. Many Communists and other members of the outgoing legislature opposed Lukashenka's effort to eliminate the legislature, and pressed for further electoral rounds. Relenting, Lukashenka permitted two rounds of voting in late 1995 that raised the number of seats filled in

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[96]U.S. State Department; USAID, *Congressional Presentation for FY1999, Annex III*, p. 47.

[97]Rose, p. 95; Linz and Stepan, p. 449n.

[98]U.S. CSCE, *The Belarusian Presidential Election, June and July 1994*, 1994.

[99]The OSCE concluded that the electoral process leading to the elections "fell short of the commitments contained in paragraph 7.7 of the Copenhagen Document of the OSCE with respect to political campaigning. The provisions dealing with secrecy of voting were not strictly enforced. Taking into account the deficiencies of the electoral legislation, the voting itself was, despite some irregularities, conducted in a generally adequate manner." See OSCE, *ODIHR Activity Report 1995*, October 1, 1995.

the legislature to 198 (out of 240). This legislature convened in early 1996, but growing calls by many for Lukashenko's impeachment caused him to propose a new constitutional referendum in late 1996 that would expand his powers.[100]

The constitutional referendum held in November 1996 was neither free nor fair, according to most international observers. The Belarusian Constitutional Court objected that the draft constitution would give the executive branch unacceptable control over the legislative and judicial branches, and ruled that the referendum could only be advisory. The Belarusian Central Electoral Commission head refused a demand that he proclaim that the referendum had passed even before the ballots were counted and was fired, and the prime minister also resigned. Following the vote, Lukashenka implemented the constitution despite the Constitutional Court's ruling. The constitution created a bicameral legislature. The president appointed eight of the 64 members of the upper chamber, while his regional and Minsk city officials appointed the rest. Lukashenka selected incumbent pro-government legislators elected in 1995 to fill other seats, sidestepping a new election. International electoral and human rights groups condemned these procedures as undemocratic. On July 7, 1998, the OSCE Parliamentary Assembly overwhelmingly voted to refuse to recognize a delegation from the new legislature and to continue to accredit members of the disbanded legislature.[101]

U.S. Democracy-Building Aid. In March 1997, the Clinton Administration announced that it was curtailing planned aid to Belarus, including government-to-government exchanges of legislators and judicial personnel, because of mounting human rights abuses. The Administration has requested $7 million in Freedom Support Act funds for democracy-building efforts in Belarus during FY1999, primarily for nongovernmental and private exchanges and training programs such as those of the Eurasia Foundation, the National Endowment for Democracy, and USIA's Democracy Commission. USAID did not formally request democracy-building funds for Belarus, but indicated that it plans to support some activities. These include the ABA/CEELI program to foster respect for the rule of law by strengthening local bar associations and supporting legal education. Grants to IREX/PROMEDIA will assist media associations to improve laws and promote freedom of speech.[102] Deteriorating U.S.-Belarusian relations in mid-1998 has contributed to added and proposed U.S. restrictions on aid to Belarus.

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[100]Kathleen Mihalisko, Belarus, in Dawisha and Parrott, eds., *Democratic Changes*, pp. 223-281.

[101]U.S. State Department, *Country Reports on Human Rights Practices for 1997.* See also International Helsinki Federation for Human Rights, *Annual Report 1997.* According to the Federation, Lukashenka has "undermined all the prerequisites for a democratic and open society based on the separation of powers, democratic pluralism, the rule of law, and respect for civil rights." Parrott too has classified Belarus as a "personal dictatorship." See *Democratic Changes*, p. 7; and Kathleen Mihalisko, Belarus*, Democratic Changes*, pp. 223-281.

[102]U.S. State Department; Secretary of State, *Congressional Presentation for Foreign Operations for FY1999*, pp. 651-652; USAID, *Congressional Presentation for FY1999, Annex III*, pp. 50-51.

Kazakstan

In March 1995, President Nursultan Nazarbayev orchestrated the dissolution of a newly elected legislature he found obstructive and ruled by decree. A referendum held in April 1995 extended his term until the year 2000, although the constitution then in force called for a presidential election. He drew up a new constitution which was overwhelmingly approved in mid-1995. In December 1995, Nazarbayev supporters won all seats in mostly uncontested races to the upper chamber of a new legislature (and some were appointed directly by the president), and the presidential party won most seats in the lower chamber. The elections and referendums of 1995 were considered nondemocratic by international observers.

According to the State Department, the Kazak government infringes on the right of citizens to change their government peacefully. The constitution concentrates power in the presidency, giving it substantial control over other branches of government. The constitution cannot be amended without the president's agreement. A Constitutional Council, which replaced the Constitutional Court in 1995, has three of seven members appointed by the president, limiting its independence. The regional governors are appointed by the prime minister but serve at the discretion of the president, who also has the power to annul their decisions. The legislature cannot initiate changes in the constitution or exercise oversight over the executive branch. The president has broad powers to dissolve the legislature, while the legislature has highly limited power to remove the president. A presidential decree of December 1996 added to the president's power by designating the president as the supreme arbiter of foreign and domestic policy and the guarantor of state power, the constitution, and human rights. He also assumed the power to order legislative elections, annul laws, and dismiss the government. Most legislative activities occur behind closed doors and ties with constituents are nonexistent. During 1997, legislators made some use of their power to introduce bills, a sign of democratization progress, although Nazarbayev retained a firm grip on power.[103]

Observers warn that Kazakstan faces problems of state building posed by its large minority ethnic Russian population. Attempts to create a "Kazakstan for the Kazaks" cannot be pursued through democratic means. Such efforts could lead Russians in Kazakstan to appeal to nationalists in Russia for support and to greater support for secessionism among northern and eastern regions where most of Kazakstan's six million ethnic Russians reside.[104]

U.S. Democracy-Building Aid. The U.S. Administration has used Freedom Support Act funds to promote legal and infrastructure improvements needed to help create a democratic and civil society in Kazakstan. For FY1999, the Administration has requested $14 million for such programs, a sizable boost over FY1998 estimated spending. This includes $7.5 million requested by USAID to help independent television to become sustainable, $3 million for local government initiatives, and $4.5 million for citizens' participation programs such as strengthening the legislature

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[103]U.S. State Department, *Country Reports on Human Rights Practices for 1997*. See also *Freedom Support Act FY1997 Annual Report*, p. 1; and U.S. CSCE, *Political Reform and Human Rights in Uzbekistan, Kyrgyzstan, and Kazakstan*, March 1998, pp. 27-38.

[104]Linz and Stepan, p. 32.

and developing NGOs to ensure grassroots involvement. USAID states that the legislature and parties are not yet a vehicle for popular involvement in political life, so NGOs, fledgling media, and social and economic movements are supported to help fill the void. USAID has stated that it will work to enhance development of the electoral system in anticipation of 1999 legislative races. Since FY1993, USAID has tried to improve citizen participation by developing NGOs, of which there are now over 440. Independent media are also increasing. A local bar association is being helped to operate to contribute to democratic change. USAID implemented the Municipal Finance and Management Project in Central Asia as part of the Democratic Pluralism program from 1994-1996 in the town of Atrau. The town drew up a development strategy and adopted Western accounting practices. A new program was launched in FY1998 to train local officials in municipal management and problem solving and financial accounting and procurement, helping residents manage privatized housing developments, and training city council members in democratic local governance.[105]

Tajikistan

According to the State Department, during 1997 Tajikistan remained a largely authoritarian state, where the government limited the right of citizens to change their government peacefully and freely. The constitution was adopted in a questionable referendum in 1994. It created a strong president who has broad powers to appoint and dismiss cabinet members and other officials. The presidential race, held at the same time as the referendum, pitted Tajik leader Imomali Rakhmanov against one semi-opposition candidate, with other candidates excluded. The exclusion of effective opposition participation in the electoral, constitution-drafting, and referendum processes led to a boycott by international observers. The legislative election of 1995 was similarly boycotted by international observers. The race was marred by many irregularities such as voter intimidation and ballot-box stuffing that precluded election of an independent legislature. Some members of the legislature, however, have challenged the government on some policies. The judiciary is not independent. Significant movement toward ending the civil war was marked by the signing of a comprehensive peace accord in June 1997 and the inauguration of a National Reconciliation Commission in July. This Commission has proposed a coalition government and planned legislative elections in 1998.[106]

The prospects for democratization in Tajikistan remain uncertain. Although the Reconciliation Commission named several oppositionists to ministerial posts, the legislature, dominated by former communists, in May 1998 refused to confirm prominent oppositionists as ministers. It also violated provisions of the peace accords by banning religious parties, aimed against the oppositionist Islamic Revival Party. This ban created widespread oppositionist and international protest, leading to government pledges to rework the law. No date has been worked out for early

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[105]U.S. State Department; USAID, *Congressional Presentation for FY1999, Annex III*, pp. 118-121.

[106]U.S. State Department, *Country Reports on Human Rights Practices for 1997*. For background and current information on the Tajik peace process, see U.S. Library of Congress. Congressional Research Service. *Central Asia's New States*, by (name redacted). CRS Issue Brief 93108, updated regularly.

legislative elections, which are opposed by the sitting legislature. Sporadic fighting between the government and maverick oppositionist groups and brigands jeopardizes the fragile peace.

U.S. Democracy-Building Aid. The U.S. Administration has requested $5.75 million in FY1999 Freedom Support Act funds, a boost over FY1998 estimated spending, though overall aid still focuses heavily on humanitarian needs. The request includes USAID proposed spending of $1.875 million to support increased citizen participation in political decision-making. In the past, USAID has assisted Tajik NGOs to develop and to enhance their roles and effectiveness. A U.S. organization gave advice on setting up a lawyers' code of ethics. Internews has helped independent media remain in operation. IFES is working to ensure free and fair future elections. USAID envisages devoting more aid to elections if they are held during FY1999 and, if the peace process continues, to more actively promote democratization.[107]

Turkmenistan

According to the State Department, Turkmenistan has made little progress in moving from a "Soviet-era authoritarian style" of government to a democratic system. Turkmenistan has registered no opposition parties and continues to repress opposition political activities. Citizens of Turkmenistan have no real ability to effect peaceful change of their government and have little influence on governmental policymaking. The 1992 constitution drafted by President Saparamurad Niyazov was unanimously approved by the legislature. The constitution calls Turkmenistan a secular democracy and provides for the separation of powers between the various branches of government, but in actuality the president has absolute power and Turkmenistan remains a one-party state, according to most observers. It creates a "presidential republic" where the president is also the prime minister, has the power to appoint all executive, judicial, and regional officials, and has wide authority to rule by decree and to control the legislative process. It is silent on how the legislature (Mejlis) initiates and approves laws and on relations between the Mejlis and the quasi-legislative Khalk Masilkhaty. Following the adoption of the constitution, Niyazov was re-elected president in an uncontested race. Opposition groups were given inadequate time to organize and qualify to submit a candidate. A 1994 referendum to extend the term of the president until the year 2002 was reported as garnering the support of 99.99% of the voters. The 1994 legislative races were judged to be nondemocratic, because no opposition participation was allowed and the elections were uncontested. The president controls the judicial system.

Although the Mejlis has no genuine independence, it has moved to become more professional and does amend and debate some draft legislation.[108] The lack of

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[107]U.S. State Department; USAID, *Congressional Presentation for FY1999, Annex III*, p. 238.

[108]U.S. State Department, *Country Reports on Human Rights Practices for 1997*. Parrott terms Turkmenistan a "personal dictatorship." See *Democratic Changes*, p. 7. The U.S. CSCE has judged Turkmenistan as having "the most repressive regime in all the former Soviet republics." See *Political Reform and Human Rights in Uzbekistan, Kyrgyzstan, and* (continued...)

democratization in Turkmenistan was displayed during the April 11, 1998 election of sixty unpaid "people's representatives" to the Khalk Masilkhaty (these people's representatives make up a small fraction of the Khalk Masilkhaty, which also includes members of the Mejlis, ministers, judges, and regional executives). Turnout was reported at 99.5%, though some of the candidates ran unchallenged and no real campaigning or political party contestation occurred.

U.S. Democracy-Building Aid. The U.S. Administration has requested $3.5 million in Freedom Support Act funds for FY1999 for democracy-building programs, mainly for exchanges and training, the lowest proposed funding among the NIS. USAID has requested no FY1999 funds for its democratic pluralism programs in Turkmenistan, citing Turkmenistan's inadequate commitment to reforms.

Uzbekistan

According to the State Department, Uzbekistan is an authoritarian state with limited civil rights. Although the constitution provides for separation of powers between the branches of government, in practice the president dominates the government. The judicial branch is heavily influenced by the executive branch. Citizens cannot exercise their right to change the government peacefully. The government "severely represses" opposition groups and "applies strict limits" on free speech. No opposition groups are allowed to function legally or participate in government. President Karimov was elected in a limited multi-candidate election in 1991. In 1995, he won support by 99.6% of 11.25 million voters in a referendum to extend his presidential term until the year 2000, a percentage the U.S. State Department noted "could not have been valid." He has extensive decree powers, primary authority for drafting legislation, and control of virtually all government appointments. The dominant party is the People's Democratic Party (PDP) of Uzbekistan -- the renamed former Communist Party -- and most government officials belong to the PDP. The December 1994 legislative races were limited to candidates from the PDP and one other pro-government party. Since then, some other pro-government parties have fielded candidates in unchallenged by-elections and gained representation in the legislature. The legislature has remained largely a rubber-stamp body.[109]

U.S. Democracy-Building Aid. The U.S. Administration requested $11.05 million in Freedom Support Act funds for FY1999 for democracy-building programs in Uzbekistan, a sizable boost over FY1998 estimated spending. This includes $3.28 million requested by USAID to enhance citizens' participation in political and economic decision-making. According to USAID, the United States is the major international donor of aid for democracy-building in Uzbekistan. The Counterpart Consortium will focus on NGO training and the Eurasia Foundation will provide grants to organizations to encourage engagement in policy issues. USAID also

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[108](...continued)
Kazakstan, March 1998, p. 4.

[109]U.S. State Department, *Country Reports on Human Rights Practices for 1997.* See also U.S. CSCE, *Political Reform and Human Rights in Uzbekistan, Kyrgyzstan, and Kazakstan*, March 1998, pp. 5-16; and William Fierman, Political Development in Uzbekistan, *Conflict, Cleavage, and Change*, pp. 360-408.

encourages the formation of independent media, but has had limited success because of Uzbek government policies. There are plans to assist in strengthening election laws, forming an independent electoral commission, training election officials, and educating voters in preparation for legislative and presidential elections in 1999, if the Uzbek government appears committed to freer elections.[110]

[110]U.S. State Department; USAID, *Congressional Presentation for FY1999, Annex III*, pp. 278-279, 284-285.