Ukraine and NATO: Deadlock or Re-start?

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NATO's door for Ukraine remains open. The future development of the integration depends on Ukraine's correspondence to the standards of NATO membership, on the determination of its political leadership, and on an effective mobilisation of public opinion on NATO membership. This report shows that Ukraine has made progress in reaching the standards for NATO membership, especially in the spheres of military contribution and interoperability. However the absence of national consensus and lack of political will and strategic management of the government hamper any effective implementation of Ukraine's Euro-Atlantic integration. It is also crucial to neutralise Russia's influence, which seriously hampers Ukraine's Euro-Atlantic course. Leading representatives of the current leadership, especially Prime Minister Viktor Yanukovych and his Party of Regions of Ukraine, prefer for the moment continued stable relations with Russia rather than NATO membership.

Jakob Hedenskog is a security policy analyst at the Swedish Defence Research Agency (FOI) specialised on Ukraine. In 2004, he published the report The Ukrainian Dilemma: Relations with Russia and the West in the Context of the 2004 Presidential Elections.

Cover photo: Press conference following the meeting of the NATO-Ukraine Commission at the level of Heads of State and Government, 22 February 2005. From left to right: NATO Secretary General Jaap de Hoop Scheffer and Viktor Yushchenko, President of Ukraine.

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JAKOB HEDENSKOG

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Abstract

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Keywords

Ukraine, NATO, Russia, USA, partnership, membership, integration, co-operation, interoperability, democracy, Orange Revolution, Yushchenko, Yanukovych, Putin

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Sammanfattning

Ukraina har under de senaste tio åren utvecklat ett mycket nära partnerskap med NATO. Nyckelområden för konsultationer och samarbete omfattar till exempel fredsbevarande insatser, samt reformer av försvars- och säkerhetssektorerna. NATO:s engagemang har två syften för Ukraina. För det första höjer det Ukrainas långsiktiga säkerhet och fungerar som en garanti för statens fortsatta oberoende, för det andra stödjer det och uppmuntrar skapandet av demokratiska institutioner och spridandet av demokratiska normer och värderingar inom landet.

NATO:s dörr för Ukraina är fortfarande öppen. Den fortsatta utvecklingen av integrationen är beroende av Ukrainas korresponderande till NATO:s standard för medlemskap, bestämdheten hos det politiska ledarskapet och en effektiv mobilisering av opinionen till stöd för ett medlemskap. Denna rapport visar att Ukraina har nått framgångar att uppnå medlemskapsstandard, i synnerhet i frågan om att kunna erbjuda ett militärt insatsbidrag till NATO och att anpassa sig till NATO:s militära standard, men frånvaron av ett nationellt konsensus och bristen på politisk vilja och strategiskt ledning hindrar ett effektivt implementerande av Ukrainas euroatlantiska integration. Viktigt är också att neutralisera Rysslands inflytande på Ukraina, vilket allvarligt hämmar Ukrainas euroatlantiska kurs. Ledande personer inom det politiska ledarskapet, i synnerhet premiärminister Viktor Janukovytj och hans parti ”Partiet för Ukrainas regioner”, föredrar för tillfället fortsatta stabila relationer med Ryssland före ett medlemskap i NATO.

Nyckelord

Ukraina, NATO, Ryssland, USA, partnerskap, medlemskap, integration, samarbete, interoperabilitet, demokrati, Orangea revolutionen, Jusjtjenko, Janukovytj, Putin

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List of Abbreviations

BYuT	*Blok Yuliyi Tymoshenko* (Yulia Tymoshenko Bloc)
CBR	Chemical-Biological-Radiological
CEI	Central European Initiative
CIS	Commonwealth of Independent States
CSTO	Collective Security Treaty Organization
EU	European Union
EUBAM	EU Border Assistance Mission
FSB	*Fedaralnaya Sluzhba Besapasnosti* (Federal Security Service of Russia)
GRECO	Group of States against Corruption
GUAM	Georgia-Ukraine-Azerbaijan- Moldova
ICJ	International Court of Justice
IEOM	International Election Observation Mission
IFOR	Implementation Force
INF	Intermediate-Range Nuclear Forces
ISAF	International Security Assistance Force
JRRF	Joint Rapid Reaction Force
JWGDR	Joint Working Group on Defence Reform
KFOR	Kosovo Force
KPU	*Komunistychna Partiia Ukrayiny* (Communist Party of Ukraine)
MAP	Membership Action Plan
MAUP	*Mizhrehionalna Akademiia upravlinnia Personalam* (Interregional Academy of Personnel Management)
NAC	North Atlantic Council
NACC	North Atlantic Cooperation Council
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organisation
NPT	Non-Proliferation Treaty
NU	*Nasha Ukrayina* (Our Ukraine)
NUC	NATO-Ukraine Commission
PA	Parliamentary Assembly
PARP	Planning and Review Process
PCA	Partnership and Co-operation Agreement
PfP	Partnership for Peace
PJC	Permanent Joint Council
PRU	*Partiia Rehioniv Ukrayiny* (Party of Regions of Ukraine)
SBU	*Sluzhba Bespeky Ukrayiny* (Security Service of Ukraine)
SCO	Shanghai Cooperation Organization
SDPU(o)	*Sotsial-Demokratychna Partiia Ukrayiny (obiednana)* (Social-Democratic Party of Ukraine (united)
SFOR	Stabilisation Force
SPU	*Sotsialistychna Partiiia Ukrayiny* (Socialist Party of Ukraine)
START	Strategic Arms Reduction Treaty
UK	United Kingdom
UN	United Nations
USA	United States of America
WTO	World Trade Organization

Foreword

The Project on Russian Foreign, Defence and Security Policy (RUFS) at the Swedish Defence Research Agency (FOI) conducts research on Russia and former Soviet Union for the Swedish Government and its ministries. The first report on Ukraine, written in 1998 by Ingmar Oldberg, covered the first troublesome years of the Ukraine-Russia relations in the aftermath of the break-up of the Soviet Union.[1] My own report *The Ukrainian Dilemma: Relations with Russia and the West in the Context of the 2004 Presidential Elections* (2004) followed up where Oldberg's ended, but added Ukraine's relations with NATO and the EU to the analysis. Although being basically a 'Kuchma report', it also included scenarios of the then up-coming presidential election, events which came to be known as the 'Orange Revolution'.[2] A post-'Orange Revolution' analysis and long-term scenarios were done in 2006 by Oldberg in a report dealing with Ukraine, Belarus and Moldova in a twenty-year-perspective.[3]

Besides these reports, dealing specifically with Ukraine, several other reports have to some extent dealt with Ukrainian foreign relations with other states as Russia[4] and Germany[5] and Poland.[6] Finally, Robert Larsson's extensive studies on the Russian energy complex and Russia's role as energy supplier include detailed analysis on the Russia-Ukraine energy relation; particularly in *Russia's Energy Policy: Security Dimensions and Russia's Reliability as an Energy Supplier* (2006).[7]

I would like to thank my colleagues at the FOI, Karin Anderman, Peter Haldén, Robert Larsson, Jan Leijonhielm, Ingmar Oldberg and Fredrik Westerlund, who all read the manuscript for this report and gave me valuable comments.

Jakob Hedenskog, Stockholm in December 2006

[1] Oldberg, Ingmar (1998) *Konflikter och samarbete: Ukrainas relationer med Ryssland under 1990-talet*, Stockholm: Defence Research Establishment, FOA-R--98-00871-180—SE.
[2] Hedenskog, Jakob (2004) *The Ukrainian Dilemma: Relations with Russia and the West in the Context of the 2004 Presidential Elections*, Stockholm: Swedish Defence Research Agency, FOI-R--1199--SE.
[3] Oldberg, Ingmar (2006) *Regionen Vitryssland-Ukraina-Moldavien i ett 20-årsperspektiv*, Stockholm: Swedish Defence Research Agency, FOI Memo 1478.
[4] Oldberg, Ingmar (2004) *Membership or Partnership: The relations of Russia and its neighbours with NATO and the EU in the Enlargement Context*, Stockholm: Swedish Defence Research Agency, FOI-R--1364—SE.
[5] Oldberg, Ingmar (2006) *Aktuell tysk utrikespolitik – prioriteringar och tendenser*, Stockholm: Swedish Defence Research Agency, FOI-R--1976—SE.
[6] Unge, Wilhelm et al. (2006) *Polish-Russian Relations in an Eastern Dimensions Context*, Stockholm: Swedish Defence Research Agency, FOI-R--2008—SE.
[7] Larsson, Robert (2006) *Russia's Energy Policy: Security Dimensions and Russia's Reliability as an Energy Supplier*, Stockholm: Swedish Defence Research Agency, FOI-R--1934—SE.

Table of Contents

Executive Summary

Ukraine has over the past ten years developed a very close partnership with NATO. Key areas of consultation and co-operation include peacekeeping operations, defence and security sector reform, military-to-military co-operation, armaments, civil emergency planning, and scientific and environmental co-operation. NATO's engagement serves two vital purposes for Ukraine. First, it enhances Ukraine's long-term security and serves as a guarantee for the independence of the state; and second, it promotes and encourages democratic institutionalisation and spreading of democratic norms and values in the country.

NATO's door for Ukraine remains open. The future development of the integration depends on Ukraine's correspondence to the standards of NATO membership, the political determination of the Ukrainian leadership, and an effective mobilisation of public opinion on NATO membership.

This study shows that Ukraine is rather well on the road towards meeting the standards for NATO membership. Most notably progress has been made in the sphere of military contribution and interoperability. Many good results have also been made in reaching the standards in relations with neighbours and minority rights. But substantially more work has to be made in reaching the NATO standard in the democracy-related area, in developing democracy and functioning civil-military relations in line with democratic standards.

The absence of a national consensus on NATO and the lack of political will and strategic managements at the level of government seriously hamper an effective implementation of Ukraine's Euro-Atlantic course. Ukraine's opportunity to be invited into the Membership Action Plan (MAP) at the Riga summit in November 2006 was missed due to the inability to form a pro-Western government in Ukraine after the March parliamentary elections. But even if the NATO membership process is formally continuing today, its practical results – at least under the current Russia-oriented government led by Viktor Yanukovych – will be reflected more in the reformation of Ukraine's Armed Forces and mutually profitable military-technical co-operation, than in political engagement.

A crucial factor is neutralising the Russian influence, which is seriously hampering Ukraine's Euro-Atlantic integration. Yanukovych is not likely to shift to supporting NATO membership as long as Putin remains president of Russia. The question on NATO membership will probably not return to the domestic agenda before the next Ukrainian presidential elections 2009, but it can also take much longer.

Introduction

While Ukraine's relations with the European Union (EU) have been a topic for many recent studies[8], the relations with the North-Atlantic Treaty Organization (NATO) are somehow less covered, despite the fact that most analysts agree on that a membership of NATO is more likely than of the EU in a short-term perspective.

Ukraine's formal relations with both the EU and NATO date back to the early days of Ukrainian independence. They were later formalised through the Partnership and Co-operation Agreement (PCA) with the EU in 1994 (which came into force in 1998), and through the Distinctive Partnership with NATO in 1997, which established the NATO-Ukraine Commission (NUC). Since then, Ukraine's relations with NATO have developed more rapidly than the relations with the EU. NATO has several times reaffirmed the Alliance's open-door policy, while underscoring that NATO remains a performance-based organisation founded on shared values, whereas the EU officially has never given Ukraine a perspective of future membership, not even in a long-time perspective.

Structure of the Study

This study aims to analyse Ukraine's relations with NATO and the perspective of a Ukrainian membership in the Alliance. Chapter two gives the historical background to the first 15 years of Ukraine-NATO. Chapter three discusses what has to be fulfilled by Ukraine in order to be formally invited to NATO, what the criteria are and how Ukraine has, so far, performed in fulfilling them. How has democracy and market economy developed in Ukraine? How are national minorities treated and how has the country managed to solve territorial disputes with its neighbours? With what can Ukraine contribute to the military strength of the Alliance and how have the processes of interoperability and civil-military relations developed?

Chapter four deal with different opinions within Ukraine on the perspective of a NATO membership. Ukraine is a country traditionally to some extent fragmented between more pro-Western regions in the centre and west and more

[8] For example: Forbrig, Joerg and Shepard, Robin (eds.) (2005) *Ukraine after the Orange Revolution: Strengthening European and Transatlantic Commitments*, Washington, D.C.: The German Marshall Fund of the United States; Jakubiak, Małgorzata and Kolesnichenko, Anna (eds.) (2006) *Prospects for EU-Ukraine Economic Relations*, Warsaw: Center for Economic and Social Economic Research, CASE Reports, No. 66/2006; Gromadzki, Gzregorz et. al. (2005) *Will the Orange Revolution bear Fruit?: EU-Ukraine relations in 2005 and the beginning of 2006*, Warsaw: Stefan Batory Foundation; Copsey, Nathaniel and Mayhew, Alan (2006) *European Neighbourhood Policy: the Case of Ukraine*, Brighton: Sussex European Institute, SEI Seminar Papers Series No 1.

Russia-leaning regions in the east and south. This east-west division also finds expression in the ongoing power struggle between the president and the prime minister over the conduct of foreign policy, in which the question of NATO membership has played a visible role.

Chapters five and six deal with opinions within NATO and Russia, respectively, on a Ukrainian NATO membership. Which member states tend to support Ukraine's aspirations and which ones do not and why? What are Russia's arguments against a Ukrainian membership in the Alliance and what are its possibilities to hinder it? What are Russia's possible counter measures if Ukraine would be invited to the Alliance? Finally, in a concluding chapter, there is a discussion on the future development of the Ukraine-NATO partnership and the future prospect for a Ukrainian NATO membership.

The report uses Ukrainian name forms for cities and places in Ukraine like in 'Kyiv' ('Kiev' in Russian). Exceptions are only made for frequently used English versions as 'Crimea' ('Krym'), 'the Black Sea' ('Chorne more') or 'the Sea of Azov' ('Azovske more'), for instance. The transliteration from Ukrainian uses a slightly modified version of the official Ukrainian-English transliteration system adopted by the Ukrainian Legal Terminology Commission (Decision N 9).[9] The letter 'Є' is spelled 'Ye' at the beginning of words but 'ie' in other positions. The same rule applies to 'Ю' ('Yu' and 'iu') and 'Я' ('Ya' and 'ia'). Й is spelled 'Y' at the beginning of words, but 'i' in other positions. 'Ї' is spelled 'yi' in all positions and 'Щ' is spelled 'shch' (like in 'Yuschchenko'). Individual choices of spelling have been respected. For brevity's sake, the system allows for names such as the city of 'Zaporizhzhia' to be given as 'Zaporizhia'.

The transliteration system from Russian is the standard British one (a modified version of the Library of Congress system), where 'ю' becomes 'yu', 'я' becomes 'ya', and 'e' becomes 'Ye' at the beginning of words (like in 'Yeltsin'), but 'e' in other positions. In both Ukrainian and Russian, the soft sign 'ь' is omitted throughout the report (like in 'Belarus' and 'Lviv').

[9] *Ukrainian-English transliteration table,* http://www.rada.gov.ua/translit.htm

A Background on the Ukraine-NATO Relations

Ukraine's relations with NATO began in 1991 when the new state joined the North Atlantic Cooperation Council (NACC). In the first two years of independence, Ukraine's relations to NATO, as well as with the EU, were rather frosty due to Ukraine's refusal to give up its share of the Soviet strategic nuclear arsenal. Russia wanted to recover all nuclear weapons located in other Soviet republics (Ukraine, Belarus and Kazakhstan) to Russia, but Ukraine refused to do that. The country's first president, Leonid Kravchuk, instead tried to use the strategic nuclear weapons as a deterrence factor against possible Russian revanchism, and as a tool to put pressure on the West for economic help to Ukraine. But the West supported Russia in this dispute.

By the end of 1993, Kravchuk realised that his policy had failed. The strategic arsenal, since Soviet times directed against NATO rather than Russia, was of little use as a deterrence factor against Moscow. Furthermore, Ukraine's stand on the nuclear issue had not led to any economic gains, but instead had isolated Ukraine from the West – not least financially. Therefore, a complete change of policy was initiated. By late 1993, Ukraine acceded to the Nuclear Non-Proliferation Treaty (NPT) and ratified the START-1 treaty. Together with the presidents of the United States and Russia, in January 1994 Kravchuk signed a Trilateral Statement, in which Ukraine was given extended formal security assurance by the USA, as well as financial support for transferring the strategic nuclear missiles to Russia. In February 1994 Ukraine became the first former Soviet Republic to join NATO's Partnership for Peace (PfP) Programme.[10]

Charter on a Distinctive Partnership

Ukraine's relations with NATO were upgraded at the NATO summit in Madrid in July 1997, when the two parties signed the Charter on a Distinctive Partnership. The Charter provided for improved relations in many areas, such as military reform, conflict prevention, economic security, crisis management, non-proliferation and arms control among others. To ensure the development of the NATO-Ukraine relationship, the Charter created the NATO-Ukraine Commission (NUC), which through joint meetings regularly would assess the implementation of the relationship and suggest ways to improve or further develop the co-operation between NATO and Ukraine.[11] The Charter did not give any security guarantees to Ukraine and was similar to the security assurances provided in the Trilateral Statement. However, it did, in some ways,

[10] Hedenskog, Jakob (2004) p. 31.
[11] NATO (1997) *Charter on a Distinctive Partnership between the North Atlantic Treaty Organization and Ukraine*, http://www.nato.int/docu/basictxt/ukrchrt.htm

improve Ukraine's security, since it provided psychological, as well as financial and political, support for Ukraine's sovereignty, territorial integrity and independence.[12] The Charter on a Distinctive Partnership remains the basic foundation of the NATO-Ukraine relationship, regulating the Ukraine-NATO relations even today.

Ukrainian President Leonid Kuchma at the press conference after the NUC meeting, held at NATO's 50th Anniversary Summit in Washington, D.C., 24 April 1999. In the centre, NATO Secretary General Javier Solana. © NATO

During the presidency of Leonid Kuchma (1994-2005), the Ukraine-NATO relations were at their zenith between 1997 and 2000. By early 2001, some 300 multilateral activities with NATO and 500 bilateral programmes with NATO allies had been carried out.[13] However, by the beginning of 2001 internal scandals in Ukraine, most notably the 'Tape Scandal' (se below), reports on high profile corruption, and the growing role of the 'Russian vector' in Ukraine's foreign policy, made NATO to begin looking at Ukraine with greater suspicion. Another factor that temporarily affected the relations with NATO negatively was Ukraine's arms export to Macedonia in 2001 at the time when NATO was

[12] Kuzio, Taras (2000) 'Kyiv craves closer ties with NATO', *Jane's Intelligence Review*, October, p. 21.
[13] Sherr, James (2002b) 'Ukraine's Euro-Atlantic Choice: Is Failure Inevitable?', Kjærullf-Jørgensen, Rikke (ed.), *Ukraine – Our new Neighbour*, Copenhagen: Danish Institute of International affairs, p. 30.

active as mediator between the central government of Macedonia and militant Albanian groups.

The Ukrainian leadership then tried to use the terror attacks on September 11 2001 to improve the relations with the US and NATO. Besides giving its total support for the US' right to defend itself against the terrorists, Ukraine also opened its airspace for American military transits from NATO bases in Europe to Afghanistan and Central Asia. Ukraine further leased its long-range military transport aviation to NATO countries for support of their troops in Afghanistan.[14] These measures did help to temporarily improve the relations between Ukraine and NATO.

The NATO-Ukraine Action Plan

However, accusations at the end of 2002 of President Kuchma's personal involvement in the alleged sale of Kolchuga radar stations to Saddam Hussein's Iraq in violation of the UN embargo again seriously deteriorated relations between Ukraine and the Western allies. Before the meeting of the Euro-Atlantic Partnership Council, held during NATO's summit in Prague in November 2002, the Ukrainian president was recommended not to come. When Kuchma anyway appeared he had to endure a humiliating situation. The table seating had been changed from English to French thus making it possible to keep the president of Ukraine at a distance from the leaders of the United Kingdom and the United States.

At the same time, NATO officials were careful to underline that the unwelcoming treatment was only directed personally at the Ukrainian President and not to Ukraine as a nation and partner of NATO. Thus, the Ukrainian delegation did not have to leave Prague empty-handed as the NUC meeting adopted the NATO-Ukraine Action Plan. The purpose of the plan was to identify Ukraine's strategic objectives and priorities in pursuit of its aspirations towards full integration into the Euro-Atlantic security structures and to provide a strategic framework for existing and future co-operation under the Charter on a Distinctive Partnership.

The NATO-Ukraine Action Plan was divided into five sections:

- political and economic issues
- security issues
- defence and military issues
- information protection and security issues
- legal issues

[14] *Wall Street Journal Europe*, 14-16 June 2002.

In the internal political sphere, Ukraine committed itself to strengthen democracy and the rule of law, respect for human rights, the principle of separation of power of judicial independence, democratic elections in accordance with norms of the Organization for Security and Co-operation in Europe (OSCE), political pluralism, and freedom of speech and press. In the military sphere, the document obliged Ukraine, in close co-operation with NATO's Joint Working Group on Defence Reform (JWGDR), to reform its defence and security sectors in general in order to obtain "a well-trained, well-equipped, more mobile and modern armed force" and to strengthen civil control over the armed forces and security forces.

Further, Ukraine committed itself to increase its contribution to NATO-led peacekeeping operations in the Balkans and to NATO measures on fighting terrorism. Ukraine was also obliged to present a draft Annual Target Plan for achieving principles and objectives of the Action Plan.[15] Although the Action Plan itself did not automatically guarantee Ukraine's membership in NATO, the implementation of the plan's principles and objectives allowed Ukraine to make essential progress on the path to full membership. Most importantly, the Action Plan defined that it was up to Ukraine to take the necessary measures for membership. With the Target Plan, NATO achieved an instrument to control that the Ukrainian side was keeping its words.

In the aftermath of the Prague summit, Ukraine's relations with NATO and the US improved substantially. Particularly the US-led invasion of Iraq in March 2003 gave Kyiv a window of opportunity to improve the relationship. When Ukraine sent a 500-men strong Chemical-Biological-Radiological (CBR) protection battalion to Kuwait in the early phase of the war, the American President mentioned Ukraine as being one of the forty-eight nations supporting the United States on Iraq.[16] As a consequence, almost over a night the 'Kolchuga affair' disappeared from the US-Ukrainian bilateral agenda.

Encouraged by this reaction, Ukraine decided to take part in the US-controlled stabilisation force in Iraq by sending 1,650 servicemen to serve under the united allied command.[17] For the first time in years a NATO membership for Ukraine seamed to be in reach. In 2003 the US Ambassador Carlos Pascual even gave Ukraine a "hypothetical" chance of being accepted as NATO member in a likely third wave of expansion already by 2008.[18] However, NATO let Ukraine

[15] NATO (2002), *NATO-Ukraine Action Plan*, http://www.nato.int/docu/basictxt/b021122a.htm
[16] Varfolomeyev, Oleg (2003) 'War in Iraq works to Kuchma's benefit', *Jamestown Russia and Eurasia Review*, The Jamestown Foundation, 22 July, http://www.jamestown.org/publications_details.php?volume_id=16&issue_id=627&article_id=4545
[17] Ukrayinska Pravda (2003) 'Parlament uviv ukrayinski viyska do Iraku', 5 June, http://www2.pravda.com.ua/archive/?3065-2-new
[18] Hedenskog, Jakob (2004), p. 40.

understand that it would not be considered for Membership Action Plan (MAP) status already at the NATO top meeting in Istanbul in June 2004, due to the uncertainties of the outcome of the presidential elections later the same year.

The absence of signals from the Istanbul meeting, despite the Ukrainian engagement in Iraq, was perceived with disappointment by the Ukrainian leadership. Together with the growing Russian influence on Ukrainian foreign and security policy in the up-start of the presidential campaign, this led Kuchma to, by a decree in July 2004, change the wording of the newly adopted Ukrainian military doctrine to no longer declaring membership in NATO (and the EU) as a goal for Ukraine. The doctrine, which had been presented in Istanbul, now preferred only "deepened co-operation" with NATO. Later the same year, Kuchma sacked the Minister of Defence, Yevhen Marchuk, who was at that time perceived as one of the strongest supporters for NATO membership in the Ukrainian leadership.

After the 'Orange Revolution' – An Intensified Dialogue

At the end of 2004, the NATO allies closely followed the political developments surrounding the presidential elections in Ukraine and the 'Orange Revolution'. On 26 December 2004, the re-run of the second round of the presidential election from 21 November led to the victory of the NATO-friendly Viktor Yushchenko over Viktor Yanukovych, who was perceived as a pro-Russian candidate. Once president, Yushchenko quickly reinstated the goal of NATO and EU membership into the military doctrine of Ukraine.

One month after his inauguration Yushchenko was invited to the NATO Headquarters in Brussels. Ukraine's new president outlined his plans and priorities for the reform process in Ukraine and stressed that "Ukraine has made its position clear about joining the Membership Action Plan". Allied leaders expressed support for Ukraine's ambition of Euro-Atlantic Integration. As a concrete expression of its determination to enhance co-operation, NATO launched a project to help Ukraine deal with the dangerous legacy of old ammunitions and stockpiles of small arms and light weapons. The 25-million euro initiative for this purpose was the largest of its kind ever undertaken in the world.[19]

The renewed momentum in the NATO-Ukraine relationship after the 'Orange Revolution' was further reflected in the establishment of the Intensified Dialogue at the NATO Meeting of Foreign Ministers in Vilnius 21 April 2005. Based on a series of bilateral and multilateral meetings between Ukraine, NATO

[19] NATO (2005b) *Alliance ready to deepen partnership with Ukraine*, http://www.nato.int/docu/update/2005/02-february/e0222b.htm

staff, and Allied representatives, the Intensified Dialogue addressed issues specifically related to Ukraine's possible NATO membership.

The launch of the Intensified Dialogue was a clear signal from NATO Allies that they supported Ukrainian membership aspirations, but it did not guarantee an invitation to join the Alliance. Such an invitation would only be based on Ukraine's performance in the implementation of key reform goals and a public support for NATO among the Ukrainian population. While NATO and individual Allies were committed to providing assistance and advice, the pace of progress still remained in Ukrainian hands. In December 2005, at a NUC meeting at NATO Headquarters, NATO foreign ministers again stressed that further progress towards Ukraine's Euro-Atlantic integration, including possible participation in NATO's MAP, would depend on concrete, measurable progress in the implementation of key reforms and policies.

Also in Vilnius, the Ukrainian Foreign Minister Borys Tarasiuk and NATO Secretary General Jaap de Hoop Schaffer signed an exchange of letters on Ukraine's contribution to Operation Active Endeavour, the Alliance maritime counter-terrorism operation in the Mediterranean. The target plan for the participation of the first Ukrainian ship was set to 2007.[20] In December 2006, President Yushchenko signed a decree on the participation of the navy corvettes Lutsk and Ternopil and the frigate Hetman Sahaidachny, with a total of 450 servicemen, to participate in NATO's Active Endeavour-2007.[21]

[20] *NATO-Ukraine News*, 1/2006, p 3.
[21] Interfax-AVN military news agency, 15 December 2006.

NATO-Ukraine Relations in Brief

1991	Formal relations between NATO and Ukraine begin when Ukraine joins the North Atlantic Cooperation Council (later renamed the Euro-Atlantic Partnership Council).
1994	Ukraine joins the NATO Partnership for Peace (PfP) programme.
1996	Ukrainian soldiers deploy as part of the NATO-led peacekeeping force in Bosnia and Herzegovina.
1997	The NATO Information and Documentation Centre opens in Kyiv to provide information about NATO's activities and evolving mandate, and to promote the benefits of NATO-Ukraine co-operation. In July, at a summit meeting in Madrid, NATO and Ukraine formally signs the Charter on a Distinctive Partnership, establishing the NATO-Ukraine Commission (NUC). Ukraine establishes a diplomatic mission to NATO.
1998	The NATO-Ukraine Joint Working Group on Defence Reform (JWGDR) is established.
1999	The NATO-Liaison Office opens in Kyiv to facilitate Ukraine's partnership in the PfP programme and support its reform efforts, by liaising with the Ministry of Defence and other Ukrainian agencies. The Polish-Ukrainian battalion (POLUKRBAT) deploys as part of the NATO-led peacekeeping force in Kosovo.
2000	The Ukrainian Parliament ratifies the PfP Status of Forces Agreement.
2002	In May, the National Defence & Security Council of Ukraine takes a decision to initiate preparations towards full membership in NATO. In November, the NATO-Ukraine Action Plan is adopted at a NUC meeting in Prague.
2004	The Ukrainian Parliament ratifies an agreement with NATO on Host Nation Support. Ukraine signs an agreement with NATO on strategic airlift.
2005	In February, new President Viktor Yushchenko is invited to the NATO HQ in Brussels. Allied leaders express support for his reform plans after the Orange Revolution. In April, at the NUC meeting of foreign ministries in Vilnius, the Allies and Ukraine launch an Intensified Dialogue on Ukraine's aspirations to NATO membership.
2006	In March, NATO's Secretary General welcomes the conduct of free and fair parliamentary elections as contributing to the consolidation of democracy in Ukraine.

Source: NATO-Ukraine: An Intensified Dialogue, www.nato.int

Perspectives of a Ukrainian NATO membership

According to the Washington Treaty, NATO's founding act from 1949, the Alliance is open to all European democracies willing and able to assume the responsibilities of membership.[22] Today, NATO's 12 founding members have grown to 26 after five rounds of enlargement, starting with Greece and Turkey, which were admitted in 1952; only ten years after the end of the Second World War, West Germany joined the Alliance in 1955; Spain joined in 1982, though it remained outside the Alliance's integrated military structure until 1998.

After the end of the Cold War, it stood clear that countries of Central and Eastern Europe aspired to join the Alliance. In 1994 NATO, therefore, invented the Partnership for Peace (PfP) in order to forge the new security relationships between the Alliance and the states of the former Warsaw Pact.

The 1995 Study on NATO Enlargement concluded that the admission of new members and the political, military and economic implications of enlargement would further the Alliance's basic goal of enhancing security and extending stability throughout the Euro-Atlantic area. A key issue throughout deliberations about the first post-Cold War enlargement round, when the former Warsaw Pact members Poland, Hungary and the Czech Republic were invited to join NATO, was how to address Russia's perception of the Alliance as a military bloc hostile to Russian interests. Prior to issuing invitations at the Madrid Summit, NATO, therefore, sought to consolidate and institutionalise its dialogue with Russia through the 1997 Founding Act, which established the Permanent Joint Council (PJC). NATO allies reiterated its commitment not to deploy nuclear weapons or station foreign troops on the territory of the new members.[23] Russia's critical stand persisted, however, and strengthened as long as NATO's bombing of Yugoslavia during the Kosovo war continued. Nevertheless, the decision at the Washington summit in April 1999 to formally include three former Warsaw Pact states as members to the Alliance was a major step towards overcoming Cold War divisions of Europe.

At the Washington Summit, the Allies also launched the NATO Membership Action Plan (MAP), based on the experiences of the first post-Cold War round of enlargement, to assist candidate countries in preparing for future membership. Participation in the MAP enables all countries concerned to focus their preparations on the goals and priorities set out in the plan and to receive specialist help and assessments from NATO. These cover all aspects of membership, including political, economic, defence, resource, information,

[22] NATO (1949) *The North Atlantic Treaty, Washington, D.C., 4 April 1949*, http://www.nato.int/docu/basictxt/treaty.htm
[23] NATO (2004) *NATO Transformed*, http://www.nato.int/docu/nato-trans/nato-trans-eng.pdf, p. 20.

security and legal requirements. Each participating country chooses the elements of the MAP which best suit its needs and establishes its own targets and schedules. Regular review meetings with Allies are held to monitor progress and to ensure that advice and feedback is provided.[24] Implementation of the MAP is kept under constant review by the North Atlantic Council (NAC).

Although the MAP is aimed at adoption of candidate countries to participation in the alliance, it is not a guarantee of membership. The decision to accept a country as a member is taken separately. After an invitation from NATO and the completion of the MAP a country also has the choice still not to join the Alliance.

The MAP does not even set a time for achieving possible membership in the Alliance. For example, Albania and Macedonian obtained the MAP in 1999 precisely when it was introduced and have been implementing it seven years, without yet having any defined accession date. The same goes for Croatia, which joined MAP in 2002. Meanwhile, Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia, which joined the MAP in 1999, managed to implement it in only three years. After two more years of ratification processes, these seven new members were able to accede to NATO's founding treaty on 29 March 2004.[25] Particularly with the inclusion of Estonia, Latvia and Lithuania, three former Soviet republics, into the Alliance, NATO had broken another barrier. Despite this historical step, the reactions from Russia were more relaxed than at the time of the first post-Cold War enlargement. This was partly due to the established strategic partnership with the USA in fighting international terrorism in 2001 and partly to the establishment of the NATO-Russia Council in 2002.

Countries seeking NATO membership have to be able to demonstrate that they are in a position to further the principles of the Washington Treaty and contribute to security in the Euro-Atlantic area. In addition, they are also expected to meet certain political, economic and military goals, which are laid out in the 1995 Study on NATO Enlargement. These goals, which should not be interpreted as a fixed or rigid list of criteria for inviting new members to join the Alliance, include providing evidence that they:

- each represent a functioning democratic, political system based on a market economy;

[24] Ibid., p.21.
[25] Sushko, Oleksandr (2006b) 'Yanukovych's government and NATO: Deepened cooperation or deepened vagueness?', *Ukrainian Monitor*, Center for Peace, Conversion and Foreign Policy of Ukraine, Policy Paper # 5/2006, p 4.

- treat minority populations in accordance with the guidelines of the Organization for Security and Co-operation in Europe (OSCE);
- have resolved outstanding disputes with neighbours and have made an overall commitment to the peaceful settlement of disputes;
- have the ability and willingness to make a military contribution to the Alliance and to achieve interoperability with other members' forces; and,
- are committed to democratic civil-military relations and institutional structures. [26]

This chapter will now analyse how Ukraine's situation is based on these requirements – democracy and market economy, minority policy, neighbouring relations, military contribution and civil-military relations.

Democracy and Market Economy Questions

Before the 'Orange Revolution', Ukraine had always more problems with the political and economic aspects of the NATO integration than with the aspects concerning military reform and interoperability. Under the late Kuchma years, Ukraine was a semi-authoritarian state with a highly oligarchic regime, dominated by three wealthy regional oligarch groups or clans, based in three different industrial regions: Donetsk, Dnipropetrovsk and Kyiv.

These clans enjoyed close connections with the President, had large party factions in the parliament, owned media empires, benefited from extensive governmental privileges, and controlled many important officials, including people in branches of law enforcement.[27] The oligarchs and the President lived in a highly interdependent relationship. The oligarchs depended on the President in getting connections to the central powers and state privileges for their companies. The President, in turn, depended on the oligarchs' ability to mobilise voters in their home regions and fund his election campaigns. At the end of his presidency, Kuchma drove the art of distributing power between the clans almost to the principle of proportional representation,[28] thus not allowing any clan to grow too strong and powerful on the others' expense.

Officially, representatives of President Kuchma denied the existence of censorship in Ukraine, but a flourishing self-censorship dominated the media

[26] NATO (2006) *NATO-Ukraine: An Intensified Dialogue*, pp. 6-7; NATO (2005), *Enlargement: What does it mean in practice?*, http://www.nato.int/issues/enlargement/in_practice.htm; NATO (1995) *Study on NATO Enlargement*, http://www.nato.int/docu/basictxt/enl-9501.htm

[27] Åslund, Anders (2006) 'The Ancient Régime: Kuchma and the oligarchs', *Revolution in Orange: The Origins of Ukraine's Democratic Breakthrough*, Åslund, Anders and McFaul, Michael (eds.), Washington, DC: Carnegie Endowment for International Peace, p 9.

[28] In 2004, the President, himself, was originally a representative of the Dnipropetrovsk clan, the prime Minister, Yanukovych a representative of the Donetsk clan and the Head of the Presidential Administration, Viktor Medvedchuk, a representative of the Kyiv clan.

landscape, especially TV and radio. All journalists knew that if an undesirable news item was aired, the managers of the station were called to the presidential administration. Such a summons generally resulted in serious trouble for the station in general, for its owners and managers, and for the journalist involved. Disgrace resulted in the exclusion of a journalist and his or her company from the president's press pool. Far more serious actions could follow, as well, such as tax inspections or lawsuits. From 2002, *temnyky* or 'small themes', i.e. unsigned, secret instructions that the presidential administration sent regularly to major state-controlled and private media outlets, came out with orders what to cover and what to avoid. [29]

Printed media, which has a much smaller audience than television in Ukraine, remained more independent. In contrast to the single TV channel (Channel 5), which was loyal to the opposition, there were numerous independent newspapers, particularly in Kyiv, which held a critical stand to the authorities. The Internet also remained a basically unregulated media space where uncensored news circulated. A leading role was played by the *Ukrayinska Pravda* web site. In September 2000, its critical journalist Heorhiy Gongadze was murdered and shortly afterwards Kuchma was accused of having ordered the murder. The accusations were based on audiotapes secretly taped in the President's office by his former bodyguard. The 'Tape Scandal' became the starting point for the political opposition campaign against Kuchma, which four years later finally led to the 'Orange Revolution'. From 2000 to 2004, parallel to the formation of an effective political opposition, the Internet grew substantially in Ukraine. By the time of the election campaign and subsequent revolutionary events, Internet became a useful tool for the opposition in mass mobilisation of activists.

The 'Orange Revolution' created the enabling conditions and motivation for uniting the many opposition groups in Ukraine – nongovernmental organisations (NGOs), students, youth, church groups, and other sectors of the society – to overthrow the old regime. After the revolution, Ukraine has made notable progress in the consolidation and building of its democratic and electoral institutions. Ukraine today has a flourishing civic society and increasingly a free press, where the practice of *temnyky* is a thing of the past. Slowly, but surely is Ukraine improving its rating on Reporters without Border's worldwide Press Freedom Index.[30] In 2006, Ukraine came on 105th place of 168 surveyed countries. In 2005 and 2004 the ranking was 112/167 and 138/167, respectively.

[29] Prytula, Olena (2006) 'The Ukrainian Media Rebellion', Åslund, Anders and McFaul, Michael (eds.), pp 104-106.
[30] Reporters without Borders (2006), *Worldwide Press Freedom Index 2006*, http://www.rsf.org/IMG/pdf/cm2006_eu-3.pdf

The standard of elections has also improved, thus continuing the positive trend that started with the repeated 2nd round of the Presidential elections 26 December 2004. According to the International Election Observation Mission (IEOM), where representatives of the NATO Parliamentary Assembly (PA) were taking part, the Parliamentary elections on 26 March 2006 were conducted basically within international standards of democratic elections. Overall fundamental civil and political rights, such as freedom of expression and assembly, were respected.[31] This represented a substantial improvement from previous observations of the 1998 and 2002 parliamentary elections.

According to Freedom House, both Ukraine's political rights' rating and its civil liberties' rating improved from 2004 to 2006. The 'Orange Revolution' removed restrictions on independent political and social activities and free speech, which together resulted in an improvement of Ukraine's status from Partly Free to Free in Freedom House's yearly survey.[32]

However, although considerable progress in the consolidation of democracy was made, the level of corruption in Ukraine is still very high. The political scientist Alexander Motyl described Ukraine in 2005, one year after the 'Orange Revolution', as an "excessively corrupt country".[33] Although some progress on the fight of corruption was made in lawmaking, as a result of which Ukraine from 1 January 2006 became full member of the Group of States against Corruption (GRECO) within the Council of Europe,[34] much more has to be done. According to the Transparency International in 2006, as compared with 2005, the ranking of Ukraine in fight against corruption improved by 14 positions from 113th to still not very honourable 99th place out of 163 surveyed countries.[35] Although some oligarchic groups from the Kuchma time have split and fallen in economic and political influence, others have grown in wealth and political power instead. Particularly, the return of Yanukovych and the Party of Regions of Ukraine has meant a strong come-back to power of some of the men from the Kuchma time, which can be seen as a worrying sign in terms of corruption.

A factor closely connected to democratisation is the process of transition to market economy. A modern and efficient market economy is an important

[31] International Election Observation Mission (IEOM) *Report from the Parliamentary Elections, Ukraine – 26 march 2006, preliminary statements*, http://osce.org/documents/odihr/2006/-03/18500_en.pdf

[32] Freedom House (2006) *Freedom in the World – Ukraine 2006*, http://www.freedomhouse.org

[33] Motyl Alexander (2005) 'Democracy is alive in Ukraine', http://www.opendemocracy.net/content-/articles/PDF/2822.pdf

[34] Council of Europe (2006) *Ukraine becomes 40th member of the Group of States against Corruption (GRECO)*, http://www.coe.int/T/E/Com/Press/News/NoteRedac2006/20060112_ukraine.asp

[35] Transparency International (2006) *Corruption Perception Index 2006*, http://www.transparency.org/

enabling condition for democratic consolidation; and sustainable progress in military transformation is also dependent on a successful transition to a market economy.

Ukraine has many of the components of a major European economy – rich farmlands, a well-developed industrial base, highly skilled labour, and a good education system. After an economic collapse in the first decade of independence, resulting in a sharply declining standard of living for most citizens, Ukraine started to register positive economic growth from 2000. The new currency, the hryvnia (UAH), was introduced in September 1996, and has remained fairly stable. In general, economic growth has been undergirded by strong domestic demand, low inflation, and solid consumer and investor confidence. Growth was a sturdy 9.3 per cent in 2003 and a remarkable 12 per cent in 2004, despite a loss of momentum in needed economic reforms.[36]

In 2005, the economic growth slowed down to modest 2.4 per cent due to a re-privatisation campaign, launched by the new government under Yulia Tymoshenko, which scared foreign investors. Nevertheless, Ukraine was granted status as market economy by the EU in December 2005 and by the USA in February 2006, decisions that help pave the way for Kyiv's membership in the World Trade Organization (WTO).[37] A WTO membership, expected for early 2007, is a precondition for negotiations to start on a new enhanced agreement, including establishing a free trade agreement, with the EU.

Ukraine's prospects of developing a democracy and market economy are rather favourable and NATO seems rather pleased with the progress within this field. In a speech in October 2005, NATO's Secretary General Jaap De Hoop Scheffer praised the new impetus in Ukraine's reform process and in the relationship between Ukraine and NATO after the 'Orange Revolution' and particularly stressed that freedom in the media, a chronic problem that had plagued the relationship in the past, had improved dramatically since the beginning of the year.[38] In a statement following the 2006 parliamentary election, the secretary general was pleased that the election was held in a manner that was free and fair, and as contributing to the consolidation of democracy in Ukraine. He reaffirmed

[36] Wikipedia – the Free Encyklopedia (2006) *Economy of Ukraine*, http://en.wikipedia.org/w/index.php?title=Economy_of_Ukraine&oldid=88320105
[37] Radio Free Europe/Radio Liberty (2006) *EU grants Ukraine market economy status*, 17 February 2006, http://www.rferl.org/featuresarticle/2005/12/be95f42f-e930-4f68-8ebc-f8d6afe21b23.html
[38] NATO (2005a) *Achieving Ukraine's Integration Goals: What needs to be done?, Speech by Jaap De Hoop Scheffer, Secretary General of NATO, Diplomatic Academy Kyiv, Ukraine, 20 October 2005*, http://www.nato.int/docu/speech/2005/s051020b.htm

Ukraine's importance as a strategic partner for NATO, and looked forward to further deepening the co-operation.[39]

Minority Issues

A generous treatment of ethnic minorities is fundamental in a developed democracy. According to the latest national census in Ukraine, dated 5 December 2001, ethnic minorities comprised to 22.2 per cent of the total population of 48.45 million people.[40] Even if treatment of ethnic minorities in Ukraine has made progress during the recent years, many problems related to discrimination, political representation and minority language use remain unresolved.

Table 1: Ethnic groups in Ukraine

Ethnic group	Total number (in 1000s)	Share of the total pop. (%)
Ukrainians	37541.7	77.8
Russians	8334.1	17.3
Belarusians	275.8	0.6
Moldovans	258.6	0.5
Crimean Tatars	248.2	0.5
Bulgarians	204.6	0.4
Hungarians	156.6	0.3
Romanians	151.0	0.3
Poles	144.1	0.3
Jews	103.6	0.2
Armenians	99.9	0.2
Greeks	91.5	0.2
Tatars	73.3	0.2
Gypsies	47.6	0.1
Azeri	45.2	0.1
Georgians	34.2	0.1
Germans	33.3	0.1
Gagausians	31.9	0.1
Others	177.1	0.4

Source: State Statistics Committee of Ukraine (2001) *All-Ukrainian population census 2001*, http://www.ukrcensus.gov.ua/eng/results/general/nationality/

As shown in the table, ethnic groups in Ukraine include Russians, Belarusians, Moldovans, Crimean Tatars, Bulgarians, Romanians, Hungarians, Poles and Jews and others. Some of these ethnic minorities have to varying degrees been assimilated into the wider culture. Representatives of ethnic minorities hold

[39] NATO (2006) *Statement by NATO Secretary General Jaap de Hoop Scheffer following the elections in Ukraine*, http://www.nato.int/docu/pr/2006/p06-038e.htm.
[40] State Statistics Committee of Ukraine (2001) *All-Ukrainian population census 2001*, http://www.ukrcensus.gov.ua/eng/results/general/

elected offices, even in majoritarian districts, and ethnic minority voters tend to support mainstream parties over parties based on ethnicity or religion. Ukraine's 1992 Law on National Minorities has been deemed by the Council of Europe as one of the best of its kind in Central and Eastern Europe.

Nevertheless, ethnic minorities do not hold an equal place in the Ukrainian society. Police racism has been a serious problem, with police subjecting people with dark skin and people from the Caucasus to unlawful identity checks and arbitrary detentions. The police have refused to investigate complaints about racist attacks by skinheads and others. The role of minority languages continues to be controversial as Ukraine's diverse population adjusts to independence and the government's policies of 'de-Russification' of the country. On one hand, Ukrainian law permits the use of minority languages, along with Ukrainian, in public institutions in areas where a minority ethnic group constitutes the majority of the population. On the other hand, the government has expanded the use of Ukrainian in education, the media and government, even closing Russian-language schools. Certain Ukrainian laws restrict broadcast languages, negatively affecting speakers of minority languages.

Ethnic Russians, by far the largest ethnic minority in the country, lost their privileged status with the dissolution of the Soviet Union. Today, the situation of Ukraine's ethnic Russians varies by region. In western Ukraine, where ethnic Russians are less numerous, they have been experiencing occasional acts of violence.[41] By contrast, ethnic Russians in Crimea, where they constitute approximately 58 percent of the population, are subject to little governmental repression and less societal discrimination than ethnic Russians elsewhere in the country. Indeed, Ukrainian speakers living in heavily ethnic Russian regions in Crimea, Southern and Eastern Ukraine face the hardships of dependence on a minority-status language, too.

Tatars, who live mainly in the Crimean peninsula, began settling in present-day Ukraine in the mid-13th century. The ranks of Crimean Tatars are presently growing due to relatively high birth rates, and to waves of Crimean Tatar re-immigrants from Uzbekistan, to where they were deported by the Soviet authorities during the Second World War. Crimean Tatars, today comprising about 12 percent of the Crimean population, have organised and overcome legal setbacks to secure some Tatar representation in local, regional and national legislative bodies. The group's continued struggle for access to state jobs, and

[41] The only known case of ethnic violence between Ukrainians and Russians leading to death in western Ukraine, so far, was the killing of the popular Ukrainian singer-songwriter Ihor Bilozir in Lviv 2000. See Sochan, Maria (2000) 'Thousands attend funeral of composer Ihor Bilozir', *The Ukrainian Weekly*, July 2, 2000, No. 27, Vol. LXVIII, http://www.ukrweekly.com/Archive/2000/270010.shtml.

the historical deportation of Tatars from ancestral lands in Crimea is an ongoing source of political friction. In Crimea, Russian nationalists have sought to limit Tatar access to housing, land and jobs, and have objected to Crimean Tatars being guaranteed representation in the Crimean government.

The Crimean Tatars strive for official recognition as indigenous people and for the establishment of an Autonomous Crimean Tatar Republic in Crimea.[42] Another minority, the small *Rusyn* community in the Carpathians on the border to Poland and Slovakia, strives to be granted official status as ethnic minority, on the whole, as they are by Warsaw and Bratislava.[43] But Kyiv continues to consider them to be a Ukrainian subgroup.

Ukraine's fast-shrinking Jewish population has experienced hostile acts such as vandalism against synagogues, and anti-Semite expressions in the media. In recent years, the country's largest non-state higher education institution, the Interregional Academy of Personnel Management (MAUP), became involved in controversies because of evident anti-Semitism in their publications and conferences. The MAUP maintained that their activities could be classified only as anti-Zionism, but its critics pointed out traditional anti-Semite propaganda traits that had no connection with Zionism, such as religious anti-Semitism or solely blaming the Jews for the Russian October Revolution or the *Holodomor,* the manmade famine of 1932-1933 organised by the Stalin regime. President Yushchenko once sat on MAUP's board, but resigned from it several years ago, following criticism by Jewish organisations. Foreign Minister Tarasiuk was until 2005 honorary director of one of MAUP's subdivisions.[44]

Still, despite some negative features, there has been an overall trend of positive developments for ethnic minorities in Ukraine. As a proof of that, when the first OSCE Project Coordinator was invited to Ukraine in 1994, the goal was to help lower ethnic tensions and to prevent conflict in the Crimean peninsula. Already after five years, in 1999, the mission was closed, due to completion of its mandate, and replaced instead by a new form of co-operation aimed at

[42] International Helsinki Committee Federation for Human Rights (2003) *Human Rights in the OSCE Region: Europe, Central Asia and North America, Report 2003 (Events of 2002)*, http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=1322; Stop Violence against Women (2003) *Ukraine: Ethnic minorities*, http://www.stopvaw.org/Ethnic_Minorities2.html
[43] Maksymiuk, Jan (2006c) 'Ukraine: Transcarpathian Rusyns Want Official Recognition', *RFE/RL Belarus, Ukraine, and Moldova Report*, September 26, 2006, Vol. 8, No. 33, 22 September 2006.
[44] Wikipedia – the Free Encyklopedia (2006) *Interregional Academy of Personnel Management*, http://en.wikipedia.org/wiki/Interregional_Academy_of_Personnel_Management

supporting Ukraine in adapting its legislation, institutional structures and decision-making processes to the requirements of a modern democracy.[45]

Relations to Neighbouring Countries

Immediately after Ukraine gained independence, one important priority in its foreign policy became to establish good relations with its new neighbouring countries. With all of these seven new neighbours, Ukraine (as a constituent part of the Soviet Union, and before that of Imperial Russia, and Poland-Lithuania) had to some extent had a troublesome historical experience, including wars, changing borders, followed by territorial claims, and ethnic minorities consequently being left on the 'wrong' side. Establishing harmonious relations with its neighbours in the west, particularly with Poland, Slovakia, and Hungary, therefore, became a first key goal if Ukraine was to achieve its strategic objective of 'returning to Europe' and integrate with European and Euro-Atlantic structures. For this reason, as well as for the sake of consolidation of the Ukrainian nation state, a normalisation of political, economic and military ties with the former Soviet republics of Russia and Belarus were also of highest importance.

Russia

The most troublesome of Ukraine's relations with its neighbours have been the one with Russia. From the very beginning of Ukrainian independence, relations with Moscow were difficult, as neither Russian society nor its political elite could come to terms with the 'loss of Little Russia', which for centuries had been treated as an integral part of Russia. Ukraine, lying on the historic territory of Kievan Rus, was perceived as the cradle of the common state of Russians and Ukrainians. Even democratic and dissident circles in Soviet Russia did not understand the Ukrainian nation's aspirations of independence.[46] At the same time, Ukraine, having been the second largest Soviet republic by population, with an all-union industrial potential and a substantial military might, was the only successor republic with a real potential on its own to challenge Russia's hegemony on the post-Soviet space.

During the first years of Ukrainian independence, the relationship between Ukraine and Russia was problematic with several hard-solved conflicts, mostly linked to the division of the Soviet military heritage, like the denuclearisation of

[45] Organization for Security and Co-operation in Europe (2005) *Remarks by the OSCE project Co-ordinator in Ukraine, Ambassador James F. Schumaker, to the Diplomatic Academy of Ukraine 29 November 2005*, http://www.osce.org/documents/pcu/2005/11/17159_en.pdf

[46] Even Aleksandr Solzhenitsyn, in his vision of a 'Great Russia', gathering under its leadership Ukraine and Belarus as well, precluded the possibility of Ukraine's full sovereignty as an independent legal and international entity. See Mączka, Marcin and Unge, Wilhelm (2006) 'Poland's and Russia's relations with Belarus and Ukraine', Wilhelm Unge et al., p.88.

Ukraine and the division of the Soviet Black Sea Fleet. Russia called the area of the Commonwealth of Independent States (CIS), including Ukraine, the 'near abroad', and treated it as an area of its vital strategic interest. Only in 1994, as mentioned above, Ukraine and Russia, with US' assistance, came to a solution on the question of the transfer to Russia of the Soviet strategic nuclear missiles based on Ukrainian territory. Three years later, Ukraine and Russia signed an agreement on the division of the Soviet Black Sea Fleet, including the Russian lease of the Sevastopol naval base in Crimea for 20 years. The signing of the Treaty of Friendship and Co-operation, for long the subject of repeated postponements, finally occurred in 1997. The Treaty recognised Ukraine's territorial sovereignty, including Ukrainian sovereignty over the disputed Crimean Peninsula, which historically has strong links to Russia and whose population contains an ethnic Russian majority.

During the presidency of Vladimir Putin, Russian policy towards Ukraine became less emotional and more pragmatic. The Kremlin started to focus increasingly on its economic influence. By maximum use of the opportunity offered by the internal crises in Ukraine at the time of the 'Tape Scandal', which temporarily isolated the weakened Ukrainian president from the West, Russia managed to involve Ukraine in economic re-integration projects as the Single Economic Space (SES) in 2003 with Russia, Kazakhstan and Belarus.

Despite this 'rapprochement' between Ukraine and Russia during Putin's first term in office (simultaneous with Kuchma's second term in Ukraine), many disputes remained unresolved. A delimitation of the land border was completed in 2003, but both parties agreed to defer demarcation. The maritime boundary through the Sea of Azov and the Kerch Strait also remained unresolved despite a framework agreement from 2003 and ongoing expert-level discussions. Russia has been insisting that Ukraine and Russia declare the Sea of Azov as their common internal waters, and delaying talks on dividing the area apparently amid concerns that Ukraine might let NATO ships enter the Sea of Azov.[47] Also questions on the status of the Russian language in Ukraine and trade protectionism, for instance, remained largely unresolved. The 'Tuzla Crisis' in late 2003, caused by a Russian dam construction in the Kerch Strait into Ukrainian territory, the small island of Tuzla, was the most serious conflict of that time.[48] The Russian construction was not halted until Ukraine sent armed border guards to protect its territory.

[47] Hedenskog (2004) pp. 11-30, passim.

[48] Nikolayenko, Tetyana and Budzhurova, Lilya (2003) 'Kuchma yide z krayiny – same koly Rosiya vtorhnetsia na teritoriyu Ukrayiny', *Ukrayinska Pravda*, 18 October, http://pravda.com.ua/news/2003/10/18/30793.htm; and Ostash, Ihor (2003) 'Prykordonnyky hotovi daty vidsich porushnykam kordony', *Ukrayinska Pravda*, 20 October, http://pravda.com.ua/news/2003/10/20/30799.htm.

Ukraine-Russia relations changed dramatically to the worse immediately after the 'Orange Revolution', not only because Russia had put its money on the wrong horse, but also because of the way Russia lost. According to Russia's official perception, Yushchenko won because of a Western-sponsored *coup d'etat*, thus making the new Ukrainian president illegitimate.[49] Yushchenko, however, did his best to keep his word in maintaining good business-like relations with Russia, making Moscow the destination for his first official visit one day after his inauguration on 23 January 2005. Some limited progress in changing the nature of the relations was evident during 2005 when the two states agreed to begin demarcating a land border and finalized an agreement on simplifying border-crossing regimes.

A few months after the 'Orange Revolution', the new government in Ukraine raised the question on eventual removal of the Russian naval base in Sevastopol. Specifically, in April 2005 President Yushchenko announced that the status of the Russian Black Sea Fleet in Sevastopol needed to be reconsidered. A few days earlier, Foreign Minister Tarasiuk had stated that the 1997 agreement, according to which Russia could use the base of Sevastopol until 2017, would not be extended. This statement was made in response to a number of incidents in Crimea which had threatened Ukraine's territorial integrity and Ukrainian law. At the end of March 2005, for instance, a large landing vessel of the Russian fleet carried out an unauthorized landing operation near Feodosiia on the Crimean southern coast. A few weeks later, a group of Ukrainian observers were denied access to the Russian base in Sevastopol to check allegations that the Russians were subletting Black Sea facilities.[50] In early 2006, conflict around the stationing of the Russian Black Sea in Crimea expanded from the actual fleet itself to include also lighthouses and navigation systems all around Crimea.[51]

The Ukrainian-Russian energy relationship was a constant cause of crisis during 2005 and 2006. In May 2005, then Ukrainian Prime Minister Yulia Tymoshenko accused Russia of suspending oil deliveries to Ukraine and, at the same time, Russia accused Ukraine of siphoning Russian gas. In December 2005, the Russian gas monopoly Gazprom put forward a plan for a dramatic price raise in order to reach 'market levels' of natural gas prices for a number of countries, including Ukraine. Kyiv refused to bow to the Russian demands and, subsequently, Gazprom temporarily stopped gas supplies on 1 January 2006. On 4 January, Gazprom and Naftohaz Ukrayiny reached an agreement in which Ukraine was to pay $US95/tcm (instead of $US60/tcm) for gas. The gas would

[49] Wilson, Andrew (2005) *Ukraine's Orange Revolution*, New Haven and London: Yale University Press, pp. 175, 183.
[50] *Kommersant Daily*, 18 April 2005
[51] ForUm (2006) *Russia boosts security at Black Sea fleet*, http://en.for-ua.com/news/2006/01/16/125006.html

be delivered by an intermediary company, RosUkrEnergo, a shady Kuchma-time construction owned by Gazprom and two Ukrainian businessmen, which came to act as monopoly intermediary of Russian and Central Asian gas to Ukraine.[52]

The bilateral relations between Ukraine and Russia improved after the appointment of Viktor Yanukovych as prime minister on 4 August 2006. On 24 October 2006, Ukraine and Russia concluded a gas deal for 2007. The price, $US130/tcm, though being a price raise of more than 25 per cent, was very favourable compared to prices offered to other countries of the CIS. According to the Russian newspaper *Kommersant*, this favourable deal was linked to a package of economic and political concessions by Ukraine, the most important of these, probably, being to hold a referendum on joining NATO. A Ukrainian referendum on the NATO issue, held sooner rather than later, without the benefit of a prolonged public education campaign, would be in Russia's interests. Another likely concession from the Ukrainian side was probably to guarantee not to raise the issue of re-negotiating the twenty-years agreement on the Russian Black Sea Fleet's stationing in Sevastopol at a rental price considered to be well below market rates. Other concessions, mostly linked to the Russian gas deliveries to Ukraine, were, according to *Kommersant*, to guarantee continuing cooperation with RosUkrEnergo, to guarantee that gas from Turkmenistan is received exclusively through Russia, and that there will be no changes in price for Russian gas transiting Ukraine to the European markets.[53]

After the formation of the Yanukovych Cabinet, official contacts between Ukraine and Russia have increased dramatically. The Ukrainian prime minister visited Russia four times during the autumn of 2006. All of those visits were unofficial, the most notable probably being the quick visit in early December immediately prior to his official visit to the USA. On 22 December, the Russian president visited Ukraine to take part in the first session of the Yushchenko-Putin Interstate Commission, originally established already in March 2005.[54] It was the first visit by Putin to Ukraine for the last one and a half years.

Belarus

Compared to Russia, Ukraine's relations with Belarus on the bilateral level have been of secondary importance. Ukraine has always held a cautious stance towards Belarus in order not to give substance to the ideas of an eastern Slavic

[52] Larsson, Robert (2006) pp. 203-207.
[53] *Kommersant Daily*, 24 October 2006.
[54] Sushko, Oleksandr and Parkhomenko, Nataliya (2006) 'Ukraine's foreign policy in 2006: Analysis and prognostication', *Ukrainian Monitor*, Center for Peace, Conversion and Foreign Policy of Ukraine, Policy Papers #9/2006, p. 9.

re-unification, frequently played upon by the Belarusian President Alyaksandr Lukashenka.[55] In November 2006, for instance, Lukashenka surprisingly proposed the formation of a Ukrainian-Belarusian state (without Russia), in order to better meet Russian economic pressure.[56] Ukraine's relations with Belarus has for a long time been dragged by some unresolved disputes. One is that the Belarusian parliament has refused to ratify the common border agreement from 1997. Minsk has tied this issue to the problem of a disputed Ukrainian state debt to Belarus, inherited from the 1992 when the emission centres were divided after the break-up of the Soviet Union.[57] However, even if not stated publicly, the refusal could also have an ideological reason, as being a way of punishing Ukraine for its lack of will to integrate with its Slavic neighbours and hampering Ukraine's integration with the West. For this reason, one might suspect that Belarus has co-ordinated its positions in relations on Ukraine with Russia.

Although being not particularly tight even during Kuchma's presidency, the Ukraine-Belarus relations substantially soured after the 'Orange Revolution'. The joint presidential statement of George W. Bush and Viktor Yushchenko on 4 April 2005 "to support the advance of freedom in countries such as Belarus and Cuba"[58] was perceived by the Lukashenko regime as hostile. During the Belarusian presidential elections campaign in March 2006, held a week before the parliamentary elections in Ukraine, the Belarusian Security Service, still named KGB, accused representatives of Ukrainian NGOs for planning a colour revolution in Belarus, allegedly sponsored by the Ukrainian embassy in Minsk.

With President Lukashenko safely returned to office, young Ukrainians activists were grabbed by the police, jailed and expelled from Belarus, and banned from entering for five to ten years. According to Belarusian analyst Valery Karbalevich, propagandists in the government-controlled Belarusian media have not hidden their ghoulish joy over the recent political developments in Ukraine, the backlash suffered by the Orange team and the return of Yanukovych, the West's "defeat", and the "failure of the idea of colour revolutions".[59] The

[55] Haran' Olexiy and Tolstov, Serhiy (2002) 'The Slavic Triangle. Ukraine's relations with Russia and Belarus: A Ukrainian view', *A Slavic Triangle? Present and Future Relations between Russia, Ukraine and Belarus*, Moshes, Arkady and Nygren, Bertil (eds.), Stockholm: Swedish National Defence College, p. 87.
[56] Maksymiuk, Jan (2006b) 'Lukashenka proposes Union with Ukraine', *RFE/RL Belarus, Ukraine, and Moldova Report*, Vol. 8, No. 40, 28 November.
[57] Karbalevich Valery (2002) 'The prospects of Slavic unity. Belarus' relations with Russia and Ukraine: a Belarusian view', Moshes and Nygren (eds.), pp. 104-105.
[58] The White House (2005) *Joint Statement by President George W. Bush and President Viktor Yushchenko: A New Century Agenda for the Ukrainian-American Strategic Partnership,* http://www.whitehouse.gov/news/releases/2005/04/20050404-1.html
[59] Vanyashkin, Mikhail (2006) 'Belarus: Sour Orange', *Transitions online*, 15 November 2006, http://www.tol.cz.

Belarusian authorities' presumed expectations on a warming up of the Ukraine-Belarus relations following the appointment of Yanukovych in August 2006 have, however, not materialised. No high-ranking Ukrainian politician has visited Belarus after Yanukovych's appointment.

Poland

For reasons of size, geopolitics and history, Poland is the most important of Ukraine's western neighbours. Since the collapse of the Soviet Union, friendly and good neighbourly relations with Poland, therefore, constitute one of the most important priorities of Ukraine's foreign policy. One of the true expressions of the strategic partnership between the two states, initiated at the beginning of the 1990s, is Poland's efforts at exporting soft security to its eastern neighbour intended to ensure stability and security in this region of Europe.

Of great symbolic importance to Ukraine was the fact that even before its independence, Poland – of all European countries – most strongly supported Ukraine's aspirations. Poland was also the first country to recognise Ukraine's independence. In later years, activity on the Warsaw-Kyiv front lessened a bit, mainly due to Warsaw's greater focus on its own 'return to Europe' policy, which was meant to lead to its accession to NATO and European Union structures.

Already in 1992, a Good Neighbourhood Agreement was signed and in 1994 a declaration was announced on the establishment of principles for Polish-Ukrainian partnership. Poland strove to include Ukraine into the Central European Initiative (CEI), a regional organisation of 18 Central- and Eastern European states. Since 1993, a Consultative Committee operates under the presidents of both countries. In the area of military and security co-operation, a Polish-Ukrainian battalion (POLUKRBAT) was formed to be prepared for peace missions. Since 2005 it also includes Lithuania (POLUKRLITBAT).

During the 'Orange Revolution', Polish diplomacy attempted to support the democratic process in Ukraine. While the official statements by politicians, for instance by President Kwasniewski who participated as mediator during the Ukrainian crisis, were restrained regarding their fondness for the presidential candidates, Polish public opinion decidedly supported the Yushchenko camp. The large social involvement and spontaneously expressed aid to the Orange side was strictly linked to the negative view most of Polish society had toward the manner in which Russian policy was conducted towards Ukraine.

Due to the involvement by Polish society and its elite in the events of the 'Orange Revolution', Polish-Ukrainian relations improved substantially afterwards, manifested in President Yushchenko's official visit to Poland in April 2005. This warming of the political climate has been conducive to the process of reconciliation over historical conflicts that divided the two nations in the past. Guided by the principles of understanding and mutual respect for traditions and national history, the disputed issue of the Young Eagles Cemetery, part of the Lychakivsky Cemetery in Lviv, which contains the graves of Poles killed during the Polish-Ukrainian war of 1918-1919, was resolved. The cemetery, heretofore the main focus of discord on the Polish-Ukrainian relations, was ultimately opened in the presence of the presidents of both countries in June 2005.[60] Other steps in the process of coming to terms with their nations' common historical legacy have been taken by the countries' presidents in Pavlivka and Pawlokoma, places known for the massacres that took place there in the fights between Polish and Ukrainian nationalists at the end of the Second World War.[61]

Slovakia

Today, Ukraine's relations with Slovakia are predominantly stable. In fact, the collapse of the Czechoslovakian Federation was a positive development as far as Ukraine was concerned, as Bratislava was more eastward-oriented than Prague at that time. While this orientation was primarily towards Russia, due to Slovakia's dependence on Russian energy and supplies for its arms industry, it also included Ukraine.

In the 1990s relations between Kyiv and Bratislava remained correct, but not tense. The pro-Russian sentiments among the members of Prime Minister Vladimir Mečiar's coalition in Slovakia were worrisome to Ukrainian policymakers.[62] When the semi-authoritarian Mečiar regime fell in 1998 and was replaced by the reformist government of Mikuláš Dzurinda, the Slovakian-Ukrainian ties improved dramatically.[63] Slovakia is considered a strategic country both for Russia and Ukraine as the Druzhba oil pipeline from Russia via Ukraine to the west passes through its territory.

[60] Mączka, Marcin and Unge, Wilhelm (2006) 'Poland's and Russia's relations with Belarus and Ukraine', Wilhelm Unge et al., Unge, Wilhelm et al., pp. 87-90.
[61] Maksymiuk, Jan and Tchourikova, Natalia (2006) 'Ukraine, Poland seek reconciliation over grisly history', *REF/RL Belarus, Ukraine, and Moldova Report*, 12 May, Volume 8, Number 18.
[62] Burant, Stephen R. (1998) 'Ukraine and East Central Europe', *Ukraine in the World*, Hajda, Lubomyr A., (ed.), Cambridge, MA: Harvard University Press, p. 60.
[63] Wolczuk, Roman (2003) *Ukraine's Foreign and Security Policy 1991-2000*, London: RoutledgeCurzon, pp. 81-82.

Hungary

Ukraine's intense relations with Poland somewhat place its relations with Hungary in the shade. Nevertheless, the Kyiv-Budapest relations are important in their own right for a number of reasons. Hungary played a prominent role in the days leading to Ukraine's full independence, paralleling that of Poland in some respects. On 3 December 1991, only two days after the referendum confirming Ukraine's status as a sovereign and independent state, Budapest established diplomatic relations with Kyiv. Only three days later, the foundation for a treaty on good neighbourhood relations and co-operation was laid.

In March 1992, Hungary was the first country to open an embassy in Kyiv. Hungary has been highly supportive of Ukraine's westward orientation and economic ties between the two states have developed solidly.[64] In the centre of attention in the relationship is the more than 150 000 strong Hungarian minority in the Trans-Carpathian region (*Zakarpatska oblast* in Ukrainian and *Kárpátalja* in Hungarian), which before the Second World War belonged to Hungary. The treatment of this Hungarian minority has created much less problem for Budapest than the treatment of the ones in Romania, Slovakia and Serbia.

Romania

In contrast to its other Western neighbours, relations between Ukraine and Romania have been soured by territorial disputes. The issue concerned the pre-World War II Romanian territories of northern Bukovina and Hertza district (today forming the Chernivtsi region in Ukraine), Southern Bessarabia (today part of the Odesa region) and the Serpent Island, an island-rock of 0.17 km^2 located about 40 kilometres east of the Danube Delta in the Black Sea. From the first days of independence, Romania started to challenge Ukraine's right to these lands. Relations were strained and in 1995 deteriorated even more after the discovery of vast resources of crude oil and natural gas on the continental shelf surrounding the Serpent Island.

In December 1995, Romania announced its intentions to appeal to the International Court of Justice (ICJ) in The Hague regarding the ownership of the island (*Zmiyinyy Ostrov* in Ukrainian and *Insula şerpilor* in Romanian), which had belonged to Romania until 1948. Ukraine's response was to update the facilities of the military garrison there along with the creation of a number of specialised installations (e.g. a seismic station) in order to strengthen its control of the island.

[64] Ibid., pp. 79-80.

Two stimulating events served to discharge the dispute. The first was Romania's desire to be amongst the states invited to begin talks on NATO membership at the Madrid summit in 1997, as all territorial disputes had to be solved by then. The second was the change of president from Ion Illiescu to Emile Konstantinescu in November 1996, which also made the Romanians more prone to concessions. In December 1996 Romania made clear that the Serpent Island would no longer be subject to any territorial claims. The treaty on Good-Neighbourly Relations and Co-operation between Romania and Ukraine was signed 2 June 1997 with less than five weeks to the Madrid summit.

However, while the treaty acknowledged the island as the territory of Ukraine, the delimitation of the continental shelf along with the exclusive economic zones in the Black Sea was deferred for a period of two years, following which, if no agreement could be reached, the matter was to be referred to the ICJ. In the meantime, the Ukrainians agreed to refrain from stationing offensive weapons on the island.[65] In September 2004, four months after its successful accession to NATO, Romania initiated procedures with the ICJ in the issue of the delineation of the Black Sea continental shelf and filed the Substantiation Statement in August 2005. The Ukrainian side filed a counter-statement in May 2006.[66] Romania has from the beginning tried to prove that Serpent Island is not an island but a rock without an ecosystem of its own, which is uninhabitable and has no right to a continental plateau and an economic zone. The long-dragged out case will probably be solved in 2007.

Another problem in the Bucharest-Kyiv relations has been Ukraine's opening in 2004 of a navigation canal from the Danube border through Ukraine to the Black Sea, which Bucharest claims will destroy the Danube Delta's unique ecosystem.[67] The simultaneous coming to power of Viktor Yushchenko in Ukraine and Traian Basescu in Romania, both elected presidents in December 2004, has, however, resulted in an improvement of the bilateral climate between the two states.

Moldova

Ukraine's relations with Moldova have, quite naturally, been focused on the mutual interests in solving the Transnistrian conflict. At first, Ukraine played a rather marginal role in the conflict settlement due to problems linked to its own nationalisation process, such as the economic meltdown taking place, the threat

[65] Ibid., pp. 83-88.
[66] Rompres news agency, 30 November 2006.
[67] Kuzio Taras (2004b) 'Ukraine's new nationalism and the controversial Danube Canal', *Eurasia Daily Monitor*, The Jamestown Foundation, 10 September, http://www.jamestown.org/edm/article.php?article_id=2368490.

of pro-Russian nationalism in Ukraine and Russian moves to claim the Black Sea Fleet, the status of Crimea and Sevastopol, etc. Ukraine and Moldova signed a Treaty of Good Neighbourliness, Friendship and Co-operation in 1992 and the year after Kyiv expressed its satisfaction with Ukrainian minority rights in Moldova.[68] Both states' desires to seek stronger ties with the EU led to a strengthening of mutual interests. Moldova sided with Ukraine in December 1992 by not signing the CIS Charter once it became clear to Chisinau that Kyiv was not going to sign.

From 1995, when Ukraine's own nation-building process had somewhat stabilised, Kyiv started to seek a more influential role in the peace settlement process in Moldova. Ukraine took active part, along with Russia as a guarantor, in the signing of the 8 May 1997 Moscow memorandum, in which Moldova and Transnistria agreed that the settlement would be based on the concept of a 'common state'.[69] This pro-active Ukrainian role worked parallel to an intensification of the ties between Kyiv and Chisinau beyond the Transnistrian negotiating table on a bilateral level, as well as on a sub-regional level as co-operation within the GUAM (Georgia, Ukraine, Azerbaijan, Moldova), a sub-regional organisation within the CIS with the aim of limiting the influence of Russia.

In 1999, Ukraine and Moldova signed a treaty defining the border between the two countries. Under a protocol attached to the treaty, Ukraine would control an eight kilometre section of the Odesa-Izmail road including the strip of land on which that part of the road crosses Moldovan territory. In exchange, Moldova received a 100-meter strip of land along the Danube River, thus obtaining access to the Black Sea.[70] On that strip, Moldova in October 2006 opened the Giurgiulesti oil terminal, thus making it possible to receive oil shipments from abroad.[71]

Kyiv, along with Moscow and the OSCE, was crucial in the drafting of the Kyiv agreement in July 2002, which defined the Republic of Moldova as a 'federal state' with substantial autonomy given to Transnistria.[72] However, after the Moldovan President Vladimir Voronin in November 2003 had rejected the 'Kozak Memorandum', a Russian proposal for a united *asymmetric* federal Moldovan state with continuing Russian military presence in Moldova, the idea of federalisation of Moldova was discredited.

[68] Wolczuk, Roman (2003), p 93.
[69] Ibid., p 95.
[70] *RFE/RL Newsline*, 19 August 1999.
[71] *Moldova Azi* (2006) 26 October, http://www.azi.md/news?ID=41597.
[72] Coppieters, Bruno and Emerson, Michael (2002) *Conflict Resolution for Moldova and Transdniestria through Federalisation?*, Centre for European Policy Studies, Brussels: CEPS Policy Briefs No 25, August.

By that time Ukraine's involvement in the peace negotiation format was also questioned by the Moldovan side, due to what was perceived as double standards by the weakened Kuchma regime, at the time heavily pressured by Moscow. While participating in the peace talks as a mediator/guarantor, Ukrainian oligarchs at the same time were deeply involved the shady Transnistrian business and Kyiv tolerated smuggling along the Ukrainian-Transnistrian border.[73] Although Ukrainian business oligarchs' involvement in the Transnistrian region has continued also after the 'Orange Revolution', official Kyiv has taken a more firm stand in its customs policy. In December 2005, the EU established the EU Border Assistance Mission (EUBAM) along the Ukrainian-Moldova border at the joint request of the presidents of Moldova and Ukraine in order to prevent the widespread smuggling from Transnistria. From 6 March 2006, Moldova and Ukraine established joint customs posts to monitor transit through Transnistria and Ukraine started to accept only Moldovan customs stamps, which forced the Transnistrian companies to register in Chisinau.

The launch of the 'Yushchenko Plan', first presented at the GUAM summit in April 2005, for resolving the Transnistrian conflict also marked a readiness from Ukraine to take a more active part in the peace process. Together with a joint declaration by Yushchenko and Putin in December 2005, the Yushchenko plan was, however, perceived in some camps as being 'pro-Russian'. The original version of the plan was drafted without consultation with Romania, and Romania was not included as one of the guarantors in the plan, in contrast to Russia and Ukraine. Also, the plan did not call for the withdrawal of Russian troops from Transnistria.[74] On the whole, Ukraine and Romania have had competing interests in Moldova, as a result of minority-protection interests and historical reasons.

Ukraine's steadfast stance in its policy vis-à-vis Moldova and Transnistria aimed to support the territorial integrity of Moldova and maintain the existing customs regime at the Ukrainian-Moldovan border, including co-operation with the EUBAM, is considered an important test case for Ukraine's Euro-Atlantic integration prospects. In July 2006, the EUBAM expanded its presence, and, so far, the cabinet under Yanukovych has been consistent with the implementation of the customs regime.

[73] Kuzio, Taras (2003) 'End note: Why are Ukraine and Moldova unable to resolve their border dispute', *RFE/RL Newsline*, 28 January.
[74] Socor, Vladimir (2006) 'Putin-Yushchenko Joint Declaration on Moldova criticized by Romania', *Eurasia Daily Monitor*, The Jamestown Foundation 16 January.

Summing up Ukraine's neighbour relations, Ukraine has been rather successful in establishing good neighbourhood relations. The relations to the west, with Poland, Slovakia and Hungary, are exceptionally good with historical disputes resolved, reconciliation processes established in certain cases, no outstanding territorial claims, minority rights guaranteed on either side, and cross-border grass-roots contacts established (for instance by the establishment of Euroregions sponsored by the EU). The relations to the south-west, with Romania and Moldova, have been somewhat more complicated, but never on the brink of serious conflict. The territorial dispute with Romania concerning the Serpent Island has been taken to international institutions of arbitration in order to be solved in a civilised manner.

The relations to the north-east, with Russia and Belarus, finally, have been and still are rather troublesome. Especially the relationship with Russia has been conflict-prone, however not uniquely bad in comparison with some other of Russia's bilateral relations within the CIS, recently particularly with Georgia. The Ukraine-Russia relationship, as all bilateral relations with Russia within the CIS, has a highly asymmetric character and suffers from several complicated parallel and related processes, such as re-nationalisation, state consolidation and de-colonisation. The relations will, therefore, probably continue to be problematic for a long time.

Military Contribution and Interoperability

After the dissolution of the Soviet Union and the declaration of the independence in 1991, Ukraine inherited one of the most powerful armed forces in Europe, equipped with nuclear weapons and modern types of armament and defence technology.[75] Of course, the Armed Forces of Ukraine at that time did not constitute an army, but rather included separate parts from the military structure of the Soviet Union immediately after its dissolution. In fact, the new state lacked a Ministry of Defence, a General Staff and central organs of command and control. Therefore, on 24 August 1991, the actual Independence Day of Ukraine, the Ukrainian Parliament (*Verkhovna Rada*) adopted its first legal act, the resolution 'On Military Formations in Ukraine', by which the parliament took under its jurisdiction all military units of former Soviet Armed Forces, situated on the territory of Ukraine, and established a Ministry of Defence of Ukraine.

[75] The armed forces at that time included one rocket army, three armies of combined forces and two tank armies, one army corps, four Air Force armies, one separate Air Defence army, and the Black Sea Fleet. Altogether, it contained about 780.000 military personnel (including civilians over 900 000), 6,500 tanks, about 7,000 armoured combat vehicles, 1,500 combat aircrafts, more than 350 ships, 1,272 strategic nuclear warheads for intercontinental ballistic missiles, and 2,500 tactical nuclear missiles, see Ministry of Defence of Ukraine, *The History of the Armed Forces of Ukraine*, http://www.mil.gov.ua/index.php?lang=en&part=history&sub=history

Since then, the process of military re-organisation and development in Ukraine can be divided into three official phases: The first phase (1991 till 1996) included the initial establishment of the Armed Forces, the forming of a legal basis for its activity, re-organisation of its structures, establishment of the corresponding executive structures and supporting structures, and other elements, which were necessary for its functioning. Besides, the development of the Armed Forces was continued together with reduction of the military institutions, number of personnel, and number of armament and defence technology. The Armed Forces dismissed over 12,000 officers and warrant officers who refused to take an oath of allegiance to Ukraine, and absorbed 33,000 Ukrainian military servicemen from other parts of the USSR. It also disarmed the world's third largest nuclear force, removing the last nuclear warhead from its territory by 1 June 1996.[76]

In January 1997, the State Programme of the Armed Forces of Ukraine Development up to 2005 was approved by a presidential decree. The approval of this document marked the beginning of the second phase of military reform in Ukraine (1997-2000), which was characterised by a detailed regulation of all aspects of security and defence sector. During the period, the parliament passed 25 laws regulating the organisation of the state defence, mobilisation and mobilisation training, legal regimes of the state of war and state emergency, procedures for access of foreign troops to the territory of Ukraine, as well as procedures for the deployment of armed units of Ukraine in other countries.[77]

Also in January 1997, the parliament approved the National Security Concept, prepared by the National Security and Defence Council under its secretary Volodymyr Horbulin. The concept confronted persistent Soviet perceptions in the Ukrainian armed forces. It viewed the probability of large-scale war aggression as extremely low, but instead, drew attention to dangers of local conflicts in Ukraine's immediate vicinity. The concept also demanded urgent attention to the risk emanating from the country's civic, institutional and economic weakness, which could be used to undermine the young state.[78]

The third phase of military reform started with the second State Programme of Reform and Development of the Armed Forces of Ukraine up to 2005, which entered into force 1 January 2001. The second Programme was an update of the Programme from 1997 that took in account the changes that had occurred in Ukraine and the world at the end of the 1990s. The third phase was characterised

[76] Sherr, James (2002a) *Ukraine's Defence Reform: An Update*, Royal Academy Sandhurst: Conflict Studies Research Centre July, p. 1.
[77] *White Book 2005: Defence Policy of Ukraine*, Kyiv: Ministry of Defence of Ukraine, 2006, pp. 113-114.
[78] Sherr, James (2002a), p. 1.

by further improvement of the legislation concerning the entire military organisation of the state. The Strategic Defence Bulletin up to 2015, approved in 2004, regulated issues of military development in Ukraine with a special place assigned to the reform of the Armed forces with the task to create an army of a new type on the basis of the existing capabilities.[79]

By 2005, the total personnel strength of the Ukrainian Armed forces was 245,000 (including 65,000 civilians), and by 2011 the total strength is supposed to be 143,000 (including 27,000 civilians). According to the State Programme of Development of the Armed Forces of Ukraine, 2006-2011, approved in 2005, Ukraine plans to move towards a full professional army by 2011 (later changed to 2010). To facilitate this transition, Ukraine has selected three brigades, one from each service (Land Forces, Air Forces, Naval Forces), to be manned fully by volunteers by the end of 2006.[80] In re-organising and restructuring its military forces, Ukraine plans to create three functional divisions: the Joint Rapid Reaction Forces (JRRF), the Main Defence Forces, and the Strategic Reserves. The JRRF, which is responsible for the peacekeeping operations, will be the most powerful part of the fighting forces, with operational readiness capability in 30 days. By 2011, the JRRF will be staffed by 29,000 personnel, or 30 per cent of the total combat strength of the military. The JRRF will have two components: the Immediate Reaction Forces and the Rapid Reaction Forces. These forces will be equipped with medium and light equipment and trained for peacekeeping, counterterrorism, and emergency relief operations.[81]

NATO began to play an active role in Ukraine's defence planning and defence reform as a step in implementing the Charter of a Distinctive Partnership in 1997. In 1998, Ukraine and NATO established the Joint Working Group on Defence Reform (JWGDR) to pursue initiatives in the areas of civil-military relations, democratic control of the armed forces, defence planning, policy, strategy and national security concepts. In April 1999, the NATO Liaison Office was established in Kyiv to facilitate Ukraine's participation in the PfP and to support Ukrainian efforts in the area of defence reform.[82]

Since 2000, Ukraine participates in the PfP Planning and Review Process (PARP), which provides guidance to PfP countries on interoperability or capability requirements to ensure that their forces are better able to operate with NATO in militaries in peacekeeping operations. A generally positive assessment

[79] *White Book 2005: Defence Policy of Ukraine*, Kyiv: Ministry of Defence of Ukraine, 2006, p. 114.
[80] Ibid., p. 29.
[81] Sanders, Deborah (2006) *Ukraine after the Orange Revolution: Can it complete military transformation and join the U.S-led war on terrorism?*, US Army War College: Strategic Studies Institute, October, p. 17.
[82] NATO (2006) *NATO Military Liasion Officer in Kyiv*, http://www.nato.int/structur/nmlo/nmlo_kyiv.htm

was made of Ukraine's progress in achieving targets under the PARP in April 2006. According to the desk officer at NATO Headquarters, who is responsible for managing the PARP process with Ukraine, there is "no question about how seriously Ukraine is taking both PARP and the defence reform in general – the various ministries are fully involved".[83]

The Ukrainian government has stated that its two key goals of military transformation are Euro-Atlantic integration and acquiring the ability to provide support to international peacekeeping operations.[84] Since 1997, Ukraine has been one of the most active participants in the exercises under PfP programme and within programmes 'In the spirit of PfP' organised by individual NATO member states (se special box). Military co-operation within 'the spirit of PfP' has been very extensive with the UK and the USA in naval, peacekeeping, army, counter-terrorism and airborne exercises. Moreover, Ukraine is home for the NATO PfP Training Centre at Yavoriv near Lviv in Western Ukraine.

Ukraine has been a long and active supporter of peacekeeping operations. Participation in peacekeeping activities is believed to be one of the primarily aspects of Ukraine's foreign policy as well as a prerequisite for ensuring its national security. It helps Ukraine to gain prestige in the international community and to maintain an adequate level of combat readiness for its Armed Forces. Participating in peacekeeping operations has also been an essential factor for turning the Armed Forces into a professional army.

Ukraine has made significant contributions to NATO's international peacekeeping activities. It contributed an infantry battalion of 550 troops to the NATO-led Implementation Force in Bosnia (IFOR), following the conclusion of the Dayton Peace Agreement. Similarly, it participated in the Stabilisation Force (SFOR) which replaced IFOR, contributing a mechanised infantry battalion and a helicopter squadron involving some 400 troops. When the NATO-led Kosovo Force (KFOR) was established, Ukraine contributed with an infantry company and a helicopter squadron, which remained in theatre for 18 months, until March 2001. In July 2000, the Polish-Ukrainian battalion was deployed to KFOR, where it was involved in maintaining security and in border control operations.[85] In 2005, the Ukrainian-Polish-Lithuanian peacekeeping battalion was established to be a component of the Multinational Division of the KFOR.

[83] *NATO-Ukraine News*, 2/2006, p. 4.
[84] Sanders, Deborah (2006) p. 7.
[85] NATO (2001) 'The Evolution of NATO's relationship with Ukraine', *NATO Handbook*, September, http://www.nato.int/docu/handbook/2001/hb030401.htm

Training with NATO: Triage and evacuation of wounded soldiers at exercise 'Cooperative Partner 2000', Odesa, 2000 (above). The Italian frigate ITS MAESTRALE passes Odesa lighthouse during exercise 'Cooperative Partner 2003' (below). © NATO

Participation of the Ukrainian Armed Forces in the PfP programme (including exercises held "In the spirit of PfP"), 1994-2005

1994	Participation in 2 PfP joint military exercises.
1995	Participation in 98 events, including 11 PfP military exercises.
1996	Participation in 53 events, including 18 military exercises, three of which ('Peace Shield-96', 'Cossack Steppe-96' and 'Carpathian security-96') were conducted on the territory of Ukraine.
1997	Participation in 157 events, including 22 military exercises, two of which ('Cooperative neigbour-97' and 'Sea Breeze-97') were held on the territory of Ukraine.
1998	Participation in 100 events, including 17 military exercises, two of which ('Peace Shield-98' and 'Sea Breeze-98') were held on the territory of Ukraine.
1999	Participation in 156 events, including 11 military exercises, two of which ('Peace Shield-99' and 'Cooperative Support-99') were held on the territory of Ukraine.
2000	Participation in 113 events, including 10 military exercises. Four were held on the territory of Ukraine: 'Transcarpathia 2000', 'Cooperative Partner 2000', 'Peace Shield 2000' and 'Cossack Steppe 2000'.
2001	Participation in 117 events, including 15 military exercises.
2002	Participation in 118 PfP events, including 19 military exercises. Four military exercises were held on the territory of Ukraine: 'Cooperative Adventure Exchange 2002', 'Skifija 2002', 'Cossack Express 2002' and 'Sea Trident'.
2003	Participation in 152 PfP events, including 24 military exercises. Seven military exercises were held on the territory of Ukraine: 'Cooperative Partner 2003' , 'Cossack Steppe 2003' , 'Transcarpathia 2003' , 'Peace shield 2003' , 'Spivdruzhnist' 2003' , 'Rough and Ready 2003', and a Ukrainian and US airborne units exercise.
2004	Participation in 220 PfP events in the framework of Partnership Work Programme, including 24 multinational exercises.
2005	Participation in 298 PfP events, including 21 military exercises. Six military exercises were completely or partly held on the territory of Ukraine: 'Co-operative Bets Effort', 'Peace Shield 2005', 'BLACKSEAFOR Activation', 'ASSISTEX-2' and 'Viking 2005'.

Sources: Ministry of Defence, Ukraine, http://www.mil.gov.ua/index.php-?lang=en&part=cooperation&sub=participation, *White Book 2005: Defence Policy of Ukraine*, Kyiv, 2006, pp. 117-119.

Ukraine has also increasingly taken part in the United Nations peacekeeping efforts to the extent that today it can claim that it ranks first among all European contributors to the UN's peacekeeping activities. Since 1992, more than 20 000 Ukrainian servicemen have participated in UN-led peacekeeping operations in various conflicts around the globe such as in Angola, Eastern Slavonia, Macedonia, Tajikistan, Sierra Leone, Ethiopia and Lebanon.[86]

The story of the Ukrainian peacekeeping operation in Iraq began with the deployment of a Ukrainian CBR protection battalion to Kuwait during the active hostilities period of March-April 2003.[87] From August 2003 to December 2005, the Ukrainians held a 1,650 strong mechanised infantry brigade in the Multinational Force in al-Kut, the capital of the Wasit province in Iraq. When the contingent was withdrawn by late December 2005, as a result of an election promise by Yushchenko one year earlier, Ukraine had lost a total of 18 soldiers in Iraq. However, some 50 representatives of the Ukrainian Armed Forces stayed during 2006 to carry out projects in the reconstruction of the military and civilian infrastructure and render assistance in training Iraqi law enforcement agencies.[88]

In recent years, NATO's on-going operation in Afghanistan, its logistical support to the African Union's mission in Darfur and the earthquake disaster in Pakistan have highlighted the need for strategic airlift enabling the rapid deployment of troops and equipment to where they are needed.[89] This is an area where Ukraine has a key capability and particularly provided airlift for cargo and peacekeepers in Afghanistan.

All in all, Ukraine has obviously made some progress in developing professionalism in the military sphere, particularly in developing well-trained and equipped peacekeeping troops able to contribute to the international struggle for peace and stability. However, as noted by the defence analyst Deborah Sanders, it is also clear that, at present, Ukrainian peacekeeping forces lack the training and capability to perform strategic or more complex peacekeeping operations. The stabilisation operations in Iraq have demonstrated that there is a need for future coalition members to develop the capability for full-spectrum military activities beyond traditional peacekeeping and be able to engage simultaneously in all aspects of strategic peacekeeping – peace building, peace enforcement, and traditional tasks related to maintaining the peace. Currently,

[86] *Ukraine's Strategic Defence Bulletin until 2015 (Defence White Paper)*, Kyiv: Ministry of Defence of Ukraine, 2004, pp. 28-29.
[87] Polyakov, Leonid I. (2004) *US-Ukraine Military Relations and the Value of Interoperability*, US Army War College: Strategic Studies Institute, p. 57.
[88] *White Book 2005: Defence Policy of Ukraine* (2006) p 94; Wikipedia – the free Encyklopedia (2006), *Multinational Force In Iraq*, http://en.wikipedia.org/wiki/Multinational_force_in_Iraq
[89] Sanders, Deborah (2006) p. 5.

Ukrainian peacekeepers lack the capability and training for anything more than rigid adherence to traditional peacekeeping tasks.[90]

Nevertheless, Ukraine's defence reform and contribution to peacekeeping operations are the spheres where Ukraine often gets credits in its co-operation with NATO. In 2005, for instance, NATO's secretary General Jaap De Hoop Schaffer called Ukraine an "indispensable partner for the Alliance in the conduct of our operations in Kosovo and Afghanistan" and he noted that "Ukraine's contribution had enhanced the effectiveness of NATO's operations and improved common security".[91] In December 2005, at a NUC meeting, Ukraine's active support to the missions ISAF in Afghanistan, KFOR in Kosovo and the commitment to participate in Operation Active Endeavour in the Mediterranean were noted with particular satisfaction.[92]

Democratic Civil-Military Relations

Democratic civilian control over the military sector is based on three fundamental principles: subordination of the military to civilian authorities; civilian responsibility for effectiveness of power structures; accountability of civilian authorities and the military to civil society. The Concept of National Security, adopted in 1997, defined democratic civilian control over the military sector as one of the fundamental principles at providing Ukraine's national security.[93]

In Ukraine, progress in civil-military relations has lagged well behind progress in defence reform.[94] In this, Ukraine has a somewhat opposite starting-point compared to the countries of Central and Eastern Europe, which, on the one hand, were less militarised and had fewer first-class military units, but, on the other hand, had a more profound democratic experience than the former Soviet republic. Although being heavily militarised, the Soviet system, as pointed by the British defence analyst, was not *militaristic*. For all its deficiencies, the Soviet military system inculcated a high degree of professionalism, anchored in

[90] Sanders, Deborah (2006) p. 2.
[91] NATO (2005a); NATO (2005d), *Why NATO, Speech by Jaap De Hoop Scheffer, Secretary General of NATO, National University of Kyiv-Mohyla Academy. Kyiv, Ukriane, 20 October 2005*, http://www.nato.int/docu/speech/2005/s051020a.htm
[92] NATO (2005c) *Joint Statement, NATO-Ukraine commission at the level of Foreign Ministers*, http://www.nato.int/docu/pr/2005/p05-159e.htm
[93] Ukrainian Centre for Economic & Political Studies named after Olexander Razumkov (2000) 'Democratic Civilian Control over the Military, its Substance and Urgency for Ukraine', *National Security and Defence*, No 11, pp. 3, 13.
[94] Sherr, James (2004) *Ukraine: The Pursuit of defence Reform in an Unfavourable Context*, June, Royal Military Academy Sandhurst: Conflict Studies Research Centre, p. 5.

the conviction that armed forces had to be the tool of policy, rather than its master.[95]

During the first years of independence, Ukrainian Armed forces suffered from several negative phenomena, which were also visible in other post-Soviet states' armed forces at that time. Examples included shadow structures, military regional clans, the plundering of military infrastructure, the subordinating of military inspectors by military commanders, unregulated arms sales, privatisation of state enterprises, military 'gangsterism' and *de facto* privatisation of military units.[96] Gradually, though, through legislation and more effective control, the state assumed supervision over sectors as arms sales and defence industry, even if, under president Kuchma's semi-authoritarian regime, it often led to stronger presidential rather than 'democratic' control over these branches.[97] The parliament also began to take more control over the defence budget process. Previously, the Rada's Commission on National Security and Defence had had little to scrutinise, little basis for questioning the costs and assessments presented to them, and little choice but to 'take it or leave it' Gradually, also the Armed forces became more open and less reluctant to share information with the politicians.[98] For instance, the ministries of defence, internal affairs, emergencies, and the Security Service of Ukraine (SBU) opened websites on the Internet.

As part of the developing co-operation with NATO, Ukraine assumed international obligations to establish democratic civilian control over power structures. This was fixed in a number of documents as Partnership for Peace: Framework Document (1994), Charter on a Distinctive Partnership (1997) and the NATO-Ukraine Action Plan (2002).[99]

Some formal steps towards fulfilling these promises were taken also under Kuchma's presidency. In June 2003, a new law was adopted entitled 'On Democratic Civilian Control over Military and Law Enforcement Bodies of the State'. According to Article 7 of the law, the system would consist of control by parliament, the president, executive authorities, local authorities, judicial bodies and the prosecutor's office, as well as the public. The act continued to give primary responsibility for overseeing observance of the law to the Prosecutor's Office, although the public and the media (in theory) was given greater access to

[95] Sherr, James (2001) *Security,Democracy and 'Civil Democratic Control' of the Armed Forces in Ukraine*, Royal Military Academy Sandhurst: Conflict Studies Research Centre, p 1.
[96] Ibid., pp. 6-7.
[97] Ibid., p. 1.
[98] Ibid., p. 8.
[99] Malnyk, Oleksiy (2003) *Status of CMR in Ukraine as reflection of painfully emerging Ukrainian democracy*, Geneva: The Geneva Centre for Democratic Control over Armed Forces, April, p 3.

information about the military and security service.[100] Although democratic ideals could be seen in much of the law, there was, however, little evidence of this being translated into operational policies under Kuchma.

Civilian oversight of the Ministry of Defence was strengthened after the 'Orange Revolution'. According to the international standard of civilian control of the military, Yushchenko on 4 February 2005 appointed a civilian, Anatolii Hrytsenko, to Minister of Defence.[101] Being a former president of a non-governmental research centre (The Ukrainian Centre for Economic and Political Studies named after Olexandr Razumkov), Hrytsenko naturally valued transparency and public control of the defence sector higher than his predecessors did. The first publication of the *White Book: Defence Policy of Ukraine*, a previously unfulfilled presidential order from 1997, is an indication of that.

Though some substantial progress has been achieved in the development of democratic civilian control, significant problems remain in Ukraine, particularly in the corruption-alleged SBU, which never fully came under Yushchenko's control after he took office in January 2005. In a Kyiv speech in October 2005, NATO Secretary General Jaap De Hoop Schaffer stressed the importance of further implementation of civilian control over the military and the security services:

> This is absolutely essential, not because 'NATO said so', but because professional, accountable military, security and intelligence organs, firmly underpinned by democratic control and respect for the rule of law, are indispensable for Ukraine's future as a free, democratic state. So are law enforcement and judicial institutions that serve the cause of justice, rather than political agendas.[102]

Ukraine has come a long way in implementing civilian control over the armed forces, but has still some way to go. Some continuity of leadership of the Defence Ministry is probably necessary to stabilise and deepen the defence reform so that democratic civilian control of the defence sector can take root. Otherwise the past years' progress could rapidly evaporate.

[100] Beck, Adrian (2005), 'Reflections on Policing in Post-Soviet Ukraine: A Case Study of Continuity', *The Journal of Power Institutions in Post-Soviet Societies*, Issue 2, http://www.pipss.org/document294.html

[101] In fact, Hrytsenko was not the first, but second, civilian minister of defence in the Ukrainian history, after Yevhen Marchuk who served at the post in 2003-2004. However, it is often forgotten that they both, in fact, are retired officers. Hrystenko is a retired Air Force Colonel and Marchuk has long held the pro froma rank of Army General of the Security Services.

[102] NATO (2005a)

Opinions in Ukraine on a NATO Membership

Given the current distribution of power among the main power groups in Ukraine, a serious question arises: Which state body will make the decision to join the MAP should NATO propose such a change in relations? It is therefore interesting to study the prevailing opinions in the different state bodies. Although according to the Ukrainian Constitution, adopted in 1996, the president of Ukraine is in charge of the state foreign policy (Article 106), the same constitution provides the parliament with the right to define fundamentals of foreign and domestic policies (Article 85).[103] Besides, the Prime Minister is the head of the executive power branch, including foreign policy affairs, which is formally administrated by the president.

Clash over the Conduct of Foreign Policy

An already complicated situation got even more confused after 1 January 2006, when amendments to the constitution were implemented. These amendments, leading to a shift in power from the presidency to the prime minister and the Parliament, were adopted on 8 December 2004, as a compromise to solve the power deadlock during the 'Orange Revolution'. The amendments were pushed hard by the outgoing President Kuchma as a means of curbing the powers of Yushchenko following his election to President. This so-called 'constitutional reform' has, however, failed to clarify decision-making process in the field of foreign and defence policy. Therefore, there are in today's Ukraine different official positions of the President, Prime Minister, Minister of Foreign Affairs, Minister of Defence, Speaker of the Parliament, etc., but there is *no position of Ukraine as a state* on the NATO question.[104] Any statement or decision of one of these authorities may be refuted by a statement from another authority.

The clash over the conduct of foreign policy in general and the question of NATO membership in particular began on 14 September 2006, when Prime Minister Yanukovych at a NUC meeting in Brussels declared that Ukraine was not ready to join MAP due to the low public support for NATO membership. Yushchenko immediately rebuked Yanukovych for impinging on the President's constitutional right to shape the country's foreign policy. Simultaneously, the president reminded Yanukovych that just one month earlier both of them had signed the so-called Declaration on National Unity, although this document does not mention MAP specifically.

[103] *Konstitutsiia Ukrayiny* (1996) Kyiv: Presa Ukrayiny, pp. 32-36, 86-89.
[104] Sushko, Oleksandr (2006a) 'Ukrainian foreign policy decision making in the new political conditions', *Ukrainian Monitor*, Center for Peace, Conversion and Foreign Policy of Ukraine, Policy Paper # 4/2006, p 2.

Yanukovych continued to assert his constitutionally reinforced position by claiming more executive prerogatives. In particular, he refused to implement several presidential decrees, arguing that he did not co-sign them, and he questioned the President's right to appoint regional governors without consulting the government. These measures made the pro-presidential 'Our Ukraine' party switch to opposition, forcing its six ministers in Yanukovych cabinet to tender their resignation. However, it happened to be more difficult for Yanukovych to dismiss the Minister of Foreign Affairs, Borys Tarasiuk, and the Minister of Defence, Anatolii Hrytsenko, as these last active backers of Ukraine's quick accession to NATO in the government were appointed on the President's nomination. On 1 December, the Parliament voted on the dismissal of Tarasiuk, who was even physically barred from cabinet meetings. Yushchenko, however, re-assured Tarasiuk's authority following a court ruling that had suspended the Parliament's resolution.

On 25 December 2006 the President signed the 2007 state budget, which he had vetoed two weeks before. On the same day, the Parliament dismissed Ihor Drizhchaniy, the head of the SBU, after a demand from the president which the parliament earlier had objected. This development signalled that an agreement had been made, which may end the sharp confrontation between the President and the Prime Minister. There were also signs that Yushchenko and Yanukovych had agreed on the fate of Tarasiuk, who was allowed again to participate in the cabinet meetings and to fulfil his duties as a minister. Nevertheless, renewed tensions between the main branches of power may appear at any time in 2007, maybe even leading to the president's dismissal of the Parliament and call for early elections.

Voices of reversing the controversial constitutional reform have been raised, for instance at the party congress of 'Our Ukraine' in October 2006. However, while being a doubtful compromise taken under extreme circumstances, questioning the constitutional reform would be like playing with fire for the president's team as it also may amount to questioning Yushchenko's legitimacy as President.[105] Reversing the constitutional reform would be like opening Pandora's box, as several other acts that took place at that time, particularly 'the third round' of the election, which resulted in Yushchenko's victory, might be questioned as well. If the reform is reversed it may, therefore, have a disastrous impact on the stability of the political system in Ukraine as a whole.

[105] Maksymiuk, Jan (2006a) 'Blue-Orange Rift Reemerges in Ukraine', *RFE/RL Belarus, Ukraine, and Moldova Report*, Vol. 8, No.39, 21 November.

The Presidential Powers

Although the constitutional reform significantly narrowed the powers of the President of Ukraine, Yushchenko continues to claim his rights to take the main decisions related to the country's foreign policy. The president is convinced that membership in NATO and the European Union will guarantee the country's sovereignty, security and democratic development.[106] He has repeatedly stated that Ukraine's foreign course for joining the European Union and NATO is irreversible.[107] So far, Yushchenko has proved unsuccessful in persuading his Russian colleague that Ukraine's NATO membership will not pose any military threat for Russia. At the working visit by the Russian president in Kyiv on 22 December 2006, for instance, Yushchenko assured Ukraine's constitution does not permit the country use its territory for stationing foreign troops or nuclear arms.[108]

Even if the president himself is a staunch NATO supporter, one may find even in his closest entourage that the pro-NATO opinion is not solely predominant. For instance Oleksandr Chalyi, deputy Chairman of the Presidential Secretariat responsible for foreign policy, openly promotes Ukraine's non-aligned status and neutrality.[109]A potential open conflict between Tarasiuk and Chalyi within the president's team, may, therefore, even more weaken the president's authority regarding foreign policy.

Yushchenko has accepted the idea of holding a referendum on the Ukraine's NATO entry, but he has objected to the idea of holding it before the country is invited to join the Alliance. The president has said that "the outcome of this referendum, should it be conducted today, would not reflect the dynamics of the Euro-Atlantic policy".[110] In the same manner, Roman Zvarych, the president's representative in the Verkhovna Rada, has said that any referendum on Ukraine joining NATO should be held after a MAP is signed, otherwise it is impossible to determine what requirements NATO will ask from Ukraine.[111] As the pro NATO opinion continues to be rather weak in Ukraine, there is no urgent move from the President's side to push for a rapid referendum.

The Cabinet of Ministers and the Parliament

The elections to the Verkhovna Rada on 26 March 2006 resulted in a highly fragmented Parliament with no single majority. After four months of coalition

[106] *Interfax-Ukraine*, 13 December, 2006.
[107] *Ukrainian Journal*, 8 November, 2006.
[108] *Ukrainian Journal*, 22 December 2006.
[109] Sushko, Oleksandr (2006a), p 6.
[110] *UNIAN news agency*, 12 December 2006.
[111] *RFE/RL Newsline*, 18 December 2006.

talks, the Party of Socialists of Ukraine (SPU) left the talks on forming an 'Orange coalition', built on the SPU, 'Our Ukraine' (NU) and the Yulia Tymoshenko Bloc (BYuT). SPU instead formed the 'Anti-Crisis Coalition' with the two remaining parties represented in the Parliament – the Party of the Regions of Ukraine (PRU) and the Communist Party of Ukraine (KPU). Later on, 'Our Ukraine', temporarily, joined the government without formally joining the coalition.

Table 2: Parties and Blocs in the Parliament of Ukraine

Party or Bloc/Fraction in the Parliament	Result in the latest parliamentary elections (%)	Mandates in the Parliament by 20 November 2006
Party of Regions of Ukraine (PRU)	32.14	186
Bloc of Yuliya Tymoshenko (BYuT)	22.29	125
People's Union 'Our Ukraine' (NU)	13.95	80
Socialist Party of Ukraine (SPU)	5.69	31
Communist Party of Ukraine (KPU)	3.66	21
Other parties and blocs	22.27	
Deputies not members of any fraction		6

Source: Verkhovna Rada's website, http://portal.rada.gov.ua/

On 4 August 2006, Yushchenko accepted the new coalition's nomination for Prime Minister, his former rival from the 2004 Presidential elections, Viktor Yanukovych, who is the leader of the PRU. The president's appointment of Yanukovych was done on the basis of the latter's signing of the Declaration of National Unity. This document was supposed to guarantee the continuation of the political priorities from the former Orange government, including the goal of membership in NATO and the European Union. As already mentioned, however, Yanukovych's intentions were not to continue the former cabinet's policy. By mid-September, the standoff between the President and the government, with the support of the majority of the Verkhovna Rada, was evident. On 19 September the Verkhovna Rada adopted a resolution supporting Yanukovych statement in Brussels, where he had rejected the MAP for Ukraine.

In the Ukrainian parliament only two political forces support NATO membership, 'Our Ukraine' and the 'Yulia Tymoshenko Bloc', who together control 205 out of the 450 deputies. Only the pro-presidential 'Our Ukraine' proposes a rapid membership into the Alliance, while Tymoshenko holds a rather coy stance. The two left-wing parties, the socialists and the communists, together controlling 52 seats, propagate for continuing the country's non-bloc status and oppose NATO membership. Oleksandr Moroz, who is the leader of the SPU and speaker of the Rada, claimed during a visit to Moscow in October 2006, that "Ukraine's entry into NATO is being advocated by only one

superpower, in pursuit of its own geopolitical interests", and that Ukraine "must not become a bargaining card".[112]

The remaining 186 seats in the Verkhovna Rada are controlled by the Party of the Regions of Ukraine (PRU), which has taken an opportunistic stance towards NATO, supporting or rejecting NATO membership depending on whether it is in government or in opposition. In government in both in 2002-2004 and since 4 August 2006, Yanukovych and the PRU has supported intensive co-operation with NATO and even membership in a longer perspective. But briefly outside government in 2005-2006, the same Yanukovych and the PRU opposed NATO.

Ukraine first officially declared its intention to join NATO in May 2002, six months before Yanukovych became Prime Minister. The first Yanukovych government never rescinded the official position of seeking to join NATO, and never publicly stated that such a step would be impermissible because of low public support or because it would harm relations with Russia, two of the main arguments used by Yanukovych during his September 2006 visit to NATO headquarters.

During the 2004 presidential elections, Yanukovych introduced opposition to NATO membership in the last month of the campaign along with raising the Russian language to a second state language and introducing dual citizenship with Russia. All three issues, following the doubling of state pensions, were aimed at attracting Russian-speaking and Communist Party voters.[113]

The introduction of opposition to NATO membership into the election campaign by Yanukovych, when his government still officially supported NATO membership, was nothing but an act of pure opportunism. It was simultaneously conducted with a large-scale anti-American campaign, accusing Yushchenko for being an American lackey.[114] Following Yushchenko's election victory in 2004, the PRU and the Social Democratic United Party (SDPU-o), a small pro-Russian party, initiated steps to hold a referendum on NATO membership. The SDPU(o) is led by Viktor Medvedchuk, who headed the presidential administration in 2002-2004, a period when Ukraine had an official policy of seeking NATO membership. At that time Medvedchuk never called for Ukraine to hold a referendum on NATO membership.

[112] *Interfax-Ukraine*, 27 October 2006.
[113] Kuzio, Taras (2006) 'Indecision and Opportunism Derail NATO in Ukraine', *The Ukrainian Observer*, no 224, http://www.ukraine-observer.com/articles/224/933
[114] *Ukrayinska Pravda* (2006) 'Tjornukha proty Yushchenka', 6 October, http://pravda.com.ua/news/2004/10/6/12434.htm; Kuzio, Taras (2004a), 'Large-scale Anti-American campaign planned in Ukraine', *Eurasia Daily Monitor*, The Jamestown Foundation, Vol. 1, Issue 102, 8 October.

While in government, the PRU also never opposed the exercises held annually since 1997 within the PfP or 'In the Spirit of the PfP'. During the 'Orange period' in 2005-2006, however, both PRU and the SDPU(o), along with the left parties, voted against legislation that supported Ukraine's military co-operation. During that time, the Ukrainian parliament was, therefore, unable to adopt legislation permitting foreign troops to exercise in Ukraine and for NATO to lease Ukrainian transportation aircraft.

The anti-NATO and anti-Yushchenko alliance of the PRU and the SDPUo disintegrated following the 2006 parliamentary elections. Of the two, only the PRU entered parliament and the campaign to hold a referendum on NATO membership became less important than entering government. The signing of the Declaration of National Unity by President Yushchenko, the 'Our Ukraine' and the three members of the 'Anti-Crisis Coalition' further reduced the need for the PRU to continue its opportunistic anti-NATO activities. The Declaration continued to support co-operation with NATO while ignoring the issue of membership.[115] On the same day that Yanukovych was confirmed as Prime Minister, Verkhovna Rada also voted to support the holding of PfP and 'In the Spirit of PfP' military exercises, the very same legislation that it had failed to adopt in 2005-2006.

During a visit to the United States in December 2006, Yanukovych sought to play down differences between himself and Yushchenko, insisting he had "no disagreement with the president of Ukraine" when it came to the country's strategic direction and future. However, he did admit that the two men had different "tactical approaches".[116]

The PRU's and Yanukovych' changing opinion on NATO is mostly based on pure opportunism. However, within the Cabinet of Ministers, a group including first vice Prime Minister Mykola Azarov and vice Prime Minister Dmytro Tabachnyk hold strong pro-Russian views in foreign policy.[117] The main strength of this group is its influence over the budget process, as Azarov performs the duties of Minister of Finance as well. Others like Yury Boiko, the Minister for Fuel and Energy, are directly or indirectly linked with Russian big business, in particular Gazprom and its opaque intermediary company RosUkrEnergo.[118] In contrast to Boiko, both Azarov and Tabachnyk are not considered to be close to the Donetsk people, although Azarov is supposed to

[115] Kuzio, Taras (2006) 'Indecision and Opportunism …'
[116] Maher, Heather (2006) 'Yanukovych courts U.S. officials and investors', *RFE/RL Belarus, Ukraine and Moldova Report*, Vol. 8, No. 41, 5 December.
[117] Sushko, Oleksandr and Parkhomenko, Nataliya (2006a) 'Ukraine's foreign policy in 2006: Analysis and prognostication', *Ukrainian Monitor*, Center for Peace, Conversion and Foreign Policy of Ukraine, Policy Papers #9/2006, p. 3.
[118] Ibid., p. 9.

have some connection with the economic interests in Donbas. Tabachnyk rather represents the survivors of the Kuchma era.

Prime Minister Yanukovych probably sees NATO affiliation as a possible political instrument and has previously voted for membership. But as the majority within Ukraine and a majority of the voters of the RPU are against NATO membership, he is not likely to act pro-actively towards its realisation. For the time being it is considered worthwhile to stay outside NATO in order to get cheaper gas from Russia. As the two coalition partners both oppose NATO membership, this stance is not controversial. The 'Anti-Crisis Coalition' has proved remarkably stable in contrast to the Orange government in 2005 and the talks of a re-born Orange coalition after the parliamentary elections in 2006. The parliament's decision on 28 November 2006 to approve legislation declaring the Great Famine of 1932-33 as genocide imposed by the Soviet leaders against the Ukrainian people, a decision that split the ruling coalition, as the Socialist Party joined the opposition instead, proved to be the hardest test to the coalition so far.

The Military

The Ukrainian Armed Forces have had a predominantly positive attitude towards the country's military co-operation with NATO. Lacking the great power mentality still dominant in the Russian Armed Forces, the Ukrainian military leadership has been more willing to accept NATO guidance in military reform – at least in so far as it does not conflict with sectional interests. Ukrainian policymakers have also often used the Armed Forces' positive record of participation in the PfP and contribution to the UN peacekeeping in the Balkans to highlight Ukraine's stabilising role in European security.[119]

Regarding the opinion within the Armed Forces on potential accession to NATO, the National Centre of Euro-Atlantic Integration of Ukraine published a survey in February 2006, which said that 37.4 per cent of the servicemen had "high support" of the integration; 26 per cent – "low support"; and 24.8 per cent – "average". According to the study, the results among high-ranking officers did "not differ much". The same source mentions even vaguer results of a poll conducted at a Lviv military institute, where 70 per cent of the future officers said "they would want to serve their duty in the conditions comparable to the ones of the NATO countries..."[120] The support within the Armed Forces for

[119] Rontoyanni, Clelia (2002) *Russian and Ukrainian views of the European Security and Defence Policy*, Center for International Studies and Research, No. 7, http://www.ceri-sciences-po.org/archive/july02/colloque/papercr.pdf

[120] National Centre of Euro-Atlantic Integration of Ukraine (2006) *Hromadska dumka shchodo Yevroatlanotichnoyi intehratsiyi Ukrayini: Shlyakhy zabezpechennia effektivnoho dialohu vlady z naselennuiam*, http://www.nceai.gov.ua/125.338.0.0.1.0.phtml

Ukraine's accession to NATO is, therefore, assessed to be significantly higher than within the Ukrainian population in general. One reason for this is that many high-ranking servicemen have gone on different exercises and participated in exchange programmes in NATO countries, which has strengthened the NATO image in their circles. Besides, well-paid peacekeeping missions and well-equipped joint manoeuvres show the differences between the material standard of an ordinary soldier in Ukraine and a NATO country.

Public Opinion and Regional Elites

The development of the contacts between Ukraine and NATO has to a large extent been a prerogative of the representatives of the state power – a narrow circle of military and civilian experts. Contacts with NATO are largely developing 'behind the scenes' and have not yet been accompanied by a broad information campaign. This explains the low awareness of the citizens about the Alliance's activities.[121] The Ukrainian Centre for Economic and Political Studies named after Olexander Razumkov ('Razumkov centre') has been monitoring the public opinion on NATO and Ukraine's possible accession to it since June 2002. According to their survey in October 2006, only 3 per cent of the respondents called the level of their knowledge about NATO "high", 31.8 per cent – "medium". Meanwhile, almost half of the respondents (47%) described their awareness about the Alliance as "low" and 11.7 per cent reported they had no information at all.[122]

In terms of the deficit of information, a significant share of the Ukrainian citizens view NATO under the influence of Soviet stereotypes. The most common attitude among respondents in all the polls conducted by the Razumkov Centre is that NATO is an "aggressive military bloc" (in October 2006, 56.3% of the adult citizens viewed NATO in this way), followed by "a defence alliance" (16.4%) and "a peacekeeping organisation" (13.3%), respectively.[123] The American activities in Iraq since 2003 have had a negative effect on the attitude towards NATO in Ukraine. Apparently, the public opinion identified NATO with its leader, the USA, and overlooked the fact that even among the NATO member countries there were varying attitudes to the Iraqi operation.[124]

[121] Chaly, Valeriy and Pashkov, Mykhailo (2002) 'NATO-Ukraine relations in the public focus', *National Security and Defence*, Ukrainian Centre for Economic & Political Studies named after Olexander Razumkov, no 8 (32), p 50.
[122] Bychenko, Andriy (2006) 'Public opinion on NATO and Ukraine's Accession to it', *National Security and Defence*, Ukrainian Centre for Economic & Political Studies named after Olexander Razumkov, no 9 (81), p. 24.
[123] Ibid., p. 27
[124] Chaly, Valeriy and Pashkov, Mykhailo (2002), p 50., and Ukrainian Centre for Economic & Political Studies named after Olexander Razumkov (2003), 'Public Opinion about Ukraine's Foreign policy: Relations with NATO', *National Security and Defence*, No 3 (39), p 56.

Further, the public opinions overlooked the fact that more than 40 states joined the coalition forces under the US-led Operation Enduring Freedom in Iraq, among them also Ukraine.

In November 2002, when Yanukovych became prime minister for the first time, the shares of supporters and opponents on the issue of Ukraine's accession to NATO were almost equal, 31.5 vs. 32 per cents. Later, the balance was clearly offset in favour of the Alliance's opponents. According to the poll in October 2006, if a referendum on Ukraine's accession to the Alliance "were held the following Sunday", the majority (54.1%) of Ukrainian citizens would have voted against accession, and the share of those supporting the referendum was three times lower (17.2%). The level of support/non-support had an evident regional dimension between the traditionally more pro-Western in the west and the overwhelmingly Russian-speaking regions in the east and south. For instance, in the western regions support was substantially higher (in October 2006, 40.7%) while in the East and South it was as low as 8.0 and 10.3 per cents, respectively.

Interestingly, the 'Orange Revolution', carried by a wave of pro-Western slogans, did not have a positive impact on the support for NATO membership in Ukraine. In fact, the levels of supporters and opponents just before the outbreak of the 'Orange Revolution', in November 2004 (15.1% and 55.5%, respectively), and two years later, in October 2006 (17.2% and 54.1%) were almost identical. In January 2006, in the heat of the parliamentary election campaign, the level of non-support even reached an all-time high (64 %).

Strikingly, decrease in the numbers of supporters and the increase in the numbers of opponents of accession to the Alliance are observed mostly in the younger groups of adult citizens – 18-29 and 30-39 age groups. Four years ago, these groups showed a substantially higher degree of support for NATO accession than the other age groups. But in 2006, there are practically no differences according to generations among the Ukrainians as to the opinions on accession to NATO.[125] The main reason for this dissolution particularly among the youth, 'the Revolutionary Generation', is probably based on the general disappointment over the non-fulfilled promises by the 'Orange' leaders and the unsatisfactory state of things in the country after the 'Orange Revolution'.

[125] Bychenko, Andriy (2006), pp. 22-23.

Pro et Contra: A Pro-NATO demonstration in Kyiv 1997. Centre: Hennady Udovenko, Foreign Minister of Ukraine (above). Anti-NATO demonstration by the Ukrainian Communist Party, Kyiv, 2000 (below). © NATO

Another reason for the low level of support for NATO accession in Ukraine in 2006 was the campaign, launched by the SDPU(o), for a referendum on NATO membership aimed to use anti-NATO sentiment to undermine the Yushchenko administration in Russian-speaking eastern and southern Ukraine. As the South and the East had largely voted for Yanukovych in all three rounds of the 2004 elections, they hoped that this would be repeated in the 2006 parliamentary elections. A third reason was that especially the PRU very successfully capitalised on internal disquiet in the Orange camp, and on the country's weak presidential leadership.

In May-June 2006, anti-NATO and anti-American rallies in Crimea led to the first ever cancellations of several PfP and 'In the Spirit of PfP' exercises in Ukraine. On 27 May 2006, the US cargo ship 'Advantage' anchored in Feodosiia on the Crimean southern coast, bringing what Ukrainian Defence Minister Anatolii Hrytsenko described as "technical aid" to be used during 'Sea Breeze-2006, a US-led exercise involving personnel from 17 NATO member and partner countries (among them Russia). Seamen offloaded construction materials to build barracks for Ukrainian sailors at a training range near the town of Staryi Krym, not far from Feodosiia. Two days later, Feodosiia residents and representatives from the local chapters of the PRU and the pro-Russian Natalia Vitrenko Bloc, as well as the Russian community of Crimea, began to picket the port. Displaying anti-NATO slogans written in Russian, they continued to block the US cargo from getting to its destination. Many observers saw a Russian hand behind the protests and Foreign Minister Tarasiuk suggested that the anti-NATO demonstrations were a cover for problems connected with the deployment of a Russian naval force in Sevastopol.[126]

The protests spread to other regions and towns in southern and eastern Ukraine, where regional and local councils, all dominated by the PRU, started to proclaim their territories as 'NATO-free areas', or proclaimed Russian the regional language, in defiance of the constitution. The leading role in the popular protests were played by fiercely anti-West leftists like Vitrenko, while the PRU centrally ostentatiously distance itself from the most radical elements, signalling to Yushchenko that compromises were possible on certain conditions.[127] Interestingly, the protests ended immediately following the creation of the 'Anti-Crisis Coalition' in the parliament by the PRU, the Socialists and the

[126] Maksymiuk, Jan (2006d) 'Ukraine: U.S. Navy Stopover Sparks Anti-NATO Protests', *RFE/RL*, 1 June 2006, http://www.rferl.org/featuresarticle/2006/06/f77c8971-ba48-4cc9-930b-3142ef5b38ef.html
[127] Varfolomeyev, Oleg (2006) 'Party of Regions continues to play on Yushchenko's weakness', *Eurasia Daily Monitor*, The Jamestown Foundation, 7 June, http://jamestown.org/edm/article.php?article_id=2371156

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Communists parties on 7 July 2006, and the unconstitutional legislation in the regions was quickly withdrawn.

Opinions within NATO towards Ukraine

The Ukrainian prime minister's temporarily rejection of the MAP in Brussels on 14 September 2006 actually created more noise in Ukraine than within NATO. Yanukovych's argument that the Ukrainian people was not ready for this step yet and that the government would launch a major campaign to better explain NATO and its relationship with Ukraine so as to prepare the way for a future referendum on NATO membership sounded rational in the ears of the NATO officials and rather improved the prime minister's credentials in Brussels.

Ukrainian Prime Minister Viktor Yanukovych is greeted by NATO Secretary General in Brussels 14 September 2006. © NATO

With the failure of creating a pro-NATO ('Orange') government earlier during the year, Ukraine had most probably already irretrievably lost the last chances of a fast track membership into NATO. By declaring that the ambitions now were to deepen co-operation with NATO rather than membership, Yanukovych actually also saved NATO from the sensitive question on how to treat Ukraine's MAP aspiration. Clearly, the issue of Ukraine joining MAP has definitively not been discussed in the NATO's leadership, because that requires an appeal from the Ukrainian government first, something which has not been submitted yet. However, from informal talks and statements, it is clear that there exist different positions concerning a Ukrainian membership within NATO, where some members are positive and others are negative towards Ukraine.

The United States of America

The US support for Ukraine's Euro-Atlantic aspirations has a long history, although the start of the bilateral relationship was not impressing. In August 1991, a few weeks before Ukraine actually declared its independence, US President George Bush delivered a speech in the Ukrainian parliament, where he cautioned the Ukrainians against "suicidal nationalism".[128] The speech, nicknamed the 'Chicken Kyiv' speech, did not, however, prevent the United States from recognising Ukraine's independence in December 1991.

US-Ukraine bilateral relations began to develop rapidly in early 1994 after the signing of the Trilateral Statement, which solved the problem of transferring the Ukrainian nuclear arsenal to Russia. American disappointment with Russia's performance at that time and the change of administration in Washington led to an initiation of a strategic review of US foreign policy, which further affected the US-Ukrainian relations positively. Many observers, notably Zbigniew Brzezinski, had come to the conclusion that the 'Russia first' policy, developed under the previous Bush administration, according to which the US relations to the other post-Soviet states were subordinated to the relations with Russia, had led to a 'Russia only' policy, which served the US interests badly. They called instead for expanded co-operation with Russia's post-Soviet neighbours, with a special position reserved for Ukraine.[129] By the second half of 1990s, the US-Ukraine relations had been elevated to the level of 'strategic partnership', with the US inspiring Ukraine to play a more assertive international and regional role, apparently with the purpose of balancing Russian dominance in the post-Soviet space.

The numerous mistakes by the Ukrainian side during Kuchma's second term led to stagnation in the US-Ukrainian relations. But the US never gave up totally on Ukraine. After the 'Orange Revolution', which was widely welcomed in Washington, the strategic level of the relations was immediately restored. The US put a lot of prestige into the creation of an Orange coalition after the parliamentary elections and when the coalition failed to materialise, Washington's disappointment was evident. In June 2006 President Bush cancelled his planned first-ever trip to Ukraine due to the inability to create an Orange coalition.

Although Washington would have preferred an Orange coalition, the result of the coalition-building process, ending, instead, with a government lead by Yanukovych and dominated by the PRU was accepted. In the view of the US, Ukraine remains a key ally in countering Russia's expansion in the energy

[128] In 2004, also on a visit to Kyiv, the ex-president insisted that his message had been misunderstood both by Ukrainians and the Western press. See *The Washington Time, 23 May 2004*.

[129] Dubovyk, Voldymyr (2006) 'U.S.-Ukraine Relations: The Long Road to Strategic Partnership', *PONARS Policy Memo*, No. 424, pp. 1-2.

sphere and the White House is likely to continue to support Ukraine towards Euro-Atlantic integration. An absolute majority of the political elites and influential expert circles in the United States would like to see Ukraine in the Alliance. Even more so, at a time when the EU is weakened by internal crisis, suffers from 'enlargement fatigue', and hence is not ready to take an active role in the post-Soviet region, and its dependence on Russian energy is growing.

On 18 November 2006, the US Senate unanimously endorsed an act that stated the need for admitting Georgia, Albania, Croatia and Macedonia to NATO and articulated the USA's readiness to support Ukraine's accession to NATO, given the Ukrainian party's wish to join that organisation.[130] The bill was initiated by several senators, including Republicans Richard Lugar, who is chairman of the Senate Foreign Relations Committee, and John McCain.

Despite its staunch support for Ukraine, which is of decisive importance for Ukraine's possibility of accession to NATO, there are, however, some signs of a 'Ukraine fatigue' creeping in Washington. The unfulfilled hopes surrounding the 'Orange Revolution', the endless infighting within Ukraine's elites, personal conflicts at senior level and disappointment in Yushchenko's lack of presidential leadership, may create a conviction that Ukraine is a hopeless case, regardless of who is in power in Kyiv and of what Washington does vis-à-vis Ukraine.[131]

'Old' vs. 'New' Europe

In January 2003, then US Secretary of Defence Donald Rumsfeld used the term "Old Europe" referring to the European countries that did not support the US invasion of Iraq, most notably France and Germany.[132] In contrast, those European states that supported the US over Iraq, mostly NATO applicant states of Central and Eastern Europe that were supposed to join NATO in 2004, were later called 'New Europe'.

Although Rumsfeld's reasoning had nothing to do with Ukraine, the division of 'old' and 'new' Europe has some relevance also when it comes to NATO members' opinion on an eventual Ukrainian NATO membership. The countries sceptical or rather uninterested towards Ukraine, particularly France, Germany, Italy, Spain and Portugal, have been putting special conditions for their support in offering MAP to Ukraine, e.g. the German Chancellor Angela Merkel, who inclined to support the Ukrainian MAP "if an effective democratic ('orange') coalition was formed".[133]

[130] *Ukrinform*, 19 November 2006, as presented at http://www.ukraine.be/news/actualit/a191106.html
[131] Dubovyk, Voldymyr (2006), p. 3.
[132] Wikipedia – the Free Encyklopedia (2006), *Old Europe*, http://en.wikipedia.org/wiki/Old_Europe
[133] Sushko, Oleksandr (2006b), p 3.

Since the accession of seven NATO members from Central and Eastern Europe in 2004, however, the centre of gravity within the Alliance has shifted to the east. Ten of the 26 NATO members – some 40 percent of the Alliance – now are former Communist states from Central and Eastern Europe. The experience and perspective of these members in many ways differ from that of the Western European members. These states give a much greater priority to developing closer relations with Ukraine, grounded in their greater understanding of Ukraine's communist and transitional experiences. Of course, they also share a closer geographical proximity with Ukraine.

'New' Europe sees Ukrainian membership in NATO and the EU as an important strategic priority, in contrast to many older Western European members of the alliance. Poland, as already mentioned, in particular has pushed for intensifying the Alliance's ties to Ukraine and integrating Ukraine into Euro-Atlantic institutions. To a large degree Lithuania, Slovakia, Hungary, the Czech Republic and Romania and others share this perspective.

Some may try to explain the hesitation of certain European states over Ukraine's potential membership with their increasing dependence of Russian energy. But paradoxically, some of the NATO countries most dependent on Russian energy, like Poland, Hungary, the Czech Republic and Slovakia, are also the most vocal supporters of a membership for Ukraine, while countries that rely on Russian energy import to a much lesser extent (France, Italy), or not at all (Spain, Portugal) also are some of the most negative.

The new NATO members are more pro-American than many West European members of the Alliance, except for the UK. Nations of Central and Eastern Europe see the United States as an important geo-political counterweight to the other larger European members of the Alliance and to Russia. After living for decades under Soviet domination, many of the new members are cautious about embracing Russia too warmly.[134] As a result, these nations take a more hard-nosed approach to efforts to develop a cooperative partnership with Russia, and are more eager to support Ukraine's Euro-Atlantic integration.

The key question is whether these pro-American feelings among the 'new' European nations will continue, or if they, as these states become more prosperous and integrated into the EU, will forget their former communist hardships and become more like the 'old' European states, and not give security and relations with the United States the same high priority as before. Although the US continues to insist on a membership for Ukraine, it will then have more

[134] Larrabee, Stephen, F. (2003) ''Old Europe' and the new NATO', RAND, http://www.rand.org/commentary/021803SDUT.html

difficulties in persuading many of its European allies, who are disturbed by the situation in Ukraine and by Russia's tough position.

Russia's View on a Ukrainian NATO Membership

> We remain convinced that the inertial expansion [of NATO] does not have any just reason and does not promote the strengthening of security in any of the states entering NATO, the organisation itself or, of course, Russia. In other words, NATO expansion is a huge mistake by those who invented and implemented it.[135]

Russia has constantly opposed NATO's enlargement by using the argument that the Cold War is over, that NATO's enlargements are unnecessary and do not provide any security to Europe. Russia instead proposed a strengthening of the Organization for Security and Cooperation in Europe (OSCE) as the main security-building organisation for all of Europe. In early 1997, when it stood clear that NATO would decide to enlarge and include three former Warsaw Pact members states, despite the fierce Russian anti-enlargement campaign, the Kremlin finally realised it could not prevent NATO from enlarging. Russia therefore accepted to sign the Founding Act on Mutual Relations, Co-operation and Security with the Alliance, in order to make the consequences of the enlargement less serious for Russia.

Nevertheless, many Russians felt 'betrayed' by NATO's expansion. In their view, the West took advantage of Russia's weakness during the years following the dissolution of the Soviet Union, and humiliated Russia in ways like the Allies' treated the defeated Germany after the First World War.

Soon after the first phase of NATO's post-Cold War eastern enlargement in 1999, it stood clear that the next enlargement round would possibly include at least one, or maybe all, of the three Baltic States. Apart from hurting Russia's prestige, this enlargement into post-Soviet territory was seen as increasing the military threat near Russia's own borders and resulting in the encirclement of the Kaliningrad region.

At first, suspicions that Russia's negative approach towards membership of the three former Baltic Soviet republics into NATO would be much stronger than in the case of the Central-Eastern European countries were confirmed. But the détente between Russia and the US after 9/11 and the creation of the NATO-Russia Council in 2002 changed this situation. Although the Russian leadership would have preferred some alternative to a NATO expansion, Putin was pragmatic enough to realise that Russia could still do little to prevent it. Since Russia, at that time, possessed no political, financial and military means to hinder NATO enlargement, it was better to acquiesce rather than re-enter into

[135] *Krasnaya Zvezda*, 12 December 2006.

exhausting confrontation with few chances of success.[136] As a result, Russia took no military counter-measures and maintained its exchange with NATO. However, Russia did not change its basic opinion and still did not see the point why NATO had to enlarge.

Since the enlargement of NATO to Estonia, Latvia and Lithuania, major elements of Russia's own perception has changed. Compared to the end of the 1990s or even during the first years of the Putin's presidency, Russia has now obtained a new feeling of self-confidence in its foreign policy. As an example, the Foreign Policy Concept of the Russian Federation in 2000 stated that the top priority of Russian foreign policy was to "to create favourable external conditions for steady development of Russia, for improving its economy, enhancing the standards of living of the population, successfully carrying out democratic transformations, strengthening the basis of the constitutional system and observing individual rights and freedoms".[137] In other words, Russia's foreign policy was subordinated to domestic imperatives.

Five years later, this was no longer the case. In his annual address to the Federal Assembly in 2005, the President instead claimed that it was "certain that Russia should continue its civilising mission on the European continent".[138] It was obvious that Putin saw the CIS as the logical area for this "historical mission", representing an area of rather unstable or weak states, with serious problems threatening to spill over to Russia, and susceptible to Russian pressure.[139] Still these states also offered potential profits for Russia, as Western involvement was relatively small.

This "civilising mission" of Russia was explained already in 2003 when Mikhail Margelov, chairman of the Foreign Affairs Committee of the Federation Council, claimed that Russia, being probably the most democratic country in the post-Soviet space, had "every right to seek international support in its attempts to settle conflicts there". In the same year and in a similar vein, Anatolii Chubais, leader of one of the Russian liberal parties, wanted to see Russia as a "liberal empire" with democracy and private ownership, which as the strongest state in the CIS, it had a mission to take the lead. This should be done by supporting Russian minorities and Russian business, without violating

[136] Hedenskog, Jakob (2002), 'The Evolution of relations between Russia, Belarus and Ukraine in the light of the NATO and EU enlargements', Moshes, Arkady and Nygren, Bertil, (eds.), p. 41.
[137] Federation of American Scientists (2000), *The Foreign Policy Concept of the Russian Federation, Approved by the President of the Russian Federation V. Putin, June 28, 2000*, http://www.fas.org/nuke/guide/russia/doctrine/econcept.htm
[138] President of Russia (2005) *Poslaniie Federalnomy Sobraniiu Rossiiskoi Federatsii, 25 Aprelia 2005*, http://www.kremlin.ru/appears/2005/04/25/1223_type63372type63374type82634_87049.shtml
[139] MacFarlane, S. Neil (2003) 'Russian policy in the CIS under Putin', Gorodetsky, Gabriel (ed.), *Russia Between Eats and West*, London and Portland, Or.: Frank Cass, pp. 128 ff.

international laws and territorial integrity "as the USA does", in the words of Chubais.[140] Since then Russia's great power ambitions have strengthened substantially, although after the 'coloured revolutions' in Georgia 2003 and Ukraine 2004, the emphasis on 'democracy' seems to have been replaced by more traditional great-power ambitions and emphasis on hard security.

The new assertiveness of Russian foreign policy during Putin's second term has several explanations. One is the steady growth of the Russian economy due to high prices of oil and gas, making it possible for Russia to act more self-consciously on the foreign policy scene. Over the last years, Russian GDP has grown more than seven per cent on an annual basis with an annual income from the energy export at around $US50 to $US60 billion.[141] Today, much fewer people than in the 1990s seriously question Russia's membership in Group of 8 (G8), especially not after Russia held the G8 Presidency in 2006.

Another factor is that the Russian regime under Putin does not feel challenged in domestic politics anymore. Since the 2003 Parliamentary elections, the pro-presidential party 'United Russia' (*Yedinaya Rossiya*) completely dominates the State Duma. There is no urgent threat anymore either of a communist revenge or an oligarch-led opposition, as in the 1990s. By building the image, instead, of a Russia under siege from Islamic terrorists and Western-inspired 'coloured revolutionaries', the Kremlin manages to rally everybody around the existing authorities.

A third factor is that international politics in recent years have played in Russia's hands. The US is overstrained by engagements in Iraq and Afghanistan and the war against terror, and the potentially explosive crises concerning the nuclear programmes of Iran and North Korea. The EU is still in an existential crisis over the failed process of adopting a European constitution and by enlargement fatigue after the big enlargement of 2004, when ten new members joined the Union. Russia plays on the EU's disunity and inability to act with a common voice and uses its influence in Iran and North Korea to balance the US.

A fourth factor is Chechnya. Russia is no longer feeling the urgent threat from secessionist movements spreading from the Chechen republic. That has made Russia less hesitant to openly support pro-Russian separatism around in the CIS, particularly in the 'frozen' conflicts of Transnistria (Moldova) and Abkhazia and South Ossetia (Georgia).[142] Concerning Ukraine, the new assertiveness in

[140] Hedenskog, Jakob et al. (2005), pp. 346-347.
[141] Leijonhielm, Jan et al. (2005), *Rysk militär förmåga i ett tioårsperspektiv – problem och trender 2005*, Stockholm: Swedish Defence Research Agency, FOI-R—1662—SE, June, p 100.
[142] Popescu, Nicu (2006) 'Outsourcing' *de facto* Statehood. Russia and the Secessionist Entities in Georgia and Moldova, *CEPS Policy brief*, Centre for European Policy Studies, No. 109, July, pp.3-4.

Russian foreign policy has been evident in Russia's flagrant involvement in Ukrainian internal politics, particularly in the open support for Yanukovych during the Presidential elections in 2004, in using the 'gas weapon' in 2005-2006, and in the open support to the anti-NATO actions in Crimea in 2006.

Possible Russian Measures against a Ukrainian NATO Membership

Russian arguments against a Ukrainian accession to NATO are usually based either on strategic, economic or emotional concerns. Definitively, many in Russia would consider a Ukrainian NATO membership as a threat to Russia's strategic interests. The first post-Cold War enlargement to the former Warsaw Pact states was accepted, the second into the territory of the former Soviet Union as well. But an enlargement to Ukraine is a completely different thing, something which would be almost impossible to accept for many Russians. As NATO is still seen as a potential military threat to Russia, an enlargement to Ukraine would be considered as an act of hostility by the Alliance, in practice almost like occupation of Russian territory, which would seriously risk deteriorating the relations with Russia. This is an attitude which is not only rooted in the Kremlin, but in the Russian society at large.

Besides these strategic concerns, a Ukrainian NATO membership would have serious impact on the economic relationship between Russia and Ukraine. As expressed by Viktor Chernomyrdin, Russian ambassador to Ukraine, Russia does not want Ukraine to change "from being a country of the near abroad to a country of the far abroad".[143] The economic interdependence between Russia and Ukraine is felt in many branches, for instance in the defence industry. Over the past years and more so after the 'Orange Revolution', Russia has therefore tried to reduce its co-operation and dependence on Ukrainian defence industry, in order to make a potential Ukrainian NATO membership less damaging for its own defence industry. Today, Ukraine is more dependent on the co-operation with the Russian defence industry than Russia is on the Ukrainian. For instance over 80 per cent of the production from the 'Motor Sich' Company in Zaporizhia, which produces air craft engines, goes to the Russian market.[144] The economic argument is, therefore, often used by Russian officials to convince their Ukrainian colleagues on the risks of a NATO membership, as well as by NATO sceptics within Ukraine, who are concerned by the consequences for the national defence industry.

Putting the rational strategic and economic arguments aside, there are still very strong Russian emotional feelings against a Ukrainian NATO membership.

[143] *Den*, 14 November 2006.
[144] Simakov, Roman (2006),'NATO pomozhet Kievu',
http://www.oborona.ru/article/id=3002905&category=3526&printable

Ukraine, for many in Russia, is still historically and culturally part of Russia. Strong elements of imperial thinking, especially regarding Sevastopol and Crimea, the Ukrainian supremacy of which is questioned both in Russia and by Russian nationalists on the spot, make it difficult for both the elite and people in general to understand and accept the desire within Ukraine to become member of NATO.

Russia has many means of influence in order to obstruct Ukraine's further drift towards NATO. One frequently used option is making Ukraine unstable by using Russia's domination in the energy sphere, i.e. to stop gas subsidies, as was done in January 2006, or to impose Russian ownership onto the Ukrainian gas transit network. During Kuchma's presidency, Russia proposed the idea of creating a gas consortium with Russian and Ukrainian joint ownership of the gas transit network with the possibility for involvement of German interests, as well. This proposal re-emerged since Yanukovych returned to the post of Prime Minister in 2006, but has not come closer to being realised. As controlling the gas transit network remains the only important instrument for Ukraine to balance Russia's domination in the energy sphere, there is a broad consensus within the country not to give up the national control of it. In May 2006, Chernomyrdin said that Russia may agree to lower natural gas prices for Ukraine if the country scales down its pro-Western foreign policy.[145] The Russian ambassador's comment was the first made by a Russian official suggesting that the hikes in gas prices had been politically motivated apparently to punish Ukraine for seeking closer ties with the West.

Russia can also maintain and probably also impose new trade restrictions on Ukraine. In January 2006, for instance, Russia imposed a ban on all Ukrainian live stock products, which had a tremendously negative effect on the Ukrainian beef and pork sectors. The official reason for the ban was the Russian veterinary authority's claim that Ukraine had failed to implement sufficient controls over imported meat products and that the quality in Ukrainian dairy products was generally low.[146] Furthermore, in November 2006, Russian officials threatened to re-introduce an import ban on wine from Ukraine. The official reason this time was that Russia suspected Ukrainian producers of bottling wine from Moldova, at that time under a wine import ban to Russia, and passing it on as 'made-in-Ukraine'.[147] As both Ukraine and Russia are moving closer to be members of the WTO, however, the option to use these kinds of measures are likely to diminish.

[145] *Ukrainian Journal*, 30 May 2006.
[146] USDA Foreign Agricultural Service (2006) 'Ukraine Livestock and Products Country Report 2006', *GAIN Report,* No. UP6014, http://www.fas.usda.gov/gainfiles/200608/146208771.pdf
[147] Channel 5 (2006) *Russia threatening ban on Ukrainian wine, again*, http://5tv.com.ua/eng/newsline/251/80/33753/

Another way for Russia of acting as a difficult neighbour in order to hinder Ukraine's drift to NATO might be to continue to hamper the border demarcation in the Sea of Azov, or to instigate anti-NATO opinion in Ukraine. In 2006, the hands of Russia's security services were strongly suspected of orchestrating the two large and well-organised anti-NATO protests in 2006 in Crimea. Apart from the protests in May and June in Feodosiia against the 'Sea Breeze 2006' exercise; in December 2006 the Communist Party of Ukraine organised a criticized 'People's Referendum', in Crimea, which showed that more than 98 per cent were against the president's policy on NATO.[148] Delaying the Russian Black Sea Fleet's scheduled move from Sevastopol in 2017 to a new naval base in Novorossiisk could be another way of hindering Ukraine's NATO ambitions in the future.

An invitation to Ukraine to join NATO would probably influence the relations between Russia and the West in a highly negative way. According to the most likely scenario, Russia would not accept the new situation as a *fait accompli* but continue to use its power of influencing Ukraine in order to hamper practical integration and to weaken NATO from the inside. Russia would then possibly strive to compensate for its perceived worsened geo-strategic situation after an enlargement to Ukraine (and possibly at the same time to Georgia and Moldova). Likely measures for Russia in the western direction could be putting more efforts behind the military integration within the Belarus-Russia Union State. Similar measures are also likely within the Collective Security Treaty Organisation (CSTO) and the Shanghai Co-operation Organisation (SCO), which includes China, to serve as platforms for Russia's security policy. Obstructions and withdrawal from disarmament agreements (the INF Treaty, for instance), proliferation of know-how and export of arms to so-called rougue states in order to oppose the US hegemony could become more common.

Compared to the time of the first two post-Cold War enlargement rounds Russia now has more options to split the Western powers. By using Europe's increasing dependence on Russian energy, Russia is likely to intensify contacts with Germany, France and Italy in order to weaken Europe and the transatlantic axis. New tensions and competition within the EU and NATO could deepen and be further exploited by Russia.

But perhaps the most serious consequences of the potentially worsened relations between Russia and the West, following an enlargement of NATO to Ukraine, would be for the Russian society itself. The year 2006 saw an acceleration of the negative trend in Russian democracy, visible over the last years, with restrictions imposed on activities of NGOs, deportation from Russia of ethnic

[148] *Ukrainian Journal*, 18 December 2006.

Georgians, and the murder of the regime-critical journalist Anna Politkovskaya. Both the murder of Politkovskaya and the bizarre affair with the fatal poisoning of Aleksandr Litvinenko, a former FSB agent, in London in December 2006 have been interpreted in Russia as 'anti-Russian provocations' arranged by the West. Nationalistic feelings of betrayal and humiliation, driven by an enlargement of NATO in the post-Soviet area, may further serve as ground for a regime based on revanchism and xenophobia in Russia. As the situation after 2008, when President Putin's second and constitutionally final period ends, is still very much shrouded in mystery, this scenario cannot be excluded.

A less tense, but today also less likely, scenario than the one described above would be one where Russia, like in the previous two enlargement rounds in Central and Eastern Europe, accepts the enlargement to Ukraine as irreversible and does not see the enlargement as a zero-sum game, where Russia loses influence vis-à-vis of the West. Russia could then instead concentrate on the co-operation with NATO and the EU potentially with increased integration and thereby positive effects for the Russian society.

Conclusions

Ukraine has over the past ten years developed a very close partnership with NATO. Key areas of consultation and co-operation include peacekeeping operations, defence and security sector reform, military-to-military co-operation, armaments, civil emergency planning, and scientific and environmental co-operation. NATO's engagement serves two vital purposes for Ukraine. First, it enhances Ukraine's long-term security and serves as a guarantee for the the country's independence; and second, it promotes and encourages democratic institutionalisation and spreading of democratic norms and values.

NATO's door remains open for Ukraine and the future development of Ukraine's integration depends on three internal factors and one external factor. The three former are: 1) Ukraine's correspondence to the standards of NATO membership; 2) the political determination of the Ukrainian leadership, and; 3) an effective mobilisation of public opinion on NATO membership. The external factor is a neutralisation of the 'Russian factor', which is seriously hampering Ukraine's Euro-Atlantic integration.

Ukraine's Correspondence to the Standards of NATO Membership

This study shows that Ukraine is rather well on the road towards meeting the standards for NATO membership. According to the first requirement, to become a member of NATO aspirants have *to demonstrate a functioning democratic, political system and market economy*. Since the 'Orange Revolution' Ukraine has made notable progress in consolidation and building of its democratic and electoral institutions. In doing so, the country has benefited from more than a decade of support from NATO, the EU, the United States and NGOs, the rise of a middle class, and the new critical Internet-based media.[149] The last parliamentary elections were generally considered free and fair and conducted within the standards of the OSCE. In 2005-2006, Ukraine was also granted market economy status by both the EU and the US.

Despite these improvements, Ukraine still lags behind all NATO member states in the ranking on press freedom and corruption (see table 3). There is a substantial gap not only to long-time established NATO members, but also to new members of Central and Eastern Europe, the only exceptions being Turkey (in terms of press freedom) and Romania (in terms of corruption). Ukraine comes ahead a NATO country only in one case, namely Freedom House's 'Freedom in the World' ranking 2006, where Ukraine (Free) in 2006 improved its status and left Turkey (Partly free) behind.

[149] Sanders, Deborah (2006) p. 24.

Table 3: Levels of democracy, press freedom and corruption – a comparison between Ukraine, MAP countries and NATO members

Country	**Freedom House** (Democracy/Press freedom)	**Reporters without Borders** (Press freedom)	**Transparency International** (Corruption)
Albania	Partly free/Partly free	80	111
Belgium	Free/Free	14	20
Bulgaria	Free/Partly free	35	57
Canada	Free/Free	16	14
Croatia	Free/Partly free	53	69
Czech Republic	Free/Free	5	46
Denmark	Free/Free	19	4
Estonia	Free/Free	6	24
France	Free/Free	35	18
Germany	Free/Free	20	16
Greece	Free/Free	32	54
Hungary	Free/Free	10	41
Iceland	Free/Free	1	1
Italy	Free/Partly free	40	45
Latvia	Free/Free	10	49
Lithuania	Free/Free	27	46
Luxembourg	Free/Free	Not surveyed	11
Macedonia	Partly free/Partly free	45	105
Netherlands	Free/Free	1	9
Norway	Free/Free	6	8
Poland	Free/Free	58	61
Portugal	Free/Free	10	26
Romania	Free/Partly free	58	84
Slovakia	Free/Free	8	49
Slovenia	Free/Free	10	28
Spain	Free/Free	41	23
Turkey	Partly free/Partly free	98	60
Ukraine	**Free/Partly free**	**105**	**99**
United Kingdom	Free/Free	27	11
United States	Free/Free	53	20

Sources: Freedom House: 'Freedom in the World 2006'/'Freedom of the Press 2006', www.freedomhouse.org; Reporters without Borders, 'Worldwide Press Freedom Index 2006', www.rsf.org; Transparency International, 'Corruption Perception Index 2006', www.transparency.org

Not that the table is static and does not show changes over time. Ukraine is not yet a NATO candidate. If reforms continue in the same way as since 2005, Ukraine may in a few years time have reached the same level of democracy, press freedom and corruption as most of the NATO members today. A more fair

and also more favourable comparison for Ukraine would be to compare its rankings with those countries that have joined the MAP, but are still not members of NATO, i.e. Albania, Croatia and Macedonia. In this company, Ukraine's results come in a much better light, as both Albania and Macedonia are considered to be less democratic and more corrupt. One reasonable conclusion from the comparison seems to be that a prospective membership in NATO (and the EU) serves as a good inspiration for governments to improve democratic standards in their countries.

The second requirement is that the candidate state *should pay respect for persons belonging to national minorities in accordance with OSCE standards*. This study shows that Ukraine, despite some obvious deficiencies, has come a long way to meeting the OSCE standards in protection of minorities. The biggest problem remains the inter-ethnic relations in Crimea and the integration of Crimean Tatars into Ukrainian society, where problems still remain particularly in the areas of housing, infrastructure, employment and education as well as with regard to the land property rights of Crimean Tatars.[150] Nevertheless, Ukraine has definitively a better overall record in this respect than has, for instance, the long-time NATO member Turkey.

Since the early 20th century, Turkey has practiced a policy of 'Turkification', a form of assimilation that fails to recognize individuals' rights to ethnic, national, and religious self-identification and aiming at forced assimilation with the Turkish majority. According to a report from the International Helsinki Federation for Human Rights, these strategies still include denying formal recognition of minority groups; hindering their access to the media; limiting their political participation; violating their freedom of expression (especially in their own language); impeding their freedom of religion; refraining from facilitating their freedom of movement and choosing their place of residence; and practicing or tolerating various forms of direct and indirect discrimination.[151]

The third requirement is that the country has *resolved all outstanding disputes with neighbours and a commitment to the peaceful settlement of disputes generally*. As shown in the report, Ukraine has been very successful in achieving good-neighbourly relations with its western neighbours (Poland, Slovakia and Hungary). With Romania, there still is the unresolved question regarding the

[150] Organization for Security and Co-operation in Europe (2006) *Statement by Rolf Ekéus, OSCE High Commissioner on National Minorities, to the 639th Plenary Meeting of the OSCE Permanent Council*, http://www1.osce.org/documents/hcnm/2006/11/22644_en.pdf, p. 2.
[151] International Helsinki Committee Federation for Human Rights (2006) *Turkey: A minority Policy of systematic Negation*, October, http://www.ihf-hr.org/documents/-doc_summary.php?sec_id=3&d_id=4318, p, 1.

delimitation of the continental shelf around the Serpent Island, but there are good possibilities this issue will be solved in 2007. More serious are the un-ratified border agreement with Belarus and the un-demarcated borders with Russia and Belarus. However, it is rather clear that Russia and Belarus use a non-solution in the border question as a means of hampering Ukraine's integration in the Euro-Atlantic structures.

Russia used the same tactic when it refused to sign border agreements with Estonia and Latvia and to ratify President Yeltsin's border treaty with Lithuania from 1997 in order to prevent these countries accession to NATO. Russia also intensified its campaign against the 'discrimination' against the Russian-speaking minorities in Estonia and Latvia. The Russian military and the nationalists threatened to strengthen Russia's military positions in the Baltic region. Russia did not fully normalise its relations with Estonia and Latvia even after these measures had failed to prevent them from joining NATO, but continued to refuse to sign border treaties with them as well as attacking their minority policies. An exception was made for Lithuania, whose border treaty was ratified by the Russian State Duma in May 2003.[152] Even if these measures in the end did not prevent the Baltic States from joining NATO, the question remains whether Russia's renewed strength in the last years may make the strategy more successful in preventing possible future enlargements of NATO.

The fourth requirement is that the candidate *has the ability and willingness to make a military contribution to the Alliance and achieve interoperability with other member states' forces*. Also in this respect, Ukraine comes out rather favourably even among NATO members. Ukraine has already today definitively more capabilities with which it can contribute to NATO's military strength than the smaller members of Central and Eastern Europe, excepting Poland, which have joined the Alliance in recent years. Ukraine has since 2000 successfully been participating in the PARP in order to strengthen interoperability and co-operates with NATO in the area of defence reform. It is a frequent participant in exercises in the PfP Programme and 'In the spirit of PfP', many of which are taken place in Ukraine. It has contributed for many years to peacekeeping operations under NATO command in the Balkans and has supported NATO in Afghanistan with strategic airlift. From 2007, Ukraine will contribute to Operation Active Endeavour, the Alliance's counter-terrorism operation in the Mediterranean.

The fifth and last requirement is that the candidate *must have developed proper functioning of civil-military relations in line with democratic standards*. By supervising security and defence sectors, especially intelligence, civil society

[152] Oldberg, Ingmar (2005) 'Foreign policy priorities under Putin: A tour d'horizon', Hedenskog et al., p. 35.

has the ability to limit influence from the interests of doubtful finance, oligarchs and a corrupt security service. According to a study from 2003 comparing parliamentary oversight over defence in Ukraine, Hungary, Poland and Russia, the two post-Soviet states showed much weaker results compared to the Central European ones. In both Ukraine and Russia, the trend towards increasing centralisation around the president, at that time, did not inspire confidence that the influence of parliament would improve much in the near future.[153] But after the 'Orange Revolution', Ukraine began to leave the Russian path of extremely strong presidential control and steer towards a parliamentary-presidential system more in line with the European states. This has led to the result that parliament has strengthened its ability of oversight of the defence budget and as a result transparency has improved in the defence sector in recent years, but perhaps not yet to the level of Central European states.

The overview above shows that Ukraine has made substantial progress in reaching the standards for NATO membership. Most notable progress has perhaps been made in the sphere of military contribution and operability. Many good results have also been made in reaching the standards in neighbour relations and minority rights. However, substantially more work has to be made in reaching NATO standard in the democracy related area, which means developing democracy and functioning civil-military relations in line with democratic standards. Thus, the 'Orange Revolution' has not changed the basic impression from the Kuchma era that Ukraine has more problems with the soft aspects than with the hard aspects of the integration in NATO.

But, as shown in the example with the situation of minority rights in Turkey, these requirements are not fixed criteria, which have to be formally fulfilled before the candidate is accepted as a member. The decision of inviting new members to NATO is most of all a *political* decision, which takes other circumstances into consideration as well. These circumstances are, for instance, the political determination of the Ukrainian political leadership, the opinion within Ukraine and the opinion within NATO. Of course, a critical factor is Russia's position, which influences all these aspects.

The Political Determination of the Ukrainian Leadership

The absence of a national consensus and lack of political will and strategic management at the level of state administration seriously hamper an effective implementation of Ukraine's Euro-Atlantic course.

[153] Betz, David (2003) *Comparing Frameworks of Parliamentary Oversight: Hungary, Poland, Russia, Ukraine*, Geneva: The Geneva Centre for Democratic Control of Armed Forces (DCAF), Working Paper no. 115, p. 21.

First, *the absence of national consensus and consolidation of political forces and society* is evident to everyone. There is no consensus around the question on a Ukrainian NATO membership within the political elite, but rather contradicting positions at the President-Parliament-Cabinet level, which makes the signals on Ukraine's intentions rather difficult for NATO to interpret. The autumn of 2006 witnessed a clash over the conduct of foreign policy particularly between the president, who pushes for NATO membership, and the prime minister, who supports a prolonged co-operation but for the moment not membership. At the time of writing, it seems to be extremely hard to find a compromise, and one way of trying to solve the crisis for the president could be to dismiss the parliament and call for early elections.

However, the risk is that early elections would not solve the crisis at all, but rather add new conflicts to the ones already existing. There is no consensus on the NATO question, either among the Orange parties or within the existing government coalition. Even the biggest party, the Party of Regions of Ukraine, has during the last four years changed its position three times on the NATO issue from support for NATO membership (2002-2004), to outright hostility to anything to do with NATO (2005-2006), to backing for co-operation after returning to government in 2006.

Early elections would probably result in a further marginalisation of the influence of Yushchenko and 'Our Ukraine'. The continued weakening of the divided pro-presidential party may result in a split, where the die-hard 'orange' supporters may join BYuT and most of the party's 'business wing' may join the PRU. The left, SPU and KPU, are both close to the three per cent threshold and will have small chances of being elected to the next parliament unless a new, or rather reunited, left party is formed. This development would result in a two or three-party system developing in Ukraine with PRU and BYuT as main alternatives. Without the anti-NATO parties SPU and KPU in parliament there will, formally, be a broader support for Euro-Atlantic integration in the Rada. But with a reduced 'Our Ukraine', no other of the more populist BYuT or PRU would be serious in pushing for NATO membership. Therefore, there are few chances today that the next Rada would be more supportive of NATO membership than the previous one.

Secondly, *the lack of political will and strategic managements at the level of state administration* was evident under the Orange governments, both the one led by Tymoshenko and by Yekhanurov. The Orange camp's biggest mistake was to not exploit the window of opportunity of 2005, between the 'Orange Revolution' and 1 January 2006, before the amendments of the constitution were implemented. Instead of using the opportunity to implement the President's election programme and organise a public information campaign on NATO, the

Orange forces fought each other and put in all their efforts to secure a majority in the parliamentary elections, which did not succeed. Further, the hesitant and unconvincing stance of the Ukrainian president during the talks of forming a renewed Orange government after the elections, the signing of the Declaration of National Unity, and the formation of the 'Anti-Crisis Coalition' in the parliament of parties opposed to Ukraine joining NATO lead to the suspension of the Euro-Atlantic course.

Effective Mobilisation of Public Opinion on NATO Membership

In a situation where the majority of the deputies in the Verkhovna Rada are against membership in NATO, a referendum on the issue is inevitable. A referendum in Ukraine may also be launched on a popular initiative if demanded by no less than three million of citizens of Ukraine, who are entitled to vote in a referendum.[154] Yushchenko is not interested in a quick referendum, since the result would most definitively be 'no'. Yanukovych would probably also not like the idea of a quick referendum. However, if Yushchenko insists on a referendum on revising the constitutional reform, the PRU would likely try to add two other questions to the referendum, namely the one on NATO membership and the one giving Russian status as a state language.

No matter when the ideas of a referendum will materialise, a 'no' will probably not bury the idea of a NATO membership forever, but rather postpone it indefinitely. More seriously, a rejection from the voters of Ukraine in a referendum would definitively strengthen the doubts within NATO about the seriousness of Ukraine's NATO aspirations.

Today, only some 20 per cent of the Ukrainian population support an accession to NATO. Nevertheless, Yanukovych's argument on that joining the MAP is impossible due to having low public support of Ukraine's membership in NATO is irrelevant, because the MAP itself includes political instruments aimed at changing negative trends of public opinion. This was evidenced by analyses of the MAP's contents carried during 1999-2002 by Slovakia, Slovenia, Bulgaria and other countries that found too low public support of NATO membership. For instance, public support of NATO membership in Slovenia and Slovakia in 1999 did not exceed over 35 per cent. In order to overcome the existing problems, Slovak and Slovenian governments used funds to launch an informational campaign, which by the time of invitation for membership in 2002 had raised the level of support for NATO membership to over 60 per cent.[155] How fast opinions may shift is also evident in the case of Serbia. In 2002, a poll

[154] Legislation on Line (2006), *Law of Ukraine on All-Ukrainian and Local Referendums, 1991*, http://www.legislationline.org/legislation.php?tid=81&lid=6067&less=false
[155] Sushko, Oleksandr (2006b) p 4.

conducted in Serbia and Montenegro showed that a substantial majority (75%) of the respondents supported membership in PfP and 12 per cent even considered it necessary to prepare for joining NATO.[156] These figures are not negligible bearing in mind the memories of NATO's armed intervention in Yugoslavia only three years before.

The Russian Factor

The period of presidential and parliamentary elections in 2004-2006 saw a stepping up in the activity of Russia's efforts to hold Ukraine in its sphere of influence using mainly economic leverage. Russia's goal is to increase the divide in Ukraine and to create an antagonistic atmosphere between NATO and the Ukrainian people. Russia wants a weak and controllable Ukraine, and in this, the Kremlin is helped by the lack of an overall political strategy in Ukraine. The lack in Ukraine of consensus regarding the relations to Russia as well as regarding positions towards NATO/EU increases Russia's opportunities to influence Ukraine.

Ukraine's relations with Russia will most likely remain problematic also in the foreseeable future. Although Ukraine has postponed the goal of NATO membership indefinitely, the political development the country has undergone in recent years has caused increased antagonism with Russia. If Ukraine manages to build a society modelled on Western values, the country will continue to drift away from the Russian sphere of influence. A Ukraine with a strong and lively civil society would not compatible with a more regime-controlled development in Russia. This development may continue even if Ukraine does not join NATO and/or the EU. At the same time, there is a risk of a social development more influenced by Russia if Ukraine is not integrated further into Western institutions.

Ukraine and NATO: Deadlock or Re-start?

Ukraine's opportunity to be invited into the MAP at the Riga summit in November 2006 was missed due to the inability to create a pro-Western government after the parliamentary elections. But even if the NATO membership process is formally continuing today, its practical results – at least under the government led by Yanukovych – will be reflected more in the reformation of Ukraine's Armed Forces and mutually profitable military-technical co-operation, than in political engagement.

[156] Timotić, Milorad (2002) *Public Opinion on security and defence issues in Serbia and Montenegro*, Geneva: The Geneva Centre for Democratic Control of Armed Forces (DCAF), http://www.dcaf.ch/milsoc/ev_prague_02_vlachova_timotic.pdf, p. 204.

Yanukovych and his Donetsk people are most of all businessmen and they act in a way, favourable to their business. On one hand, the steel sector and the chemical industry, both largely controlled by Donetsk business' interests, depend on prices for Russian natural gas, which makes it favourable to prefer close relations to Russia. As long as the Donetsk business' interests are directed mostly towards the East they will, therefore, prefer a close partnership with Russia rather than a membership in NATO. But, on the other hand, the PRU is also nationalistic in economic policy and the leading Donetsk oligarchs fear the competition from far more wealthy business interests in Russia. Therefore, as Ukraine's economy gets more integrated into the European economy and Ukraine manages to diversify its energy sources away from Russia, a shift of preferences to membership in NATO is also likely to come.

Although Ukraine's integration into NATO today has not reached a total deadlock, it may take some time before it can re-start again. Yanukovych is not likely to shift to supporting NATO membership as long as Putin is president of Russia. Therefore, nothing of importance will probably happen before the Russian presidential elections in 2008. Furthermore, the question of NATO membership will probably not return to the domestic agenda before the next Ukrainian presidential elections 2009, but it can take even longer. The NATO question may even develop the same time perspective as the EU membership for Ukraine, which means that it is to be counted more in decades than in years.

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