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**THESIS**

**THE RUSSIAN-UKRAINIAN FRIENDSHIP  
TREATY AND THE SEARCH FOR REGIONAL  
STABILITY IN EASTERN EUROPE**

by

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December, 1997

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Since the collapse of the Soviet Union in December 1991, world attention has focused on the future of the new independent states (NIS) in Central and Eastern Europe. Ukraine has been of particular importance because, in becoming an independent state, it has completely changed the geopolitics of Eastern Europe. Ukraine's independence pushed Russian borders 500 miles to the east and limited Russia's access to the Black Sea. Since 1991, Ukraine and Russia were unable to sign a Friendship Treaty recognizing each others borders. The signing of this treaty has appeared imminent since 1993, but was always delayed--most recently in October 1996. A series of contentious issues emerged which cast doubt not only on Ukraine's stability and future existence, but also on Russia's. All the post-Soviet Union arrangements were in question. After almost six years of negotiations, insult, and conflict, Russian President Boris Yeltsin and Ukrainian President Leonid Kuchma signed the treaty on 31 May 1997. In the end, it was NATO enlargement that forced Russia to sign the treaty and to recognize Ukraine as an independent state. This is a study of the difficult process and the issues that arose during negotiations.

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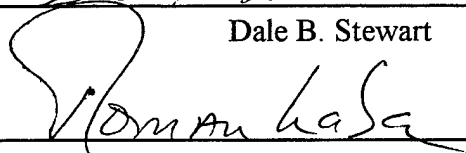
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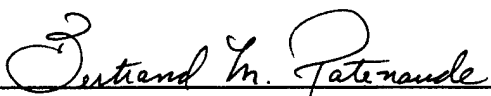
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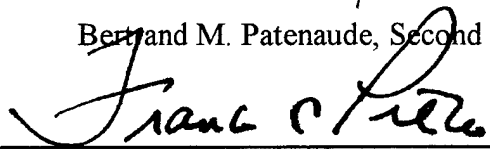
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## ABSTRACT

Since the collapse of the Soviet Union in December 1991, world attention has focused on the future of the new independent states (NIS) in Central and Eastern Europe. Ukraine has been of particular importance because, in becoming an independent state, it has completely changed the geopolitics of Eastern Europe. Ukraine's independence pushed Russian borders 500 miles to the east and limited Russia's access to the Black Sea.

Since 1991, Ukraine and Russia were unable to sign a Friendship Treaty recognizing each others borders. The signing of this treaty has appeared imminent since 1993, but was always delayed—most recently in October 1996. A series of contentious issues emerged which cast doubt not only on Ukraine's stability and future existence, but also on Russia's. All the post-Soviet Union arrangements were in question. After almost six years of negotiations, insult, and conflict, Russian President Boris Yeltsin and Ukrainian President Leonid Kuchma signed the treaty on 31 May 1997. In the end, it was NATO enlargement that forced Russia to sign the treaty and to recognize Ukraine as an independent state. This is a study of the difficult process and the issues that arose during negotiations.



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## EXECUTIVE SUMMARY

Since the collapse of the Soviet Union in December 1991, world attention has focused on the future of the new independent states (NIS) in Central and Eastern Europe. Their survival has depended on Russia's recognition of existing and inviolable borders between itself and the republics of the former Soviet Union (FSU). Ukraine has been of particular importance to Russia because, in becoming an independent state, it has completely changed the geopolitics of Eastern Europe. Ukraine's struggle for independence pushed Russian borders 500 miles to the east. Ukraine has limited Russia's access to the Black Sea. Sherman Garnett best describes why this country is important: "Ukraine is the keystone in the arch of the emerging security environment in Central and Eastern Europe."<sup>1</sup>

Russian national security interests in Ukraine include culture; language; the strong Russian diaspora on the Crimean peninsula, as well as in eastern Ukraine; extensive economic links: defense industry, agriculture, energy, and military early warning radar systems; basing rights at Sevastopol; the Black Sea Fleet; and Ukraine's strategic and crucial geographic location. The region is full of precious resources: Donetsk and Kherson coal, Katerynoslav steel, Kharkiv industry, agriculture products (e.g., wheat, salt, tobacco, wine and fruits), and the Crimean peninsula's vacationing resorts.

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<sup>1</sup>Sherman W. Garnett, The Keystone in the Arch: Ukraine in the Emerging Security Environment of Central and Eastern Europe (Washington, D.C.: The Carnegie Endowment for International Peace, 1997), 7.

Ukraine has similar vital interests in Russia which directly impact on regional stability. Ukraine depends on Russia for its energy. The industrial complexes require equipment and parts from Russia. Many soldiers who declared Ukrainian citizenship and service in the military are Russian. The country is home to a mix of ethnicities that has made Ukraine's pursuit for recognized independence difficult. Russians and Russian speakers largely populate the eastern region of Ukraine, including Crimea.

US engagement in Ukraine has made a significant difference. Even though the presence and control of nuclear weapons in Ukraine were the causes for initial American involvement, US leaders now realize Ukraine's significance for stability in the region. The United States responded to the decline of communism with a "Russia first" policy elaborated in 1992-93. This policy essentially disregarded the new East European states' desires for independence without Russian dominance. In 1993, the United States took an active involvement in the negotiations for Ukraine's nuclear disarmament. Its consistent participation evolved into the US-Russian-Ukrainian Trilateral Agreement in January 1994, which provided Ukraine security assurances in exchange for the dismantling and destruction of all its nuclear weapons. In 1996, US policy changed to support the development of "geopolitical pluralism" in the region. President Clinton's current National Security Policy endorses the spread of democracy and open market reform for fledgling states in the region; this is a total reversal of the US policy of six years ago.

Since 1991, Russia and Ukraine have worked on a number of important bilateral issues. The most significant is a Friendship Treaty resolving differences over borders and

trade relations. The signing of the Friendship Treaty has appeared imminent since 1993, but was always delayed--most recently in October 1996. The primary stumbling blocks preventing the conclusion of the Friendship Treaty were two: the division of the Black Sea Fleet and the federal status of Sevastopol. However, these were merely manifestations of a more fundamental problem: Russia did not accept the territorial existence of Ukraine.

On 31 May 1997, after nearly six years of negotiations and the cancellation of five scheduled trips, Russian President Boris Yeltsin met with his Ukrainian counterpart, President Leonid Kuchma, in Kiev and signed the long-awaited Treaty on Friendship, Cooperation and Partnership. NATO enlargement forced Russia to sign the treaty and to recognize Ukraine as an independent state. This treaty, beyond affirming the inviolability of present borders, marks the first step toward genuine development of cooperation and security between the two independent states. Ukraine withstood the political and economic pressures from Russia in order to maintain its sovereignty and independence. It successfully shed the cloak "of a shared history between ruler and ruled."<sup>2</sup>

The Friendship Treaty and Black Sea Fleet negotiations continued almost without interruption. From late 1996, negotiations for a solution became more intense. The Russian fear of pushing Ukraine into NATO's orbit, if not its enlarging web of membership directly influenced the search for solutions. Russia's refusal to sign a treaty

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<sup>2</sup> Duygu Bazoglu Sezer, "Balance of Power in the Black Sea in the Post-Cold War Era: Russia, Turkey, and Ukraine," in Maria Drohobycky, ed., Crimea: Dynamics, Challenges, and Prospects (Lanham, Maryland: Rowman & Littlefield Publishers, Inc., 1995), 161-2.

and threats from Russian politicians committed the Ukrainian elites and pushed them to the West. Russia belatedly realized that its policies were counter-productive. Ukraine played the "NATO Trump Card." It continued leaning toward the West by pursuing a special partnership agreement with NATO after refusing to join a Russian-led security compact of former Soviet republics. In the end, Ukraine achieved recognition of its borders.

Yeltsin's change in foreign policy objectives helped conclude these agreements. He concluded a peace settlement with Chechnya in order to liquidate the war that was sapping Russia's power and prestige. In Minsk, he established a relationship which Russia sees as leading to a union. In Paris, he secured the Russia-NATO Founding Act because Russia had no choice but to agree to what was going to happen anyway and bargain for the best conditions possible. Finally, Yeltsin decided he had to work with Kiev, for it is precisely there, as Clinton rightly pointed out in May 1995, that the fate of European security hangs.

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## I. INTRODUCTION

Since the collapse of the Soviet Union in December 1991, world attention has focused on the future of the new independent states (NIS) in Central and Eastern Europe. Their survival has depended on Russia's recognition of existing and inviolable borders between itself and the republics of the former Soviet Union (FSU). In 1991, Russia declared itself successor to the Soviet Union and all its possessions within the Russian Federation borders. With this action, Russia lost considerable territory and strategic military assets. Its military position changed because of Ukraine. Specifically, the Soviet Union possessed twenty-six harbors and naval bases in the Black Sea littoral. After the dissolution of the empire, nineteen of these bases came under Ukrainian control, four under Russian, and three under Georgian.<sup>1</sup> This division of assets significantly injured Russian pride. The demise of the empire made it difficult for the country to accept the territorial existence and independence of the former republics.

Geopolitically, Russia has strategic interests from the Sea of Japan to the Barents Sea. Economically, it maintains ties with the NIS, but not to the same degree as during the rule of the Soviet Union. Ethnically, it feels a strong need to ensure that the millions of Russians living outside its borders receive fair treatment and do not create a massive

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<sup>1</sup>Duygu Bazoglu Sezer, "Balance of Power in the Black Sea in the Post-Cold War Era: Russia, Turkey, and Ukraine," in Maria Drohobycky, ed., *Crimea: Dynamics, Challenges, and Prospects* (Lanham, Maryland: Rowman & Littlefield Publishers, Inc., 1995), 166.

# UKRAINE IN THE NEW SECURITY ENVIRONMENT OF CENTRAL AND EASTERN EUROPE



Figure 1-1

Reprinted from Sherman W. Garnett, The Keystone in the Arch: Ukraine in the Emerging Security Environment of Central and Eastern Europe (Washington, D.C.: The Carnegie Endowment for International Peace, 1997), 2.

migration back into Russia out of fear of discrimination. Russia could not handle the economic ramifications of a large influx of refugees.<sup>2</sup>

Ukraine has been of particular importance because, as an independent state, it completely changes the face of Eastern Europe. It is a country of 52 million people with an important geostrategic and geopolitical location. Ukraine's quest for independence pushed Russian borders 500 miles to the east. Russia no longer shares common borders with Hungary, Romania, or Slovakia. Ukraine limited Russia's access to the Black Sea. Awareness of this gradually dawned on US policymakers. Since 1994, Kiev has received noteworthy political and financial support from Western powers. Sherman Garnett best describes why this country is important: "Ukraine is the keystone in the arch of the emerging security environment in Central and Eastern Europe."<sup>3</sup>

Russian national security interests in Ukraine include culture; language; the strong Russian diaspora on the Crimean peninsula, as well as in eastern Ukraine; extensive economic links: defense industry, agriculture, energy, and military early warning radar systems; basing rights at Sevastopol; the Black Sea Fleet; and Ukraine's strategic and crucial geographic location. The region is full of precious resources: Donetsk and Kherson coal, Katerynoslav steel, Kharkiv industry, agriculture products (e.g. wheat, salt,

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<sup>2</sup>John Lepingwell, "The Russian Military and Security Policy in the 'Near Abroad,'" Survival 36, no. 3, (Autumn 1994), 71.

<sup>3</sup>Sherman W. Garnett, The Keystone in the Arch: Ukraine in the Emerging Security Environment of Central and Eastern Europe (Washington, D.C.: The Carnegie Endowment for International Peace, 1997), 7.

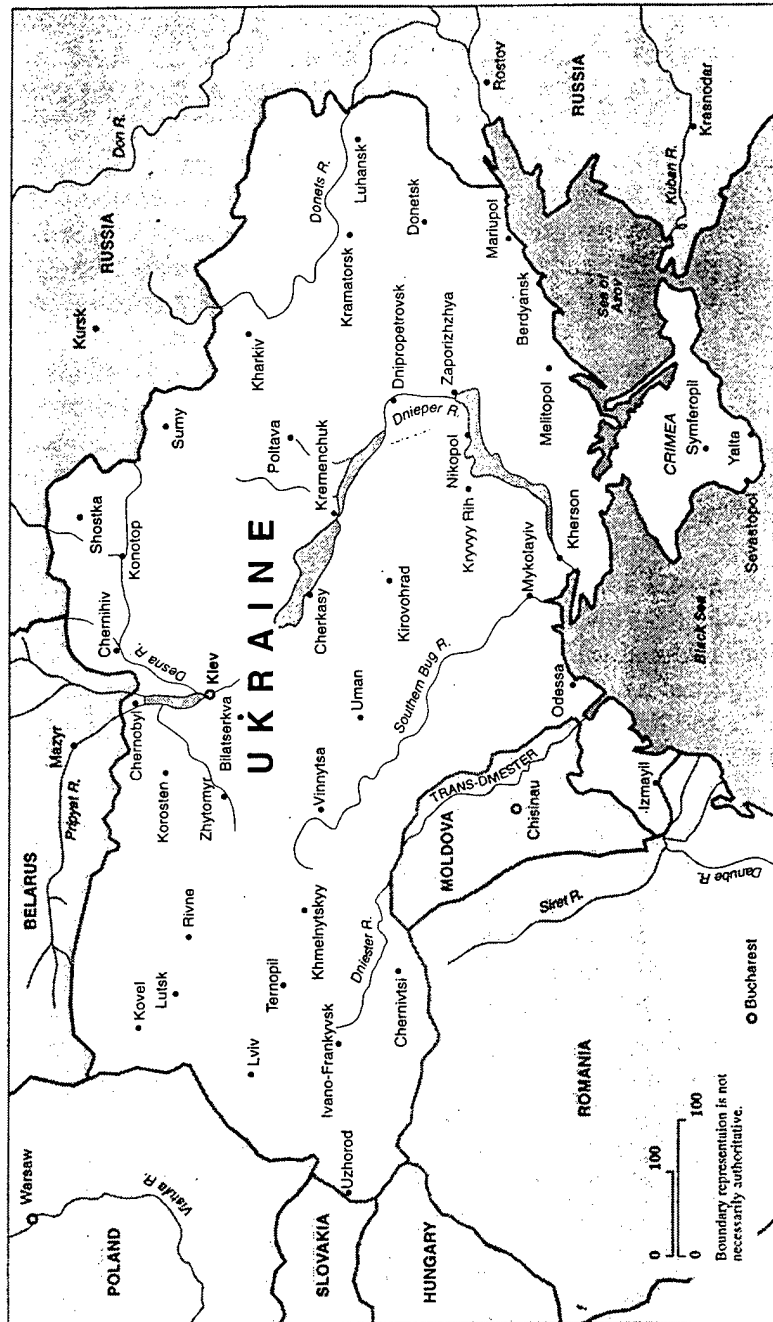


Figure 1-2

Reprinted from Sherman W. Garnett, The Keystone in the Arch: Ukraine in the Emerging Security Environment of Central and Eastern Europe (Washington, D.C.: The Carnegie Endowment for International Peace, 1997), 12.

tobacco, wine and fruits), and the Crimean peninsula's vacationing resorts.<sup>4</sup> In Sevastopol, Crimea, the Soviet Union built an impressive infrastructure to support the Black Sea Fleet (BSF), to include training and research and development. "The monetary value and strategic importance of this infrastructure far outweigh that of the actual ships and aircraft of the BSF, since it includes a variety of facilities for testing new equipment, as well as naval tactics and operations, and training naval personnel."<sup>5</sup> Additionally, military shipbuilding facilities line the Crimean coast.

Ukraine has similar vital interests in Russia which directly impact on regional stability. Ukraine depends on Russia for its energy. The industrial complexes require equipment and parts from Russia. Many soldiers who declared Ukrainian citizenship and service in the military are Russian. The country is home to a mix of ethnicities that has made Ukraine's pursuit for independence difficult. The eastern region of Ukraine, including Crimea, is home to heavy industry. Russians and Russian speakers largely populate this area.

US engagement in Ukraine has made a significant difference. Even though the presence and control of Ukraine's nuclear weapons were the causes for initial American involvement, US leaders now realize Ukraine's significance for stability in the region. The United States responded to the decline of communism with a "Russia first" policy

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<sup>4</sup>Lepingwell, "The Russian Military and Security Policy in the 'Near Abroad,'" 79.

<sup>5</sup>John Jaworsky, Ukraine: Stability and Instability McNair Paper 42, (Washington, D.C.: Institute for National Strategic Studies, National Defense University, August 1995), 48.

elaborated in 1992-93. Possibly out of legitimate concern for nuclear safety, the Bush administration supported Russia and paid little attention to the fourteen other new states. The idea was that Russian reforms would trickle down to other members of the CIS. This policy essentially disregarded the new states' desires for independence without Russian dominance. Many of the leaders in these states were suspicious of Russia's intent to rule the region, in the same way it was dominated by the USSR.

In 1993, the United States began to change its policy. It took an active involvement in the negotiations for Ukraine's nuclear disarmament. US engagement began with the Strategic Arms Reduction Treaty I (START) and the Nuclear Non-Proliferation Treaty (NPT). Its consistent participation evolved into the US-Russian-Ukrainian Trilateral Agreement in January 1994, which provided Ukraine security assurances in exchange for its dismantling and destruction of all nuclear weapons. In 1996, US policy again changed to support the development of "geopolitical pluralism" in the region.<sup>6</sup> President Clinton's current National Security policy supports the spread of democracy and open market reform for fledgling states in the region; this is a total reversal from the US policy six years ago.

Since 1991, Russia and Ukraine have worked on a number of important bilateral issues. These negotiations included nuclear disarmament, energy supply, debt negotiation, evolution of the CIS, a deeper integration of the former Soviet republics, the fate of the

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<sup>6</sup>Taras Kuzio, "NATO Enlargement: The View From the East," European Security (London: Frank Cass, Newbury House, 6:1, Spring 1997), p. 50.

Crimean peninsula, and a Friendship Treaty resolving differences over borders and place relations. Top officials in both countries stated numerous times that Russia and Ukraine needed to develop normalized political and economic relations. However, on the other hand, some Russian officials openly made territorial claims on the Eastern part of Ukraine. Admiral Baltin, former Russian commander of the Black Sea Fleet, accurately describes the opinion of Russian policy makers toward Ukraine:

Our people can't seem to grasp the fact that Ukraine ... is an autonomous country with its own vision of foreign and domestic policy which differs from Russia's. In naval language, the Russian ship is sailing east and the Ukrainian ship is sailing west, toward NATO. And even though the world is round, it doesn't mean we will meet at some point.<sup>7</sup>

As a result, a comprehensive Friendship Treaty between Russia and Ukraine remained unsigned for nearly six years. The signing of the Friendship Treaty has appeared imminent since 1993, but was always delayed--most recently in October 1996. The primary stumbling blocks preventing the conclusion of the Friendship Treaty were two: the division of the Black Sea Fleet and the federal status of Sevastopol. However, these were merely manifestations of a more fundamental problem: Russia did not accept the territorial existence of Ukraine. Nonetheless, throughout the negotiations, Ukraine fully realized that it would not survive without diplomatic and economic relations with Russia. The Ukrainian President, Leonid Kuchma, made the following statement to journalists at

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<sup>7</sup>Mikhail Levchenko, "Russia: Admiral Baltin Hits Leadership over [Black Sea] Fleet's Plight." Foreign Broadcast Information Services (FBIS) Doc # FBIS-UMA-96-055-S, 20 March 1996, 6. Interview with Admiral Eduard Baltin, former commander of the Black Sea Fleet. Moscow Pravda-5, (15-22 Mar 96), 8-9.

the end of 1996: "Ukraine and Russia need each other. Not only does Ukraine depend on Russia—from a strategic point of view, Russia depends on Ukraine also. We suggest having a normal relationship with Russia."<sup>8</sup>

#### A. THESIS

On 31 May 1997, in Kiev, after nearly six years of negotiations and the cancellation of five scheduled trips, Russian President Boris Yeltsin met with his Ukrainian counterpart, President Leonid Kuchma, in Kiev and signed the long-awaited Treaty on Friendship, Cooperation and Partnership. NATO enlargement forced Russia to sign the treaty and to recognize Ukraine as an independent state. This treaty, beyond affirming the inviolability of present borders, marks the first step toward genuine development of cooperation and security between the two independent states.<sup>9</sup> Ukraine withstood the political and economic pressures from Russia in order to maintain its sovereignty and independence. It successfully shed the cloak "of a shared history between ruler and ruled."<sup>10</sup>

The Friendship Treaty is very important to Ukraine for a number of reasons. First and most important, the treaty guarantees Russian recognition of Ukraine as an

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<sup>8</sup>"Year in Review: Ukrainian-Russian Relations," The Ukrainian Weekly LXIV, no. 52, (29 December 1996), 4.

<sup>9</sup>Svitlana Korynevych, "Ukraine: Fleet Seen as Obstacle to Treaty with Russia." Foreign Broadcast Information Services (FBIS) Doc # FBIS-SOV-96-097, <http://fbis.fedworld.gov>, 8 May 1996, 1 (Kiev Vseukrainskiye Vedomosti 8 May 96).

<sup>10</sup>Sezer, "Balance of Power in the Black Sea in the Post-Cold War Era: Russia, Turkey, and Ukraine," 161-2.

independent state with inviolable borders. Second, Ukraine is one of Russia's neighbors and the treaty allows both of them the opportunity to restore normalized partnership relations. Economically, they will enhance trade and production for mutual benefit. While Ukraine acknowledges that Russia is its pre-eminent trading partner, both countries will have a hard time existing without stable, mutually reciprocal, economic relations. Politically, they will conduct bilateral negotiations as countries with equal status. Third, with all of the Ukrainian borders recognized in treaties, international investors will feel more secure in their Ukrainian investments. This will strengthen Ukraine's ailing economy.

A number of significant events occurred in the course of the negotiating process for the Friendship Treaty and the Black Sea Fleet Agreement. This thesis examines those events by commencing with a short history of key events and developments immediately before and after the fall of the Soviet Union. It then turns to a discussion of Russia's "Near Abroad" foreign policy and the impact of the policy on Ukraine, the importance of Sevastopol, and the Crimean separatist movements. It continues with a description of President Yeltsin's change in foreign policy and the territorial claims the Russian Parliament made on Sevastopol. A discussion of the Black Sea Fleet Agreement, the Friendship Treaty and the impact of NATO enlargement comprise the conclusion.



## II. HISTORY

When the Soviet Union collapsed, two countries emerged that completely changed Eastern Europe. Russia and Ukraine became independent actors quarreling over control of the remnants of the imperial legacy. Under Communism, their relations were big brother watching over little brother. This changed on 24 August 1991, when Ukraine's declaration of independence seriously altered Russia's geopolitical situation on the European continent. A host of reasons (to be discussed herein) has led to strained relations that brought Ukraine's existing borders into question during the period 1991-1997 and made a treaty essential if Russia and Ukraine were to have normal relations.

In the waning days of the USSR, the Ukrainian SSR entered into two treaties with the Russian Federation, both of which were conditional in nature. On 19 November 1990, the Russian Federation and Ukraine signed the *Treaty on the Basic Principles of Relations between the Russian Federation of Soviet Socialist Republics and the Ukrainian SSR*.

"The high contracting parties acknowledge and respect the territorial integrity of the Ukrainian SSR and the RSFSR inside the borders presently existing *within the framework of the USSR*" (emphasis added).<sup>11</sup> When the republics of the former Soviet Union declared their independence, this treaty held no significance. In December 1991, the CIS agreement contained the following provision on the territorial integrity of member states:

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<sup>11</sup>Sherman W. Garnett, The Keystone in the Arch: Ukraine in the Emerging Security Environment of Central and Eastern Europe (Washington, D.C.: Carnegie Endowment for International Peace, 1997), 58.

“The high contracting parties recognize and respect one another’s territorial integrity and the inviolability of existing borders *within the commonwealth*” (emphasis added).<sup>12</sup> This made Russia’s recognition of Ukraine’s borders conditional upon Ukraine’s full membership in the CIS security institution. In 1991, this was the best guarantee of independence that Ukraine could receive from Russia.

If a border between Russia and Ukraine was not unconditionally recognized and inviolable, everything was open to discussion. Nothing was settled. Therefore, negotiations for a new treaty were imperative and talks concerning a Russian-Ukrainian Friendship Treaty began in 1992. On 23 June of that year, at Dagomys, representatives of the two countries signed the *Treaty Between Ukraine and the Russian Federation for the Further Development of International Relations*. As the title infers, this treaty committed both nations to sign an agreement by which each party would recognize the other’s borders and establish good neighbor relations.

After that, the negotiations for the Friendship Treaty and the Black Sea Fleet agreement passed through various stages of intensity. The initial period of negotiations began in 1992 and continued until 1994. Negotiations came to a standstill as the United States-Russian-Ukrainian tripartite agreement for nuclear disarmament took priority. The Chechen War began in December 1994 and Russia was not ready to continue the negotiations seriously until 1995, when Presidents Kuchma and Yeltsin met in Sochi. The Black Sea Fleet weighed heavily on the treaty negotiations.

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<sup>12</sup>Ibid.

After the collapse of the USSR, each new independent state declared exclusive ownership over all former Soviet Union (FSU) facilities within its respective borders. Russia made the first declaration and Ukraine followed suit shortly thereafter. Since the Soviet Union had based the Black Sea Fleet in the city of Sevastopol, the fleet would seem to have belonged to Ukraine, at least according to CIS agreements and international norms.<sup>13</sup> However, President Boris Yeltsin could not politically afford to lose the Black Sea Fleet to Ukraine. It was a Russian strategic arm. Therefore, he required that both countries resolve the Black Sea Fleet division before he would sign the Friendship Treaty.

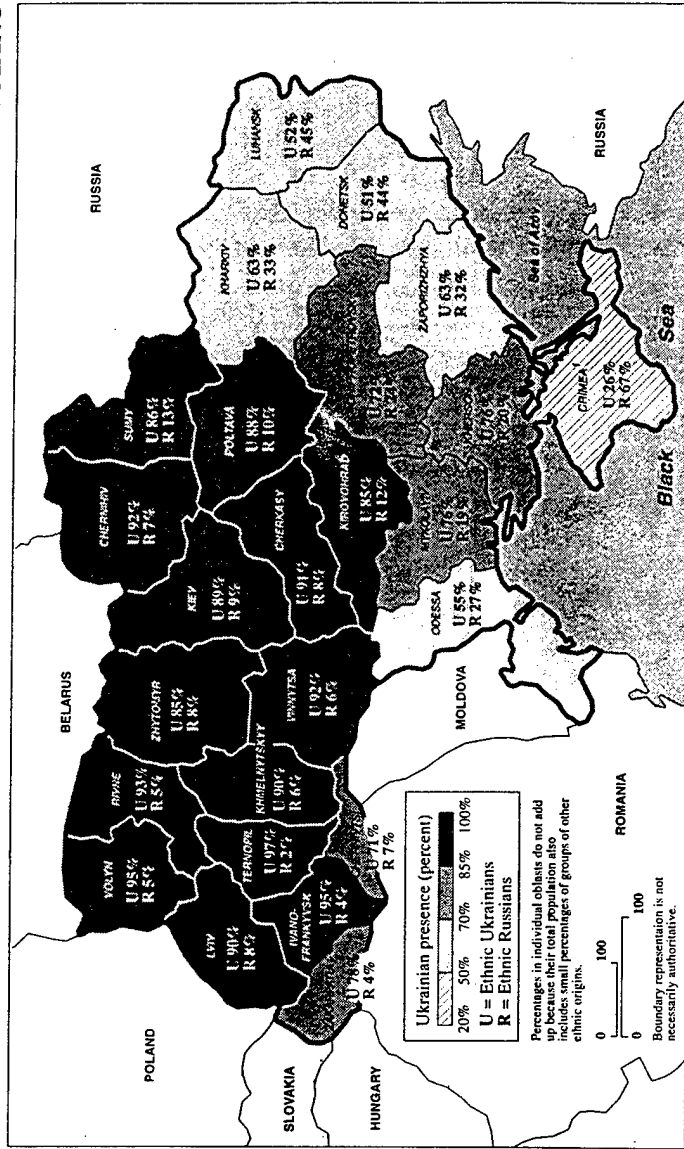
Many indicators showed that Russia would not recognize Ukraine's sovereignty. First, immediately after Ukraine's declaration of independence, Yeltsin issued a statement through his press office which stated the right of Russia to review the established borders with the republics that wished to secede from the former Soviet Union. The presidential spokesman stated that this referred to the largely Russian-populated areas near the Russian borders--Crimea, Donbass and northern Kazakhstan.<sup>14</sup> Second, President Yeltsin began to speak on behalf of the members of the CIS at international conferences, especially at the Conference on Security and Cooperation in Europe (CSCE) Helsinki

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<sup>13</sup>Yu Nepomnyashcha, "Ukraine: Security Commission Head Views Russia's Claims, Fleet Issue." Foreign Broadcast Information Services (FBIS) Doc # FBIS-SOV-97-006. <http://fbis.fedworld.gov>, 26 December 1996, 1-2, (Interview with Volodymyr Mukhin, head of the Ukrainian Supreme Council Commission for Security and Defense, Kiev Kyivska Pravda 26 Dec 96).

<sup>14</sup>Roman Solchanyk, "Crimea: Between Ukraine and Russia," in Maria Drohobycky, ed., Crimea: Dynamics, Challenges, and Prospects (Lanham, Maryland: Rowman & Littlefield Publishers, Inc., 1995), 6-7.

**UKRAINE: DISTRIBUTION OF ETHNIC UKRAINIANS AND ETHNIC RUSSIANS**



Note that the 1989 census took place before the large-scale return of Crimean Tatars.  
 Source: Data from Tamas Kuzio and Andrew Wilson, *Ukraine: Perestroika to Independence* (New York: St. Martin's Press, 1994), p. 30; data is based on the 1989 census of the Soviet Union.

Figure 2-1

Reprinted from Sherman W. Garnett, The Keystone in the Arch: Ukraine in the Emerging Security Environment of Central and Eastern Europe (Washington, D.C.: The Carnegie Endowment for International Peace, 1997), 14.

Review Conference in July 1992.<sup>15</sup> Third, after Ukraine's independence on 1 January 1992, Vladimir Lukin, then the Chairman of the Parliamentary Committee on Foreign Affairs and Foreign Economic Relations and later Russian ambassador to the United States, presented a draft resolution entitled "On the Decisions of the Presidium of the USSR Supreme Soviet of February 19, 1954, and the USSR Supreme Soviet of April 26, 1954 Concerning the Removal of Crimea from the RSFSR." It called for the annulment of the resolution placing Crimea under Ukraine's control. In 1954, Nikita Khrushchev, as the Head of State, had transferred control of the Crimea to the Ukrainian Republic of the USSR. It was a simple and logical administrative measure. Ukraine provided Crimea with almost all of its water, electricity, industrial raw materials, etc.<sup>16</sup> Nothing resulted from Lukin's 1992 resolution because the heated debate over the division of the Black Sea Fleet prevented any action from being taken.<sup>17</sup> Presidents Yeltsin and Kravchuk were able to defuse this potential crisis. These events appeared minor. However, they were small indicators of Russia's future foreign policy on the "Near Abroad." This new policy directly impacted Russian-Ukrainian relations and negotiations on the Friendship Treaty.

Russians perceived Ukraine as inseparable from the Federation. During this early period after the collapse of the USSR, Russians were convinced that Ukrainian

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<sup>15</sup>Viacheslav Pikhovshek, "Will the Crimean Crisis Explode?" in Maria Drohobycky, ed., Crimea: Dynamics, Challenges, and Prospects (Lanham, Maryland: Rowman & Littlefield Publ., Inc., 1995), 62.

<sup>16</sup>"Domestic Pressures and Mutual Apprehensions Impair Russia-Ukraine Relations," Strategic Assessment 1995: Chapter Four--Defining Trends. <http://www.ndu.edu/ndu/inss/sa95/sach0401.html#subhead2>, 5.

<sup>17</sup>Maria Drohobycky, ed., Crimea: Dynamics, Challenges, and Prospects (Lanham, Maryland: Rowman & Littlefield Publishers, Inc., 1995), 7.

independence would not last. They thought of independence as a temporary phase. First, Russian-Ukrainian relations date back to the time of Kievan-Rus when Kiev was the first capital of Rus. Official Soviet theory states that “the Russian, Ukrainian, and Belorussian peoples stem from one root, which is the Old Rus’ nationality that formed the Old Rus’ state—Kievan Rus.”<sup>18</sup> According to the theory, the formation of the three East Slavic peoples, took place in the fourteenth and fifteenth centuries, “when the Russian (or Great Russian) nationality played the most important role of guarding the Kievan tradition, not only during that formative period, but also in the two succeeding centuries.”<sup>19</sup> In the Russian mind, Kiev would always be part of Russia.

Second, Russian leaders thought that Ukraine would split into two or three regions along ethnic lines. Ethnically, Eastern Ukraine is approximately 40 percent Russian and Western Ukraine is about 10 percent Russian. Many expected Eastern Ukraine to petition Russia for a union, while Western Ukraine continued its quest for independence. Eastern Ukraine had always been considered South Russia. President Kravchuk often warned of the danger with “two Ukraines.” People were astonished that the nation remained unified the first two years of independence. During a hearing of the US House Foreign Affairs Committee, Representative Tom Lantos commented that “the Russian ambassador to

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<sup>18</sup>Jaroslav Pelenski, “The Contest for the ‘Kievan Inheritance’ in Russian-Ukrainian Relations: The Origins and Early Ramifications,” in Peter J. Potichnyj, et al., eds., Ukraine and Russia in Their Historical Encounter (Edmonton: University of Alberta, Canadian Institute of Ukrainian Studies Press, 1992), 4.

<sup>19</sup>Ibid.

Ukraine goes around and says that the current situation [i.e., Ukraine's independence] is a temporary one."<sup>20</sup>

Third, Russia has always supplied Ukraine with energy, oil, and gas despite Ukraine's erratic payments. The Chernobyl disaster ensured that this relationship would continue. Nuclear energy provided approximately 40 percent of Ukraine's electricity. Ukraine has a Russian gas pipeline that passes through the country and oil refineries at Kremenchug, Lisichansk, and other sites over which Ukraine has no controlling interests. Private Russian energy companies are building an oil pipeline from the Caspian Sea to the Black Sea. Control and movement of this oil is very important to Russia.

Fourth, both Russian and Ukrainian armies collapsed with the USSR. Russia stationed some of its best units and equipment in Ukraine. Before an independent Russia or Ukraine, Moscow used the Soviet Military District in Kiev as a redeployment location for Category I<sup>21</sup> equipment returning from Central Europe. After the breakup, Ukraine had over a million soldiers and an equivalent quantity of combat equipment (e.g., tanks, artillery, aircraft, and helicopters) as Russia.<sup>22</sup> Ukraine survived and continued to build an independent nation. Meanwhile, Russia defined a new foreign policy that impacted the countries along its periphery.

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<sup>20</sup>Randall G. Williams, "An Alternative Foreign Policy for Ukraine," Thesis (Naval Postgraduate School, June 1993), 6.

<sup>21</sup>Category I equipment is the highest quality of equipment in the Soviet Union's inventory. During the Cold War, the majority of this equipment was deployed in the Warsaw Pact's western region.

<sup>22</sup>Ibid., 14.

## A. THE RUSSIAN "NEAR ABROAD" FOREIGN POLICY

In 1992, Russia began searching for a security policy after the collapse of the Soviet Union to define its role as protector of the region and as an international actor.<sup>23</sup> From 1992-1994, Russian foreign policy was extremely incoherent and understandably so with the transition and constraints that the government was experiencing at the time. Initially, the Yeltsin government had to develop two foreign policies: one for the "Near Abroad" (its neighbors in the former Soviet Union), and the other for the "Far Abroad" (the remainder of the world).

In late 1993, Russian foreign policy shifted from an initial status quo orientation, focused on accepting the loss of control over the former Soviet republics, to a careful but assertive policy. It was specifically directed at reestablishing Russia's preponderance over the former republics of the Soviet Union and on maintaining the Russian military in as many of the bordering countries as possible. "As Yeltsin and his foreign minister, Andrei Kozyrev, took a much harder line toward Russia's 'Near Abroad,' Moscow seemed to have reached a de facto consensus on restoring as much of the old Soviet empire as possible under the banner of the CIS."<sup>24</sup> At a January 1994 Russian policy conference in Moscow, "Foreign Minister Andrei Kozyrev indicated his strong support for maintaining a

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<sup>23</sup>John Lepingwell, "The Russian Military and Security Policy in the 'Near Abroad,'" *Survival* 36, no. 3, (Autumn 1994), 70.

<sup>24</sup>William E. Odom and Robert Dujarric, Commonwealth or Empire? Russia, Central Asia, and the Transcaucasus (Indianapolis, Indiana: Hudson Institute, 1995), 98.

Russian presence in 'regions which have been in the sphere of Russian interests for centuries' and avoiding the emergence of a 'security vacuum' in the near abroad."<sup>25</sup>

Communists and nationalist patriots, such as former Vice President Alexander Rutskoi, led the way toward this new foreign policy orientation. Rutskoi argued that no serious military threats against Russia existed at the time. However, he insisted that military affairs are dynamic and bordering states could acquire quality military forces, conventional weapons, and weapons of mass destruction, specifically nuclear weapons. "For Russia specifically... the large 'possible threat' would be the movement of military forces into states on the CIS border. Other and more immediate threats were civil wars within the CIS, including Russia."<sup>26</sup>

First, Rutskoi proposed a thinly veiled formula for reclaiming the old Soviet borders by establishing a Russian "great power" status on the West, South, and East. Second, he encouraged cautious cooperation with the West and Japan. He considered the inclusion in NATO of the former Warsaw Pact states and Baltic republics as wholly unacceptable. Third, cooperation with the United States in the Middle East and Southwest Asia was secondary to maintaining Russia's influence in these two regions.<sup>27</sup>

This foreign policy aimed at regaining lost power and prestige, but it required political and military capabilities which Russia did not possess. It was clearly an example

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<sup>25</sup>Lepingwell, "The Russian Military and Security Policy in the 'Near Abroad,'" 74.

<sup>26</sup>Odom and Dujarric, Commonwealth or Empire?, 117.

<sup>27</sup>Ibid., 119.

of imperial overstretch which threatened to unhinge Russia's fragile state and society. Ruskoi's arguments were "effectively a summary of the strategic thinking within the defense ministry in 1992, thinking that persisted there among conservative political circles in 1993 and 1994 and that may have been the basis for policies implemented in 1993-94."<sup>28</sup> Even though Ruskoi lost all his power by mid-1993, President Yeltsin began to adopt much of his "Near Abroad" policy. This is definitely evident with the well-established Russian military in Georgia, Armenia, Azerbaijan and Tajikistan, as well as the Chechen war beginning November 1994.

The "Near Abroad" foreign policy had four planks. First, Russia wanted to establish an economic union under the guise of the CIS, with Russian control and influence. Economic integration can be a preface to later political and military integration.<sup>29</sup> Second, analysts have termed Russia's intervention into the NIS as the "*Monroesky* Doctrine," or officially known as the "Kozyrev/Karaganov doctrine." Intervention became a means to incite separatism in the former republics. Separatists naturally allied themselves with Russia and were positive influential forces in the introduction of Russian peacekeeping forces or dual citizenship requirements. Third, this foreign policy provided support for the large population of Russians outside the borders of the federation. This protection for the Russian diaspora was "inconsistent with international law and [had] potentially devastating security ramifications, as reflected in

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<sup>28</sup>Ibid.

<sup>29</sup>Taras Kuzio, "The Crimea and European Security," *European Security* 3, no. 4 (Winter 1994): 757.

former Yugoslavia. This plank of Russian policy [refused] to recognize its neighbors in the 'Near Abroad' as fully fledged states, but only as satellites where Moscow [could] exert pressure and dictate its will."<sup>30</sup> In June 1993 at an Armed Forces Conference, President Yeltsin proposed the fourth plank of forward positioning military forces throughout the republics of the former Soviet Union. Two months later, he issued a presidential decree to establish 30 bases in the Former Soviet Union (FSU). Foreign Minister Kozyrev supported this decree and stated "that Sevastopol had always been a 'Russian base'—and will always remain so."<sup>31</sup> The establishment of military bases in the "Near Abroad" would ensure a buffer zone or sphere of influence for Russia's perceived national security. This foreign policy dictated many of the Russian leaders' decisions and Russian Parliament's resolutions.

## **B. CRIMEAN SEPARATISM**

The "Near Abroad" foreign policy indirectly incited separatist movements in Crimea during the negotiations of the Friendship Treaty. The Crimean population interpreted Russia's promise to protect its citizens outside the federation's borders as a chance to join the Russian Federation. "As the Crimean crisis escalated, support for separatism grew while Russian policy towards the 'Near Abroad' became more assertive

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<sup>30</sup>Ibid., 758-9.

<sup>31</sup>Ibid., 759. For additional info., see Interfax, 10 June 1993, when Yeltsin pointed to Armenia, Georgia and Moldova as states for forward Russian forces; ITAR-TASS news agency, 18 and 19 Jan 1994, and 28 Feb. 1994; and *Rossiyskiye Vesti*, 7 April 1994 and *Rossiskaya Gazeta* (Moscow), 29 April 1994.

making finding a resolution to the Black Sea Fleet more difficult.”<sup>32</sup> Konstantin Zatulin, Chairman of the Russian Duma’s CIS committee and staunch supporter of military means to implement foreign policy, described Crimea as being within Russia’s “sphere of special interests.”<sup>33</sup>

Coinciding with widespread nostalgia for Crimea among the general public is a growing trend in official circles, reflected in the evolution of Russia’s military and foreign policies following the disintegration of the Soviet Union, to regard this country’s neighbors within the CIS as falling into an unquestioned sphere of direct Russian interest in which one will see an ever increasing tendency toward economic, military, and political integration. As part of this trend, Russia’s leaders have demonstrated a strong commitment, widely held among Russia’s political parties, to maintain military bases in CIS member states and promote member states’ military integration.<sup>34</sup>

Crimea is the only eastern province in Ukraine with an ethnic Russian majority—67 percent of the Crimean population. Simferopol struggled with Kiev to declare its autonomy for several reasons. After its transfer to the Ukrainian USSR in 1954, Crimea remained tied to Moscow. The peninsula remained the center of military production, naval bases, and resorts. Local officials were virtually unconnected with the Ukrainian SSR government. Currently, it is the only region in Ukraine that still houses nearly 40,000 Russian soldiers and sailors—all associated with the Black Sea Fleet. Many Russian

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<sup>32</sup>Ibid., 750.

<sup>33</sup>Ibid., 761.

<sup>34</sup>John Jaworsky, “Crimea’s Importance to Ukraine and its Future Security,” in Maria Drohobycky, ed., Crimea: Dynamics, Challenges, and Prospects (Lanham, Maryland: Rowman & Littlefield Publ., Inc., 1995), 137.

military retirees have also settled in the area and maintained active involvement in politics.<sup>35</sup>

After becoming the Ukrainian President in 1992, Leonid Kravchuk struck deals with local elites in Crimea. He promised that he would leave them in power if they would remain neutral in Ukraine's drive for independence from Russia and the CIS. As reform became stagnant, this policy began to work against him. First, there was very little forward momentum in democratic reform. Second, economic reform could not flourish because the Soviet elites that he promised to leave in office did not support it.<sup>36</sup> Ukraine's independence seemed weak in 1992 and many believed that it would not last. In 1993, the civil war between Parliament and the President in Russia allowed Ukraine the freedom to consolidate its position and its elites. In 1994, Russia's disastrous adventure in Chechnya strengthened Ukraine's hand. Russian power and prestige were weakened. Russia could hardly support separatists in Crimea while fighting in Chechnya.

In the 1994 Ukrainian presidential elections, Russia supported Leonid Kuchma. Naturally, Crimea did the same. When Kuchma won, tensions relaxed. The new president led a campaign which "effectively [discredited] Crimean separatism and [forced] its legislature to eliminate the Crimean presidency and to bring its constitution into line with Ukraine's own fundamental laws."<sup>37</sup> Through a series of decrees, Kuchma subordinated

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<sup>35</sup>Garnett, Keystone in the Arch, 27.

<sup>36</sup>Kuzio, "The Crimea and European Security," 738.

<sup>37</sup>Garnett, Keystone in the Arch, 27.

the Crimean government to the Ukrainian cabinet of ministers and he reserved the right to appoint the Prime Minister. Russia did not react because the executive branch considered this an internal Ukrainian problem, like Chechnya was for Russia. However, President Yeltsin did state that he would not sign the Friendship Treaty until he was confident that Ukraine was respecting the rights of the Russians in Crimea.

The Crimean question has been resolved. The peninsula has its own Supreme Council and Prime Minister as the chief executive. In March 1995, the Ukrainian Verkhovna Rada abolished a whole series of Crimean laws, including the Crimean Constitution. The Rada passed the resolution, which stated that the Crimean laws had to be aligned with the Ukrainian Constitution. Crimea fully supports the seat of the Ukrainian government in Kiev. Russia's decision not to intervene in Crimea, its preoccupations with Chechnya, Ukraine's ability to avoid violence and find diplomatic solutions, and Kuchma's election all contributed toward keeping the Crimean crisis manageable.

### **C. THE ISSUE OF SEVASTOPOL**

In addition to the division of the Black Sea Fleet, the basing rights at Sevastopol, Crimea became a stumbling block in the negotiations of the Friendship Treaty. Even today, many Russians still regard Sevastopol as "a city of Russian glory."<sup>38</sup> They cannot

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<sup>38</sup>Moscow Mayor Yurii Luzhkov bluntly stated in a December 1996 interview with Russian NTV company that "Sevastopol is a Russian city. Sevastopol, irrespective of any reasons [dictated by] the current political situation, will belong to Russia." At the OSCE summit in Lisbon, Prime Minister Viktor Chernomyrdin echoed, "Sevastopol is a Russian city; all the earth there is covered with the bones of Russian sailors." See *Den'*, no. 33, 10 December 1996.

accept Sevastopol being suddenly and inexplicably located in another country. Catherine the Great built Sevastopol in 1783 to serve as the strategic Russian port for her Black Sea Fleet. The British, Turks, and French bombarded the city during the Crimean War of 1853-1856. In World War II Sevastopol fell into German hands after 250 days of pounding. Political officials and military leaders continuously emphasize the bravery of the soldiers and citizens who died in the defense of Sevastopol. Residents of Sevastopol are described as Russian and not former Soviets or Ukrainians in the text of Russian speeches.

Rear Admiral Aleksandr Grinko, chief of the Black Sea Fleet directorate, made the following observations about the importance of Sevastopol from a strategic viewpoint:

The entire Black Sea has no more convenient, deep, closed and vast bays than the Sevastopol bays. Their advantages are obvious from all standpoints: geopolitical, geostrategic, operational and tactical. In years of the Soviet Union's existence a dock frontage extending over 10 km was built in Sevastopol; a developed system of basing, command and control, defense, operational and combat support and ship repair was created; and the organization of deployment of forces from the base had been worked out. As a main base, Sevastopol was framed by a system of defense and protection against strikes from the air, from under water, from sea and from land. A system for [target] identification and for issue of target designation and a stable, reliable system of navigation, hydrometeorological and logistic support were developed. Because of this, Black Sea Fleet forces are capable of controlling all main axes of deployment and action of probable enemy forces, and above all, exits from the Bosphorus Strait and the western and central parts of the Black Sea, thereby providing protection for Russia's southern borders.<sup>39</sup>

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<sup>39</sup>Aleksandr Grinko, "Ukraine/Russia: Russia's Radm. Grinko Opposes Sevastopol Fleet Basing Division," Foreign Broadcast Information Services (FBIS) Doc # FBIS-UMA-96-177-S, <http://fbis.fedworld.gov>, 14 August 1996, (Sevastopol Flag Rodiny 14 Aug 96).

On 9 July 1993, the Russian-Ukrainian crisis over Sevastopol erupted in the Supreme Soviet of the Russian Federative Republic. The members overwhelmingly approved a resolution "On the Status of the City of Sevastopol," which stated that Sevastopol had federal status within Russia.<sup>40</sup> This act gained international attention and condemnation. On 20 July 1993, the UN Security Council condemned this decision as a violation of "universally recognized principles and norms of international law, in particular Paragraph 4 of Article 2 of the United Nations Charter, as well as resolutions of the OSCE (Organization for Security and Cooperation in Europe)."<sup>41</sup> In an official statement with Russia abstaining, the Security Council supported the territorial integrity of Ukraine and recognized the Treaty signed on 19 November 1990 at Kiev, in which both parties committed themselves to maintain and respect current frontiers and borders.

The Security Council reaffirms in this connection its commitment to the territorial integrity of Ukraine, in accordance with the Charter of the United Nations. The Security Council recalls that in the Treaty between the Russian Federation and Ukraine, signed at Kiev on November 19, 1990, the high contracting parties committed themselves to respect each other's territorial integrity within their currently existing frontiers. The decree of the Supreme Soviet of the Russian Federation is incompatible with this commitment as well as with the purposes and principles of the Charter of the United Nations, and without effect.<sup>42</sup>

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<sup>40</sup>Yuri M. Shcherbak, Ukrainian Ambassador to the United States. Reprinted, "For the Record: Shcherbak on the Status of Sevastopol." The Ukrainian Weekly LXIV, no. 51 (22 December 1996), 2.

<sup>41</sup>Ibid.

<sup>42</sup>Ibid.

During the time of these resolutions, US-Ukrainian relations began to change dramatically and assume a level of strategic importance that would eventually force Russia to sign the Friendship Treaty. The US played an integral part in support of Ukraine's drive for independence.

#### **D. US-UKRAINIAN RELATIONS**

In 1991-1993, United States policy toward Ukraine reflected a "Russia only" or a "Russia first" mind-set. During perestroika and the decline of communism, American policymakers dealt exclusively with Moscow and did not recognize the other republics. For example, President Bush cautioned Ukrainians to refrain from "suicidal nationalism" during his visit to Kiev on 1 August 1991. This was just three weeks before Ukraine's declaration of independence.<sup>43</sup>

Despite Bush's comment, American policy began a slow and gradual shift in recognition of Ukraine. Several days before the 1 December 1991 referendum for Ukrainian independence, President Bush announced that the United States would recognize Ukraine "in a relatively short period of time."<sup>44</sup> Recognition came on 25 December. The US opened formal diplomatic relations on 23 January 1992. In March 1992, President Bush appointed as ambassador to Kiev his Ukrainian-American deputy

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<sup>43</sup>Alexander J. Motyl, Dilemmas of Independence: Ukraine After Totalitarianism (New York: Council on Foreign Relations Press, 1993), 181.

<sup>44</sup>*Ibid.*, 181-2.

press secretary, Roman Popadiuk.<sup>45</sup> This symbolized that the president was serious enough about Ukraine to choose a member of his own staff for the post.

In May 1992, President Leonid Kravchuk visited Washington, DC. From these negotiations, Ukraine received most favored nation status and the US extended Overseas Private Investment Corporation (OPIC) insurance coverage to American firms doing business in Ukraine. Additionally, the White House promised \$10 million for the establishment of an International Science and Technology Center in Kiev for Ukraine's unemployed nuclear scientists.<sup>46</sup>

During 1992-1993, the question of nuclear weapons monopolized US policy toward Ukraine. In January 1993, under the Lisbon Protocol, President Kravchuk promised that Ukraine would ratify the Strategic Arms Reduction Treaty I (START I) and would accede to the Nuclear Non-Proliferation Treaty (NPT) as a non-nuclear weapon state. Kiev failed to ratify these treaties even though President Kravchuk continuously promised that the Rada would do it. Members of the Ukrainian Parliament consistently complained that the United States was ignoring Ukraine's size and strategic importance. In April 1993, several members of the Ukrainian Rada wrote a letter that supported Ukraine's right to maintain nuclear weapons as a successor to the USSR. Ratification did not occur. Ukraine kept the nuclear weapons to obtain Western attention and allay fears

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<sup>45</sup>Ibid.

<sup>46</sup>Ibid.

of Russian domination.<sup>47</sup> Ukraine was very concerned with minimal security assurances if it relinquished control of its nuclear weapons.

In early 1993, the United States needed to make a firm policy decision on Ukraine: “either develop a stronger, more broadly based relationship with Ukraine, at the risk of harming relations with Russia, or rebuff Ukrainian complaints and leave it to move toward becoming a full-fledged nuclear power with all the attendant negative consequences.”<sup>48</sup> The latter was unacceptable to policymakers in Washington, DC. American stock in Russian stability domestically and regionally fell. It was clear that democracy in Russia was not imminent.

After the March 1993 US-Russian Vancouver summit, Strobe Talbott, then ambassador-at-large to the CIS, and Les Aspin, former US Secretary of Defense, traveled to Kiev. These visits signaled a change in US foreign policy as the Clinton administration offered a helping hand to Ukraine. Talbott discussed US-Ukrainian bilateral relations, support for economic reform, and military cooperation. He offered US services as an intermediary to resolve disputes between Ukraine and Russia. Aspin stressed in his comments that Ukraine’s independence was in the “US interest.”<sup>49</sup> Zbigniew Brzezinski and Henry Kissinger publicly pushed for a policy of “geopolitical pluralism” in the Clinton administration that would build up the fledgling states.

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<sup>47</sup>Taras Kuzio, Ukrainian Security Policy, The Washington Papers/167 (Washington, D.C.: The Center for Strategic and International Studies, 1995), 58.

<sup>48</sup>Ibid., 60.

<sup>49</sup>Ibid.

In January 1994, the US helped Ukraine and Russia move one step closer toward signing the Friendship Treaty. The US led the negotiations for signing the US-Russian-Ukrainian Trilateral Agreement. This agreement resolved the outstanding differences on nuclear disarmament from the START I and the NPT by promising Ukraine millions of dollars in technical and financial assistance for dismantling the weapons. The Agreement promised security assurances and reaffirmed the commitment of NPT depository states (United States, United Kingdom, and Russia) "to Ukraine, in accordance with the principles of the Helsinki Final Act, to respect the independence and sovereignty and existing borders of Ukraine."<sup>50</sup> For the first time, this Agreement removed any conditional recognition of Ukraine's borders from either Russia or other outside powers. Ukraine had a stronger position from which to continue negotiations and move the Friendship Treaty in the direction of unconditional recognition. The Agreement gave Ukraine the guarantees that it could address future issues with support from the United States. It was a trilateral framework among the three countries involved.

After this agreement, on 8 February 1994, Ukraine became the first post-Soviet state to subscribe to Partnership for Peace (PfP) framework documents. This identified Ukraine as a state that was very serious about independence and Western integration. In March 1994, President Kravchuk visited the United States and cemented the new US-Ukrainian relationship. As a result of the visit, the US doubled its aid to Ukraine to \$700 million. Half was designated for economic aid which was conditional upon

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<sup>50</sup>Garnett, Keystone in the Arch, 60.

implementation of concrete economic reforms. The remainder was for nuclear disarmament. International financial institutions developed a plan to support Ukrainian economic reforms with credits of \$3.5 billion over two years. This was followed by a partnership and cooperation agreement with the EU that covered “political dialogue, improved trade, and investment opportunities.”<sup>51</sup>

In early 1994, US-Ukrainian relations improved because the Ukrainian parliament ratified the START I treaty without changes, Ukraine had security assurances from the Trilateral Agreement, and US policymakers and media debated the strategic significance of an independent Ukraine.<sup>52</sup> In late 1994 after the Ukrainian presidential elections, US-Ukrainian relations dramatically improved under President Kuchma. The new president introduced a radical economic and political reform package which the parliament backed. International financial institutions agreed to provide monetary aid. In October-November 1994, Kuchma visited the United States and Canada and received additional pledges of financial aid and political support from the G-7.<sup>53</sup>

Currently, the United States and Ukraine are in a strategic partnership. As Yurii Shcherbak Ukrainian Ambassador to the US stated, this was “the primary achievement of independent Ukraine’s foreign policy.”<sup>54</sup> As a result, in 1996, the US and Ukraine

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<sup>51</sup>Kuzio, Ukrainian Security Policy, 60.

<sup>52</sup>Ibid.

<sup>53</sup>Ibid., 62.

<sup>54</sup>“Ukrainian Envoy to U.S. Views Relations,” Foreign Broadcast Information Services (FBIS) Doc # FBIS-SOV-97-297, 24 October 1997. Natalya Vikulina, Interview with Ukrainian Ambassador to the

established the Kuchma-Gore interstate commission. It consists of four committees for international affairs, defense, regular economic cooperation, and trade and capital investments. The importance of this commission is the United States's recognition of Ukraine's key role in European security.

Ukraine has received a large amount of US and US backed tangible assistance. US aid which Ukraine receives is the third largest in the world. Israel receives \$3 billion, Egypt — \$2 billion, and Ukraine — \$225 million. Ukraine has received \$2.5 billion from US backed financial organizations. The IMF has issued several inexpensive credits to Ukraine. The World Bank has a total of \$3 billion in various projects with Ukraine.<sup>55</sup>

At the G-7 meeting on 21-22 June 1997 in Denver, Colorado, the problem at Chernobyl received high visibility from the other leading industrialized countries. Approximately \$1.5 billion in projects have been approved and are currently underway. This is evidence that “not only the Americans, but the entire world community is beginning to look at Chernobyl not only from the standpoint of energy generation, but above all from the standpoint of nuclear security.”<sup>56</sup>

The United State's commitment to Ukraine will continue for a long time—politically, economically, and militarily. In August 1997, Ukrainian, US and other PFP

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United States Yuriy Shcherbak, (Washington, D.C.) “Yuriy Shcherbak: ‘The Road to Strategic Partnership With the United States Was Uneasy.’”

<sup>55</sup>Ibid.

<sup>56</sup>“Security Chief Reiterates Ukraine's Right to drop Neutral Status, Build Nuclear Missiles,” BBC Summary of World Broadcasts *Lexis-Nexis*, June 20, 1997, (Interfax news agency, Moscow, in English 1804 gmt 18 Jun 97).

member countries conducted a military exercise in Ukraine. "Operation Sea Breeze" involved naval and ground forces with operations in Crimea. In 1997, the US will provide Ukraine \$330 million in grants and about \$350 million in bilateral credits. Furthermore, in October 1997, Ukraine and the United States will hold bilateral negotiations at the Air Force Academy in Colorado. These negotiations signify a strong US commitment to Ukraine's independence.

#### **E. FRIENDSHIP TREATY NEGOTIATIONS CONTINUE**

During the time that Ukraine moved toward the West, negotiations on the Friendship Treaty continued with the hope that both parties would quickly sign. On 9 July 1995, in Sochi, President Yeltsin and President Kuchma met to determine the main principles for the division of the Black Sea Fleet and resolve the problems over the Crimean crisis. Generally, they decided that they would split the forces in half and Ukraine would sell about 80 percent of its equipment to Russia in exchange for debt relief. This meeting demonstrated that the Parliament had no power in the foreign policy decisions of Russia. Its ineffective resolutions turned into sideshows which the President or the Ministry of Foreign Affairs refuted in public. Russian public officials denounced Ukrainian independence. President Yeltsin refused to support these statements. Mainstream politicians were acting in their own self-interest.

The agreement between Yeltsin and Kuchma seemed to have solved all the issues relating to a bilateral Friendship Treaty. During a visit to Crimea ten days later, President Kuchma stated that he and Boris Yeltsin had ended disputes between the two countries

over the status of Crimea during the Sochi summit. He stated that “Russia has reaffirmed its respect for Ukraine’s territorial integrity.”<sup>57</sup> Nonetheless, almost two years would pass before signing the Friendship Treaty.

Since 1992, the negotiations for the Friendship Treaty have been a forum for resolving tensions over the Black Sea Fleet, Sevastopol basing rights, border recognition, and separatist movements. The Treaty has been on the verge of completion several times since then. This demonstrates that the leaders wanted to avoid conflict and lessen tensions through promises of progress, but they refused to resolve the larger issues at the expense of their political careers.<sup>58</sup>

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<sup>57</sup>Svitlana Korynevych, “Ukraine: Fleet Seen as Obstacle to Treaty with Russia.” Foreign Broadcast Information Services (FBIS) Doc # FBIS-SOV-96-097, <http://fbis.fedworld.gov>, 8 May 1996, 1, (Kiev Vseukrainskiye Vedomosti 8 May 96).

<sup>58</sup>Garnett, Keystone in the Arch, 59.

### III. THE SECOND STAGE OF NEGOTIATIONS

#### A. PRINCIPLES OF NATIONAL SECURITY

Russia's strict interpretation of its "Near Abroad" foreign policy began to change in October 1996. Russian Security Council Secretary Ivan Rybkin stated in October and November 1996 that in association with President Yeltsin, he started planning for the signing of several treaties and agreements. Rybkin met with President Yeltsin to develop a logical connection for the upcoming agreements. First, they identified the principles of national security. The leadership decided that the main threats to Russia remain internal and nonmilitary in nature. As Rybkin stated, "The wish still to take on the whole world is an atavistic symptom, a recurrence of what we have been through before."<sup>59</sup> The focus on an internal threat of drugs, organized crime, weapons of mass destruction, and other problems presupposes a redistribution of resources to solve social, economic, political, and other questions.<sup>60</sup> Obviously, Russia needed to make peace with its neighbors to have time to heal its internal wounds.

Second, Russia needed to resolve the Chechen crisis. Chechnya changed everything because it made Russia seem powerless. It made it impossible to support separatism abroad while fighting a domestic war. Additionally, the world needed to see

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<sup>59</sup>"Russian Security Council Head Says Recent Agreements Have Strengthened Security," BBC Summary of World Broadcasts *Lexus-Nexus*, June 12, 1997. Vladimir Yanchenkov, "Ivan Rybkin: We Cannot and We Will Not Take On the Whole World," Trud, (10 Jun 97).

<sup>60</sup>*Ibid.*

that Moscow could diplomatically handle internal problems before it would honor Russia's status as a serious international actor.

Third, Yeltsin redefined his foreign policy. The hard-line stance was pushing Ukraine closer to NATO. NATO members prepared to invite new countries for membership at the July 1997 Madrid Summit. The promise of NATO enlargement, with US support, now pushed Russia toward the Ukraine treaty. Yeltsin's new vision for Russia was not widely known among leading politicians. As the negotiations for the Friendship treaty and the Black Sea Fleet Agreement intensified, mainstream politicians supported a strict interpretation of the original "Near Abroad" foreign policy. Russian statesmen accused Ukraine of defying Russia and not acting out of genuine interests and Ukrainians accused Russians of not accepting Ukrainian independence.

#### **B. THE SEVASTOPOL CAMPAIGN**

During the first half of 1996, the actual division of the Black Sea Fleet had already started, based on Yeltsin's and Kuchma's agreement at Sochi in July 1995. Although the details for the agreement were incomplete, the navies had established separate command structures and began splitting ships and equipment. However, in October, this division came to an abrupt halt. Actions by the Russian Parliament and Ukrainian Verkhovna Rada soured relations between the two countries and reignited deeply felt feelings of mistrust. In the latter half of 1996, both houses of the Russian Parliament and top officials made territorial claims on Ukraine and stated that Sevastopol had never been and would never be part of Ukraine. Russian officials proposed halting the Black Sea Fleet's division.

Gen. Aleksandr Lebed, then chief of the Russian Security Council, and Moscow Mayor Yurii Luzhkov, as well as others, were responsible for initiating this campaign with their emotional calls to claim Sevastopol a "Russian" city.<sup>61</sup> The Russian Duma and Federation Council passed a number of resolutions which obviously went against Yeltsin's foreign policy agenda as well as internationally accepted standards for the recognition of Ukraine's borders.

On 16 October 1996, the Russian State Duma, by a unanimous vote of 337:0, adopted a draft bill "On Cessation of the Black Sea Fleet Division," in which Russia unilaterally decided to halt the division of the Black Sea Fleet (including personnel and equipment). Thus, Russia became totally responsible for finances of the entire fleet and support facilities at Sevastopol.<sup>62</sup> However, at this time, Russia was not even paying its military service members; therefore, the source of financial support for Sevastopol operations was unclear. Former Ukrainian Supreme Council Chairman Ivan Plyushch was convinced that this was "not only a violation of the agreements reached between Ukraine and Russia, but also a clearly expressed aggression against a sovereign state."<sup>63</sup>

A few days later, on 22 October, both negotiating parties reached mutually beneficial agreements which suggested that Russia and Ukraine would sign the Friendship

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<sup>61</sup>Yuri M. Shcherbak, Ukrainian Ambassador to the United States. Reprinted, "For the Record: Shcherbak on the Status of Sevastopol." The Ukrainian Weekly LXIV, no. 51 (22 December 1996), 2.

<sup>62</sup>Natalya Filipchuk, "Ukraine: Reaction to Duma Resolution on Black Sea Fleet Pondered." Foreign Broadcast Information Services (FBIS) Doc # FBIS -SOV-96-206, 19 October 1996, 2, (Kiev Holos Ukrayiny, 19 Oct 96, 4).

<sup>63</sup>Ibid.

Treaty. Russian Deputy Prime Minister Valeriy Serov, as the head of a task force visiting Kiev, conducted “specific talks” for resolving the Black Sea Fleet problem. Following the talks, Kuchma stated that “there is practical understanding; (there are) no differences. A ‘clear agreement’ has been reached that the Russian fleet will be stationed in Sevastopol ‘on leasing terms.’”<sup>64</sup> The Russian delegation even stated that it would pay Ukraine for the time that the Black Sea Fleet had already been based in Sevastopol—a debt totaling \$40 million.<sup>65</sup>

However, on 24 October 1996, the Russian State Duma unanimously passed a declaration, by a vote of 282:0, demanding that “the Ukrainian Supreme Soviet drop its unilateral approach to such issues as dividing the former Soviet Black Sea Fleet, Crimea’s arbitrary transfer from Russia to Ukraine in 1954 and the status of Sevastopol.”<sup>66</sup>

Representatives in the Duma argued that Sevastopol became part of Russia in the late eighteenth century that it was the main base of the Black Sea Fleet and a special administrative district, reporting directly to St. Petersburg. Furthermore, in 1948, the Presidium of the Supreme Soviet of the former Soviet Union decreed that Sevastopol was “an independent and administrative center.” Politicians pointed to this as a “still valid”

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<sup>64</sup>Nikolay Zherebtsov, et.al., “Ukraine: Kuchma meets Mayors of Kiev, Sevastopol; BSF Discussed,” Foreign Broadcast Information Services (FBIS) Doc # FBIS-SOV-96-208, <http://fbis.fedworld.gov>, 24 October 1996, 1, (Moscow Interfax in English 24 Oct 96).

<sup>65</sup>*Ibid.*, 2.

<sup>66</sup>“Russia: Duma Urges Ukraine to Drop ‘Unilateral Approach’ to Issues,” Foreign Broadcast Information Services (FBIS) Doc # FBIS-SOV-96-207. <http://fbis.fedworld.gov>, 24 October 1996, 1, (Moscow, Interfax 24 Oct 96).

decree. The October 1996 declaration, passed by the State Duma, reads, "Considering this [the 1948 decree], all of Ukraine's unilateral acts proclaiming Sevastopol under Ukrainian jurisdiction cannot be recognized as lawful, as agreed on with Russia and as contradicting with the then valid Soviet Constitution" since Russia considers itself as the successor of the former Soviet Union and its laws.<sup>67</sup>

On the same day, President Kuchma flew to Moscow to visit with President Yeltsin prior to Yeltsin's planned heart surgery. After the meeting, Yeltsin's press secretary stated that the two presidents had reached verbal agreements "on all questions associated with the Black Sea Fleet." The press secretary emphasized "that the agreements reached, [would] remove the question on the status of Sevastopol, and on the question of division of the Black Sea Fleet; they came to an 'absolutely compromise solution.'"<sup>68</sup> However, no one elaborated on the details of the agreement. As a conclusion to the verbal agreement, Russian Prime Minister Viktor Chernomyrdin, in President Yeltsin's place, planned to visit Kiev before mid-November to sign a package of agreements for resolving the Black Sea Fleet and Sevastopol problems.<sup>69</sup>

In response to the demands of the Russian State Duma on 24 October, the Ukrainian Foreign Ministry accused the Russian parliament of interfering with Ukrainian

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<sup>67</sup>Zherebtsov, "Ukraine: Kuchma meets Mayors of Kiev, Sevastopol; BSF Discussed," 3.

<sup>68</sup>Yekaterina Sytaya and Viktor Timoshenko. "Russia: Russian Paper on Black Sea Fleet Settlement Efforts with Ukraine." Foreign Broadcast Information Services (FBIS) Doc # FBIS-UMA-96-235-S, <http://fbis.fedworld.gov>, 25 October 1996, 1, (Moscow, Nezavisimaya Gazeta 25 Oct 96, p 1-3).

<sup>69</sup>Ibid.

domestic affairs and making territorial claims within Ukraine. The Foreign Ministry cautioned Russia that Ukraine would request international intervention to help solve the Black Sea Fleet dispute if territorial claims continued.<sup>70</sup> In response, Viktor Chernomyrdin canceled his 15 November visit to Kiev, thus ending all hopes of concluding the treaty before the New Year.<sup>71</sup> Two weeks later, on 30 November 1996, President Kuchma emphatically called for a halt to the division of the BSF. He wanted to separate the two issues and complete the signing of the Friendship Treaty.<sup>72</sup>

In November 1996, Ivan Bizhan, Ukraine's first deputy defense minister and a participant in all talks with Russia on the Black Sea Fleet problem and Sevastopol's status since 1992, presented six principles that Kiev adhered to throughout the fleet negotiations with Moscow:

First, the Black Sea Fleet infrastructure [was] not subject to division, because it is the property of Ukraine (some facilities of the infrastructure could be leased to the Black Sea Fleet). Second, the Black Sea Fleet [could] in principle be based in Sevastopol, but being a Ukrainian city, it cannot be considered a Black Sea Fleet base. Third, Russia [will] clearly determine the Black Sea Fleet's numerical and combat composition that it intends to base on Ukrainian territory, and submit to Kiev all information on the mechanics of changing these parameters. Fourth, the Russian part of the ground component of the Black Sea fleet, after its division, will be removed from Ukraine. Fifth, questions of the location of the Ukrainian

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<sup>70</sup>Oleg Varfolomeyev, "Crimea and the Black Sea Fleet," Open Media Research Institute (OMRI), <http://194.196.235.201/bin/SearchList.html>, 13 November 1996.

<sup>71</sup>Aleksandr Koretskiy and Viktor Zamyatin, "Russia: Fleet Talks Push Ties with Kiev Toward State of 'Cold War,'" Foreign Broadcast Information Services (FBIS) Doc # FBIS-SOV-96-222.  
• <http://fbis.fedworld.gov>, 13 November 1996, 1, (Moscow, Kommersant-Daily 13 Nov 96, p 1,4).

<sup>72</sup>Taras Kuzio, "Russian-Ukrainian Row Worsens," (Oxford Analytica, December 8, 1996), As reprinted in The Ukrainian Weekly LXIV, no. 50, (15 December 1996), 1.

Navy staff and the disposition of Ukraine's Navy [were] not subject to talks, because this is Ukraine's internal affair. Sixth, and finally, regardless of where the Russian Black Sea Fleet is based—in the city or elsewhere—Ukraine's naval ships will in any event be based in the city.<sup>73</sup>

Taras Kuzio, an expert on Russian-Ukrainian relations, argued that 1996 saw a dangerous convergence of support between the Russian legislative and executive branches. These two branches aligned themselves with hard-line policies which were opposed to Ukraine's position on the Black Sea Fleet and Sevastopol. On 3 December 1996, Moscow's Mayor Yurii Luzhkov, with Prime Minister Chernomyrdin's support, sponsored a resolution in the Russian Federation Council. This resolution followed the State Duma's previous mandates and called for Sevastopol to be a Russian city. Chernomyrdin, "using nationalist language and rhetoric usually reserved for the extreme wing of Russian politics,"<sup>74</sup> appealed to Ukraine to recognize its claim to sovereignty over Sevastopol as illegal. Two days later, on 5 December, the Federation Council, the upper chamber of the Russian Parliament, by a vote of 110:14, adopted this legislative package. It also adopted, by a unanimous vote of 348:0, a resolution to preserve the Black Sea fleet as an entity, halting any plans for division. In response to the Russian Federation Council's actions, Yurii Sergeyev, Ukraine's Ministry of Foreign Affairs spokesperson,

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<sup>73</sup>Koretskiy and Zamyatin, "Russia: Fleet Talks Push Ties with Kiev Toward State of 'Cold War,'" 2.

<sup>74</sup>Kuzio, "Russian-Ukrainian Row Worsens," 2.

stated, "Ukraine's territorial integrity has been recognized by all nations, and none—except for certain political circles in Russia—calls it into question."<sup>75</sup>

On 6 December, in response to the Federation Council's actions, the Verkhovna Rada of Ukraine approved a resolution with the following language:

By its recent actions the Russian side has aggravated the situation to the utmost. In view of such unfriendly actions of the Russian Federation's Federal Assembly, the Verkhovna Rada of Ukraine makes a resolute protest against falsifications, specifically around the status of the city of Sevastopol which is an alienable part of Ukraine, rejects any territorial claims on Ukraine and views them as a deliberate undermining of European security. The Verkhovna Rada of Ukraine declares that Sevastopol has been and shall remain Ukrainian territory. No one in Ukraine shall ever carry on any negotiations which would contradict the Constitution of Ukraine, its legislation, its national interests, and which would lead to its territorial disintegration. Proceeding from the aforesaid, the Verkhovna Rada of Ukraine introduces the draft bill on withdrawal of Russian troops from the territory of Ukraine and appeals to international institutions on grounds of infringement upon our sovereignty.<sup>76</sup>

Ukraine's Supreme Rada prepared a draft law in reaction to the Russian Parliament's insistence on Sevastopol as a Russian city. The draft law required the withdrawal of all foreign troops from Ukrainian territory by the year 2000.<sup>77</sup> However, if the resolution passed, it would have presented two difficult problems. First, what would Kiev do if the year 2000 came and went and the Black Sea Fleet was still based in

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<sup>75</sup>Roman Woronowycz, "Ukraine's Verkhovna Rada Takes Action against Russian claims to Sevastopol," *The Ukrainian Weekly* LXIV, no. 50, (15 December 1996), 17.

<sup>76</sup>Shcherbak, "For the Record: Shcherbak on the Status of Sevastopol," 11.

<sup>77</sup>Koretskiy and Zamyatin, "Russia: Fleet Talks Push Ties with Kiev Toward State of 'Cold War.'" 2.

Sevastopol? Currently, Ukraine does not have the military strength to challenge the Red Army and forcibly evict the Russian Black Sea Fleet. Second, the repair plants in Sevastopol employ 80,000-120,000 workers. If the fleet would have departed, Ukraine would have become responsible for urgently finding jobs and paying wages to these unavoidably unemployed people. Hennadii Udovenko, the Ukrainian foreign minister, recently stated that a realistic withdrawal would require 25 years. "This estimate was made by professionals who had examined the issue in detail."<sup>78</sup>

Russia's actions demonstrated to the world that it still saw Ukraine as a "little Russia" or "little brother." In December 1996, Leonid Kuchma stated:

Not everyone in Russia has so far learned to perceive Ukraine as a sovereign state. They still cannot get rid of the syndrome of aggressiveness in relations with us and refrain from ordering Ukraine about. The issue of dividing up the Black Sea Fleet and the status of Sevastopol have been turned into a particularly knotty problem. One month ago [November 1996], we were actually ready to sign an agreement on the fleet. Incidentally, we agreed to provide the most favorable conditions for the functioning of the Russian part of the fleet, and this would automatically have opened in the way to signing a large-scale treaty. However, there are politicians in Russia who are stubbornly playing the Crimean card, with very far-reaching intentions in mind.<sup>79</sup>

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<sup>78</sup>Yu Nepomnyashcha, "Ukraine: Security Commission Head Views Russia's Claims, Fleet Issue," Foreign Broadcast Information Services (FBIS) Doc # FBIS-SOV-97-006. <http://fbis.fedworld.gov>, 26 December 1996, 2-3, (Interview with Volodymyr Mukhin, head of the Ukrainian Supreme Council Commission for Security and Defense, Kiev, Kyyivska Pravda 26 Dec 96).

<sup>79</sup>Leonid Kuchma, "For the Record: Kuchma Speaks on the CIS and Black Sea Fleet Issue." Reprinted in The Ukrainian Weekly LXIV, no. 52, (29 December 1996), 2. Text of a speech broadcast on Ukrainian Radio on December 14, 1996.

Some members of the Russian State Duma did recognize Ukraine as an independent sovereign state. On 17 December 1996, a group of Russian Duma deputies arrived in Kiev for a two-day meeting in an attempt to calm strained Ukrainian-Russian relations in light of the most recent resolution passed by the Russian Federation Council. Svetlana Goryacheva, vice-chairperson of the lower chamber of the Russian Parliament, led the delegation and made the following press conference statement at the end of the roundtable dialogue: "Russia has no claims on Ukrainian territory. This is, at least, the opinion of the State Duma. We can squabble, but in the end, we must guide our peoples to accord."<sup>80</sup> On the same day, in Moscow, Russian Foreign Ministry spokesmen Gennadiy Tarasov renounced the Federation Council's resolution claiming Sevastopol. He officially stated, "Sevastopol and all of Crimea belong to Ukraine."<sup>81</sup>

The New Year brought about additional problems. On 14 January 1997, the Ukrainian newspaper *Vseukrainskiye vedomosti* printed an allegedly top-secret Russian letter, which called for measures against Kuchma in order to get him impeached from office. Supposedly, Russian Deputy Foreign Minister Sergii Krylov wrote the letter to Russian presidential foreign policy advisor Dmitrii Ryurikov on 30 October 1996. In the letter, Krylov condemned Kuchma for rejecting CIS integration, splitting the Black Sea Fleet and claiming Sevastopol as Ukrainian territory.<sup>82</sup> Russian officials angrily

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<sup>80</sup>Marta Kolomayets, "Duma Members Arrive in Kyiv for Roundtable," The Ukrainian Weekly LXIV, no. 51, (22 December 1996), 1.

<sup>81</sup>Ibid., 5.

<sup>82</sup>Ustina Markus, "Ukrainian Newspaper Publishes Controversial Letter from Russian Official," Open Media Research Institute Daily Digest II (OMRI) No. 10 (15 January 1997), 1.

denounced the letter as a “forgery.”<sup>83</sup> Ironically, Russia had supported Leonid Kuchma in the 1994 Ukrainian presidential elections as a Russified Eastern Ukrainian with ties to the USSR defense industry. His pragmatic approach toward foreign policy appealed to Russia’s goals for deeper integration. They hoped he would favor reintegration of Ukraine into Russian-led economic and military structures.

Another scandal started three days later. On 17 January 1997, the Moscow Mayor flew to Sevastopol where he asserted that the city was Russian and that the former Soviet leader Nikita Khrushchev had handed Crimea over to Ukraine “after a drinking binge.”<sup>84</sup> Foreign Minister Udovenko had “personally appealed to [him] not to visit Sevastopol or aggravate the situation there....”<sup>85</sup> Surprisingly, the Russian executive branch never openly criticized Luzhkov for his actions. The Russian presidential spokesman, Sergei Yastrzhembskii, merely stated that Luzhkov’s position and statements “should not be confused with the position of the president of the country and Russia in general with regard to Ukraine.”<sup>86</sup> Ukraine’s Foreign Ministry called Luzhkov’s statements “‘unfriendly’ and his claim that Sevastopol ‘is and will stay a Russian city’ a threat to

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<sup>83</sup>Scott Parrish, “Russia Denounces Alleged Letter on Ukrainian Policy,” Open Media Research Institute Daily Digest II (OMRI) No. 10, (15 January 1997), 3.

<sup>84</sup>Ustina Markus, “Moscow Mayor in Sevastopol,” Open Media Research Institute Daily Digest II (OMRI) No. 13, (20 January 1997), 1.

<sup>85</sup>Ustina Markus, “Ukrainian Reactions to Luzhkov Visit,” Open Media Research Institute Daily Digest II (OMRI) No. 13, (20 January 1997), 2.

<sup>86</sup>Scott Parrish, “Yeltsin Rejects Luzhkov’s Stance on Sevastopol,” Open Media Research Institute Daily Digest II (OMRI) No. 14, (21 January 1997), 2.

Ukraine's territorial integrity."<sup>87</sup> Despite the emotional rhetoric and territorial claims on Ukraine, the negotiating teams continued to work to meet Yeltsin's deadline for Russia's diplomatic revolution.

### C. A "SUPER-GOOD HARVEST" IN DIPLOMATIC RELATIONS

In May 1997, a time that President Yeltsin termed as "a month of a super-good harvest," Russia attempted to secure its position as a global power in the face of an expanding West. Yeltsin's energetic activity abroad, where he concluded several treaties and agreements, is evidence that he was largely responsible for the new direction of Russia's foreign policy. It seems that despite the opposition of a significant part of Russia's political elite, the president successfully redefined the "Near Abroad" foreign policy and adapted it to the country's current capabilities and international position. The Russian government concluded four important agreements which changed Eastern European politics. The signed treaties acknowledge that Russia's current borders are fixed. Aggressive action toward Ukraine and the "Near Abroad" had proved counterproductive. It caused domestic instability and weakened Russia's international position. Russia decided that it had to change to assure itself a generation of peace in order to rebuild. At this time, Russians began to say that Ukraine was their most important foreign policy problem.

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<sup>87</sup>Oleg Varfolomeyev, "Ukraine Protests Moscow Mayor's Claim on Sevastopol," Open Media Research Institute Daily Digest II (OMRI) No. 14, (21 January 1997), 1.

Simultaneously, Ukraine concluded bilateral and multilateral agreements with neighboring countries. President Kuchma called this the creation of "a belt of stability" around Ukraine.<sup>88</sup> It is more than coincidental that the Ukrainian and Russian Presidents concluded agreements with some of the same state actors during this period of foreign policy success. Even though Ukraine had not applied for NATO membership, it required consideration in order for the international community to recognize it as an important actor in the region. Ukraine needed to conclude border agreements with all its neighbors in order to achieve this.

The following actions illustrate the success of Russian and Ukrainian foreign policy:<sup>89</sup>

- On 7 May, NATO General Secretary Solana opened the NATO Information Center in Kiev and officially presented President Kuchma the draft charter on the future relationship between NATO and Ukraine.

- On 8 May, the presidents of Ukraine, Russia and Moldova approved an agreement which peacefully settled disputes in the Trans-Dniester Republic.

- On 12 May, Yeltsin and Chechen President Aslan Maskhadov signed a treaty which codified peaceful and normalized relations between Moscow and the Republic of Ichkeria (the official name for Chechnya). "Russia renounced the use or threat of force in its relations with Chechnya, while Maskhadov assured Yeltsin that he would fight terrorism in the state."<sup>90</sup>

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<sup>88</sup>Leonid Kuchma, "President Kuchma defends treaty with Russia in radio address," BBC Summary of World Broadcasts 9 June 1997, (Source: Radio Ukraine World Service, Kiev, in Ukrainian 1900 gmt 6 Jun 97).

<sup>89</sup>Yuriy Shcherbak. Interview at a National Press Club Meeting with Russian and Ukrainian Ambassadors to the United States, "Russia-Ukraine, Opening a New Stage of Partnership in a Multipolar World," Federal News Service Lexis-Nexis, 10 June 1997. Ambassador Shcherbak discusses all these dates in his speech.

<sup>90</sup>"Yeltsin Praises Ministers for May's Political Bonanza." Jane's Intelligence Review 9, no. 7, (July 1, 1997), 290. All five events in May and their descriptions are taken from this source.

•On 13 May, Belarussian President Lukashenka traveled to Kiev and signed a border agreement with President Kuchma. The agreement delineated the borders between Belarus and Ukraine.

•On 16 May, at the first full meeting of the Ukraine-US Bi-national Commission in Washington, DC, President Kuchma, President Clinton and Vice President Gore reviewed the strategic partnership between the Ukraine and the US, and discussed the deepening of cooperation between the two states in various fields, in particular, the economic arena. Kuchma presented the timeline for concluding the NATO charter to the US President and Vice-President. Clinton agreed to push for an accelerated negotiation schedule which would conclude the agreement at the Madrid Summit.<sup>91</sup> Also, President Clinton and Vice President Gore assured President Kuchma that Washington was determined to fund a project to stop the destroyed generating unit at the Chernobyl nuclear power plant from being a source of danger.

•On 21 May, President Kuchma and Polish President Kwasniewski signed the *Declaration on Historic Reconciliation*. This document outlined details on accord and unity for the actions of both countries.

•On 23 May, President Yeltsin and Belarussian President Aleksandr Lukashenka signed *The Charter on the Union of Belarus and Russia*. The Union strengthens the relations between the two states and promotes their mutual socio-economic development, however, it does not address the incorporation of Belarus into Russia as a single state.

•On 27 May, President Yeltsin and NATO Secretary General Javier Solana signed *The NATO Founding Act* in Paris. This accord states that NATO and Russia no longer see each other as adversaries. It establishes a new Russia-NATO Permanent Joint Council in Brussels which gives the Russian position a voice and consideration in NATO, but not a vote. In the accord, NATO assures Russia that it will station neither nuclear weapons nor permanent combat forces on the territories of new members. In return, Yeltsin announced that all nuclear weapons aimed at NATO states would be detargeted. Security Council Secretary Rybkin stated that this agreement eliminates the us-versus-them attitude. "There will be European and world security without dividing lines, and Russia will be an equal among equals. If you scrutinize the document closely, you will see that Russia's concerns are in large measure taken into account."<sup>92</sup>

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• <sup>91</sup>Carlos Pascual, "Ukraine and Its National Security," *Analysis of Current Events* 9, No. 8, (August 1997), 10-11.

<sup>92</sup>"Russian Security Council Head Says Recent Agreements Have Strengthened Security," 1.

Russia's world has now become organized on economic, military-strategic and geopolitical realities. Many more players have a part in foreign policy decisions in Russia than just the president and his government: financial and banking interests, the oil and gas sector, and regional elites. These economic forces and Western expansion are following in the wake of NATO enlargement. By signing the NATO Founding Act, Russia acknowledged this uncompromising reality. Central and Eastern Europe have gravitated toward Western Europe through NATO, PfP, and economic initiatives supported by western powers. The rules, codified in the Founding Act, govern Russia's *partnership* with the North Atlantic Alliance and assign it a role that is worthy of a great power.<sup>93</sup> Whether Russia can maintain that role depends on its internal stability as a country.

Following the NATO Founding Act from 26-27 May 1997, the presidents of Ukraine, Poland, Lithuania, Latvia and Estonia met in Tallinn and signed a joint communiqué in the areas of cooperation and security. The communiqué "places special emphasis on the consolidation of efforts to create a stable, secure, integrated, and indivisible Europe where no country would be threatened by another. The presidents underscored that every state has the right to choose means and instruments to ensure its security, especially by treaties or alliances"—this being one of the key principles of the Organization for Security and Cooperation in Europe (OSCE).<sup>94</sup>

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<sup>93</sup>"Fleet Accord Paves Way to Russia-Ukraine Treaty," Current Digest of the Post-Soviet Press XLIX, no. 22, (July 2, 1997), 5. Stanislav Kondrashov, "Ten Days that settled the World," Izvestia, (June 3, 1997), 2.

<sup>94</sup>Yuri M. Shcherbak, "The Geopolitical Situation of Ukraine at Present and in the Future," Analysis of Current Events 9, no. 8, (August 1997), 6.

#### **D. THE BLACK SEA FLEET AGREEMENT**

On 28 May 1997, Russian Prime Minister Viktor Chernomyrdin and his Ukrainian counterpart, Pavlo Lazarenko, signed the Black Sea Fleet agreements which resolved the division of the fleet, its basing rights in Sevastopol, Ukraine's debt relief and Russian lease payments for the required ports to support the fleet. In addition, they also signed eleven interstate, intergovernmental, and interagency agreements and protocols with Ukraine.

As in all bilateral negotiations, Russian Prime Minister Viktor Chernomyrdin and Ukrainian Prime Minister Pavlo Lazarenko made compromises to reach a final agreement on the Black Sea Fleet and basing rights in Sevastopol. The tradeoff was that Russia had to minimize its demands for debt repayment and Ukraine had to minimize its claims to Sevastopol. Ukraine had to make legal concessions against its Constitution in reference to the stationing of foreign forces on its territory. In an interview of Ukrainian First Deputy Defense Minister Ivan Bizhan, the interviewer brought up the clause in the Ukrainian constitution which states that "Ukraine, in carrying out its foreign and military policies in accordance with its national interests, is against the location of foreign troops on its territory." Minister Bizhan responded that the transitional provisions of the constitution helped to untie the knot of the Black Sea Fleet problems.<sup>95</sup> Since the agreement is based on leasing for a specified time frame, it does not technically violate the Constitution even though the spirit may have been sacrificed.

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<sup>95</sup>"Ukrainian Deputy Defense Minister Defends Black Sea Fleet Agreements," BBC Summary of World Broadcasts June 21, 1997, (Ukrainian TV, Kiev, in Ukrainian 1800 gmt 18 Jun 97).

The division of the Black Sea Fleet began in 1995 when President Yeltsin and President Kuchma met in Sochi to determine percentages for the split. At that time, the two presidents decided that Ukraine and Russia would split the naval force in half. The force consisted of 525 combatant, auxiliary and support ships. However, Russia agreed to buy back 117 vessels of Ukraine's 262 vessel share in exchange for debt relief. Ukraine would actually control 18.3 percent of the fleet while Russia reestablished control of the other 81.7 percent. Bilateral negotiations continued for the next two years following this agreement.

The Black Sea Fleet agreement provides Russia the infrastructure and support to sustain operations in the time of conflict. In accordance with the agreement and appendices, Russia will gain control over all of Sevastopol's four principal bays, three of which the Black Sea Fleet will maintain sole use over the next 20 years. Admiral Victor Kravchenko, Commander of the Ukrainian Navy, explained that negotiators determined the 20-year time limit based on the sum of Ukraine's debt to Russia divided by the annual amount of the lease. Without this agreement, Kiev would have been unable to repay the debt within the next 100 years.<sup>96</sup>

The agreement provides that Russia will lease all the piers in the Kazachya and Karantinnaya Bays. In the Sevastopolskaya Bay, Russia will control primary docking space for over 30 ships. However, both countries will jointly base their navies in the

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<sup>96</sup>Viktor Kravchenko and Andrei Krylov, "Admiral Viktor Kravchenko: 'We Are Not Parting With Sevastopol,'" Russian Press Digest Lexis-Nexis, June 20, 1997, (Pravda Five, 4).

Streletskaya Bay—the key bay controlling the hydrographic region. The agreement also assigns 1,020 military installations in Crimea as part of the necessary infrastructure to support the fleet. The principal support units include the 810th Naval Infantry Brigade in the Kazachya Bay; the 37th Rescue Ship Brigade and the 68th Harbor Defense Brigade in the Streletskaya Bay; the special forces diver-training area and the fleet's 41st Guided-Missile Boat Brigade in the Karantinnaya Bay; the Pirogov Military Hospital; the mine and torpedo arsenal, the fleet's main ammunition arsenal (supposedly an entire city built into the cliffs, with trucks driving around inside), and the Black Sea Fleet's missile base. The lease also includes a testing center in Feodosia, an amphibious-landing training area at Cape Opuk, and testing-center facilities in Chernomorsk and Pribrezhny. The fleet will also utilize two military airfields: the Gvardeiskoye airfield and the Kacha airfield.<sup>97</sup> The agreement limits the number of overall personnel to 25,000 Russian troops on Ukrainian territory. Out of that number, naval, infantry and aviation soldiers will not exceed 1,987.<sup>98</sup> The agreement also limits the number of Russian vessels, armaments and equipment on Ukrainian territory.

Moscow agreed to make a one-time infrastructure lease payment of \$526 million for the ships that Russia is buying back from Ukraine. The agreed-upon annual lease

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<sup>97</sup>"Fleet Accord Paves Way to Russia-Ukraine Treaty," Current Digest of the Post-Soviet Press XLIX, no. 22, (July 2, 1997) *Lexis-Nexis*, 1. Aleksandr Koretsky, Viktor Yadukha, and Vladimir Skachko, "The Prime Minister Takes the President all the way to Kiev," Sevodnya, (May 30, 1997), 1, 3.

<sup>98</sup>Yuliy Vorontsov and Yuriy Shcherbak, Interview at a National Press Club Meeting with Russian and Ukrainian Ambassadors to the United States, "Russia-Ukraine, Opening a New Stage of Partnership in a Multipolar World," Federal News Service *Lexis-Nexis*, 10 June 1997.

payment amounts to \$98 million. Adding all future payments together, Moscow will pay approximately \$2.5 billion over the 20-year lease term. This does not alleviate the entire Ukrainian debt, which is currently \$3 billion. These compromises on debt and territory offer the perception of a “zero option” for both sides; Russia gains basing rights and Ukraine has a negligible debt.<sup>99</sup>

#### **E. THE FRIENDSHIP TREATY**

With the signing of the Black Sea Fleet Agreement and the removal of the stumbling blocks, President Yeltsin and President Kuchma signed the Treaty on Friendship, Cooperation and Partnership between Russia and Ukraine on 31 May 1997. This concludes a very important chapter of difficult and strained relations between the two states.<sup>100</sup> The treaty codifies principles on the two countries’ unconditional guarantees for each other’s territorial integrity and the inviolability of borders. The treaty contains guarantees that the two sides will build their relations on principles of the nonuse of force or the threat of force, “including economic means of pressure.” Basically, Moscow promised Kiev that it will never again shut off the “gas valve” because of Ukraine’s debts and that it will not use economic pressure as a means to force Ukraine’s decision making. Articles 2 and 3 of the Friendship Treaty are the main articles that promise border recognition and normalized relations.

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<sup>99</sup>“Fleet Accord Paves Way to Russia-Ukraine Treaty,” 1. Koretsky, Yadukha, and Skachko, “The Prime Minister Takes the President all the way to Kiev,” 1.

<sup>100</sup>“Yeltsin Praises Ministers for May’s Political Bonanza,” Jane’s Intelligence Review, 290.

Article 2. The High Contracting Parties, in accordance with the provisions of the UN Charter and obligations under the Final Act of the Council for Security and Collaboration in Europe, shall respect each other's territorial integrity, and confirm the inviolability of the borders existing between them.

Article 3. The High Contracting Parties shall construct their relations with each other on the basis of principles of mutual respect for sovereign equality, territorial integrity, the inviolability of borders, the peaceful settlement of disputes, the nonapplication of force, including economic and other means of pressure, the right of peoples to decide their own fates freely, nonintervention in internal affairs, the upholding of human rights and basic freedoms, collaboration among nations, and the conscientious fulfillment of international obligations assumed, as well as other generally accepted norms of international law.<sup>101</sup>

Volodymyr Horbulin, the secretary of the National Security and Defense Council, emphasized that one of the greatest victories for Kiev is that neither the treaty nor the Black Sea Fleet agreements prevent Ukraine from joining any military or military-political alliance. Relations between the two independent states are now legally based on the principle of "mutual respect, sovereign equality, territorial integrity, inviolability of borders, peaceful settlement of disputes, non-use of force or threat by force."<sup>102</sup> The treaty will be in effect for ten years, with an automatic extension, and a requirement for ratification by each country's parliament.<sup>103</sup>

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<sup>101</sup>Both articles come from the "Treaty of Friendship, Cooperation, and Partnership Between Ukraine and the Russian Federation" as translated and reprinted in FBIS. "Russia, Ukraine: Treaty on Ukraine, RF Cooperation," FBIS, (Document Number: FBIS-SOV-97-124, 3 June 1997), 1.

• <sup>102</sup>Shcherbak. Interview at a National Press Club Meeting, (10 June 1997), 1.

<sup>103</sup>"Treaty of Friendship, Cooperation, and Partnership Between Ukraine and the Russian Federation," FBIS, 1.

## F. CHANCES FOR RATIFICATION

Even with a signed Friendship Treaty, opponents continue to identify flaws in the treaty and the Black Sea Fleet agreements. Konstantin Zatulin, Director of the Institute of the CIS Countries emphasizes that Russia has given up any role in Crimea, abandoned any defense for ethnic Russians living in Ukraine, and received no guarantees that Ukraine won't join NATO.<sup>104</sup> For him, the only articles with any substance are Articles 2 and 3 in which each side recognizes the territorial integrity and borders of the other. Moscow Mayor Luzhkov continues to argue that Sevastopol is a Russian city and will always be a Russian city. He called the Black Sea Fleet agreements a package of unacceptable documents.<sup>105</sup>

Georgy Tikhonov, Chairman of the State Duma's Committee on Affairs of the CIS and Liaison With Compatriots, does not support ratification of the treaty. Tikhonov believes that the entire Duma will vote against it. In his opinion, the Duma's stand against Ukrainian independence stems from the threat of NATO enlargement. If the Duma ratifies the treaty, NATO will be able to offer Ukraine membership since the country will have no territorial disputes with neighboring countries. It is Tikhonov's opinion that since Russia

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<sup>104</sup>"Fleet Accord Paves Way to Russia-Ukraine Treaty," Current Digest of the Post-Soviet Press XLIX, no. 22, (July 2, 1997), 5. Konstantin Zatulin, "Spring of the Patriarch.—On B. Yeltsin's Trip to Ukraine," Novaya gazeta, No. 22, (June 2-8, 1997), 3.

<sup>105</sup>"Fleet Accord Paves Way to Russia-Ukraine Treaty," Current Digest of the Post-Soviet Press XLIX, no. 22, (July 2, 1997), 4. Viktor Timoshenko, "The Accords Between Boris Yeltsin and Leonid Kuchma Come Under Critical Fire.—Nevertheless, Their Ratification by the Supreme Council in Kiev and Approval by the Federation Council in Moscow Are Virtually Assured," Nezavisimaya gazeta, (June 3, 1997), 1.

signed the Friendship Treaty, NATO has an invitation to enlarge as far east as possible.<sup>106</sup>

On the other hand, Communist leader Gennady Zyuganov and State Duma Chairman Gennady Seleznyov approve of the treaty and agreements, with some reservations. For example, Zyuganov believes that "Russia and Ukraine should have a common fleet to protect the two republics."<sup>107</sup>

In Ukraine, some parties and associations have completely rejected the treaty and agreements. The Congress of Ukrainian Nationalists, along with the UNA-UNSDF [Ukrainian National Assembly/Ukrainian National Self-Defense Forces] and the Ukrainian People's Movement (Rukh), declared the Black Sea Fleet accords as "unconstitutional and conflicting with the interests of the Ukrainian nation."<sup>108</sup> They called for legal action against both presidents if the treaty and the agreement are in conflict with existing legislation. Vyacheslav Chornovil, the leader of the Narodny Rukh movement, and other Ukrainian parliamentarians advocate that "all foreign troops should be withdrawn from Ukrainian territory by the year 2000."<sup>109</sup> He vowed to call upon the nations of the Black Sea hinterland to minimize the number of forces required to provide protection of the

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<sup>106</sup>Ibid.

<sup>107</sup>Ibid.

<sup>108</sup>Ibid.

<sup>109</sup>Andrei Kapustin, "Debate On Results Of Yeltsin's Visit," Russian Press Digest *Lexis-Nexis*, (June 19, 1997), 1, (Nezavisimaya Gazeta, June 19, 1997, 3).

“coastal line and territorial waters.”<sup>110</sup> This action would greatly reduce the number and location of Russian forces in the Crimea, particularly Sevastopol.

Nonetheless, it is possible that Russian and Ukrainian Parliaments will ratify the treaty despite opposition in both states. Alexei Arbatov, Chairman of the Duma Defense Committee, stated that the Russian parliament will ratify the treaty because of the ramifications that would occur otherwise. Early in the negotiating process, Russia’s refusal to sign pushed Ukraine farther into the grip of NATO and the west as a whole. If the Duma refuses to ratify the treaty, the same would happen again. Ratification of the treaty is a necessary step if Russia wishes to establish any normalized relations with Ukraine. After accepting this inevitability, Federation Council Chairman Yegor Stroyev stated in a media interview that “the upper chamber of the Russian parliament will approve the wide-ranging treaty between Ukraine and Russia.”<sup>111</sup>

In Ukraine, the parliament’s centrist parties and communist party favor ratification of the treaty. Supreme Council Chairman Aleksandr Moroz supports ratification but expects extensive debates over certain articles. Vladimir Gorbulin, Secretary of Ukraine’s National Security and Defense Council, endorses the treaty because it “removes all of Russia’s territorial claims against Ukraine.” In his opinion, “for the first time, a foundation

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<sup>110</sup>Ibid.

<sup>111</sup>“Fleet Accord Paves Way to Russia-Ukraine Treaty,” (July 2, 1997), 4. “The Accords Between Boris Yeltsin and Leonid Kuchma Come Under Critical Fire.”

has been laid for strategic partnership, which until now existed only on paper between Ukraine and Russia.”<sup>112</sup>

#### **G. UKRAINE’S ALLIANCES**

On 9 July 1997, President Leonid Kuchma joined President Clinton, NATO Secretary General Javier Solana, and the other NATO leaders in Madrid to sign a *Charter on a Distinctive NATO-Ukraine Partnership*. This became the capstone to Ukraine’s flurry of diplomatic activity. All these agreements firmly established Ukraine’s identity as a strong European state actor and affirmed support for Ukraine’s sovereignty and territorial integrity. This will launch Ukraine into the European mainstream.

Ukraine is simultaneously part of Central, Eastern, and Southern Europe. It is a member of the Central European Initiative and the Black Sea Economic Cooperation Agreement. However, Ukraine is only an associate member of the Commonwealth of Independent States (CIS). It is not a full member because it never signed the charter. It has never supported the CIS superstructure objectives for “transparent internal” and “jointly guarded” borders for all members. Ukraine’s refusal of full membership has actually prevented a new Cold War division through Europe.<sup>113</sup> Without Ukraine, Russia cannot fully dominate the CIS Union and military-political balance in the region. As Zbigniew Brzezinski stated, “...without Ukraine, Russia ceases to be an empire, but with

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• <sup>112</sup>Ibid.

<sup>113</sup>Taras Kuzio, “Why Ukraine Should be Asked to Join NATO in Madrid,” The Ukrainian Weekly LXIV, no. 27, (6 July 1997), 2.

Ukraine subordinated, Russia automatically becomes an empire.”<sup>114</sup> The CIS does not have the ability to meet NATO enlargement head-on like the Warsaw Pact did. Russia will emerge as a great power again, but it will not be a super-power which will challenge the emerging post-Cold War balance of power.

Ukraine has resolved all its border frontiers in bilateral interstate treaties with its neighbors. It can establish custom controls for the safety of its citizens because of current legal codification of its borders. The drug and weapons trade represents a major threat to the country. The border demarcation will help stem the flow into Central and Western Europe. To date, Ukraine has confiscated 90 percent of the contraband, narcotics, and illegal weapons that flow in from Russia.<sup>115</sup>

Ukraine continues to maintain the position of a neutral and non-bloc state even though the Constitution (June 1996) and the National Security Doctrine (January 1997) both dropped any reference to neutrality. In 1992, 1995-96, and 1997, Ukraine refused Russian offers for security guarantees such as those that NATO offers its members. Currently, it is an associate member of the CIS, yet Kiev has rejected the stationing of foreign troops on its territory. Nonetheless, Ukraine’s reputation for a quality military has continued to grow because of its activities under NATO in the former Yugoslavia. Georgia and Azerbaijan would like to invite Ukraine forces, under UN or OSCE auspices,

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<sup>114</sup>Ibid.

<sup>115</sup>Ibid.

for peacekeeping operations in their respective countries. These forces would go to Abkhazia and Nagorno-Karabakh to replace Russian or Russian proxy forces.<sup>116</sup>

While taking into account the economic advantage of integration into Europe, Ukraine regards cooperation with NATO, the EU, and the Central and East European countries as a priority component of its national security. President Kuchma has stated that the strategic goal of Ukraine is “to integrate into the European and Euro-Atlantic structures, to establish gradually a special partnership with the European Union (EU), NATO, and the Western European Union (WEU), and to be active in shaping a new European security structure.”<sup>117</sup> Ukraine wishes to join the fight against new global threats: proliferation of weapons of mass destruction, drug trafficking, international terrorism, organized crime, eco-terrorism, and illegal migration.

Through its policies, Ukraine evolved into a land bridge between Russia and NATO. On 16 January 1997, the Verkhovna Rada adopted the National Security Policy of Ukraine. One of the directives calls for Ukraine’s “participation in universal and regional security systems which exist already or are being established.”<sup>118</sup> This does not mean Ukraine wishes to join NATO. In fact, President Kuchma made a public statement in August 1997 that Ukraine will not join NATO in the near future. This signaled to Russia that with the conclusion of the Friendship Treaty Ukraine will not run to NATO’s

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<sup>116</sup>Ibid.

<sup>117</sup>Shcherbak, “The Geopolitical Situation of Ukraine at Present and in the Future,” 6.

<sup>118</sup>Ibid., 7.

corner. However, Ukraine has consistently welcomed NATO's enlargement. Kiev views NATO as "an alliance of democratic, peace-loving countries and one of the most effective structures for stability and security in the Euro-Atlantic region."<sup>119</sup> NATO's defense organization is important to Ukraine. Its political structure allows Ukraine to participate with other countries in the development of science, technology, information, medical and humanitarian projects.

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<sup>119</sup>Ibid.



#### IV. CONCLUSION

As late as March 1997, experts in Russian-Ukrainian relations predicted no resolution to the problems that confronted these two states. In the long term, it was thought that both parties might sign a Treaty on Friendship, Cooperation and Partnership. However, in the short term, eight factors seem to explain why Russia was incapable of signing the Friendship Treaty.

- First, without border recognition in a treaty, NATO could not invite Ukraine to join as a member during the Madrid Summit in July 1997.

- Second, Boris Yeltsin's health prevented him from traveling to Ukraine to sign the treaty, especially before the NATO conference in July 1997.

- Third, if Moscow had really wanted to sign the treaty, it would have separated the Black Sea Fleet and Sevastopol issues from the treaty and continued negotiations in search of a suitable solution.

- Fourth, Prime Minister Viktor Chernomyrdin's political party, Our Home is Russia, regularly supported the State Duma's and Federation Council's claims on Ukrainian territory, principally claiming Sevastopol as a Russian city. This suggested that the issue had moved to the center of Russian policy from the fringes.

- Fifth, the Russian leadership did not denounce or criticize Mayor Luzhkov when he traveled to Sevastopol against Ukraine's wishes.

- Sixth, Russians did not recognize Ukraine as a distinct ethnic group; from their perspective, Ukraine should follow Belarus's example for establishing close ties with Moscow.

- Seventh, the recognition of Ukraine's borders would have further promoted national unity. This might have allowed Ukraine to distance itself from a close relationship with Russia, which would not have been in Moscow's best interests.

•Eighth, Russia had not agreed to demarcate any borders with any of the CIS states because Russia argued that “the CIS borders should be divided into ‘transparent internal’ and ‘jointly guarded external’ borders.”<sup>120</sup>

All of these factors led the experts to underestimate the impact NATO enlargement would have on Russia’s decision-making.

The Friendship Treaty and Black Sea Fleet negotiations continued for nearly six years almost without interruption. From late 1996, negotiations for a solution became more intense. However, disagreements over the fleet’s basing rights, the division of bays at Sevastopol and mutual financial settlements were great stumbling blocks to a resolution. The Black Sea Fleet problem and the absence of a treaty considerably complicated the state of Russian-Ukrainian relations. The threat of pushing Ukraine into NATO’s orbit, if not its enlarging web of membership, became a direct influence on accelerating the search for solutions.

Ukraine realized that it had to accept a deal as long as it did not appear that the government had surrendered its territorial sovereignty or violated the constitution.<sup>121</sup> Kiev stood strong in its desire for independence and sought assurances from the international community. Ukraine played the “NATO Trump Card.” It continued leaning

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<sup>120</sup>Taras Kuzio, “Eight Reasons Why Ukraine and Russia Will Not Sign Any Inter-State Treaty,” 24 March 1997. Professor Kuzio includes all eight reasons that I have paraphrased. As part of my thesis, Professor Kuzio’s paper indicates the thinking of experts in the field as late as March 1997.

<sup>121</sup>Sherman W. Garnett, “U.S. National-Security Interests in Crimea,” in Maria Drohobycky, ed., Crimea: Dynamics, Challenges, and Prospects (Lanham, Maryland: Rowman & Littlefield Publishers, Inc., 1995), 203.

toward the West by pursuing a special partnership agreement with NATO after refusing to join a Russia-led security compact of former Soviet republics.<sup>122</sup> In the end, Ukraine achieved a short-term renewable lease, real compensation for the lease payments and debt relief, unambiguous Ukrainian sovereignty over the port and city of Sevastopol, and continued access to Crimean facilities for the Ukrainian navy.<sup>123</sup>

Yeltsin's change in foreign policy objectives helped conclude these agreements. He concluded a peace settlement with Chechnya in order to liquidate the war that was sapping Russia's power and prestige. In Minsk, he established a relationship which Russia sees as leading to a union. In Paris, he secured the Russia-NATO Founding Act because Russia had to agree to what was going to happen anyway with the best conditions possible. Finally, Yeltsin worked with Kiev, for it is precisely there, as Clinton rightly pointed out in May 1995, that the fate of European security would be decided.

The agreement with Ukraine, especially concerning the Black Sea Fleet and Sevastopol, should have been signed long ago. But starting in the spring of 1995, the repeated visits of Western leaders to Kiev and Ukraine's movement politically and militarily toward the West made Ukrainian-Russian relations a loaded political issue in Moscow. During the 1996 presidential elections, Yeltsin simply could not have allowed

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• <sup>122</sup>Susan Sachs, "2 Giants in Awkward Embrace/For Ukraine, Separation from Russia Strains Kinship," Newsday, June 11, 1997, p. A20.

<sup>123</sup>Garnett, "U.S. National-Security Interests in Crimea," 203.

himself to sign such an agreement without great political damage. Subsequently, the president's illness brought about a six-month lull in progress.<sup>124</sup>

Nonetheless, the timing of the treaty coincided with the Madrid Summit in July 1997 and NATO's decision to invite three countries for membership. This definitively signaled to Moscow that NATO was serious about expanding. In order to avoid the loss of additional countries in the enlargement, Russia needed to offer an olive branch of peace and regional security to Ukraine. Otherwise, Russia's reluctance to sign the treaty would have pushed Ukraine further and further west.

Other factors could have contributed to, or actually triggered, the signing of the treaty.

- First, President Yeltsin simply could have decided to buy time before implementing a dramatic military reform. Russia would have to execute a mobilization program similar to that in World War II if it had to fight another war today. The nation requires time, probably no less than twenty years of peace, to establish the necessary systems for rebuilding its military. The Russian military currently suffers from a much worse case of demoralization than the American military did after Vietnam.

- Second, Russia wants to prevent Turkish domination of the Black Sea. Without an active Black Sea Fleet, Russia will not be able to provide coastal defense along its borders. Russia needs a naval presence to secure the shipping of oil from the pipelines that will extend from the Caspian Sea to the Black Sea.

- Third, NATO enlargement may have been a coincidence and Russia planned to sign the Friendship Treaty the entire time. Security Council Secretary Rybkin stated that all the agreements concluded in May 1997 were necessary to improve Russia's security and that the only threat to its security comes from inside the country: drugs, organized crime, weapons of mass destruction, and terrorism. President Yeltsin needs neighborly relations on the periphery while he attempts to stabilize the domestic situation.

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<sup>124</sup>Irina Kobrinskaya, "Keeping Kiev Friendly," *The Moscow Times Lexis-Nexis*, (7 June 1997), 1.

In the end, Russian leaders may have realized that the hard-line approach toward Ukraine was not working. It strengthened Ukrainian elites in their resistance to Russian domination and pushed Ukraine into the arms of the West. Possibly it is felt that a soft-line approach, signing the Friendship Treaty and recognizing Ukraine's sovereignty, may eventually erode Ukrainian unity and achieve Russia's goal for political and economic dominance over Ukraine. Ukraine's economy is still in the midst of transition. Disillusionment with Ukraine's democracy eventually may initiate separatist movements. A large Russian population and potential disunity among Ukrainian elites make this soft approach a viable option.

With the conclusion of the treaty, the current situation begs the questions—Will Central and Eastern Europe have regional stability and does Russia psychologically accept Ukraine's independence? Only time will tell. However, the Friendship Treaty and Black Sea Fleet Agreements provide the necessary foundation for both states to build a solid, long-term, and stable relationship. The Friendship Treaty codifies the principles for each country to respect the other's territorial integrity and borders. The Black Sea Fleet Agreement provides a mechanism for both countries to rebuild their navies. Nonetheless, for better or worse, Russia has recognized Ukraine's independence.

A "big agreement" in Kiev or a "founding act" in Paris cannot solve all the problems of regional stability and future Russian-Ukrainian relations. Kiev and Moscow will have to carry out painstaking, "small-step" policies that restore political trust and turn

economic cooperation into a plank of Russian-Ukrainian relations and that establish trustworthy, secure, and positive cooperation with NATO and its members.<sup>125</sup>

A humorous anecdote closes this thesis and illustrates the psychology that will complicate future relations between “these two Slav giants that have been locked in a sometimes stifling, sometimes fraternal embrace, for all of their recorded history.” A Russian and a Ukrainian find \$1,000 on the street. The Russian turns to his buddy and says: “Let’s split it like brothers!” The Ukrainian shakes his head and responds, “No thanks. Let’s split it 50-50.”<sup>126</sup>

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<sup>125</sup>Ibid.

<sup>126</sup>Sachs, “2 Giants in Awkward Embrace/For Ukraine, Separation from Russia Strains Kinship.”

**APPENDIX. TREATY OF FRIENDSHIP, COOPERATION, AND  
PARTNERSHIP BETWEEN UKRAINE AND THE RUSSIAN  
FEDERATION**

Ukraine and the Russian Federation, hereinafter the "High Contracting Parties," relying on the close ties and the relations of friendship and collaboration that have historically existed between the peoples of Ukraine and Russia, acknowledging that the Treaty Between the Ukrainian SSR and the RSFSR of 19 November 1990 has fostered the development of good-neighbor relations between both nations, affirming their own obligations that arise out of the provisions of the Treaty Between Ukraine and the Russian Federation for the Further Development of International Relations that was signed at Dagomys on 23 June 1992, considering that the strengthening of fraternal relations, good-neighbor relations, and mutually advantageous collaboration meets the fundamental interests of their peoples and serves the cause of peace and international security, striving to impart a new quality to those relations and strengthen their legal basis, being filled with resolve to ensure the irreversibility and consistency of democratic processes in both nations, taking into account agreements within the framework of the Commonwealth of Independent States, and affirming their own adherence to the norms of international law, and first of all to the goals and principles of the United Nations Charter, and upholding the obligations that have been adopted within the framework of the Organization for Security and Cooperation in Europe, have agreed to the following:

Article 1. The High Contracting Parties, as fraternal, equal, and sovereign nations, shall base their relations on mutual respect and trust, strategic partnership, and collaboration.

Article 2. The High Contracting Parties, in accordance with the provisions of the UN Charter and obligations under the Final Act of the Council for Security and Collaboration in Europe, shall respect each other's territorial integrity, and confirm the inviolability of the borders existing between them.

Article 3. The High Contracting Parties shall construct their relations with each other on the basis of principles of mutual respect for sovereign equality, territorial integrity, the inviolability of borders, the peaceful settlement of disputes, the nonapplication of force, including economic and other means of pressure, the right of peoples to decide their own fates freely, nonintervention in internal affairs, the upholding of human rights and basic freedoms, collaboration among nations, and the conscientious fulfillment of international obligations assumed, as well as other generally accepted norms of international law.

Article 4. The High Contracting Parties shall proceed from the fact that good-neighbor relations and collaboration between them are important factors in raising stability and security in Europe and around the world. They shall exercise close collaboration in order to strengthen international peace and security. They shall take essential steps to promote the process of general disarmament and the creation and strengthening of a system of collective security in Europe, as well as to strengthen the peacekeeping role of the UN and increase the effectiveness of regional security mechanisms. The parties shall make every effort to see that the settlement of all disputed issues is accomplished exclusively by peaceful means, and shall collaborate in the prevention and settlement of conflicts and situations that affect their interests.

Article 5. The High Contracting Parties shall hold regular consultations in order to ensure the further expansion of bilateral relations and an exchange of opinions with regard to multilateral problems of mutual interest. They shall coordinate their positions where necessary to implement joint actions. Regular high-level meetings shall be held for this purpose by agreement of the Parties. The ministers of foreign affairs of the Parties shall meet not less often than twice a year. Working meetings between representatives of other ministries and agencies of the Parties to discuss issues of mutual interest shall be held as necessary. The Parties may create combined commissions on a permanent or ad hoc basis to resolve particular issues in various fields.

Article 6. Each of the High Contracting Parties shall refrain from participation in or support of any actions directed against the other High Contracting Party, and is obligated not to enter into any agreements with any countries directed against the other Party. Neither of the Parties shall also permit its territory to be used to the detriment of the security of the other Party.

Article 7. In the event a situation arises that, in the opinion of one of the High Contracting Parties, creates a threat to peace, disrupts the peace, or affects the interests of its national security, sovereignty, and territorial integrity, it may propose immediate consultations to the other Party. The Parties shall exchange the appropriate information, and where necessary take coordinated or joint steps, in order to overcome such a situation.

Article 8. The High Contracting Parties shall develop their relations in the spheres of military and military-technical collaboration and national security, as well as their collaboration on border issues, customs, export and immigration controls, on the basis of separate treaties.

Article 9. The High Contracting Parties, affirming their resolve to proceed in the direction of cutting back armed forces and weaponry, shall promote the process of disarmament and act together in the unwavering fulfillment of agreements in the area of cutting back armed forces and weaponry, including nuclear.

Article 10. Each of the High Contracting Parties guarantees to the citizens of the other Party rights and freedoms on the same grounds and in the same amounts as their own citizens, aside from cases stipulated by the national legislation of the Parties or other international treaties. Each of the Parties protects the rights of its own citizens residing on the territory of the other Party under established procedure in accordance with their obligations under the documents of the Organization for Security and Cooperation in Europe and other generally accepted principles and norms of international law and agreements within the framework of the Commonwealth of Independent States to which they are signatories.

Article 11. The High Contracting Parties shall take all necessary steps on their territory, including the passage of the appropriate legislation, to avert and curtail any actions that are an instigation to violence or violence against certain individuals or groups of citizens based on national, racial, ethnic, or religious intolerance.

Article 12. The High Contracting Parties shall ensure the protection of the ethnic, cultural, linguistic, and religious originality of national minorities on their territory, and create conditions for the encouragement of that originality. Each of the High Contracting Parties shall guarantee the right of individuals belonging to national minorities to express, safeguard, and develop their ethnic, cultural, linguistic, or religious originality, either individually or along with other individuals that belong to national minorities, and to maintain and develop their culture without suffering any attempts at assimilation against their will.

The High Contracting Parties shall guarantee the right of individuals that belong to national minorities to exercise their human rights and basic freedoms entirely and effectively, and to enjoy them without any discrimination whatsoever and under conditions of complete equality under the law.

The High Contracting Parties shall promote the creation of equal opportunities and conditions for the study of the Ukrainian language in the Russian Federation and the Russian language in Ukraine and the training of teaching personnel for instruction in those languages at educational institutions, and shall provide state support of equal value for that purpose.

The High Contracting Parties shall enter into agreements for collaboration on these issues.

Article 13. The High Contracting Parties shall develop equal and mutually advantageous collaboration in economics, and refrain from actions that could cause economic harm to each other. For that purpose, acknowledging the necessity of the gradual formation and development of an overall economic expanse by means of the creation of conditions for the free movement of foods, services, capital, and manpower, the Parties shall take effective steps to coordinate their strategies for implementing economic reforms, deepening economic integration on the basis of mutual advantage, and harmonizing economic legislation.

The High Contracting Parties shall ensure the broad exchange of economic information and access to it for enterprises, businessmen, and scholars of both Parties. The Parties shall strive to coordinate their financial, monetary, credit, budgetary, currency, investment, pricing, taxation, trade, and economic policies, as well as customs policies, for the creation of equal possibilities and guarantees for business entities, and promote the formation and development of direct economic and trade relations at all levels, the specialization and cooperation of technologically associated types of production, enterprises, associations, corporations, banks, producers, and consumers of products.

The High Contracting Parties shall promote the preservation and development of production, scientific and technical cooperation among industrial enterprises on a mutually advantageous basis in the development and production of modern and scientifically sophisticated products, including products for defense needs.

Article 14. The High Contracting Parties shall provide favorable conditions for direct trade and other economic relations and collaboration at the level of territorial administrative entities in accordance with prevailing national legislation, paying particular attention to the development of the economic ties of the border regions.

Article 15. The High Contracting Parties shall provide favorable economic, financial, and legal conditions for the business and other economic activity of enterprises and organizations of the other Party, including incentives and mutual protection of their investments. The Parties shall encourage various forms of cooperation and direct ties between the business entities of both nations, regardless of the forms of ownership.

Article 16. The High Contracting Parties shall interact within the UN and other international organizations and support each other in the entry into international organizations and accession to treaties and conventions to which one of the Parties is not a signatory.

Article 17. The High Contracting Parties shall expand their collaboration in the area of transport, and provide freedom of transit of individuals, freight, and transport across each other's territory in accordance with generally accepted norms of international law. The shipment of freight and passengers by rail, air, sea, river, and motor transport between the two Parties and transit across their territory, including operations through sea and river ports and airports, rail and highway systems, as well as operations through lines of communications, trunk pipelines and electrical grids located on the territory of the other Party, are accomplished in accordance with the procedure and on the terms stipulated by separate agreements.

- Article 18. The High Contracting Parties shall collaborate in search and air-rescue operations, as well as in the investigation of transport incidents.

Article 19. The High Contracting Parties shall ensure adherence to the legal conditions of state property and the property of legal entities and citizens of one of the High Contracting Parties located on the territory of the other High Contracting Party in accordance with the legislation of that Party, if not otherwise stipulated by agreement between the Parties.

The Parties shall proceed from the fact that questions of ownership relations that affect their interests are subject to settlement on the basis of separate agreements.

Article 20. The High Contracting Parties shall devote particular attention to the development of collaboration to provide for the functioning of the national fuel and power complexes, transport systems, and information and communications systems, promoting the preservation, efficient utilization, and development of the complexes and individual systems that have taken shape in those fields.

Article 21. The High Contracting Parties, on the basis of separate agreements, shall cooperate in studying and utilizing outer space and in the joint production and development of missile and space hardware based on principles of equality and mutual advantage and in accordance with international law.

The High Contracting Parties shall promote the preservation and development of the cooperative ties that have taken shape among the enterprises of the missile and space sector.

Article 22. The High Contracting Parties shall provide mutual assistance during the clean-up of accidents that arise as a result of incidents on lines of communication, trunk pipelines, power systems, road networks, and other facilities of mutual interest. The procedure for interaction when conducting emergency and recovery operations is defined by separate agreements.

Article 23. The High Contracting Parties shall collaborate in the fields of education, science and technology and in the development of research activity, encouraging direct ties among their scientific research organizations and the implementation of joint programs and projects, especially in the sphere of modern technology. Questions of the utilization of the results of joint research obtained in the course of collaboration shall be agreed upon in each specific instance by separate agreements.

The Parties shall interact in the area of the training of personnel, and encourage the exchange of specialists, scientists, graduate students, interns, and students. They shall mutually recognize the equivalence of educational documents, academic degrees, and academic titles, and shall enter into a separate agreement on this issue.

- The Parties shall exchange scientific and technical information, as well as
- collaborate on issues of the protection of copyrights and allied rights and other types of intellectual property, in accordance with the national legislation and international obligations of their countries in those areas.

Article 24. The High Contracting Parties shall develop collaboration in the areas of culture, literature, the arts, mass media, tourism, and sports.

The Parties shall interact in the safekeeping, restoration, and use of their historical and cultural heritage.

The Parties shall promote to the utmost the strengthening and expansion of creative exchange and interaction among collectives, organizations, and associations of figures in literature and the arts, cinematography, film production, and the archival affairs of their countries, the holding of traditional national cultural days, arts festivals and exhibitions, tours of creative ensembles and soloists, the exchange of delegations of cultural figures and specialists at the state, regional, and local levels, and the organization of national cultural centers on the territory of both nations.

The Parties shall provide state support in the development and realization of joint programs for the resurrection and development of the tourist industry, the assimilation of new and promising recreational zones, and the safeguarding, restoration, and efficient utilization of cultural, historical, and religious artifacts and sites. A strengthening of the contacts among sports organizations and clubs and the joint holding of international sporting functions shall be encouraged in all-round fashion. The Parties shall jointly develop and realize mutually advantageous programs for the development of the material and technical base of television and radio, including satellite broadcasting, and provide for the organization of television and radio programs in the Russian language in Ukraine and the Ukrainian language in Russia on an equal basis.

The Parties shall promote the development of contacts among people, political parties, and social movements, trade unions, religious organizations and associations, and health, sports, tourist, and other associations and unions. The whole set of issues envisioned by this article are the subject of separate agreements.

Article 25. The High Contracting Parties shall collaborate in the protection and improvement of the state of the environment, the prevention of cross-border pollution, the efficient and resource-conserving utilization of the environment, and dealing with the consequences of emergency situations of natural and man-made origin, and shall promote coordinated actions in this field at the regional and global levels, striving to create an all-encompassing system of international ecological security.

The Parties shall proceed from the fact that the protection of the environment and ecological security, including the protection and utilization of ecosystems and resources of the Dnieper River and other cross-border water flows and actions in emergency ecological situations, are subject to regulation on the basis of separate agreements.

Article 26. The High Contracting Parties shall collaborate in dealing with the consequences of the accident at the Chernobyl AES [nuclear electric power plant], and shall enter into a separate agreement on that issue.

Article 27. The High Contracting Parties shall develop collaboration in the area of social protections, including the social security of citizens. They shall enter into special agreements for the purpose of resolving issues of labor relations, job placement, social protections, compensation for damages caused by disability or other damage to health associated with production accidents, social security for citizens of one Party engaged in labor activity or have served work time on the territory of the other Party, and on other issues in this sphere that require coordinated solutions.

The Parties shall ensure the unrestricted and timely transfer of pensions, monetary assistance, alimony, funds as compensation for damages caused by disability or other harm to health, and other socially significant payments to citizens of one of the Parties who reside permanently or are temporarily present on the territory of the other Party.

Article 28. The High Contracting Parties shall collaborate on issues of restoring the rights of deported peoples in accordance with agreements within the framework of the CIS on a bilateral and multilateral basis.

Article 29. The High Contracting Parties, as Black Sea nations, are prepared and shall in the future develop comprehensive collaboration in matters of rescue and safeguarding of the Azov- Black Sea basin environment, the performance of marine and climatic research, the use of recreational opportunities and the natural resources of the Black and Azov Seas, and the development of navigation and the operation of naval lines of communications, ports, and structures.

Article 30. The High Contracting Parties are aware of the importance to Ukraine and the Russian Federation of preserving a technologically integrated system for the gathering, processing, dissemination, and utilization of hydrometeorological information and data on the state of the environment to meet the interests of the public and the national economy, and will comprehensively promote the development of collaboration in the area of hydrometeorology and environmental monitoring.

Article 31. The High Contracting Parties shall devote particular attention to the development of mutually advantageous collaboration in the area of health care and the improvement of the health-safety and epidemiological situation, the production of medicines and medical equipment, and the training of highly skilled personnel for the medical facilities of the Parties.

Article 32. The High Contracting Parties shall collaborate in resolving issues of the regulation of migration processes, including measures to prevent and disallow illegal migration from third countries, for which a separate agreement shall be drawn up.

Article 33. The High Contracting Parties shall collaborate in the fight against crime, first and foremost against organized crime and terrorism in all of its forms and manifestations, including criminal acts directed against the security of maritime shipping, civil aviation, and other types of transport, and the illegal circulation of radioactive materials, weaponry, drugs, and psychotropic substances, contraband, including the illegal movement across borders of objects that are of cultural, historical, or artistic value.

Article 34. The High Contracting Parties shall collaborate in the legal sphere on the basis of separate agreements.

Article 35. The High Contracting Parties shall promote the development of contacts and collaboration between the parliaments and among the parliamentarians of both nations.

Article 36. This Treaty does not affect the rights and obligations of the High Contracting Parties that arise from other international treaties to which they are signatories.

Article 37. Disputes related to the interpretation and application of the provisions of this Treaty are subject to settlement by means of consultations and negotiations between the High Contracting Parties.

Article 38. The High Contracting Parties shall enter into other agreements with each other as necessary to implement the provisions of this Treaty, as well as agreements in areas of mutual interest.

Article 39. This Treaty is subject to ratification, and shall take effect on the day of exchange of letters of ratification.

The Treaty Between the Ukrainian Soviet Socialist Republic and the Russian Soviet Federal Socialist Republic of 19 November 1990 shall be terminated as of the day this Treaty enters into force.

Article 40. This Treaty is entered into for a period of ten years. It will then be extended automatically for subsequent ten- year periods if one of the High Contracting Parties does not inform the other High Contracting Party of its intention to curtail it by written notification not less than six months before the end of the current 10-year period.

Article 41. This Treaty is subject to registration with the Secretariat of the United Nations in accordance with Article 102 of the UN Charter.

Executed in the city of Kiev on 31 May 1997 in two copies, one each in the Ukrainian and Russian languages, with both texts being authentic.  
• For Ukraine, for the Russian Federation

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