The Crimea: Europe's Next Flashpoint?

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СЕВАСТОПОЛЬ

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November 2010

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Origins

Launched in 1984 by its founder William Geimer, The Jamestown Foundation has emerged as one of the leading providers of research and analysis on conflict and instability in Eurasia. The Jamestown Foundation has rapidly grown to become one of the leading sources of information on Eurasia, developing a global network of analytical expertise from the Baltic to the Horn of Africa. This core of intellectual talent includes former high-ranking government officials, journalists, research analysts, scholars and economists. Their insight contributes significantly to helping policymakers around the world understand the emerging trends and developments in many of the world's underreported conflict zones in Eurasia.

Acronyms:

CIS: Commonwealth of Independent States

EU: European Union

FSB: Federal Security Service (Russia)

GRU: Directorate on Military Intelligence (Russia)

GUAM: Georgia-Ukraine-Azerbaijan-Moldova (regional organization)

MAP: Membership Action Plan (NATO)

MVS: Ministry of Interior (Ukraine)

NATO: North Atlantic Treaty Organization

NDP: Peoples Democratic Party (Ukraine)
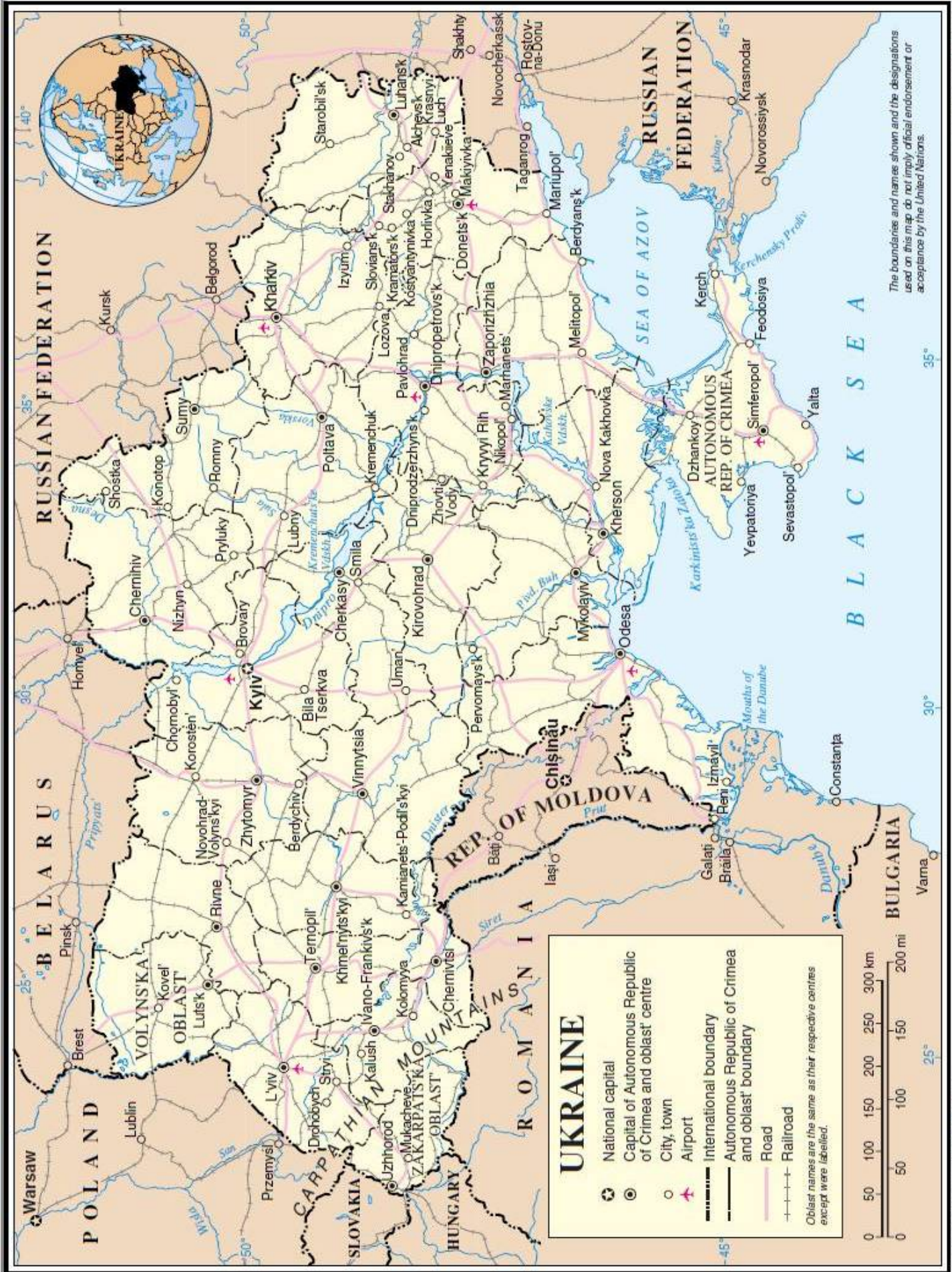
NRBO: National Security and Defense Council (Ukraine)

PfP: Partnership for Peace (NATO)

SBU: Security Service of Ukraine

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This Jamestown Foundation Report on the Crimea is divided into nine sections. The first and second sections present the Executive Summary and Key Findings in the report. The third section explores the Crimean conundrum. The fourth analyzes the Ukrainian-Georgian relationship, Ukraine's response to the 2008 Russian invasion of Georgia and Russia's de facto annexation of two separatist enclaves. The fifth section surveys Russia's territorial claims over the Crimea and the port of Sevastopol within the context of Ukraine perceived by Russia as an allegedly "fragile," "artificial" and "failed" state. The sixth section analyzes Russia's attempts to revive its great power status in the Eurasian region and how this policy affects Ukrainian-Russian relations. The seventh section investigates Ukraine's security options in the domestic and international spheres in light of the 2008 Russian invasion of Georgia and Russian territorial claims over the Crimea. The eighth section investigates the possibility of resetting Ukrainian-Russian relations following Yanukovych's election and how this may impact the Crimea through three potential scenarios: disenchantment with Russia, accidental conflict and removal by the opposition. Lastly, the ninth section provides concluding observations to what has earlier been discussed in the Jamestown Foundation report.

UKRAINE

- ✪ National capital
- ◉ Capital of Autonomous Republic of Crimea and oblast centre
- ○ City, town
- ✈ Airport
- ▪▪▪ International boundary
- ▪▪▪ Autonomous Republic of Crimea and oblast' boundary
- —— Road
- ++++ Railroad

Oblast names are the same as their respective centres except where labelled.

| 0 | 50 | 100 | 150 | 200 | 250 | 300 km |
| 0 | 50 | 100 | 150 | 200 mi |

POLAND

BELARUS

RUSSIAN FEDERATION

Warsaw

Lublin

Brest

Pinsk

Przemyśl

Homyel'

Chornobyl'

Korosten'

Kovel'

Luts'k

VOLYNS'KA OBLAST'

Rivne

Novohrad-Volyns'kyi

Zhytomyr

Berdychiv

Kyiv

Brovary

Chernihiv

Nizhyn

Konotop

Shostka

Sumy

Kursk

Belgorod

Kharkiv

Starobil'sk

Luhansk

Akhtyrka

Krasnyi Luch

Stakhanov

Enakiieve

Makiyivka

Horlivka

Kostyantynivka

Kramators'k

Slovians'k

Izyum

Lozova

Pavlohrad

Dnipropetrovs'k

Dniprodzerzhyns'k

Poltava

Lubny

Pryluky

Romny

Kremenchuk

Cherkasy

Smila

Kirovohrad

Uman'

Zhovti Vody

Kryvyi Rih

Nikopol'

Marhanets'

Zaporizhzhia

Donets'k

Mariupol'

Taganrog

Berdyans'k

Melitopol'

Nova Kakhovka

Kherson

Mykolaiv

Odesa

SEA OF AZOV

Rostov-na-Donu

Novocherkassk

Shakhty

RUSSIAN FEDERATION

Krasnodar

Novorossiysk

Kerch

Feodosiya

Dzhankoy

AUTONOMOUS REP. OF CRIMEA

Simferopol'

Yalta

Sevastopol'

Yevpatoriya

BLACK SEA

L'viv

Drohobych

Stryi

Kalush

Ivano-Frankivs'k

Kolomyya

Chernivtsi

Mukacheve

Uzhhorod

ZAKARPATS'KA OBLAST'

CARPATHIAN MOUNTAINS

SLOVAKIA

HUNGARY

ROMANIA

REP. OF MOLDOVA

Chişinău

Bălţi

Iaşi

Galaţi

Brăila

Reni

Izmayil

Bila Tserkva

Vinnytsia

Ternopil'

Khmel'nyts'kyi

Kamianets'-Podil's'kyi

Pervomays'k

Kirovohrad

Constanţa

Varna

BULGARIA

Mouths of the Danube

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Map No. 3773 Rev. 5   UNITED NATIONS
September 2008

Department of Field Support
Cartographic Section

Executive Summary

The Crimea and the port of Sevastopol are potential flashpoints that could negatively impact European regional security to a greater degree than did Russia's 2008 invasion of Georgia. Instability in the Crimea affects not only Ukraine and Russia, but also many others; Turkey, home to a large Crimean Tatar population and extensive Black Sea coastline; the North Atlantic Treaty Organization (NATO), via three member-nations with Black Sea coastlines; and the European Union (EU) and Romania due to the domino effect a Crimean conflict would have upon Moldova and Trans-Dniester. Instability in the Crimea could spread to the Ukrainian heartland and close down the transportation of Russian gas, thereby affecting the whole of Europe, causing a situation similar to the 2006 and 2009 gas crises.

The Crimea is a potential flashpoint for two interconnected reasons. The first is that Russia has never accepted Ukraine *per se* as an independent state. Yanukovych is ideologically more pro-Russian and neo-Soviet in his domestic and foreign policies than was President Leonid Kuchma (1994-2004), at times bearing similarities to Belarusian president Alyaksandr Lukashenka. Ukraine, however, is not Belarus, which has become frozen as a neo-Soviet republic. Yanukovych's pro-Russian/Soviet policies are out of step in Ukraine, a country that has been independent for two decades, held an Orange Revolution six years ago and is an internationally-recognized democracy with a free market economy.

 The second reason is Russia's two-decade long inability to accept Ukrainian sovereignty over the Crimea and Sevastopol. In the Boris Yeltsin era (1991-1999), Ukraine could defend itself against Russian irredentism because it was not supported by Yeltsin. Following the election of Vladimir Putin in 2000, the threat of irredentism has become greater due to the nature of the autocratic, nationalist regime in Russia coupled with the return to KGB-style intelligence and subversive operations undertaken by the Russian *siloviky* against foreign countries, particularly towards the former Soviet republics such as Ukraine and Georgia.

In the 1990s, Crimean separatism and conflict between Ukraine and Russia over dividing the Soviet era BSF (Black Sea Fleet) were peacefully resolved. A twenty year treaty providing for a 'temporary' naval base in Sevastopol had widespread legitimacy in Ukraine as a peaceful way out of a difficult predicament, how to divide up the Soviet BSF, that arose from the disintegration of the USSR. Crimean nationalists and separatists were marginalized between 1995 and 1996 through non-violent policies implemented by President Kuchma and Deputy Prime Minister Yevhen Marchuk. Ukraine also had a favorable international environment, with President Yeltsin not providing presidential support to Russian irredentism towards the Crimea while the US and NATO strongly backed Ukraine following its de-nuclearization process.

Problems with the BSF treaty and separatism re-emerged between Vladimir Putin's election in 2000 and Yanukovych's election a decade later. The Russian presidency began to build support for irredentism that had seemingly always been in place in the Russian parliament. Former Moscow mayor Yuriy Luzhkov, a prominent proponent of Russian irredentism towards the Crimea, is a senior member of the Unified Russia Party led by Prime Minister Putin. Russia reverted to Soviet style tactics pursued by the KGB, with the Russian Federal Security Service (FSB) and Russian diplomats resuming

subversion and intelligence operations against Ukraine, particularly during the Viktor Yushchenko presidency (2005-2010). This was followed by the Party of Regions, led by Yanukovych, giving its indirect support to the revival of Crimean separatism by including two Russian nationalist parties in the For Yanukovych! Bloc in the March 2006 Crimean elections. Two years later Russia invaded Georgia and annexed South Ossetia and Abkhazia, leading many in Ukraine and Europe to wonder if the Crimea was to be the next target. The BSF question was re-opened in April 2010 when the 1997 twenty year base treaty in Sevastopol was extended to 2042, with a possible five year prolongation in exchange for an allegedly thirty percent discount on Russian gas. The extension was highly controversial in and outside of Ukraine, where it led to a riot in parliament, and would be overturned if the opposition were to take back power.

The final change from the 1990s has been the weakened support given by the Obama administration to Ukraine, returning the US to the 'Russia-first' policy, last pursued by the first Bush administration of the early 1990s. Between 1993 and 2008, NATO and the Clinton and Bush administrations gave strong support to Ukraine's national security interests. The Obama administration seeks to reset relations with Russia at the expense of not opposing the re-assertion of Russia's sphere of influence in Ukraine. One motive for the US-Russian reset is to obtain Moscow's support of action to halt Iran's nuclear program. This plan, however, fails to recognize that Tehran would have no reason to halt its nuclear program if it were to look at how Ukraine's security assurances, granted after it agreed to its own denuclearization in between 1994 and 1996, have been largely forgotten by Washington and Brussels.

Key Findings

- Viktor Yanukovych is the most pro-Russian and neo-Soviet president to have been elected in Ukraine. These are two factors that influence his domestic and foreign policies. A majority of domestic and foreign specialists on Ukraine, as well as Western policy makers who cover Ukraine and the region, mistakenly believed that Yanukovych would be 'Kuchma II': that is, a pragmatic pro-Russian who would return Ukraine to a multi-vector foreign policy. This view, which was critically analyzed by Jamestown Foundation analysts during Ukraine's 2010 elections, has proven to be widely incorrect, as seen by the foreign policies undertaken during Yanukovych's first one hundred days in office. Yanukovych, like Belarusian president Alyaksandr Lukashenka, is ideologically pro-Russian, while his voter base rests in Donetsk and the Crimea, where large majorities hold allegiance to Soviet political culture. It is therefore analytically incorrect to place presidents Kuchma and Yanukovych in the same category.

- President Yanukovych is fulfilling all of the demands laid out by President Dmitri Medvedev in his scandalous letter written to President Viktor Yushchenko in August 2009. The Russian leadership demanded and received appointments in the Nikolai Azarov government in the humanities and security policy that suited Moscow's interests. In the eyes of many Ukrainians, Yanukovych is transforming their nation into a Russian protectorate. This is leading to a groundswell of discontent that will inevitably translate into political and regional instability.

- The Black Sea Fleet (BSF) has always, and will continue to be, an agent of destabilization in the Crimea and Ukraine. The BSF routinely ignores Ukrainian legislation, occupies additional land and installations outside its base, transports rockets through densely populated areas without Ukrainian permission and sends its vessels to participate in invasions of Ukraine's allies (i.e. Georgia in August 2008). BSF personnel undertake subversion and espionage missions against Ukrainian interests, participate in anti-NATO and anti-American protests, assist in disrupting joint military exercises and seek to recruit Ukrainians. FSB counter-intelligence officers expelled from Sevastopol in 2009 by President Yushchenko were welcomed back in May 2010 by President Yanukovych.

- The April 2010 extension of the BSF is, in of itself, destabilizing, as it is not seen as legitimate by a majority of the Ukrainian public, whose support was 'gained by a lie that it would bring cheaper Russian gas; in fact, a new July 2010 agreement with the IMF mandated Ukraine to increase utility prices by a staggering fifty percent on August 1, 2010, and another fifty percent in April 2011. The Ukrainian opposition have stated their support of overturning the treaty. The 1997 treaty granting the BSF a 'temporary' base of twenty years was accepted by all sides of Ukraine's polity as a legitimate compromise. The Stability and Reforms coalition that voted for the 2010 treaty is illegitimate because it rests on only 220 deputies from three factions, with

the remaining twenty-five deputies having been blackmailed, bribed or coerced to defect from the opposition. The 2010 treaty was railroaded through parliament without parliamentary or public discussion and after ignoring votes against it in three important committees (two of which had negative majorities). The treaty also violates the constitution, which bans permanent military bases, and it was not discussed prior to a vote in the National Security and Defense Council as the constitution requires.

- The threat of the Ukrainian opposition receiving a majority in the 2012 parliamentary elections and subsequently annulling the 2010 BSF treaty gives Russia an incentive to assist Yanukovych in dismantling Ukraine's democracy. The only manner in which the 2010 treaty can be maintained is by ensuring Yanukovych remains in power indefinitely. This will necessitate Ukraine's return to the semi-authoritarian political system of the late Kuchma era along with the muzzling of the media, which already began soon after Yanukovych's election, and the holding of fraudulent elections. Both the Russian and Ukrainian leadership understand that the 2010 treaty will not survive scrutiny if Ukraine remains a democracy with a legitimate opposition and free media. Therefore, Ukraine's democracy is a major obstacle to Russia's long-term presence in Sevastopol.

- The 2010 BSF treaty was not included in Yanukovych's 2010 election program, nor was it included in any of the programs of the Party of Regions during his leadership from 2003 to 2010. Yanukovych's 2010 program supports a 'non-bloc status' for Ukraine that a de facto permanent naval base contradicts. The president's understanding of 'non-bloc status' is clearly aimed against NATO membership - but not against a security alliance with Russia. Yanukovych is the first Ukrainian president to not rule out joining the CIS Collective Security Organization.

- The Yanukovych administration will fail to reset relations with Russia, as no manner of concessions will be enough to satisfy Russia's appetite. The BSF treaty was followed by a large number of Russian requests for further Ukrainian concessions, such as the merger, or more accurately 'swallowing up,' of the state run gas company Naftohaz Ukrainy by its Russian equivalent, Gazprom.

- The Crimean conundrum today is very different than it was in the 1990s. In the past, the Russian president did not overtly support his country's irredentism against the Crimea. Since 2000, both the Russian president and prime minister have joined other Russian institutions in giving their support of the Crimea to become part of Russia. Between 1993 and 2008, Ukraine received strong support from the Clinton and Bush administrations and NATO. This is very different from the current situation, considering the fact that the Obama administration has de facto consigned Ukraine to the Russian sphere of influence in return for Moscow agreeing to a reset of relations with the US.

- Yanukovych's election will not end the threat of the Crimea becoming Europe's next flashpoint. Following Vladimir Putin's election in 2000 and the establishment of an autocratic regime, a Pandora's box of Russian nationalism has been opened. A similar phenomenon occurred in the Crimea, where Russian nationalists marginalized by President Kuchma in the mid nineties were given a new burst of life by the Party of Regions. In the 2006 Crimean elections the For Yanukovych! Bloc included the Party of Regions and two Russian nationalist and separatist political forces that are directly funded by Russian intelligence and Moscow politicians. The revival of separatism in the Crimea enabled the Crimean parliament to vote for a September 2008 resolution in support of the independence of South Ossetia and Abkhazia, making the Party of Regions the only political force in the entire CIS, outside of Russia, to take this step (Belarusian president Lukashenka refused to do so). Opening up the Pandora's boxes of nationalism in Russia and the Crimea will come back to haunt Yanukovych and the Russian leadership.

The Crimean Conundrum

The election of Viktor Yanukovych as Ukraine's fourth president on February 7, 2010, could reduce tensions over the Crimea and improve relations between Ukraine and Russia. Any optimism regarding these two areas, however, should be retained with caution. The election of Yanukovych will not change Russia's inability to accept two facts of life that have arisen as a consequence of the disintegration of the USSR: an independent Ukrainian state and Kyiv's sovereignty over the Crimea and Sevastopol. Yanukovych is the first Ukrainian president to underestimate Russia's potential threat to both Ukrainian sovereignty and territorial integrity.

Former president Viktor Yushchenko had repeatedly pointed out that the Black Sea Fleet (BSF) is an agent of instability in the Crimea that facilitates separatism. The BSF has always acted as though Sevastopol is *de facto* a Russian port and under Russian sovereignty, and was permitted by former Russian president Kuchma (1994-2004) to ignore Ukrainian legislation and sovereignty. The April 2010 extension of the BSF base by twenty-five to thirty years will serve to deepen Russia's view that Sevastopol is a 'Russian city.' President Yushchenko said in his response to Russian President Dmitri Medvedev's August 2009 letter, "Throughout the period of the BSF's base on Ukrainian territory, its commanding structures had systematically permitted a great number of infringements of bilateral agreements and Ukrainian legislation, which the Ukrainian side had regularly informed the Russian side."[1]

Land and lighthouses that should have been under Ukrainian control were permitted to be occupied by the BSF until Yushchenko challenged this issue. Russian marines have repeatedly prevented Ukrainian bailiffs from enforcing court rulings on transferring back to Ukrainian sovereignty lighthouses under the illegal control of the BSF. The Ukrainian Foreign Ministry described the Russian obstruction as a blatant disregard for Ukrainian legislation and international agreement.[2] The BSF has refused to permit Ukrainians to inspect its aircraft to see if they are illegally carrying nuclear weapons, which would infringe upon Ukraine's status under the Nuclear Non-Proliferation Treaty (NPT), which it joined in 1994. BSF Armored Personnel Carriers have rehearsed ahead of the annual Russian Navy Day parade, again without seeking authorization to drive through Sevastopol. The BSF has also illegally transported rockets repeatedly through the densely populated port of Sevastopol without first seeking permission from Ukrainian authorities. When Yushchenko, late into his presidency in 2009, ordered the security forces to halt such practices, Russia protested Ukraine's "unfriendly" actions and "provocation."[3] The National Security and Defense Council (NRBO) issued a statement saying Russia's actions were "intentionally disrespectful of Ukrainian national sovereignty."[4]

The BSF's significance is not its military role but its symbolism of Russia's historical claim to the Crimea and Sevastopol. Sevastopol has a mythical status in Russian history because of its role in defending the Russian empire and Soviet state during the Crimean war between 1853 and 1856 and 'the Great Patriotic War' (World War II), when the city heroically stood up against foreign invaders and, as a consequence, has become a rallying cry for Russian nationalists and separatists. Deputy Prime Minister Sergei Ivanov

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[1] http://www.president.gov.ua, August 13, 2009.
[2] UNIAN, August 27, 2009.
[3] *Ukrayinska Pravda*, July 10, 23, 24, 26, 27, September 18, October 14, November 3, 2009.
[4] http://www.rainbow.gov.ua, July 24, 2009.

described Sevastopol as 'our city' and refused to separate the port from the BSF because in his eyes they were intimately interconnected.[5]

The BSF and the threat of separatism in the Crimea are also useful tools in Russia's strategy to influence the orientation of Ukraine's foreign policy. Yushchenko's support of NATO membership was routinely countered by threats that the Crimea could go the way of the Georgian provinces of South Ossetia and Abkhazia and separate from Ukraine.

During the Yushchenko era (2005-2010) three factors came together to make Ukrainian elites feel insecure vis-à-vis their Russian neighbor. Some of these factors were new while others were long-standing and had bedeviled Ukraine's relations with Russia since the collapse of the USSR. With the election of Yanukovych, the third factor is now irrelevant because President Yanukovych opposes Ukraine's membership of NATO. The other two, however, remain issues.

First, Ukraine's insecurity is compounded by Russia's greater assertiveness towards its neighbors since Vladimir Putin was first elected president in March 2000. Russia's invasion of Georgia in August 2008 and its *de facto* occupation of two separatist enclaves – South Ossetia and Abkhazia – set a potential precedent for the annexation of other separatist enclaves in the former USSR, such as the Crimea. Ukraine's elites have always possessed an inherent distrust of Russia and therefore Yanukovych's unwillingness to perceive Russia as a threat to national security in any form is out of place among Ukrainian policymakers, think tank experts and leaders of parliamentary committees.

Second, Russia has had long standing territorial claims over the Crimea and Sevastopol throughout the post-Soviet era, including among high ranking members of the ruling Unified Russia Party that Prime Minister Vladimir Putin leads. When asked if Sevastopol is a Russian city Deputy Prime Minister Sergei Ivanov replied "You are correct, our city."[6] The view of Russian leaders that the Crimea and Sevastopol are illegitimately included within Ukraine is part of a deeper problem whereby Russians look upon Ukraine as an artificial and failed state that has no moral right to sovereignty over the Crimean peninsula.

Third, Ukraine missed the opportunity of obtaining NATO membership in between 2005 and 2006 when Western views of Ukraine's 'orange' leaders still remained positive. By the 2010 presidential elections, NATO membership was on the backburner in Ukraine and no presidential candidates, not even Yushchenko, included the goal of NATO membership in their election programs. The EU, meanwhile, remained a weak international player, unwilling to provide Ukraine with membership prospects and too willing to appease Russian interests, as seen during and following the 2008 Russian invasion of Georgia. Counting on the EU to rebuff Russian territorial pretensions to the Crimea, or the EU playing a more active role than the US in Eastern Europe's security, would therefore be wishful thinking.

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[5] *Ukrayinska Pravda*, June 14, 2008.
[6] *Ibid.*

Ukraine, Georgia and Russia

Ukraine was the only Commonwealth of Independent States (CIS) country to support Georgia during the Russian invasion in August 2008. Although Azerbaijan and Moldova are both members of the GUAM (Georgia, Ukraine, Azerbaijan, Moldova) regional group and both have frozen conflicts on their territories, as did Georgia, neither of these two countries intervened on Georgia's side. Azerbaijan feared that the Georgian precedent would be repeated in the Nagorno-Karabakh enclave, with the separatist enclave declaring independence followed by its *de jure* annexation by Armenia. Moldova's communist leaders, who first came to power in 2000, failed to secure Russia's support of the re-integration of the Trans-Dniester enclave into the Moldovan state, and being the poorest country in Europe, Moldova remains too weak and too small to challenge Russian occupation forces on its territory.

The GUAM regional group was in decline prior to the 2008 Russian invasion of Georgia because of the absence of Ukrainian regional leadership. Plagued by domestic instability and inter-elite disunity, Ukraine could not hope to become, as Yushchenko had promised after coming to power in January 2005, a regional geopolitical leader. Russia's invasion of Georgia and the lack of a united GUAM response fatally damaged the regional group and put into doubt its ambitious plans for alternative oil supplies from Azerbaijan through Georgia to Ukraine's port of Odessa. Ukraine had built a pipeline from Odessa to Brody that connects to the former Soviet *druzhba* (friendship) pipeline running across its territory with the aim of taking this north into Poland, thereby reducing the dependency of Ukraine, Poland and Moldova on Russian oil. The supply of Azeri oil, however, has not been forthcoming. Yanukovych said that he believes that the GUAM group no longer has any relevance.[7] Yanukovych's stance is in full accord with his negative views of the Georgian leadership because of Saakashvili's long-standing relationship with Yushchenko, again showing how Yanukovych fulfills nearly every Russian demand. It should be recalled that former presidents Leonid Kravchuk and Leonid Kuchma established close working relationships with Georgia and both supplied military equipment to the country.

CIS member states, with the exception of Ukraine, did not rally in defense of Georgia but neither did they support Russia's recognition of the independence of South Ossetia and Abkhazia. Belarus was conspicuously silent on this question. The only political forces in the CIS that recognized the independence of South Ossetia and Abkhazia were Ukraine's Party of Regions whose leader, Yanukovych, was elected president in 2010, and the Communist Party of Ukraine (KPU). In September 2008 a resolution in support of recognizing the independence of the two Georgian territories failed to be adopted in the Ukrainian parliament, but the Crimean parliament, where the For Yanukovych! Bloc has a coalition majority, successfully adopted a resolution supporting the independence of South Ossetia and Abkhazia.

The Georgian crisis divided Ukrainian politicians. The unpopular President Yushchenko publicly joined the Polish, Lithuanian, Latvian and Estonian presidents in travelling to Tbilisi to stand on the same platform as Georgia's president, Mikheil Saakashvili. In Poland and the three Baltic states the leaders who travelled to Georgia had cross-national support from domestic political forces and the titular nationality in those four states. This

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[7] UNIAN, February 4, 2010.

was not the case in Ukraine, where Yushchenko had less than five percent popularity and where Ukrainians were evenly divided in blaming either Russia or both sides for the 2008 invasion. Within Ukraine, Yushchenko's position on Georgia was not endorsed by four out of five political forces in parliament, and long simmering divisions in the orange coalition led to the failure of the Ukrainian parliament to adopt a united resolution on Russia's invasion of Georgia.

The Party of Regions, with the largest faction in parliament, tabled motions in the Ukrainian and Crimean parliaments in support of South Ossetian and Abkhaz independence, breaking with Ukraine's tradition of supporting the territorial status quo and Georgia's territorial integrity. Under President Kuchma the GUAM regional group had supported the territorial integrity of all four states and opposed separatism. The Party of Regions presidential candidate Yanukovych and the Communist Party followed Russia in making the spurious argument that there was a need to overcome 'double standards' by reacting to the West's earlier recognition of Kosovo's independence from Serbia. The Communist Party's allegiance to Russian interests was not surprising, as this has been long standing. What was surprising was the pro-separatist stance of a political force from the former centrist camp that had been the political base for President Kuchma's second term in office (1999-2004). Yanukovych and the Party of Regions stance was totally at odds with that of Kuchma and his Crimean parties of powers, whether the Party of Crimean Economic Revival (until the 1998 elections) or the People's Democratic Party ([NDP] from 1998 until the 2006 elections). After coming to power in July 1994, President Kuchma did more than his predecessor, Kravchuk, to undermine and marginalize Crimean separatists and would have never permitted his Crimean parties of power or the Crimean parliament to support separatism in Ukraine or in the CIS.

Russian nationalist-separatists were politically marginalized from 1994 until 2004, but the Party of Regions revived their political fortunes in the 2006 Crimean parliamentary and local elections. This opened up a Pandora's box of potential separatism in Ukraine, especially in the Crimea, which will be discussed later. If South Ossetia and Abkhazia could become 'independent' states, then why could not the Crimea? This is a possibility that seems beyond President Yanukovych's understanding of geopolitics. Crimean separatists could turn Yanukovych's allegations of the West's 'double standards' on Kosovo used by him to justify his support of the independence of South Ossetia and Abkhazia to argue, "What about us?" The West's alleged double standards on Kosovo could very easily become Ukraine's double standards on the Crimea. Just after Yanukovych was elected, a Russian newspaper published an article entitled "The Crimea could become a major problem for the new Ukrainian president."[8]

The Crimea: Europe's Next Flashpoint?

The Georgian crisis opened up key questions about Ukraine's control over the Crimea and to what degree international organizations and the Trans-Atlantic community were prepared to support Ukraine's territorial integrity. Ukrainian elites have raised the question of the ineffectiveness of the December 1994 Budapest Memorandum when five nuclear powers provided amorphous security *assurances* (not *guarantees* as Ukrainian

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[8] *Nezavisimaya Gazeta*, February 19, 2010.

leaders and some Western specialists often declare[9]) to Ukraine. One of the five declared nuclear powers that gave Ukraine security assurances was Russia, a country that has continued to harbor territorial claims over the Crimea and has occupied two Georgian territories. Although the EU condemned Russia for annexing South Ossetia and Abkhazia, it re-launched relations with Moscow only a few months later. The EU's weak defense of Georgian territorial integrity sent a signal to the Russian leadership that such actions (i.e. invading its neighbors) did not mean it had to pay a high price internationally. Although the EU continues to declare its support of Georgia's territorial integrity, it has not sought in any way to punish Russia for its behavior. Neither has the Obama administration, which believes that the occupation should not get in the way of the resetting of US-Russian relations.

A Russian invasion and occupation of the Crimea would not take place as smoothly as that of South Ossetia for two reasons. First, the Crimea is different from frozen conflicts in CIS countries where Russian and Armenian troops act as either "peacekeepers" (Trans-Dniester [Moldova] and formerly in Georgia) or as occupation forces (Nagorno-Karabakh). The Crimea is three times larger than Abkhazia and six times larger than South Ossetia, and Russia's leverage in these two Georgian regions was always higher than in the Crimea. In the 1990s the Crimea did not become a frozen conflict because the separatist movement was undermined by President Kuchma and through subversion by Ukraine's intelligence services (the Security Service [SBU] and military intelligence). These factors were compounded by low levels of Russian-Ukrainian inter-ethnic animosity coupled with internal divisions within the separatist movement. Russian separatists became politically marginalized after 1995 when the movement split and the institution of the Crimean presidency was abolished by President Kuchma. Ukrainian intelligence had by then subverted the Russian separatist movement from within, compounding internal divisions between different separatist parties.

Russian nationalists in the Crimea only received an infusion of life when the Party of Regions united with two Russian nationalist-separatist parties in the For Yanukovych! Bloc that won the 2006 Crimean parliamentary elections. These included the Russian Bloc and the Russian Community of the Crimea (ROK) - the most influential Russian nationalist group in the peninsula. The Russian Bloc is financed by former Moscow mayor Luzhkov and has close links to Russian intelligence. ROK is financed by Russian political leaders, such as Luzhkov and Konstantin Zatulin, and by the Russian Foreign Ministry and presidential administration. Russian nationalist organizations "serve, consciously or unconsciously, as rather a useful tool" for the mainstream political forces such as the Party of Regions, which enables them to attract their radical supporters, the Ukrainian Center for Economic and Political Studies (Razumkov Centre) concluded.[10] The head of the Russian Community, first Deputy Speaker of the Crimean parliament Sergei Tsekov, revealed his anti-Ukrainian stance when he said that, "Russophobia is the essence of Ukrainian policy."[11] It was the height of irresponsibility when Yanukovych

[9] Anders Aslund uses "security guarantees' repeatedly when he means security assurances. See A. Aslund, *How Ukraine Became a Market Economy and Democracy* (Washington: Institute for International Economics, 2009). I discuss this issue in my review in *Journal of Communist Studies and Transition Politics*, vol. 26, no. 2 (June 2010), pp. 306-314.
[10] Natsionalna Bezpeka i Oborona, no.5, 2009.
[11] Roman Kupchinsky, "Sub-Rosa Warfare in the Crimea," *Eurasia Daily Monitor*, vol. 5, no. 142 (July 25, 2008).

and the Party of Regions entered into an alliance with two political forces that are a threat to Ukraine's territorial integrity.

Over the last two decades, former mayor Luzhkov has repeatedly said in public what most Russian elites say in private; namely, that the 1954 transfer of the Crimea from the Russian SFSR to the Ukrainian SSR did not include Sevastopol.[12] When the Ukrainian-Russian inter-state treaty was signed in May 1997 it *de jure* recognized Ukraine's borders and therefore its sovereignty over the Crimea and Sevastopol. Between 1998 and 1999 both houses of the Russian parliament ratified the treaty. President Boris Yeltsin said after the treaty was signed, "This puts an end to the so-called Sevastopol problem."[13] He was, however, being too optimistic. In Russia (and Ukraine), as throughout Eurasia, there is no rule of law, and legislation, treaties, business contracts and international agreements are routinely flouted. This was clearly the case as Luzhkov continued his vociferous rhetoric about Sevastopol.

Following the drafting of the agreement by presidents Yanukovych and Dmitry Medvedev ahead of the parliamentary vote, Yanukovych and pro-Yanukovych officials were optimistic about the future direction of Ukrainian-Russian relations. In a statement defending the agreement, Yanukovych said that he had succeeded in restoring the Russian leadership's trust in Ukraine and relations would now be built on terms of "equality and good neighborliness" rather than "confrontation and anti-Russian rhetoric." "The whole civilized world has welcomed the results of my talks with President Medvedev," he claimed, adding, "In Washington, Brussels and all the European capitals they are regarded as Ukraine's undeniable success."[14] Yanukovych condemned the opposition for attempting to disrupt the ratification of the agreement as an example of "struggling for power at any cost."[15] These comments deny the fact that the vote was undertaken in violation of parliamentary procedures and the constitution, which bans permanent foreign military bases. The vote was railroaded through parliament, leading to a full blown riot that was relayed by international television channels.

The mayor of Sevastopol, Valeriy Saratov, said, "A foundation for long-term serious political stability has been laid; it will allow us to build the most serious political relations between Ukraine and Russia in Sevastopol. I mean investments, above all, because today Russia will no longer see Sevastopol as a temporary stage in the life of two countries."[16] Crimean Parliamentary Chairman Volodymyr Konstantynov described the agreement as a "very wise decision by the presidents of our brotherly nations." "It makes possible a significant breakthrough in relations with Russia, which were only destroyed in the last five years," Konstantynov said. The agreement would stabilize the social and political situation in the Crimea.[17]

This unfounded initial optimism surrounding the April 2010 Black Sea Fleet base extension treaty was quickly dashed by Luzhkov. From 2008 to 2009, quite some time

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[12] Interviews with Luzhkov in *Literaturnaia Gazeta*, January 22; *Trud*, February 13, 1997; *Obshchaya Gazeta*, February 19-25, 1998; *Krymskaya Pravda*, August 3, 1999.
[13] Reuters, May 31, 1997.
[14] http://www.president.gov.ua, April 29, 2010.
[15] *Ibid.*
[16] Interfax-Ukraine, April 21, 2010.
[17] Interfax-Ukraine, April 22, 2010.

before the expiration of the 1997 Ukrainian-Russian treaty, Luzhkov repeatedly asked the two houses of the Russian parliament to raise the Sevastopol question. "This issue remains unresolved. We are going to resolve it in favor of Russia's truth, its state positions, and its state right regarding it naval base in Sevastopol," Luzhkov said at a festival there.[18] On July 19, only three months after the April 2010 extension treaty was signed, Luzhkov reminded everybody that he had not changed his mind about Sevastopol being a Russian city. Ukraine's Ministry of Foreign Affairs issued a protest stating that this contradicted the new "atmosphere of constructive and good neighborly Ukrainian-Russian relations."[19]

Luzhkov persisted and in order to ensure no ambiguity existed over his precise meaning, on July 22 during a speech on Russia's Navy Day, he said that Russia should never withdraw from the Crimea or Sevastopol. "Sevastopol is a Russian city, a naval-military base of Russia which ensures the geo-strategic balance in southern Russia." If Russia were to lose the base she would lose southern Russia, he argued.[20]

Former Deputy Foreign Minister Valeriy Chaly, currently deputy director of the Ukrainian Center for Economic and Political Studies (Razumkov Centre), described Luzhkov's remarks as containing nothing new and praised the Foreign Ministry for its quick response. Chaly wondered, however, why no analysis had been conducted by the ministry on how Luzhkov could make such blatantly provocative statements after Ukraine had granted concessions to Moscow by extending the Sevastopol base.[21]

Following the 2010 treaty, Russia planned a large-scale upgrade of the Black Sea Fleet. The first Mistral helicopter carrier being purchased from France is likely to be based in the Crimea, as is a missile cruiser Russia is set to buy from Ukraine. Russian Navy Commander-in-Chief Admiral Vladimir Vysotsky revealed that the Black Sea Fleet would receive one new ocean-going surface ship and one new submarine every year from 2010 onward. Removing the Russian navy in 2017 would not have been easy, but now removing Russia from Sevastopol in 2042 or 2047, in light of the plans to expand the Fleet, may prove to be impossible.

Ukrainian delegations to the UN repeatedly raised the issue of the "anti-Ukrainian statements of senior officials of the Russian Federation towards Ukraine's sovereignty and territorial integrity."[22] Ukraine's lobbying of the UN took place at the same time as Georgia and Ukraine issued a joint statement that warned of, and correctly predicted, the existence of a potential Russian threat to South Ossetia and Abkhazia.[23] For Ukraine, the additional implications of a potential Russian threat to the Crimea were blatantly obvious in three ways.

First, the Crimea was upgraded from an *oblast* to an autonomous republic in January 1991, and a Crimean constitution recognizing Ukraine's territorial integrity was adopted

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[18] Interfax-Ukraine, May 11, 2008; Vladimir Socor, "Moscow Questions Territorial Status Quo in the Crimea," *Eurasia Daily Monitor*, vol. 5, no. 92 (May 14, 2008).

[19] http://www.mfa.gov.ua, July 19, 2010.

[20] *Hazeta po-Ukrainski*, July 22, 2010.

[21] *Hazeta po-Ukrainski*, July 21, 2010.

[22] *Ukrayinska Pravda*, April 22, 2008; V. Socor, "Moscow Makes Furious But Empty Threats to Georgia and Ukraine," *Eurasia Daily Monitor*, vol. 5, no. 70 (April 14, 2008).

[23] http://www.mfa.gov.ua, April 30, 2008.

in September 1998 and ratified by Kyiv three months later. In Azerbaijan, Moldova and Georgia, autonomous entities were either dissolved by newly independent states or autonomy was never offered to them. The resultant violent conflicts were exploited by Russia through covert (i.e. in Georgia and Azerbaijan) and overt (i.e. in Moldova) action that resulted in frozen conflicts, to the benefit of separatists, by Russian 'peacekeepers' and CIS agreements, all to Moscow's advantage.

Second, all of the Soviet security forces in the Crimea were nationalized by the newly independent Ukrainian state between 1991 and 1992. The one exception was the BSF, which was not divided between Russia and Ukraine until the signing of the May 1997 treaty that gave it a twenty year 'temporary' base in Sevastopol. This was extended in April 2010 by twenty-five to thirty years in exchange for an alleged thirty percent reduction in the price of gas. In Moldova, Azerbaijan and Georgia, the newly independent central governments failed to take control of Soviet military units on their territories, and these units transferred weapons to separatist groups or Russian security and paramilitary forces that turned them against the newly independent states. Russian separatists in the Crimea had no access to Soviet military personnel or arms except for those smuggled from the Trans-Dniester enclave or covertly transferred from the BSF.

Third, Crimean separatists failed to receive mass support in the Crimea because of the lack of an ethnic Russian base upon which to mobilize. The Crimea has a slim fifty-eight percent ethnic Russian majority according to the 2001 Ukrainian census, a decline from sixty-five percent in the 1989 Soviet census. The Crimean population is, however, divided into Crimean territorial, ethnic Russian, Soviet and Pan Slavic groups, cross cutting national identities that have prevented the formation of a monolithic Crimean ethnic Russian movement.[24] This contrasts with Serbian ethnic minorities living outside Serbia in areas that became hotbeds for extremist ethnic Serbian movements.[25] During the Kuchma era the Crimean Communist Party and pro-Ukrainian centrist parties opposed separatism and supported Ukraine's territorial integrity. This narrowed the base of support of separatism to only extremist Russian nationalists, who were divided and in the 1990s failed to receive strong support from Russia, led then by President Yeltsin. This only changed between 2000, when Putin came to power and the Russian presidency added its support of separatism to the long-standing support given by parliament, and 2006, when the Party of Regions revived the political fortunes of Russian nationalist-separatists in the 2006 Crimean elections.

Two major differences exist between the Yeltsin and Putin-Medvedev eras. The Yeltsin administration did not give its support to Crimea's separatists, unlike Putin-Medvedev, whose ruling ideology and enacted legislation has opened up a Pandora's box of Russian nationalism and foreign military interventionism in the CIS. A second is that Ukraine possessed nuclear weapons until 1996 and could have halted its de-nuclearization if Russia had given its overt support to Crimean separatism. Russia was also distracted by the first Chechen conflict in the mid 1990s.

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[24] Gwendolyn Sasse stresses this in "The 'New Ukraine:' A State of Regions" in James Hughes and G. Sasse eds., *Ethnicity and Territory in the FSU: Regions in Conflict* (London: Frank Cass, 2002), pp.69-100.
[25] Taras Kuzio, "Russians and Russophones in the Former USSR and Serbs in Yugoslavia: A Comparative Study of Passivity and Mobilisation," *East European Perspectives*, vol. 5. nos. 13, 14, 15 (June 25, July 9, 23, 2003), http://www.taraskuzio.net/Nation%20and%20State%20Building_files/national-serbs_russians.pdf.

In the 1990s Russian politicians backed territorial claims over Sevastopol and the Crimea, but did so without the support of the president. Luzhkov, a senior member of the Unified Russia Party and a senator in the Upper House of the Russian parliament, has been the most vocal and consistent in his support of Russia's sovereignty over Sevastopol, as expressed in his summer 2010 comments even after the extension treaty had been signed. In the first half of the 1990s, support of separatism grew in the Crimea amid the chaos and instability of the Kravchuk presidency. From 1993 to 1995, the separatist Russian Bloc became the most influential political force in the Crimea, and in January 1994 Russian Bloc separatist leader Yuriy Meshkov was elected Crimean president. The separatist movement was divided between supporting the separation of the Crimea from Ukraine and joining with Russia, or establishing an independent Crimea as a new CIS member.

The belief that the Crimea and Sevastopol historically and ethnically belong to 'Russia' is very widespread among the elites of the Russian Federation. In addition, polls regarding the transfer of Sevastopol to Russia traditionally show high levels of support, frequently over seventy percent.[26] Territorial claims over Ukraine were launched by Yeltsin's press secretary immediately after Ukraine declared independence in August 1991, and the following year the Russian Supreme Soviet began to initiate territorial claims almost immediately over the Crimea and the port of Sevastopol. These aggressive views were not confined to the fringes of Russian politics. The question of Sevastopol and the BSF united the entire Russian political spectrum and senior members of the security forces in both the Yeltsin and Putin-Medvedev eras. The major difference, however, was that in the Yeltsin era these irredentist views were not overtly supported by the president.

Many Russian democrats may not have sympathized with the un-diplomatic tone of the Russian Supreme Soviet resolutions, but even in the Yeltsin era Russian democrats joined forces with Russian nationalists in refusing to recognize Ukraine's sovereignty over the Crimea and Sevastopol. Vladimir Lukin, former Russian Ambassador to the US and a leading member of the democratic political party Yabloko, initiated the first votes in the Russian Supreme Soviet in favor of using the BSF to exert pressure upon Ukraine with regard to the Crimea.[27] Grigory Yavlinsky, head of Yabloko, had always considered Sevastopol to be historically a Russian town.[28] Lukin was backed by Boris Nemtsov, the then respected reformist governor of Nizhni Novgorod and deputy prime minister, who also regarded Sevastopol as a "Russian city acquired with Russian blood."[29] The Mayor of St. Petersburg and a leading member of the Movement for Democratic Reforms, Anatoly Sobchak, made similar claims that Sevastopol is a Russian city and that Ukraine has no right to sovereignty over it. "It would be a mistake, however, to boil down the 'Crimean' activities of Moscow to a method of scoring points by Russian politicians because those who want to see Crimea as Russian prevail among the helmsmen of the Kremlin's course."[30]

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[26] Russia Television channel (January 21, 1997) gave seventy percent of Russians seeking the return of Sevastopol. The All-Russian Public Opinion Center found seventy-eight percent of Russians believe the port is Russian (Interfax, February 26, 1999). In these polls, the number of Russians who believed Sevastopol is a Ukrainian city ranged from only four to sevent percent.

[27] Interview in *Komsomolskaya Pravda*, January 22, 1992.

[28] Interview on Mayak Radio, June 1, 1997.

[29] *Itar-Tass*, January 20-21, 1997.

[30] *Vseukrainskiye Vedomosti*, January 18, 1996.

In the 1990s the Russian president frequently reiterated the official view that Sevastopol and the Crimea belong to Ukraine and did not act to pursue territorial claims in the same manner that Putin and Medvedev have. At the same time, President Yeltsin used pressure from his parliament to obtain concessions from Ukraine. The Russian presidency, according to the 1993 constitution, maintains for itself the prerogative of foreign policy. There was, therefore, nothing to stop the Russian president from implementing his official policy of recognizing Ukraine's borders by signing an inter-state treaty with Ukraine prior to 1997. The draft of the treaty was initialled by the then Ukrainian prime minister Marchuk and the then Russian deputy prime minister Oleg Soskovets as early as 1995, a year after Kuchma was elected president. In addition, the Russian executive, through intelligence reports he received from the Federal Security Service (FSB) and Russian military intelligence (GRU), was made aware that the BSF command had given covert support to separatist forces in the Crimea, although this reached level highs after Putin came to power.

Table Russian Parliamentary Votes on Ukraine and the Crimea

315:1 (February 14, 1996): State Duma overrides Federation Council veto to halt division of the BSF to Ukraine.
334:1 (October 23, 1996): State Duma votes to halt division of the BSF and demands exclusive basing rights in Sevastopol.
282:0: (October 24, 1996): State Duma appeals to Ukraine on the BSF and claims Sevastopol as legally Russian territory.
110:14 (December 5, 1996): Federation House votes in favor of Sevastopol as Russian territory.

In the 1990s the Russian Supreme Soviet escalated its demands towards the Crimea and Sevastopol. Lukin argued that Ukraine should be faced with a tough choice, relinquishing either the BSF or the Crimea, and suggested that the Russian Supreme Soviet look into the legality of the 1954 transfer of the Crimea from Russia to Ukraine. The Russian Supreme Soviet and Ministry of Foreign Affairs condemned the 1954 transfer in a resolution adopted on January 23, 1992. This elicited a strong protest from Ukraine, claiming that the resolution violated previously signed Ukrainian-Russian treaties and CIS agreements from 1990 to 1991.

Vice President Alexander Rutskoi visited the Crimea in April 1992 and called for its secession from Ukraine. A month later the Russian Supreme Soviet passed a resolution declaring the 1954 transfer of the Crimea 'illegal,' leading again to Ukrainian protests. A Ukrainian parliamentary resolution in response to the Russian resolution stated that the latter has "no legal significance and no legal consequences for Ukraine." The Ukrainian Foreign Ministry pointed out, "Accordingly, the issue of the Crimea's status is an internal affair of Ukraine and in no way can be the subject of negotiations with any other state."[31]

Due to the initiative of twelve factions in the Russian Supreme Soviet, the status of Sevastopol was debated in December 1992 and the overwhelming opinion was that

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[31] http://www.mfa.gov.ua.

Sevastopol should be the main base for the BSF, be accorded a special status and not be placed under Ukrainian sovereignty. The Ukrainian Foreign Ministry and parliament issued a number of critical statements, while parliamentary speaker Ivan Pluishch condemned Russia's move as an attempt to "reanimate the old empire and old imperial policies."

Russian territorial claims throughout the twenty year period since the disintegration of the USSR have focused on the city of Sevastopol and have argued that it, unlike the Crimea, had never been legally transferred to Ukrainian jurisdiction in 1954, and therefore Sevastopol is 'legally' Russian territory. At times, Russia has supported the direct annexation of Sevastopol, while at other times Moscow has promoted the idea of an international status or joint administration over the city of Sevastopol by Kyiv and Moscow. This view was endorsed by 2010 presidential candidate Inna Boguslovska, who was elected to parliament in 2007 by the Party of Regions. Russia held off on signing an inter-state treaty until 1997 due to three factors. First, Russia found it difficult to accept the existence of Ukraine as an independent state, a Russian view that has only deepened since Yanukovych's election. Second, Russia's leaders refused to sign a draft treaty with Ukraine until Sevastopol was made into a BSF naval base. Third, Russia tied the border and BSF questions to the broader question of the adoption of a Crimean constitution, which only took place in October 2008 (ratified by the Ukrainian parliament in December 2008).

The most serious test of Ukraine's resolve to defend its territorial integrity came in fall 2003 when Russia began building a dam from the Kuban region of the Northern Caucasus to the Ukrainian island of Tuzla lying to the east of the Crimea. Although uninhabited except for fishermen, the island occupies a strategic location. Kuchma returned from a state visit to Latin America to oversee the deployment of border troops and Interior Ministry special forces to Tuzla, as well as an air defense exercise in the Kerch Straits, in a show of strength that halted Russia's construction. President Kuchma mobilized Ukrainian support for Ukraine's territorial integrity and received strong backing from all political forces in parliament. The Russian threat to Tuzla led to the Ukrainian leadership appealing to NATO for consultations on security, as outlined in the 1997 NATO-Ukraine Charter, but they were politely rebuffed.

Even before the April 2010 extension treaty, as he repeatedly stated, opposition Party of Regions leader Yanukovych supported extending the BSF base beyond 2017, but this was largely rejected by Ukrainian and Western policymakers as election rhetoric.[32] Yanukovych's support of an extension of the Sevastopol lease contradicted both his 2010 election program in support of Ukraine's non-bloc status and his party's lack of criticism of Russia's violation of Ukraine's neutrality in August 2008 when Russian BSF ships participated in Russia's invasion of Georgia. The linking of 'cheaper' gas to the extension of the Sevastopol base to 2042-2047 aimed to increase support of the port to become a *de facto* permanent military base. Without linking the naval base to cheaper gas there would have been minimal support of its extension beyond 2017. Public support of an extension of the Sevastopol naval base was always low and a 2008 survey found only twenty-four percent support, with ten percent supporting Yushchenko's radical position to have the BSF withdraw as soon as possible and forty-seven percent in support of its withdrawal in

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[32] *Itar-Tass*, August 27, 2010; Channel 5 TV, December 2, 2009.

2017.[33] In the event of a public referendum, during which the issue could be publicly discussed and criticized by the opposition, Ukrainian citizens would reject an extended naval base. This explains Yanukovych's reluctance to hold a referendum on the matter while demanding one on the topic of Ukraine joining a NATO Membership Action Plan (MAP). Initially the high public support of the April 2010 treaty extension was 'bought' by the offer of an alleged thirty percent gas price discount. In reality this was a chimera, and the new July 2010 IMF agreement wiped out any discount by mandating fifty percent hikes in utility prices, the first in August 2010 and the second in April 2011. Not surprisingly, public support of Yanukovych and the treaty dramatically declined.

Kuchma signed a flawed agreement in 1997 for which Ukraine receives no rental payment for the Sevastopol base. Ukraine does not see the $97.5 million that Russia 'pays' each year, as it is allegedly deducted from Ukraine's gas bill accumulated under presidents Kravchuk and Kuchma. Russia demanded that the arrears be accepted as a state debt although they were accumulated by corrupt private officials, very likely including both presidents in collusion with Russian officials. Borys Tarasiuk, head of the parliamentary commission on European integration, believes Ukraine could easily have re-paid its 'debt' and charged an annual market rent of $2-$2.5 billion, which would have offset a large proportion of Ukraine's gas imports cost. Such a move would have been strongly contested by Russia, as the arrangement in which Russia *de facto* paid no rent from 1997 to 2009 was more acceptable to the Russian mindset because of its inference that Sevastopol is not in fact being leased by Ukraine.[34] If Russia had been forced to pay rent for Sevastopol this would have suggested that the port is a non-Russian city.

A permanent BSF naval base in Sevastopol would require a change to the Ukrainian constitution which bans foreign bases. Therefore, much will depend on who is elected Ukrainian president in 2015 and the configuration of the Ukrainian parliament. Yanukovych's view on extending the BSF base is in complete harmony with Russia's long-standing position that there is no need to withdraw the BSF in 2017. Sushko predicted correctly that Yanukovych would include the issue of an extended lease on the Sevastopol naval base as part of a 'package' of issues to address, including other Ukrainian concessions such as a gas consortium in exchange for subsidised gas.[35]

While Yanukovych will be president until 2015, it remains unclear what relationship he will have with the parliamentary coalition that is elected in 2012. 'Orange' political forces won the majority in the 2006 and 2007 elections, and if they do so again in 2012 have promised to annul the April 2010 BSF treaty. The treaty was rushed through parliament, ignoring the objections of two parliamentary committees which voted against it and one committee which was split down the middle. The treaty also ignored the constitutional provision stating that such a step be first discussed in the NRBO. All of these factors came on top of the widely held view that the ruling coalition is itself illegitimate as its three factions (Party of Regions, Communist Party and Volodymyr Lytvyn Bloc) only control 220 deputies, even though 226 deputies are needed for a minimum coalition. The remaining twenty-five deputies joined due to pressure, blackmail

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[33] Dissatisfaction & Disillusionment in Ukraine: Findings from an IFES 2008 Survey, (Washington DC: IFES, February 3, 2008), http://www.ifes.org/Content/Publications/Survey/2008/Ukraine-Survey-Report-2008.aspx.
[34] Interview with Borys Tarasiuk, Kyiv, February 26, 2010.
[35] Interview with Oleksandr Sushko, Kyiv, March 3, 2010.

and bribery from the opposition. The April 27, 2010, ratification passed by 236 votes and was only made possible by the support of sixteen opposition defectors.

Yanukovych and the Party of Regions' support of separatism in Georgia is contradictory to the traditional Ukrainian stance in support of the territorial status quo. Judging by Yanukovych's pro-Russian rhetoric in the 2010 election campaign, which was far greater than any platform Kuchma campaigned on in 1994 or 1999, President Yanukovych will continue to support Russia's policies in the CIS, including recognizing the independence of separatist enclaves. Andriy Shkil, head of the sub-committee on European integration and Euro-Atlantic cooperation in parliament's Committee on Foreign Affairs, believes there is little doubt that Yanukovych will be both more pro-Russian and anti-Western than any of his three predecessors.[36] "Cardinal changes await Ukraine's foreign policy," Tarasiuk believes, with Ukraine being far more sensitive to Russia's national interests in the CIS and Europe.[37] NATO membership is no longer a Ukrainian objective and it remains unclear if cooperation under Partnership for Peace (PfP) will continue at the same high levels as it did under Ukraine's first three presidents.[38]

In the 2010 election campaign Yanukovych promised that Ukraine's relations with Russia would improve if he was elected, but Yanukovych has always failed to see the deeper issues at stake; namely, Moscow's "refusal to recognize the existence of the Ukrainian nation," explained Volodymyr Horbulin, the then director of the Institute of National Security Problems under the NRBO which he headed between 1994 and 1999, and Valentyn Badrak, a senior expert at the Kyiv-based Center for Research into the Army, Conversion and Disarmament.[39] "In the last eighteen years since the disintegration of the USSR the Kremlin elite has not come to terms with the existence of an independent Ukraine," a Ukrainian magazine explained.[40] The head of Ukraine's Foreign Intelligence Service Mykola Malomuzh warned that Russian intelligence was seeking to undertake a 'special operation' in the Crimea along the lines of what Russia had undertaken in Georgia.[41] Horbulin and Badrak advised the NRBO to relocate *Spetsnaz* forces, SBU and Ministry of Interior (MVS) special forces to the Crimea and Eastern Ukraine.

Following the 2008 Georgian-Russian war, Horbulin and Badrak concluded that 'international law' is no longer heeded in acts pertaining to this issue. Moscow wants to alter Ukraine's foreign policy trajectory, divide the country, annex portions of its territory and indefinitely extend the presence of the BSF in Sevastopol (the latter achieved in April 2010). Russia seeks a "politically loyal, pro-Russian Ukraine;" in other words, a Russian protectorate over a Ukraine transformed into a dominion whose foreign policy is coordinated with that of Moscow. Russia also wants to see the election of a "Kremlin vassal who would lead the country as a Little Russian,"[42] a foreshadowing of Yanukovych's election, as he is widely viewed by many Ukrainians as a 'Little Russian governor.' Much of these policies have been and continue to be implemented by Yanukovych since his election in February 2010.

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[36] Interview with Andriy Shkil, Kyiv, March 2, 2010.
[37] Interview with Tarasiuk, Kyiv, February 26, 2010.
[38] Interview with Sushko, Kyiv, March 3, 2010.
[39] *Zerkalo Nedeli/Tserkalo Tyzhnia*, September 12-18, 2009.
[40] *Ukrayinsky Tyzhden*, August 28-September 3, 2009.
[41] *Ukrayinska Pravda*, November 28, 2008.
[42] *Zerkalo Nedeli/ Tserkalo Tyzhnia*, September 12, 2009.

Russian Security Policy toward Ukraine

Russian security policy in the Putin-Medvedev era poses a stronger threat to Ukraine's territorial integrity than did that of the Yeltsin era. The Putin-Medvedev tandem has transformed Russia from a democracy to an autocracy and installed great power nationalism as the ruling ideology of the new Russia, both factors influencing Russian security policy. Russian leaders, to a greater extent now than in the 1990s, assert the "artificiality" of Ukraine's borders and the concept of Ukraine as an independent state. In the 1990s Russians argued that Ukraine had never existed as a state prior to the creation of the former USSR and was therefore an "artificial" construct of the Soviet era, an argument made by Zatulin when he was head of the State Duma commission on CIS Affairs and Ties with Compatriots.

These views have found support among Western scholars such as Anatol Lieven, who wrote that only forty percent of Ukraine is historically Ukrainian and the remainder was settled jointly by Ukrainians and Russians. In other words, independent Ukraine's borders are in reality a Soviet creation.[43] The question, however, is whether or not the case of Ukraine is really that unique. If so, how do Russia's borders differ in their "artificiality" from those of Ukraine? Russia's current borders in the former Russian SFSR and since 1991 in the Russian Federation were as much Soviet creations as Ukraine's. In addition, the Russian SFSR subsumed the Karelian Autonomous Soviet Socialist Republic (KASSR) in 1956, which existed as a Soviet republic since 1940, and transformed it into the Karelian Autonomous SSR. The abolition of the Karelian SSR was the only case in the history of the USSR of the merging of one Soviet republic into another. The Russian SFSR incorporated many regions that had Ukrainian ethnic majorities. If the Crimea and Sevastopol should be returned to Russia, should not Karelia be returned to Finland and the Kurile Islands to Japan?

In April 2008, during a speech President Putin gave to the NATO-Russian Council at the NATO summit in Bucharest, he disparaged Ukraine as an "artificial state" set to disintegrate if it joined NATO.[44] Putin also told his NATO hosts that Ukraine received large parts of its territory from Russia, in effect stating that Ukraine has little moral right to sovereignty over these territories. Putin's view has a long pedigree in Russian political and cultural thought. Memoirs published in the West after the 1917 Russian revolution by white Russian émigrés described 'Ukrainian separatism' as an Austrian plot against Russia. Eight decades later 'Ukrainian separatism' of the 1990s had transmuted into a 'Western plot' against Russia while the Orange Revolution had become an 'American conspiracy.'

These views of Ukraine's alleged "artificiality" and "fragility" remain deeply rooted within the Russian psyche and explain the Russian state's orchestrated campaign depicting Ukraine as a "failed state" that requires international supervision.[45] The March 16, 2009, issue of Russian political technologist Gleb Pavlovsky's *Ruskyi Zhurnal* was a special issue devoted to the subject of "Will Ukraine Lose its Sovereignty?"[46] "Russia's public and elites see Crimea as an accidentally, unfairly lost territory, our land,

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[43] Anatoly Lieven, *Ukraine and Russia: A fraternal Rivalry* (Washington DC; U.S. Institute of Peace, 1999).
[44] The speech is reprinted in *Zerkalo Nedeli/Tserkalo Tyzhnia*, April 12, 2008.
[45] Analysis by Andriy Kulakov in *Ukrayinska Pravda*, March 23, 2009.
[46] http://www.russ.ru.

temporarily held by another state, in this case – Ukraine, due to Khrushchev's whim. Many Russians view the restoration of control over the Crimea as a strategic task of their foreign policy."[47] Ukraine's former Ambassador to the United States Yuriy Shcherbak wrote a lengthy analysis and rebuttal of the Russian campaign which he believes has the aim of an "ideological-propaganda preparation of a future operation for the seizure of the territory of a sovereign state."[48] New Soviet-style strategies designed to undermine the Ukrainian state were leaked in the aftermath of Russia's 2008 invasion of Georgia.[49]

The growth of nationalism in Russia and the commiserate rise of nationalist youth groups, such as *Nashi* and the Eurasian Youth Movement, have caused the spread of nationalistic activity into the Crimea. These youth groups have taken part in anti-NATO and anti-American rallies in the Crimea organized by Russian nationalist groups allied with the Party of Regions and reinforced by BSF personnel camouflaged in civilian clothes. This, and other activities by BSF personnel, was the reason why Yushchenko reached the conclusion that the BSF is a cause of 'destabilization' in the Crimea,[50] a view that Yanukovych seems unable to comprehend. The BSF "provides one of the mightiest tools of Russian influence on the situation in the peninsula" and its very presence "strongly promotes Russian interests."[51] The BSF "possesses appropriate intelligence and special propaganda units, pursues an active campaign reinforcing historical memory and, as we noted above, information policy."[52] The BSF publishes the *Flag Rodiny* newspaper and has a television center whose programs are re-broadcast by Crimean and Odessa television and radio companies.

The destabilization Yushchenko referred to arises from the use of Russian military forces, whether in the Trans-Dniester enclave of Moldova or Sevastopol, as sources of intelligence activity directed against the host state and neighbors. Three technical devices designed to record eight mobile telephone calls at the same time used by BSF personnel and Ukrainians working for Russian intelligence in Sevastopol were confiscated by the SBU and the SBU's Alfa anti-terrorist unit as they were being transported back to Russia. The recorded files included telephone calls by law enforcement officers, judges, parliamentary and local deputies, and businessmen.[53] They point to a broad-based intelligence operation conducted by the FSB against Ukrainian elites and state officials.

Ukrainian presidential decrees issued in August 2008 were designed to restrict the movement of BSF personnel outside their bases to reduce their covert support of separatist groups. The MVS was instructed to detain BSF personnel caught outside their bases and then return them "with the aim of preventative educative influence on other BSF personnel."[54]

Following Russia's 2008 invasion of Georgia, Ukrainian policymakers felt greater insecurity from two threats. First, the BSF could continue to be used in military

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[47] *Natsionalna Bezpeka i Oborona*, no. 5, 2009.

[48] Den, May 26, 2009.

[49] "Nova strategiya Kremlia otnosytelno predstoyashchykh vyborov v Ukraine," http://www.rb.ru, April 8, 2009; analysis "Raspad Ukraine – tsenariy geopoliticheskoy katastrophyi," http://flot2017.com.ru, March 23, 2009.

[50] *Ukrayinska Pravda*, December 1, 2009.

[51] *Nationalna Bezpeka in Oborona*, no.5, 2009.

[52] *Ibid*.

[53] *Ukrayinska Pravda*, January 20, 2009.

[54] http://www.president.gov.ua.

interventions in other CIS states, as it had been in Georgia. Two August 2008 presidential decrees outlined measures for BSF vessels to give advance notice of their itineraries after leaving their Sevastopol base. Russia has, nevertheless, refused to abide by these new instructions. Although the Party of Regions never condemned the misuse of the Black Sea Fleet in the invasion of Georgia, forty-five percent of Ukrainians supported Yushchenko's decrees with only twenty-four percent opposing them.[55]

Second, there was a fear that Russia will not withdraw – based on its unwillingness to remove military bases from Moldova and Georgia and numerous statements given by Russian officials – from the BSF from Ukraine in 2017. Russia repeatedly refused Yushchenko's requests to begin negotiations on a phased withdrawal up to 2017, claiming the port of Novorosiysk to be too unsuitable to accommodate a re-located BSF. The Russian president and officials of the Foreign Ministry regularly issued statements demanding the transformation of Sevastopol into a permanent BSF naval base. With the twenty-five to thirty year extension of the BSF base, Russia may have an interest in maintaining Yanukovych in power indefinitely.

The Russian government has illegally distributed passports to Crimean's and Odessa citizens of Ukraine, which infringes upon Ukrainian legislation that does not recognize dual citizenship. This policy was adopted in South Ossetia and Abkhazia throughout the sixteen years in which they were frozen conflicts, giving Russia the pretext for invading a territory in "defense of its citizens," an argument used by Russia to justify its 2008 invasion of Georgia.[56] Changes in Russian legislation in 2009 permitting Russian armed forces the legal right to intervene abroad in defense of its citizens could be used against the Crimea or through intervention by BSF personnel into the port of Sevastopol. French Foreign Minister Bernard Kouchner stated, "We all know that Russian passports are distributed there," referring to the Crimea, and he stated that the EU feared the Crimea could become Europe's next flashpoint.[57]

During the Yushchenko era the Putin-Medvedev regime's tight control over Russian television mobilized the Russian population on anti-American, anti-Georgian and anti-Ukrainian platforms. Only a minority of Russian citizens had positive attitudes towards Ukraine, and relations between both countries declined during the Yushchenko era to their lowest ebb since the USSR disintegrated. Ukraine became the third most disliked country in Russia after the US and Georgia. The Russian Levada Centre concluded that there was a deliberate campaign in Russia to turn the population against Ukraine, finding that sixty-two percent of Russians held a negative view of Ukraine, with only the United States and Georgia being seen in a worse light.[58]

Prominent Russian journalist Boris Kagarlitsky wrote, "The anti-Russian mood in Ukraine is much weaker than the anti-Ukrainian mood in Russia."[59] Then Ukrainian ambassador to Russia Kostyantin Hryshchenko believed "everyone in Ukraine has been concerned that the attitude of Russians towards Ukrainians has taken a serious turn for

[55] Dissatisfaction & Disillusionment in Ukraine: Findings from an IFES 2008 Survey, (Washington DC: IFES, February 3, 2008), http://www.ifes.org/Content/Publications/Survey/2008/Ukraine-Survey-Report-2008.aspx.
[56] The estimates range from 6,000 Russian passports given out (Newsweek, August 23, 2008) to 100, 000 passports (Los Angeles Times, August 25, 2008); interview with Ukrainian Ambassador Inna Ohnivets to Slovakia (http://www.bbc.co.uk/Ukrainian, August 28, 2008).
[57] Interview with French Foreign Minister Bernard Kouchner in Komersant, October 28, 2008.
[58] http://www.levada.ru.
[59] Moscow Times, May 29, 2008.

the worse and that Russians are forming an impression of Ukraine as an enemy state."[60] Hryshchenko is linked to the gas lobby in the Party of Regions, not to Ukraine's 'orange' forces, and therefore his concern showed the degree to which even pro-Yanukovych politicians were alarmed at Russia's aggressive stance towards Ukraine.[61] Since becoming foreign minister under President Yanukovych, Hryshchenko has mooted his earlier criticism of Russian policies and has backed the president's opposition to Ukrainian membership in NATO.

In contrast, during the Yushchenko era ninety-one percent of Ukrainians held positive views of Russia, a reflection of media pluralism in Ukraine that did not produce state-directed propaganda against Russia. Analyzing these polls, the head of the Kyiv-based Center for Military-Political Research summarized Ukraine's relationship with Russia in the headline: "We like them but they do not like us."[62] Negative Russian attitudes towards Ukraine could potentially be used to justify punishing military operations, such as that undertaken against Georgia in 2008.

A Russian intervention into the Crimea would face greater obstacles than in Georgia because Ukraine controls the peninsula through the Interior Ministry, SBU, border troops and military units. Crimea has no land border with Russia, unlike South Ossetia, and Ukrainians and Russians living in the Crimea do not have a history of antagonism, again unlike in Abkhazia. In South Ossetia, Georgian-Ossetian relations were warm until the August 2008 Russian invasion and subsequent ethnic cleansing of Georgians. The Crimea has a fifteen percent Tatar population, which harbors anti-Russian attitudes arising from the 1944 deportation of Tatars to Central Asia, and can be quickly mobilized by its political and religious leaders.

Small-scale clashes provoked by Russian nationalists with or without the support of Russian intelligence personnel could lead to a Ukrainian intervention which could then escalate. An elderly Russian protestor could die of natural causes in clashes with MVS units which could then be blown out of proportion by the Russian media as a deliberately violent act by 'Ukrainian nationalists' against 'Russian citizens.' Provocations could be organized to inflame relations between Crimean's and Ukrainian law enforcement units resulting in clashes that would lead to intervention by Russian BSF forces "in defense of Russian citizens." Such Russian-backed mobilization took place in Tallinn in 2007 over the removal of a Soviet war memorial.

European Council on Foreign Relations Senior Fellow Andrew Wilson believes, "There could be an accidental or deliberate confrontation."[63] A possible scenario discussed by Leon Aron, director of Russian Studies at the Washington-based American Enterprise Institute (AEI), is one in which Russian special forces take control of Sevastopol in an overnight operation, perhaps on the eve of a parliamentary vote by the opposition who have returned to power and aim to abrogate the 2010 BSF treaty.[64] A blitzkrieg operation would give Ukraine the option of either sending reinforcements to dislodge them or

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[60] UNIAN, May 16, 2009.

[61] Interview with Hryshchenko in *Profil*, no. 22 (June 6, 2009).

[62] *Ukrayinska Pravda*, May 5, 2009.

[63] Quoted from Luke Harding, "Ukraine fears for its future as Moscow muscles in on Crimea," *The Observer*, October 11, 2009. Interior Minister Yuriy Lutsenko warned about the threat of provocations in the Crimea could escalate into Russian-Ukrainian conflict. See his interview in *Zerkalo Nedeli/Tserkalo Tyzhnia*, October 4-10, 2008.

[64] Leon Aron, "Russia's Next Target Could be Ukraine," *Wall Street Journal*, September 10, 2008.

accepting the loss of sovereignty over the port. Ukrainian intervention to re-take Sevastopol could be thwarted by large crowds of local supporters of the Russian intervention. Aron believes that Ukraine is vulnerable to a quickly executed seizure of Sevastopol and may have difficulty reversing such an operation.

Ukraine's military is sufficient to contest Russia in most areas and "could be made ready to defeat any large-scale Russian attack with minimal outside military assistance if Kyiv follows through on announced military reforms and if Ukraine is provided additional help with certain niche capabilities."[65] Such support of the Ukrainian military was the subject of a November 2008 meeting held in Tallinn between NATO and Ukraine. Under Kuchma and Yushchenko, Ukraine's cooperation with NATO was high, but is likely to stagnate under President Yanukovych, who is the first Ukrainian president to not view Russia as a potential security threat.

Ukraine's mechanized brigade based in Kerch and military units in the Crimea would block potential Russian reinforcements arriving from Novorossiysk. Mobile air brigades could be quickly deployed from Odessa, Dnipropetrovsk and Mykolaiv to reinforce Ukrainian security forces. Ukraine could win such a conflict, but the cost would be potential civil war and the growth of violent separatism in the Crimea and possibly eastern Ukraine. Anatoliy Grytsenko, minister of defense between 2005 and 2007, issued specific combat tasks to each regiment and brigade in the event of a potential invasion by Ukraine's neighbors. Grytsenko also planned military exercises to fend off a 'virtual enemy' (i.e. Russia or Romania) as well as training exercises entitled "Tuzla Spit," based on the 2003 near invasion of the island by Russia, and "Transdnistria," because of its export of instability to southern Ukraine in the form of espionage and support of Crimean separatism.[66]

Following Russia's invasion of Georgia, President Yushchenko called upon the government to increase its military spending in the 2009 budget. This was thwarted by the impact of the global crisis upon Ukraine, which necessitated the adoption of anti-crisis measures demanded as a condition for the receipt of an October 2008 IMF stand-by loan of $16.4 billion. Ukraine's GDP had declined by a massive fifteen percent in 2009. Yushchenko claimed that only a third of the armed forces needs were being met in the 2009 budget. An NRBO decree instructed the government to urgently increase the military budget by 227.9 million hryvni (approximately US$3 million).[67] Tymoshenko responded by saying that the defense budget had been increased by a third from 2007 to 2008, and in 2009 this level of funding had remained the same. In 2009, Ukraine launched production of the Oplot tank, which received positive international reviews.[68]

Following Russia's 2008 invasion of Georgia, Ukrainian Defense Minister Yuriy Yekhanurov announced plans to increase Ukraine's military presence in the Crimea and to deploy new units on Ukraine's border with Russia.[69] The Southern Operational Command (SOC) headquartered in Odessa includes large armed forces structures based in the Crimea. The 6th Army Corps is central to the SOC and includes one airborne, one air mobile, one armoured, one artillery and three mechanized brigades. Ukraine possesses

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[65] *Ibid.*
[66] Interview with Grytsenko in Kyiv Weekly, no. 27 (July 15, 2009).
[67] http://www.rainbow.gov.ua, November 20, 2009.
[68] Ukrainian State Television, Channel 1, December 29, 2009.
[69] Interview in *Ukrayinsky Tyzhden*, November 7, 2008.

a range of military forces in the Crimea that includes naval marines, air force and anti-aircraft missile complexes.[70] Elite National Guard units were stationed in the Crimea in the 1990s but in 2000 the National Guard was abolished and transferred to the MVS. These units included some of the best trained MVS special forces, such as the Bars unit that guarded the presidential administration during the Orange Revolution and that was mistakenly reported as a 'Russian *Spetsnaz* unit.' These former elite National Guards units within the Interior Ministry are trained in mountain and amphibious tactics to deal with potential separatist unrest in the Crimea.[71]

Ukrainian Security Policy Toward Russia

On the domestic level, Ukraine is facing three different challenges from the Kuchma era that are increasing potential threats to Ukraine's territorial integrity. The first is the Party of Regions alignment with Russian nationalists in the Crimea, a step that President Kuchma would never have envisaged. The NDP, Kuchma's Crimean party of power from 1998 to 2004, had a critical disposition towards Russian nationalists. The second is Russia's more assertive stance towards Ukraine and its CIS neighbors compared to that of the Yeltsin era. The third is Yanukovych's naivety about Russia's security policy and Moscow's inability to come terms with Ukrainian independence and its sovereignty over the Crimea and Sevastopol.

In the Kuchma era, the Party of Regions was forced to compete with other pro-regime centrist parties in a deliberate policy of divide and rule undertaken by the president. Following Yushchenko's January 2005 election, the Party of Regions consolidated its power in Ukraine and marginalized other 'centrist' parties, such as the Labour Ukraine Party, the Social Democratic United Party and NDP. The Party of Regions is an umbrella group, bringing together regional separatists and pan-Slavic extremists, former Communist voters, Soviet style trade unionists, those with links to organized crime, billionaire oligarchs, bona fide businessmen, discredited former Kuchma supporters and regional officials. The gas lobby has high influence in the Presidential administration, security forces and Energy Ministry.[72]

Pro-Russian regional separatists and nationalists have become increasingly active in the Party of Regions in the Crimea and Odessa, and in September 2008 the Crimean parliament, dominated by the For Yanukovych! Bloc, adopted a resolution recognizing the independence of South Ossetia and Abkhazia. The For Yanukovych! Bloc is supported on such policies by the 'People's Opposition' Bloc (associated with the extreme left Progressive Socialist Party), the Communist Party, the Ne Tak! Bloc ([Not This Way!] led by the Social Democratic United Party) and a small pro-Russian Tatar group (Kurultay-Rukh). Crimea's parliamentary coalition is far more pro-Russian than anything that had existed in the Crimea except in the first half of the 1990s when separatists were in the ascendancy.

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[70] Analysis of Ukraine's well-trained marines in *Ukrayinska Pravda*, November 20, 2009.

[71] T. Kuzio, "The Non-Military Security Forces of Ukraine," *The Journal of Slavic Military Studies*, vol.13, no. 4 (December 2000), pp.29-56, http://www.taraskuzio.net/International%20Relations.html.

[72] T. Kuzio, "Gas Lobby Takes Control of Ukraine's Security Service," *Eurasia Daily Monitor*, vol. 7, no. 53 (March 18, 2010).

Both Russian nationalist groups in the For Yanukovych! Bloc had obtained a third of the candidates put forward for the Crimean parliament and a large presence in Crimean local councils. In effect, the Party of Regions had revived the fortunes of Russian nationalists in the Crimea after a decade of marginalization. The scandalous *Rodina* (Motherland) Party in Odessa, with whom the Party of Regions cooperates, is led by Igor Markov, who has a criminal history that extends back to 1995. Markov used corrupt business sources, organized crime and covert Russian money to finance a network of anti-Ukrainian organizations throughout Odessa. In Odessa, *Rodina* Party activists had undertaken a campaign of terror against Ukrainian national democratic and 'orange' supporters, particularly during summer 2007 when Ukrainian NGOs organized protests against the unveiling of a monument to Tsarina Catherine. Markov's reign of terror culminated in the April 2009 murder of a twenty-one-year old Ukrainian nationalist student activist, Maksym Chaika, by the Antifa (Anti-Fascist) NGO affiliated with the *Rodina* Party.[73] The presidential secretariat requested that the SBU investigate their activities to discover if they were coordinated "with foreign organizations of an anti-Ukrainian orientation."[74] The SBU appealed to the Justice Ministry to consider if there were grounds to revoke *Rodina's* registration based on their link to organized crime and foreign source of financing. The suspects believed to be behind Chayka's murder fled to Russia and were placed on a SBU wanted list in September 2009. Markov's case was closed after Yanukovych came to power, as were many others, including the case against former Interior Minister Vasyl Tsushko[75] who was appointed minister of economics in the Azarov government.

Two Russian diplomats were expelled from Ukraine in August 2009 after they were accused of undertaking activities "incompatible with their status" (i.e. espionage). The diplomats were the general consul in Odessa, Aleksandr Grachev, and senior adviser to the Russian ambassador Vladimir Lysenko, whose responsibility included the BSF. Both men had covertly provided financial assistance to *Rodina* and Russian nationalists in the Crimea. The Ukrainian Foreign Ministry claimed they had issued "openly anti-Ukrainian statements in the case of the Russian embassy adviser, and with the actual support of this or that radical political force in the case of the consul-general in Odessa."[76] Russia threatened to retaliate by expelling two Ukrainian diplomats from Russia, even though there was no evidence or suggestion of espionage on their part.

Russian subversive activities in the Crimea undertaken by intelligence officials and overt assistance to proxy groups and NGOs increased following Putin's rise to power one decade ago. These intelligence activities violated CIS agreements whereby member states agreed not to undertake intelligence activities against each another. In October 2006, Yushchenko ordered the SBU to upgrade its activities in Crimea.[77] The SBU was "to investigate the efficiency of intelligence, counter-intelligence and operative measures in order to identify, prevent and halt intelligence, subversive and other illegal activities in

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[73] Information provided by SBU sources in Kyiv, December 15, 2009. Further background information can be found in T. Kuzio, "Russia's Ideological Crusade Against Ukraine," *Eurasia Daily Monitor*, vol. 6, no. 113 (June 12, 2009).

[74] http;//www.president.gov.ua, April 22, 2009.

[75] In May 2007, Interior Minister Tsushko (in the Yanukovych led government) sent riot police to storm the prosecutor-general's office in defiance of President Yushchenko. The riot police nearly came to blows with the presidential guard.

[76] Interfax-Ukraine, July 29, 2009.

[77] http://www.president.gov.ua.

Crimea by foreign secret services and non-governmental organizations." The SBU was ordered to neutralize subversive activities "which harm Ukraine's sovereignty and territorial integrity, pose security threats and incite ethnic, racial and religious tensions."

In the Yushchenko era the SBU openly raised the threat of Russian intelligence activities within Ukraine and Russia's return to Soviet KGB tactics. This was expressed in SBU chairman Valentyn Nalyvaychenko's demand that FSB officers within the BSF withdraw from the Crimea by the end of 2009.[78] Nalyvaychenko warned that if the FSB had not left by that date, "they would bear criminal responsibility. The criminal code contains an article on espionage."[79] Nalyvaychenko explained that one of the functions of the SBU was counter-espionage and that it would protect the BSF. The SBU offered to provide full security for the BSF, and Nalyvaychenko revealed that the SBU had established a new "powerful counter-intelligence unit in Simferopol, Sevastopol and other cities of the Crimea." This unit would be ideally suited to protect the BSF, he added. The SBU could deal with law and order and terrorist issues, and "We do not need assistance or the physical presence of foreign secret services," Nalyvaychenko said.[80]

The FSB relocated to Novorosiysk by December 2009.[81] Following Yanukovych's election Moscow demanded that he permit the FSB to return to the Crimea.[82] This demand was granted following President Medvedev's visit to Ukraine on May 17-18, 2010. The FSB had been located, despite the Ukrainian constitution, in Sevastopol since 2000 with the exception of only six months between 2009 and 2010.[83]

In line with implementing stricter security policies, the SBU began adopting tougher policies under President Yushchenko towards Russian intelligence activities in the Crimea and Sevastopol. One of the last occasions on which the SBU acted under the command of President Yushchenko was in late January 2010 when five Russian intelligence agents were arrested on the Ukrainian-Russian border near Odessa and charged with espionage. Three of those arrested were FSB officers and another was a soldier from the Operational Group of Russian Forces in Moldova. Russian military forces illegally stationed in Moldova are using it as a base for intelligence surveillance of Ukrainian operatives in Odessa.[84] The FSB "informant" was an undercover officer of Ukrainian military intelligence, codenamed Ruslan Pylypenko, who was recruited during a visit to the Trans-Dniester enclave, where he was shown FSB photographs of his family and himself in Odessa taken by Russian intelligence. The use of Russian military forces for intelligence activities "leads us to think again about whether it is prudent to have Russian military forces on the territory of Ukraine."[85] The USB drive sought by the FSB contained secret Ukrainian intelligence documents on how to counter Russian intelligence inside Ukraine.[86] Azarov, then holding a senior position in the opposition Party of Regions, accused President Yushchenko of provoking the scandal and thereby further diminishing to the already poor state of Ukrainian-Russian relations. Azarov, who

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[78] *Ukrayinska Pravda*, June 2; Interfax-Ukraine, June 28, 2009.

[79] *Ukrayinska Pravda*, June 28, 2009.

[80] *Nezavisimoy Gazete*, June 15, 2009.

[81] http://www.korrspondent.net, December 1, 2009; *Ukrayinska Pravda*, December 10, 2009.

[82] *Kommersant Vlast*, February 22, 2010.

[83] More details can be found in T. Kuzio, "The FSB Returns to Ukraine," *Eurasia Daily Monitor*, vol. 7, no. 100 (May 24, 2010).

[84] *Chas Rukhu*, February 23, 2010.

[85] *Chas Rukhu*, February 23, 2010.

[86] See Deputy Editor of *Kommersant Ukraina*, http://www.opendemocracy.net, February 23, 2010.

became Party of Regions leader and prime minister following Yanukovych's election, does not perceive Russia as a threat to Ukraine.

Russian intelligence has provided covert support to separatist, anti-NATO and anti-American groups in the Crimea and Odessa, even providing covert cover for BSF personnel who don civilian clothes and camouflage themselves as 'locals' during protests. Nalyvaychenko revealed that one factor behind the decision to terminate the right of the FSB to maintain its presence in Sevastopol was that they did not restrict themselves to the naval base. "Foreign special services operate in the city of Sevastopol. And this is against Ukrainian law," he said.[87] Oleksandr Skybinetsky, a member of the Ukrainian Parliamentary Committee on National Security and Defense, said that most Ukrainian experts in security affairs are concerned that the Russian intelligence services support various groups and protest movements that are hostile towards Ukrainian sovereignty.[88]

Ukrainian citizens are recruitment targets of Russian intelligence for *dezynformatsiya* work. Ukrainians have been recruited to appear on Russian television and broadcasts from the Crimea and South Ossetia to state their roles as mercenaries sent to fight for the Georgian side or as Crimean Tatars trained by Islamic Fundamentalists. Defense Minister Yekhanurov reported that Ukraine had only twenty-one military trainers in Georgia when the war broke out, all of whom were transported back in Yushchenko's presidential plane.[89] Russian intelligence has also returned to Soviet KGB tactics of *dezynformatsiya*: the planting of fabricated stories in foreign media outlets or provincial Ukrainian newspapers, which are then reprinted by Kyiv's central media as bona fide "news."[90] The NRBO reported that Russian intelligence was actively involved in planting stories in Ukraine's mass media to discredit the Ukrainian leadership with the aim of reintegrating Ukraine into Russia's sphere of influence.[91]

Following the Georgian crisis, Russia launched an international and regional propaganda campaign claiming that Ukraine had supplied large volumes of weapons to Georgia and that Ukrainian mercenaries had fought on the Georgian side. On September 11, 2008, the Russian Foreign Ministry issued a statement claiming that "by supplying heavy military hardware to the Georgian army the Ukrainian side partially bears the responsibility for the bloodshed…" Such claims were frequently repeated by the Party of Regions and Communist Party within Ukraine. Party of Regions deputy Valeriy Konovaliuk was accused by the SBU of leaking state secrets on Ukraine's arms exports after he led a campaign accusing President Yushchenko of 'illegally' supplying weapons to Georgia. In reality, Ukrainian arms were first exported to Georgia by President Kravchuk and then continued during Kuchma era, an inconvenient fact missed by Russia and the Party of Regions. In addition, there is no international embargo on the export of weapons to Georgia. Therefore, Ukraine's arms exports under Kravchuk, Kuchma and Yushchenko did not violate international law. Ukrainian arms exports to Georgia were halted by

[87] Interview with Nalyvaychenko in http://www.bbc.co.uk/ukrainian, June 18, 2009.

[88] *Ukrayinsky Tyzhden*, June 12, 2009.

[89] Interview with Yekhanurov in *Ukrayinska Pravda*, October 3, 2008.

[90] T. Kuzio, "Russian Dezyinformatsia Campaign Against the Orange Coalition," *Eurasia Daily Monitor*, vol. 5, no. 239 (December 16, 2008).

[91] http://www.rainbow.gov.ua/. Further details can be found in T. Kuzio, "Russian Dezyinformatsia Campaign against the Orange Coalition," *Eurasian Daily Monitor*, vol. 5, no. 239 (December 16, 2008).

President Yanukovych after he adopted Russia's hostile position towards the Georgian leadership, the first of the four Ukrainian presidents to take this stance.

Yushchenko differs from Ukraine's first two presidents in that he was the first to order the SBU to thoroughly investigate Russian subversive and intelligence operations in Ukraine. In 2009, Yushchenko ordered law enforcement officials to investigate Russian projects and programs in Ukraine because many of them portrayed Ukraine as an "artificial" country and questioned Ukrainian sovereignty over the Crimea and Sevastopol.[92] Luzhkov retorted that he disagreed with Yushchenko's view that Russian academic and educational projects in Sevastopol were "unfriendly acts." Yushchenko had described Luzhkov's support of the Moscow House in Sevastopol as a "provocation against Ukraine."[93] Moscow House, located in central Sevastopol, presents itself as a cultural and business center. Since 2006 it is also the home of the Institute for CIS States, led in Moscow by Zatulin and in the Crimea by Vladimir Solovyev, the former BSF intelligence chief and director of the Kremlin-backed Institute for CIS Countries in Sevastopol. This again confirms the link between pro-Russian NGOs and Russian intelligence operating outside the Russian Federation. Ten branches of Russian Universities exist in the Crimea, including a Black Sea branch of Moscow State University. Ninety percent of school pupils and students in the Crimea are taught in Russian, seven percent in Ukrainian and the remainder in languages of national minorities. Of the 1,5000 media publications registered in the Crimea, ninety-eight percent are in Russian.[94] The BSF and Russian pseudo-scholarly projects, coupled with social support to officers in the form of apartments, give the impression of the port being part of Russia, not Ukraine – a view that will be reinforced by the 2010 treaty extension.

The SBU demanded that the Sevastopol branch of the Institute for CIS Countries be closed by a court order. Zatulin, former Moscow mayor Luzhkov and Liberal Democratic Party leader and State Duma deputy chairman Vladimir Zhirinovsky were banned during Yushchenko's presidency from entering Ukraine because of their repeated support of Crimean separatism.[95] This ban was lifted by Yanukovych and Luzhkov was an honored guest at Yanukovych's sixtieth birthday party in July 2010. Russian journalists from the Rossiya channel were also barred from entering Ukraine for five years because they produced "false information about Ukrainian citizens" in a film they made after Russia's invasion of Georgia which alleged that Ukrainians had fought on Georgia's side in the war.[96]

Zhirinovsky, Zatulin and Luzhkov are leading supporters of the Putin-Medvedev leadership and the latter two are senior members of the Unified Russia Party. Zatulin called for ethnic Russians in Ukraine to be "in the same rank as the army, the fleet and church," meaning as a fifth column.[97] During Yushchenko's presidency, the ban on the entry of senior Russian officials into Ukraine led to strong language by Russia accusing Ukraine of undertaking acts of "provocation."[98] Zatulin was denied entry intro Ukraine in 2009 because "The stance of the SBU on this question is very tough: independent of the

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[92] *Ukrayinska Pravda*, July 5, 2009.
[93] *Ukrayinska Pravda*, July 6, 2009.
[94] *Natsionalna Bezpeka i Oborona*, no. 5, 2009.
[95] *Ukrayinska Pravda*, May 12, 15, 2008.
[96] *Ukrayinska Pravda*, September 18, 2009.
[97] http://www.russkie.org.
[98] http://www.in.mid.ru, May 12, 2008; *Ukrayinska Pravda*, May 13, 2008; Interfax-Ukraine, May 16, 2008.

citizenship and position held (of the person), there is no place in Ukraine for separatists and extremists."[99] Horbulin and Badrak advised the SBU to ensure "control over extremist and radically oriented Ukrainian groups in the south and southeast of the country."[100]

The SBU petitioned the Ministry of Justice to ban three separatist organizations "controlled from abroad" that threatened Ukraine's territorial integrity: the Donetsk Republic, with indirect links to senior Party of Regions leaders, the Peoples Front "Sevastopol-Crimea-Russia" group and the pro-Russian organizations in Transcarpathia that support the recognition of Rusyns as a fourth eastern Slavic group. Russian citizen Viktor Demyanenko, head of the Donetsk branch of the Great Host of Don Cosacks, who are fervent members of the Russian Orthodox Church, was denied entry into Ukraine because the SBU alleged he was establishing an illegal paramilitary group.[101] The Odessa prosecutor's office opened a criminal case against the For Ukraine, Belarus and Russia (ZUBR) organization for inciting ethnic and religious hostility.[102] Two other radical Russian organizations include *Proryv* (Breakthrough), with a strong presence in the Trans-Dniester, and the Eurasian Youth Union, the youth wing of Moscow State University Professor Aleksander Dugin's Eurasian movement.

The Peoples Front "Sevastopol-Crimea-Russia" was banned in January 2009 because the SBU viewed it as a threat to Ukraine's territorial integrity.[103] Criminal charges were brought against six activists, but cases against only two, Valery Podyachny and Semen Kluyev, went to court on charges that could have led to as many as five years imprisonment.[104] Kluyev was sentenced to four years in prison, which was suspended for two years, while Podyachny escaped and is currently in hiding either in Russia or the Trans-Dniester region.

The Peoples Front "Sevastopol-Crimea-Russia" was established in August 2005 by twelve pro-Russian organizations as an umbrella group and two years later launched its "Ukraine without the Crimea" campaign. Yevhen Dubovyk, leader of the Progressive Socialist Party faction in the Sevastopol City Council, was questioned after he threatened radical action to unite Sevastopol and the Crimea with Russia. Cooperation between activists from the extreme left and right is common in Russia and the Crimea. Funding for the Peoples Front "Sevastopol-Crimea-Russia" is transferred through covert assistance from Moscow in the form of grants given by NGOs. From 2006 to 2008 the Moscow City Council donated nearly $20 million to Crimean projects, and in 2010 it will spend $10 million to support the Russian 'Diaspora' in the former USSR. The *Rusky Mir* (Russian World) government-funded foundation, modeled on the British Council but with additional covert and subversive objectives, has awarded grants to extremist pro-Russian organizations in the Crimea and Transcarpathia.[105]

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[99] *Ukrayinska Pravda*, June 6, 2009.
[100] *Zerkalo Nedeli/Tserkalo Tyzhnia*, September 12, 2009.
[101] Interfax-Ukraine, October 6, 2009.
[102] Interfax-Ukraine, December 2, 2009.
[103] *Ukrayinska Pravda*, November 28, December 23, 2008.
[104] *Ukrayinska Pravda*, January 20, 2009.
[105] Further information can be found in T. Kuzio, "Crimean Separatists Buoyed by the Election of Yanukovych," *Eurasia Daily Monitor*, vol. 7, no. 41 (March 2, 2010).

Can President Yanukovych Reset Relations with Russia?

Any resetting of relations between Ukraine and Russia would require both sides to take steps towards this end goal. According to Russia, as expressed in President Medvedev's 2009 letter to then president Yushchenko, the entire blame for the deterioration in Ukrainian-Russian relations rests with Ukraine and therefore, Kyiv must take the first step.[106] President Medvedev said that Yushchenko is "guided by anti-Russian ideas, and no compromises can be achieved with him.[107] Everything that he has done over the past four years has been aimed at disrupting bilateral relations. He has breached economic agreements, he tries to rewrite history and he has expelled a number of Russian diplomats from the country. That was an unfriendly act that requires a robust reaction."[108]

Although Yanukovych came into office in 2010 with stronger pro-Russian views than Kuchma held when he was first elected in 1994, it is only a matter of time before both sides become disillusioned. This disillusionment will happen more quickly than that which took place in Belarusian-Russian relations after the failure to establish a new union state. Russia's vociferous appetite is limitless, and every compromise made by Yanukovych will only lead to further demands on Ukrainian sovereignty. The failure of the Ukrainian economic summit to achieve any results during Medvedev's May 17-18, 2010, visit signaled the end of the 'honeymoon' phase, according to the Ukrainian media.[109] The same disillusionment took place in the Kuchma era after Russian president Yeltsin visited Kyiv only three years after Kuchma came to power on a pro-Russian platform. It then took two more years for the Russian executive and parliament to recognize Ukraine's borders. Overall, the process for Russia to recognize Ukraine's borders lasted through Kuchma's entire first term in office (1994-1999). Kuchma's disenchantment with Russia resulted in him seeking greater cooperation with the US and NATO and Ukraine becoming the third largest recipient of American overseas assistance during the Clinton administration. Obama, unlike Clinton, is seemingly willing to ignore Ukraine's national security in the interest of resetting US-Russian relations.

Another issue is the nature of Russia's regime and Moscow's territorial pretensions, which will not change or subside regardless of who is in power in Ukraine, as proven by Luzhkov's reiterated claims over Sevastopol only three months after the April 2010 treaty extension was signed. In fall 2003, President Kuchma had a very good relationship with President Putin, having just signed the CIS Economic Space Agreement. Russia, nevertheless, undermined those close relations by launching territorial pretensions against the island of Tuzla. It is, therefore, wrong to assume that Yanukovych's election will end Russian territorial claims over the Crimea or that Luzhkov will end his two decade long campaign to transfer Sevastopol to Russia. If anything, the twenty-five to thirty year BSF extension only served to wet Russia's appetite further. This judgment is proven by the pressure placed on Ukraine to agree to a merger of the two state gas monopolies, Naftohaz Ukrainy and Gazprom, which would, in reality, be the swallowing up of Naftohaz by the far larger Gazprom.

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[106] Analysis of Ukrainian-Russian relations by Deputy Foreign Minister Valeriy Chalyi in *Zerkalo Nedeli/Tserkalo Tyzhnia*, August 8, 2009. Chalyi is only the second official to have ever resigned in protest from the Ministry of Foreign Affairs.

[107] Interview with President Medvedev in *Der Spiegel*, September 11, 2009.

[108] Comments in support of Medvedev's letter by Party of Regions deputies in *Ukrayinska Pravda*, August 11, 2009.

[109] "Ukraine's Special Operations With Medvedev Failed to Bear Fruit," *Ukrayinska Pravda*, May 19, 2010.

Seventy percent of Russians believe that relations with Ukraine could deteriorate over the sovereignty of the Crimea, and three quarters of Russians support the defense of Russians living in the Crimea.[110] Many Crimeans have been given Russian passports in a policy that was also undertaken, without strong Western criticism, in "frozen conflicts areas such as South Ossetia, Abkhazia and Trans-Dniester. The distribution of Russian passports in South Ossetia began in 2002 after Russia's new law on citizenship was adopted, permitting stateless former Soviet citizens to exchange their Soviet passports for Russian passports. Deputy Prime Minister Sergei Ivanov pointed out that ninety-two percent of Sevastopol's residents were "our compatriots," meaning Russian speakers. This view would be the same as France stating it has "compatriots" in Quebec and Francophone Africa.[111] In the Crimea, the SBU estimates that 10,000-100,000 Russian passports have been illegally distributed.[112]

In the event of a future "Tuzla crisis", would President Yanukovych respond in the same patriotic manner as did Kuchma in 2003, cancelling a foreign visit and ordering the mobilization of Ukraine's security forces? Future conflict is no longer beyond the bounds of the imaginable. Books outlining fictional future wars between Russia and Ukraine have become increasingly popular in Russia.[113] As *The Economist* wrote on August 20, 2009, "A full-blown military conflict with Ukraine seems unlikely but is no longer unthinkable." Yanukovych and the Party of Regions do not inspire confidence in their ability to defend Ukraine against Russian security threats which they, unlike Ukraine's first three presidents, do not believe exist.

Yanukovych and his allies routinely dismiss claims that Russia is a threat to Ukraine's national security. Prior to being elected president, Yanukovych repeatedly stated his support of a permanent BSF base in Sevastopol as part of President Medvedev's proposed European Security treaty. "I do not see any, for example, threats from Russia as regards the deployment of the BSF in Crimea," stated Yanukovych, a view directly at odds with those of Ukraine's first three presidents.[114] The fact that Yanukovych's support of a permanent Russian naval base contradicted his election program is apparently lost on the new president. This should not be surprising, however, as contradictions in Yanukovych's foreign policy are long-standing. As prime minister, he oversaw the deployment of Ukrainian troops to Iraq in 2003 and a year later ran an anti-American campaign as part of his presidential election bid.[115] Yanukovych's non-bloc status only points to not permitting NATO - not Russian - military bases on Ukrainian territory.

Russian intelligence operations against Ukraine will continue although SBU Chairman Valeriy Khoroshkovsky will not continue to provide a tough response to them, as did the former chairman Nalyvaychenko under Yushchenko. Khoroshkovsky, a billionaire media tycoon, is more pre-occupied with extracting high corrupt rents as a member of the Yanukovych administration's gas lobby as well as lobbying on behalf of television

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[110] *Ukrayinska Pravda*, February 18, 2009.

[111] *Ukrayinska Pravda*, June 14, 2008.

[112] Newsweek, August 23, 2008; *Los Angeles Times*, August 25, 2008.

[113] See a review of these books in *Ukrayinska Pravda*, March 2, 2009.

[114] Channel 5 Television, December 2, 2009.

[115] T. Kuzio, "Deep Contradictions Cloud Yanukovych's Foreign Policy," *Eurasian Daily Monitor*, vol.1, no. 126 (November 12, 2004).

channels such as Inter. The SBU has returned to acting in the interest of its corrupt leaders, as it did in the second half of the 1990s under then chairman Leonid Derkach.[116]

There is no equivalent of former NRBO secretary Horbulin's stature in the Yanukovych administration. Horbulin was by far Ukraine's most professional secretary of the NRBO, holding the position during Kuchma's first term. Horbulin, formerly the director of the National Institute on the Problems of International Security, affiliated with the NRBO, returned to the theme of Russian threats to Ukraine in a number of articles written for the influential weekly *Zerkalo Nedeli/Tserkalo Tyzhnia*.[117] Horbulin warned of Russia's aggressive intentions following its invasion of Georgia, annexation of South Ossetia and Abkhazia, and after Medvedev's 2009 open letter to Yushchenko.

A third factor is Crimean separatism, which will be emboldened by Yanukovych's election. For a decade between the mid 1990s and 2004, Russian nationalist-separatists in the Crimea were marginalized by the strong policies undertaken by Kuchma after he came to power, which were then continued by Yushchenko. After the Orange Revolution, Yanukovych and the Party of Regions revived the political fortunes of Russian nationalist-separatists, and in the 2006 Crimean elections the For Yanukovych! Bloc was established between the Party of Regions and two Russian parties.

The outcome of the Party of Regions alliance with Russian nationalists has been three-fold. First, it gained a significant number of votes in the Crimean parliament, enabling it to vote in September 2008 to recognize the independence of South Ossetia and Abkhazia. This undermined Ukraine's consistent position in support of the territorial status quo. Second, from 2005 onwards, joint annual military maneuvers with NATO under PfP were disrupted by Party of Regions and Russian nationalist protestors in the Crimea. These maneuvers had been conducted peacefully during the previous decade. The Party of Regions blocked votes in parliament to permit the entrance of foreign military units on to Ukrainian territory, which also undermined joint annual military maneuvers, as in the 2009 Sea Breeze exercises.[118] Ukraine joined NATO's PfP in January 1994 and became the most active CIS member, opening one of only two NATO Information offices in Kyiv, the other being in Moscow. Ukraine's cooperation within PfP, which has greatly benefitted Ukraine's military, is now in jeopardy under President Yanukovych. Third, the Crimea is now emboldened to demand greater rights as an autonomous republic. Even before Yanukovych was inaugurated and became president, the Crimean parliament had demanded that its name be changed from being spelled in Ukrainian to Russian. The extension of the BSF base in Sevastopol to 2042-2047 will embolden Crimean Russian nationalist-separatists and Russian irredentists, who see it as an opportunity for a stealth take-over of the port.

Three scenarios could take place in the Crimea within the next five years of the Yanukovych presidency.

- **Disenchantment with Russia:** President Yanukovych, like Lukashenka, could quickly become disenchanted with the large number of Russian demands and

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[116] Derkach was reportedly heavily involved in illegal arms exports. See T. Kuzio, "Odd Bedfellows: Sierra Leonean Diamonds and Ukrainian Arms," Harriman Institute, Columbia University, New York, April 18-19, 2008, http://www.taraskuzio.net/conferences2.html.

[117] *Zerkalo Nedeli/Tserkalo Tyzhnia*, September 12, 2009; *Kyiv Post*, October 1, 2009.

[118] UNIAN, August 8, 2009.

Moscow's unwillingness to treat Ukraine with equality and respect. Yanukovych could seek to disentangle Ukraine from Russia's embrace and move from a single to a Kuchma era multi-vector foreign policy. This may not be possible, as Ukraine is more integrated with Russia in the fields of economy, energy and security than is Belarus.

- **Accidental Conflict:** Russian security forces and the BSF could intervene in defense of compatriots (i.e. Russian speakers) following the deaths of Crimean's during riots between local Slavs and Crimean Tatars. This would present Yanukovych, the commander-in-chief, with a choice. He could ignore Russia's military intervention on Ukrainian sovereign territory, as he did in August 2008 when the BSF sent vessels in support of Russia's invasion of Georgia. Alternatively, Yanukovych could follow in Kuchma's footsteps from 2003, when Russian sought to annex Tuzla, by mobilizing security forces to defend Ukrainian territory and repulse Russian forces.

- **Removal by the Opposition:** An opposition victory in the September 2012 parliamentary elections would lead to the annulment of the 2010 BSF treaty extension. Russia could pre-empt the Ukrainian parliamentary vote by sending security forces and BSF personnel camouflaged as local paramilitaries to occupy Sevastopol in an overnight operation, as discussed by Aron.[119] An emergency meeting of the Sevastopol City Council would be called, resulting in the vote to secede from Ukraine and join the Russian Federation. This would be followed by an emergency meeting of the Crimean parliament that would vote to endorse the transfer of Sevastopol to Russia. This rapid *fait d'accompli* would give Kyiv only two options; either to accept the loss of Sevastopol or to intervene militarily and face all of the consequences, including a full blown conflict with Russia.

Conclusion

As argued in this Jamestown Foundation report, the election of Yanukovych does not take away the main issues that have bedevilled Ukraine's relations with Russia since 1991, particularly in Sevastopol. These challenges include Russia's inability to come to terms with two consequences of the disintegration of the USSR: Ukraine as an independent state and Ukrainian sovereignty over the Crimea and Sevastopol. The Crimea therefore continues to retain the potential to become Europe's next flashpoint, regardless of who Ukraine's president is, as long as the Putin-Medvedev leadership remains in power in Russia and Russia's views of Ukraine and the Crimea/Sevastopol, as seen in Luzhkov's reiteration of Russian irredentism, remain unchanged.

In their rush to reset relations with Russia after its invasion of Georgia and the election of US president Obama, Brussels and Washington have largely ignored Russia's more assertive stance towards Ukraine and the Crimea. Ambassador Shcherbak warned that Russia's ultimate aim is to "destroy Ukrainian statehood."[120] A resetting of US relations with Russia is a goal of the Obama administration *and* newly elected President Yanukovych. In both cases any improvement of relations will be moderate, as Russia does not reciprocate the desire to reset relations with the US and Ukraine. As Medvedev's 2009 letter to Yushchenko clearly expressed, Russia believes all of the

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[119] Op cit., Aron.
[120] Den, May 26, 2009.

responsibility for poor relations rests with Kyiv, not with Moscow. Similarly, Russia blames the poor state of US-Russian relations on Washington. Putin-Medvedev's Russia does not understand that it takes cooperation from both sides to reset relations.

Ukraine has been given a difficult task by Western European EU and NATO members: to pursue good relations with Russia at a time when Russia, one of five nuclear powers to have given security assurances to Ukraine in return for its denuclearization, seeks to undermine Ukraine's sovereignty. In not taking Ukraine's security threats into account, despite the security assurances offered to Ukraine in the 1994 Budapest Memorandum, the West's reputation could be damaged by its negotiations to halt Iran and North Korea from becoming nuclear powers. Ukraine gave up the world's third largest nuclear weapons stockpile between 1994 and 1996 in return for 'security assurances' from five nuclear powers, one of whom – Russia – constitutes the main threat to Ukraine's territorial integrity. In 2003, less than a decade after the 'Budapest Memorandum,' Russia sought to annex Tuzla Island off the Crimean coast.[121] As Horbulin and Badrak argued, the nuclear powers are "*de facto* demonstrating a rejection of their responsibilities" and "those who are not speaking of a repetition of Munich in 1938 today in Europe and Ukraine are only ignoring the facts."[122]

Russia has never reconciled itself with Ukrainian sovereignty over Sevastopol and the Crimea, and Ukrainian insecurity over Russian policies towards its neighbors has heightened following Russia's 2008 invasion of Georgia and annexation of two of its regions. Ukraine's relations with Russia remain poor in a wide range of areas, most of which are unlikely to improve under Yanukovych. A conflict between Russian and Ukrainian armies similar to that which took place in Georgia in 2008 is, nevertheless, unlikely in the Crimea. Small-scale conflicts between Russian nationalist groups and Ukrainian security forces, however, could escalate and lead to Russian intervention, particularly from the BSF which, according to the 2010 treaty extension, will remain based in Sevastopol until 2042-2047. The transformation of Sevastopol into a *de facto* permanent naval base by a treaty seen as illegitimate by a majority of the population and by the opposition who have threatened to annul it will not lead to regional stability. The BSF will continue to act as a 'destabilizing' force in Sevastopol and the Crimea, a channel of subversion and intelligence gathering, a conduit to influence the orientation of Ukrainian foreign policy and a rallying symbol for Russian nationalists in the Crimea and in Russia.

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[121] T. Kuzio, "What Signal Does Washington's Arms Embargo against Georgia Tell us About US Policy to Ukraine?," Jamestown Foundation blog, July 12, 2010.
[122] *Zerkalo Nedeli/Tserkalo Tyzhnia*, September 12-18, 2009.

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Taras Kuzio received a BA in Economics from the University of Sussex (1980), an MA in Soviet Studies from the University of London (1985), and a PhD in Political Science from the University of Birmingham, England (1998). He was a Post-Doctoral Fellow at Yale University. He is a 2010-2011 Austrian Marshall Plan Foundation Visiting Fellow at the Paul H. Nitze School of Advanced International Studies, John Hopkins University, Washington. Kuzio is a Senior Research Fellow at the Chair of Ukrainian Studies, University of Toronto, and Adjunct Research Professor, Carleton University, Ottawa. He was previously a Transatlantic Fellow at the German Marshall Fund of the United States, a Visiting Professor at the Institute for European, Russian and Eurasian Studies, George Washington University, and Senior Research Fellow in the Centre for Russian and East European Studies at the University of Birmingham. Kuzio is the author and editor of fourteen books and is currently writing a *Contemporary History of Ukraine*. He is the author of five think tank monographs and twenty-five book chapters, the most recent being "Ukraine: Muddling Along," in Sharon L. Wolchik and Jane L. Curry eds., *Central and East European Politics: From Communism to Democracy, Second Edition* (Banham, MD: Roman and Littlefield, 2011). He has authored over sixty scholarly articles on post-communist and Ukrainian politics, and has guest edited six special issues of academic journals, including a recent issue of *Communist and Post-Communist Studies* on "Communist Successor Parties in Central-Eastern Europe and Eurasia." He is a long-time contributor to the Jamestown Foundation and Jane's Information Group and is the editor of the monthly *Ukraine Analyst*.