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U.S.-Ukrainian Relations

From Engagement to Estrangement

Paul Kubicek

Increasing authoritarianism and decreasing strategic importance may leave Ukraine on the margins of international society.

SINCE the terrorist attacks of September 11, 2001, many countries have seen dramatic shifts in their relations with the United States. Some formerly near-pariah states, such as Pakistan, Uzbekistan, and Tajikistan, are now key partners in the war on terror. Relations with Israel have never been warmer. Russia, which the Clinton administration had supposedly “lost” at the end of the 1990s, was suddenly a valuable ally with a common interest in combating Islamic fundamentalism.¹

At the same time, some states that were once close to Washington are now being held at a distance. Saudi Arabia may rank as America’s most problematic ally, and, of course, relations between the United States and “old” European countries like France and Germany are now chillier than at any time in recent memory. A subtler but nonetheless important shift has taken place with regard to Ukraine. Hailed in the 1990s as the “linchpin” and “keystone in the arch” of Eurasian security² and showered with substantial U.S. aid, Ukraine has now dropped from America’s radar screen. As the European Union and NATO expand, Ukraine is on the outside looking in, having lost support in both Washington and Brussels. Ukraine’s much ballyhooed “European choice” and “strategic partnership with the United States” have rather suddenly come to naught.

There are several reasons for this. Russia looks less and less like a bear that needs to be contained, corruption and authoritarian tendencies are firmly rooted in Ukraine, and Kyiv’s planned sale of four advanced Kolchuga radar units to Iraq did not help in a climate in which President George W. Bush has warned all states that they are either “with us or against us.” Enthusiasm for Ukraine has given way to estrangement, as the coun-

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Table 1

Western Assistance to Ukraine

Total U.S. aid to Ukraine, 1992–2001	\$2.82 billion
Total aid from U.S. Department of Defense	\$661 million
Total aid related to nuclear energy safety	\$330 million
Total aid from USAID (aid for political and economic reforms)	\$1.28 billion
Total EU aid through TACIS program, 1991–2002	\$1.13 billion

Sources: U.S. Department of State and European Union Web sites (www.state.gov/documents/organization/17714.pdf, www.state.gov/documents/organization/2378.pdf, europa.eu.int/comm/external_relations/ceeca/tacis/figures.pdf, europa.eu.int/comm/external_relations/Ukraine/intro/index.htm).

try continues along the path of authoritarianism and isolation, much like its smaller neighbor, Belarus.

Ukraine's defenders do not excuse the outrageous actions taken by President Leonid Kuchma but note, nonetheless, that Ukraine is not Belarus. As they point out, Ukraine is not eager to entangle itself in a new confederation with Russia, the hope for democracy is not yet lost, and by virtue of its size the world cannot afford to let Ukraine collapse or continue to wallow in the mire of political and economic stagnation. Outside actors like the United States can still play a positive role in the country's post-communist transformation.

This article takes up these points, focusing on recent problems in U.S.-Ukrainian relations, some of which pre-date 9/11 but many of which have become worse since then. An analysis of the evolution of U.S. policy with an eye toward the September 11 turning point underscores two points, both to Ukraine's detriment. First, the old geo-politics of the cold war era, centered on the Soviet/Russian threat, are past, and Washington has a new security concern that may require a cooperative relationship with Moscow. Second, Ukraine is not a front-line state in the war on terror. Its democratic shortcomings could be overlooked when it had more geo-political importance, but now they complicate its relations with the United States and other Western countries.

The First Decade of U.S.-Ukrainian Relations

Ukraine's relationship with the United States changed profoundly in the 1990s.³ Ukrainian independence was not welcomed in the West, with President George H.W. Bush notoriously warning Ukrainians against "suicidal nationalism" in August 1991. When Ukraine became independent because of the Soviet collapse, it contin-

ued to be held at arm's length by most Western countries, including the United States. There were three reasons for this. First, America's primary goal was to engage and encourage reform in Boris Yeltsin's Russia. Policy across the newly independent states was viewed through the prism of its relations with Moscow, and, to the extent that many in Russia were uncomfortable with Ukrainian independence, the United States did not put much emphasis on ties with Kyiv. Second, the post-independence government of President Leonid Kravchuk in Ukraine was not strongly committed to economic reform. Third, and most important, Ukraine continued to hold the nuclear weapons that it had inherited from the Soviet Union. Kyiv's failure to surrender these weapons was seen by many, both in Moscow and Washington, as a sign of intransigence and an irrational manifestation of nationalism.

The year 1994 brought great changes to Ukraine's relationship with the United States and the West. In February, Ukraine became the first member of the Commonwealth of Independent States (CIS) to join NATO's Partnership for Peace program, thereby launching military cooperation with the West. In July, Leonid Kuchma was elected president. Although he had campaigned on a platform of closer ties with Russia, Kuchma wavered once in office, endorsing market reforms in the hope of winning Western assistance. In November, the Ukrainian parliament acceded to the Non-Proliferation Treaty and began dismantling the country's weapons, in return receiving security assurances from the international community.

Of course, Ukraine's standing with the United States also improved because of events in Russia in late 1993. First, Yeltsin bombed his own parliament in October, and then the ultra-nationalist Vladimir Zhirinovskii made an unexpectedly strong showing in the December parliamentary elections. Given uncertainties about the fate of democracy and a pro-Western orientation in Russia, a strong Ukraine became important as a potential check on a resurgent Russia. As former national security adviser Zbigniew Brzezinski explained, "Without Ukraine, Russia ceases to be an empire, but with Ukraine suborned and then subordinated, Russia automatically becomes an empire."⁴ Therefore, in order to support a pro-Western Ukraine (with subordinat goals of fostering economic and political reform), the United States and the EU countries sent billions in aid to Kyiv. For several years, Ukraine was the third-largest recipient of U.S. aid (after Israel and Egypt). According to Secretary of State Colin Powell, Ukraine had received \$2.82 billion in U.S. assistance through 2001,⁵ much of it directed toward the dismantling of nuclear weapons

and cleanup from the Chernobyl disaster (*see Table 1*). Washington also backed Ukraine's efforts to form the GUUAM group of five states (Georgia-Ukraine-Uzbekistan-Azerbaijan-Moldova) to counter Russian influence in the post-Soviet space.⁶

Although U.S. assistance poured into the country, Ukraine's record on economic and political reform remained mixed. The hyperinflation of the early 1990s was put under control, and Kyiv introduced a new currency, the hryvna. A constitutional struggle between the president and parliament was resolved peacefully, with a constitution to Kuchma's liking passed in 1996. Fears of separatism in Crimea went unrealized. In 1997, Kyiv concluded a Treaty of Friendship and Cooperation with Russia and at the same time a Charter on Distinctive Partnership with NATO. However, the economy continued to deteriorate, promises of economic reform yielded little, corruption flourished, and foreign investment never amounted to more than a trickle.⁷

On the political front, Kuchma (as Yeltsin had in Russia) convinced Westerners and many Ukrainians that he was the only bulwark against a communist takeover. A U.S. Agency for International Development report in 1998, summarizing developments in Ukraine, stated that "more than ever before in the five year [*sic*] history of independent Ukraine, there is reason to be optimistic about the prospects for lasting economic, political, and social transformation."⁸

By 1998–99, however, it was much more difficult to gloss over the problems that continued to plague the country. Russia's 1998 economic crisis had severe repercussions in Ukraine (the hryvna lost 40 percent of its value), and the continued failure to reform significant sectors of the economy raised concerns that Ukraine might never get out of its economic mire. The 1998 parliamentary elections did little to clarify the political environment, but they were judged "rather free and fair" by outside observers. The same could not be said of the 1999 presidential elections, which Kuchma won through all sorts of electoral shenanigans, ranging from the mundane (ballot stuffing, bias in the state media, voter intimidation, and pro-Kuchma regional officials "delivering") to the dramatic (mysterious grenades thrown into a campaign rally of one opponent, the fatal car wreck of another). The Council of Europe judged the election a "disgrace," and Ukrainian parliamentarian Serhei Holovaty lamented the "creeping coup" in his country.⁹ Optimists could still cling to the argument that Kuchma's victory was preferable to the communist (and presumably anti-Western) alternative.

By the end of 2000, this claim became less convinc-



Seated alone, Ukraine's president Leonid Kuchma waits for proceedings to begin inside the conference hall at the Euro-Atlantic Partnership Council meeting on the second day of the NATO summit in Prague, November 22, 2002. (AP Photo/Laurent Rebours)

ing, thanks to secret tape-recordings made by Mykola Melnychenko, a Ukrainian security officer, who eventually was granted political asylum in the United States. The tapes, allegedly made in Kuchma's office, implicate the president in a wide variety of crimes and corruption.¹⁰ The most notorious revelation (at least until the Iraqi connection became well known) had Kuchma suggesting that Ukrainian security agents "take care" of Georgii Gongadze, a journalist opposed to him, whose headless body had, in fact, turned up outside of Kyiv in September of that year. Other recordings were hardly less dramatic: money-laundering schemes, electoral fraud, judicial intimidation, complicity in the April 1999 car crash that killed Vyacheslav Chornovil, an opposition leader, and the aforementioned grenade attack on Natalia Vitrenko of the Progressive Socialist Party during the 1999 presidential campaign. Noting the evidence on these tapes as well as other developments (e.g., attempts to centralize authority, crackdowns on the media), commentators suggested that Ukraine was suffering from a "predatory political regime" with an "inbred, opaque, and authoritarian administrative culture."¹¹

The tape scandal triggered protests in Ukraine, where the overwhelming majority of the people believed the tapes were authentic.¹² The police, however, broke up most of the protests, often violently, and the opposition was wracked by divisions. Kuchma survived thanks to a “passive Ukrainian public largely resigned by [*sic*] being ruled by corrupt politicians.”¹³ After the 2002 elec-

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tions (discussed below), he even managed to secure a pro-presidential majority in the parliament.

The tapes had international repercussions as well. Kuchma is no longer invited to visit Western states (aside from meetings of multilateral institutions). In 2001, for the first time in several years, there was no meeting between the presidents of the United States and Ukraine. Colin Powell conceded in July 2001, “in truth, in the last few months there have arisen some disagreements and difficulties [in U.S.-Ukrainian relations],”¹⁴ but this did not prevent Defense Secretary Donald Rumsfeld, National Security Adviser Condoleezza Rice, NATO’s secretary general, Lord Robertson, the EU’s foreign policy chief, Javier Solana, and Pope John Paul II from meeting with Kuchma in Kyiv. True, there was some criticism of Kuchma related to the tape scandal, but much of it was tepid, and there was no cut-off in aid or official statements by Western governments authenticating the tapes.¹⁵

One consequence of “Tapegate,” however, was a rapprochement of sorts between Moscow and Kyiv. Russia, of course, had always been an important target of Kyiv’s “multi-vector” foreign policy, but there had been serious tensions between Ukraine and Russia in the 1990s on issues such as Ukraine’s energy debt, division of the Black Sea Fleet, and statements by some Russian politicians questioning Ukrainian independence. To the extent that Russia was viewed as a bully or even a direct threat, Ukraine had a clear interest in cozying up to the West. However, links with Russia never disappeared. Many Ukrainian “oligarchs” profited from economic ties to Russia, and most Ukrainians (especially in the more Russified eastern and southern regions) placed high value on good ties with Russia.¹⁶ By 2000–2001, when relations with the West hit a rough patch, Ukraine began to play the “Russia card,” concluding new eco-

nomics and security agreements with Moscow, leading to speculation that Ukraine would *de facto* sacrifice its independence and come under Russia’s influence.

President Vladimir Putin was happy to respond to the new wind blowing from Kyiv and, given his own questionable commitment to liberal democracy, less concerned about enforcing standards of any sort in Ukrainian domestic politics. As James Sherr notes, “When Ukraine seeks better relations with Russia, the Russian Federation responds with evident warmth, castigating the West for intruding in the internal affairs of ‘brotherly Ukraine’ and erecting no standards except ‘firm good neighborliness.’”¹⁷ There were several indications during this period that Russian-Ukrainian relations were warming. Putin’s first foreign visit as president was to Ukraine in April 2000, he lobbied for the dismissal of Borys Tarayuk, Ukraine’s pro-Western foreign minister, he appointed a high-profile, well-connected former prime minister, Viktor Chernomyrdin, as his ambassador to Ukraine. He was one of the few foreign leaders to join Kuchma in Kyiv to celebrate ten years of Ukrainian independence in August 2001, and he dispatched Gleb Pavlovsky and other Russian political consultants to help Kuchma in the 2002 parliamentary elections.¹⁸ In addition, a semi-official movement, “To-Europe with Russia,” emerged in Ukraine, and Ukraine has joined the Russian-led Eurasian Economic Community (a move that would have been unthinkable a few years ago). Both developments may lead one to doubt the seriousness of Ukraine’s “European Choice.”

Democratic Progress Remains Elusive

U.S.-Ukrainian relations were already troubled well before the events of September 11. Of course, the same could be said of U.S.-Russian relations, which President Bush did not make a top priority when he arrived in the White House that January. However, a rapprochement in U.S.-Russian relations began during the presidential summit in Slovenia in June 2001, when Bush notoriously looked into Putin’s “soul.” Bush, however, did not meet with Kuchma because the U.S. position precluded any face-to-face until there was a complete investigation of the Gongadze case.

The events of September 11, 2001, compelled the United States to re-evaluate its relationships with many countries. Although Ukraine has lined up on America’s side in this conflict, it does not have the geo-strategic value of Russia or of Washington’s other less-than-democratic allies (e.g., Uzbekistan, Pakistan, Kazakh-

stan). In other words, Ukraine is not a front-line state in the war on terror and had little to offer the United States, at least in its military operations against Afghanistan and then in Iraq. Moreover, Ukraine's strategic importance in the 1990s—recall the rhetoric of the linchpin of security in Europe—seems less relevant today, given the successful democratic transitions throughout Eastern Europe and the recent expansions of NATO (concluded in 2002) and the EU (which should begin in 2004). In addition, the balance-of-power logic that made Ukraine a central focus is largely gone because Russia looks much less threatening to Western interests. The remaining security issues in Europe largely stem from non-military problems, such as corruption, poorly managed authoritarian governments, organized crime, smuggling, and illegal immigration. On these issues, Ukraine is part of the problem, not a reliable ally.

Several recent incidents lend credence to this claim. In October 2001, for instance, the Ukrainian military shot down a Russian civilian airliner. The confusion surrounding the incident revealed real shortcomings in the country's military and political leadership. Ukraine was caught selling arms to Macedonia during peace talks in that country, despite Kuchma's personal assurance to American emissaries that he would not interfere.¹⁹

Still, some observers—and many Ukrainians—hoped that a political breakthrough of some kind would lead to positive political change in Ukraine. Some thought the 2002 parliamentary elections would provide an opportunity, as the democratic opposition began to coalesce around the Our Ukraine movement of former pro-Western and pro-reform prime minister Viktor Yushchenko. As expected, the state-controlled Ukrainian (and Russian) press attacked Yushchenko, and other "administrative resources" were employed to bolster the prospects of For a United Ukraine, a pro-Kuchma bloc. In the end, Yushchenko's bloc won a plurality of the proportional-representation vote (24 percent), but pro-Kuchma candidates won most of the district mandates and, thanks to the peculiarities of Ukraine's mixed proportional-majoritarian system, ultimately garnered more seats.²⁰ Although some observers see Yushchenko's performance as a positive sign that many Ukrainian voters refused to be hoodwinked by the anti-Yushchenko campaign conducted by the "party of power," Yushchenko himself painted the results in starker terms, declaring, "Democracy is the loser. That is the main defeat of these elections."²¹ The hope for democracy in Ukraine is not completely dissipated, but one cannot deny that Kuchma, although repudiated at the polls, remained in control

and was able to "undermine the outcome of an election whose verdict [he] does not like."²²

Despite these signs of creeping authoritarianism and some cooling in U.S.-Ukrainian relations, criticism was still rather restrained until mid-2002, and Kyiv continued to receive a sizeable amount of U.S. aid.²³ However, this changed with the shift in U.S. policy toward Russia.

Warmer U.S.-Russia Ties Leave Ukraine Cold

One of the most dramatic developments in U.S. policy after 9/11 has been the strengthening of ties with Russia. As noted, U.S.-Russian ties were already on the mend before the terrorist attacks, but afterwards Russia regained a central place in U.S. foreign policy. Russia was suddenly seen as a valuable partner, and it was no accident that Putin was the first foreign leader Bush called on that tragic day. Since then, Russia has actively cooperated with the United States in the war on terror, making extraordinary concessions to Washington on issues such as basing rights in Central Asia and intelligence-sharing, although at the same time muting many of its objections on issues such as missile defense and NATO expansion. For its part, Washington has been largely silent about Russian activities in Chechnya. There are still problems between Moscow and Washington (e.g., Russian nuclear cooperation with Iran), but there has been more real substance to the Russian-American "partnership," at least prior to the war against Iraq, than at any time in the past decade. Putin, the ex-KGB official, was portrayed as a new Peter the Great trying to pull Russia toward the West.²⁴ Two writers even suggested that "the emerging partnership between the United States and Russia is the most significant geopolitical realignment since the Second World War."²⁵

Of course, much could be written about U.S.-Russian relations, and the honeymoon between the two states may be over because of the war in Iraq and allegations of Russian arms shipments to Baghdad. Nonetheless, the tone of U.S.-Russian relations has an effect on U.S.-Ukrainian relations. Russia always looms in the background on the question of Ukraine, and part—if not most—of Ukraine's geo-strategic importance, especially for cold warriors like Brzezinski, stemmed from uncertainty about Russia's future course. An independent and powerful Ukraine would balance against any Russian imperial aspirations. Consequently, the United States poured aid into Ukraine and helped Kyiv in other ways,

such as tying International Monetary Fund aid to Russia's re-negotiation of Ukraine's energy debts. Now, however, the Russian threat has seemingly evaporated, or at least been superseded by other threats. Ukraine's importance as a check on Russian power now looks like a remnant of cold war thinking.

Putin has become one of Kuchma's prime backers and defenders, but he is exacting a toll for his support.

With the cold war finally declared over by Bush and Putin, and with the need to develop new paradigms to manage the threat of terrorism, Ukraine's importance has undoubtedly diminished. True, Putin has suddenly become one of Kuchma's prime backers and defenders, but he is exacting a toll for his support, as seen in the agreements to transfer ownership of Ukrainian energy facilities to Russia in exchange for outstanding debts. Significantly, these actions have raised few alarms in Washington, which is not rushing to defend Ukraine against what once would have been denounced as Russian "imperialism." One observer, noting Western support for Russian energy pipelines that would bypass Ukraine, commented, "Western Europe has handed an old hegemonic power a hammer, and stood by as Moscow announced that it would bring down that hammer."²⁶ Thus, perhaps more than at any time since independence, Ukraine is at the mercy of Russian influence and pressure.

While there can be little doubt that the warming of U.S.-Russian relations was a problem for Kyiv, it also provided an important opportunity. When Russia dropped its strident objections to the expansion of NATO into former Soviet territory, Kyiv began to push for NATO membership, a question Kuchma had treated rather coyly in the past. In May 2002, Ukraine announced its intention to join NATO, arguably in part to avoid isolation in light of better U.S.-Russian relations. The November 2002 NATO summit, which welcomed Estonia, Latvia, Lithuania, Slovenia, Slovakia, Romania, and Bulgaria as members, also discussed the concrete steps necessary for Ukraine's accession into the alliance. This agenda item is well worth noting, as it points to the fact that the door to membership in one of the premier Western "clubs" was still open to Ukraine, even after the domestic political crises there. However, a new development would seriously compromise Ukraine's standing with the United States.

The Iraq Connection

The Melnychenko tapes troubled Washington but did not lead to a fundamental re-ordering of U.S.-Ukrainian relations. American officials, as noted above, strained to put the best face on an obviously diplomatically delicate situation. Aid continued to flow, albeit at a lower level than in the late 1990s. The embrace between Moscow and Washington raised some concern in Kyiv, but by itself did not require that Washington push Ukrainian interests wholly aside.

However, in September 2002, U.S.-Ukrainian relations took a new turn. The Melnychenko tapes were known to reveal Ukraine's democratic shortcomings and endemic corruption, but they contained yet another bombshell: Kuchma was heard authorizing the sale of Kolchuga radar systems to Iraq. The United States declared its belief that some of the tapes were authentic and accused Kuchma of violating UN sanctions and, more significantly, running afoul of important U.S. military interests.²⁷ Rumors of such a sale had surfaced earlier during the tape scandal, but it was only in this instance—and not in respect to the revelations about Gongadze or other crimes—that Washington issued an official verdict on the veracity of the recording. On September 24, the day after the accusation was made public, Washington announced the suspension of \$54 million in aid and a wider policy review toward Ukraine.

This development was not very surprising, given Kuchma's record, but it overturned the claim of Ukraine's defenders that, despite the ever more open authoritarianism in Kyiv, Ukraine was committed to cooperation with the United States. The issues of NATO and EU membership were put on hold. Kuchma was pointedly not invited to the NATO summit in Prague in November (he went anyway, but was seated far away from Bush), and EU officials ruled out membership for the country until substantial reforms have taken place. The U.S. Congress declared that its aid package of \$155 million for 2003 would be conditional upon further investigation, but preliminary efforts by Washington to clarify exactly what had happened ran up against Ukrainian obfuscation.²⁸ It is uncertain whether any Kolchuga systems were actually sold to Iraq (and as of this writing none have been found there), but the United States firmly believes that Kuchma authorized the transaction in a conversation in July 2000 with the head of the state-owned arms sales firm—who conveniently died in a car crash in March 2002.²⁹ Kyiv initially said that the recording was accurate but such a sale was impossible. For the Bush administration, this admission (since modi-

fied) was enough, and, according to one report, U.S. officials now believe there has been an “irreparable loss of trust” in the Kuchma administration.³⁰ On their end, Ukrainian officials accuse Washington of making “indiscriminate accusations” and backing opposition groups to discredit Kuchma.³¹

All of this has had an effect in Ukraine. Protesters took to the streets in September 2002, and fifty lawmakers occupied the presidential offices, threatening a hunger strike. Kuchma brushed the protests aside and blustered about prosecuting the MPs for an “illegal seizure” of the building. Efforts to take action through the courts have also been turned aside. Kuchma replaced the prime minister, Anatoliy Kinakh, with a presumably more loyal ally, Viktor Yanukovich. For now, however, the debate in Kyiv centers around how—not if—Kuchma will manage to skew the 2004 presidential elections to his own advantage, whether he runs or not.³²

Given Kuchma’s tenacious hold on power and the lack of viable alternatives (the leading contender, Yushchenko, has been outmaneuvered at every turn), one wonders when and if a genuine rapprochement could occur. The closer ties between the United States and Russia preclude turning to Russia for aid or cover (as was repeatedly suggested in the past, thereby implying that the United States would then mute its criticisms of Ukraine). Ukrainian officials were able to get away with quite a lot for years, fending off the weak domestic opposition and avoiding any real consequences from foreign actors for their failure to respect democratic principles, human rights, and the rule of law. Because of the sheer greed and hubris of its elite, Ukraine is on the brink of diplomatic isolation and, in the words of one observer, is “headed more toward the Soviet Union than the European Union.”³³

Where Do U.S.-Ukrainian Relations Go from Here?

Deciding what to do now is the challenge for U.S. policymakers. The game is up for Kuchma, at least as far as Washington is concerned. Due to a combination of domestic and international factors, the past rhetoric of “partnership” between Washington and Kyiv will not be repeated, at least as long as Kuchma or one of his cronies clings to power. Ukraine gave nominal support to the U.S.-led invasion of Iraq, but even so Kuchma will not be invited to the White House and the prospect of future American aid to Ukraine is very much up in the air. Thus it is tempting to write off Ukraine, perhaps turning it into an international pariah, at least as long as

Kuchma is in office. Moreover, given the improvement in U.S.-Russian relations, Kyiv will be less able to play the Russia card, which may give the United States better leverage should it decide to put sanctions or other penalties on Ukraine for Kuchma’s activities.

Still, many would be loath to turn their backs on a large and important country in an area of strategic interest to the United States. Oleksandr Pavliuk of the Organization for Security and Cooperation in Europe notes the “intrinsic link” between Ukraine’s transition and Western policies, and says:

It is Western engagement (or abandonment) that can strengthen (or weaken) Ukraine’s potential for change and improve (or reduce) its chances for success. If the West decides to disengage or fails to formulate a clear concept of its relations with Ukraine, presidential candidates who advocate Ukraine’s European choice will be less likely to prevail [in 2004]. This in turn will further jeopardize Ukraine’s long-term stability and its ability to contribute to regional and European security. It is thus important that the lack of credibility to and policies of dissociation from the current Ukrainian leadership do not lead to isolation of the country as such or of the entire government.³⁴

This view seems prudent, but what the United States and the broader Western community can do is less clear. In essence, the argument is “Kuchma bad; Ukraine good,” but maintaining good relations with a country while trying to punish its leadership is notoriously difficult. There are not very many meaningful possibilities, but at least a few steps can and should be taken. First, as has been the case since 2000, aid should continue to be targeted more to non-governmental actors, such as the media or political parties, in the hope of creating stronger institutions that can challenge the increasingly open authoritarianism in the country.³⁵ Washington might openly ally itself with Yushchenko (as it did with Koštunica against Milošević in Yugoslavia, although the parallel is far from exact). However, given the speculation that Yushchenko is a U.S. agent or stooge (he is guilty of having an American wife), a blatant show of support might produce a backlash. Sanctions (e.g., curtailment or cut-off in international lending) could be employed and might really affect the economy, but the communists and other parties who remain suspicious of close ties with the West could easily exploit such action. Similarly, trade sanctions, perhaps attractive because they would show that Washington is “doing something,” might jeopardize relations with pro-Western elements in Ukraine and the country’s fragile economy.

The United States does not want to “lose” Ukraine for good and thus cannot cut the country off entirely. However, it can and should make clear that access to markets or aid will be contingent upon certain criteria (e.g., greater economic transparency), that Kuchma will remain *persona non grata* as long as he impedes investigations related to the materials on the tapes, and that

The United States should align itself with the Ukrainian people, who overwhelmingly have no confidence in their president.

Ukraine will not be admitted to exclusive Western “clubs” like NATO and the EU or receive special treatment from the IMF and other lenders (as it did in the 1990s) under his government. Furthermore, any successor government must investigate and prosecute the illegal activities of Kuchma and company. In other words, the time has come to apply a strict conditionality to the U.S. relationship with Kyiv, and in so doing, Washington must demand a full and open accounting of dubious past activities and evidence of real change. In a sense, the United States should align itself with the Ukrainian people, who overwhelmingly have no confidence in their president. American officials need to speak honestly, press for reforms both bilaterally and through multilateral institutions, and stress that the door to Western institutions is, in principle, still open, provided that Ukraine finally begins to make a clear break with its Soviet/oligarchic system. Judicious use of sticks and carrots has worked with neighboring states like Slovakia and Romania,³⁶ and stands a good chance in Ukraine, which (unlike Belarus) has a visible, pro-Western opposition that commands a good deal of public confidence. Due to the confluence of many of the events discussed above, the United States and its partners may even have a stronger hand than before that can be played to produce positive change in Ukraine. As James Sherr notes:

The paradox is that the shocks and outrages which have undermined Ukraine’s standing probably gives [*sic*] the West and its institutions greater leverage today than they have had at any time since Kuchma first came to office. . . . the dispatch of Ukraine to the margins of the [2002 NATO] Prague summit have in some quarters transformed uncertainty to panic. State and society are not only changing in Ukraine, they are changing very quickly. The moment needs to be exploited with deli-

cacy and deliberation by the West. However, it needs to be exploited.³⁷

Or as one Ukrainian observer opined, “Ukraine needs the West more than the West needs Ukraine.”³⁸ True, there are no guarantees that pressure will yield positive results. However, Ukraine is not yet totally lost, and, suffice it to say, recent developments really give the United States little choice in the matter and demonstrate the limits to pursuing engagement with the current leadership.

Ukraine and the Changing World Environment

Ukraine’s predicament points to several factors that are emerging in the new international environment. Unfortunately, none of them is fortuitous for Ukraine at present. First, a stable, healthy democracy and a functioning market economy have become necessities for admission to the Western clubs that matter—NATO and the EU. In the past, states could perhaps get away with shortcomings in these areas, but in Europe at least, the lines are being drawn between those that are “in” the club and those that are “out.” The ability to exploit what some observers have labeled the “gray zone” of democracy, meaning that the ambiguity of a state’s democratic credentials can win it the “benefit of the doubt,” is over.³⁹ Ukraine’s “half-finished” transition is classified simply as unfinished and insufficient to gain membership in NATO and the EU. This does not mean that democracy is the litmus test of U.S. support—aid to Pakistan and Uzbekistan would belie any such claim—but in today’s Europe, democracy matters. Ukraine’s poor record of democratic accomplishment will thus jeopardize its relations with the United States and EU members.

Second, after 9/11, the old cold war divisions gave way to a new basis for judging whether a state is “with us or against us.” If a state is “with us” and occupies a strategic locale (e.g., Pakistan, Turkey, Saudi Arabia), its democratic shortcomings can be overlooked. Ukraine, however, has less geo-strategic importance in this new world. It is not a front-line state in the war on terror and has no important oil reserves. Beyond that, Kuchma and company have broken important taboos by authorizing the sell of advanced military hardware to an enemy of the United States. Ukraine’s domestic problems had already deflated Washington’s enthusiasm for the Kyiv government. The revelations of the Kolchuga systems may have ripped apart U.S.-Ukrainian relations beyond easy repair.

Ukraine may be less a rogue state than a state taken

over by a roguish clan. Indeed, regime change in Kyiv might have a positive effect on U.S.-Ukrainian relations. At present, however, the time for constructive engagement with Kyiv has passed. The United States must take a harder line toward the Kuchma regime if it is to have any chance of re-establishing its partnership with Ukraine.

Notes

1. Since the war with Iraq, one might argue that Russia has been "lost" again, but that would be the topic of an entirely different article.
2. Warren Christopher, quoted in Roman Solchanyk, *Ukraine and Russia: The Post-Soviet Transition* (Lanham, MD: Rowman & Littlefield, 2001), p. 77; Sherman Garnett, *Keystone in the Arch: Ukraine in the Emerging Security Environment of Central and Eastern Europe* (Washington, DC: Carnegie Endowment for International Peace, 1997).
3. In addition to the sources above, the best reviews of this period can be found in Paul D'Anieri, "Ukraine and the U.S. Since 1991: The Reshaping of Expectations," in *Coming in from the Cold: U.S.-European Interactions Since 1980*, ed. Sabrina Ramet and Christine Ingebritsen (New York: Macmillan, 2001); Sherman Garnett, "U.S.-Ukrainian Relations: Past, Present, and Future," in *Ukraine and the World*, ed. Lubomyr Hajda (Cambridge: Harvard Ukrainian Research Institute, 1998).
4. Zbigniew Brzezinski, "The Premature Partnership," *Foreign Affairs* 73, no. 2 (March/April 1994): 82.
5. *Zerkalo nedeli* (Kyiv) (July 7, 2001).
6. Taras Kuzio, "Promoting Geopolitical Pluralism in the CIS: GUUAM and Western Foreign Policy," *Problems of Post-Communism* 47, no. 4 (May/June 2000): 25-35. In 2002 Uzbekistan, the newest member, suspended its membership in GUUAM, making it GUAM again.
7. For example, consider that GNP per capita in Ukraine in 2001 was a mere \$840, compared to \$2,250 in Russia (*Zerkalo nedeli*, July 7, 2001). Foreign investment from 1991 to 2000 amounted to a mere \$75 per person, for a total of \$3.75 billion (*Kyiv Post*, June 29, 2001), and Transparency International ranked Ukraine eighty-third out of ninety-one countries for corruption (*Kyiv Post*, July 5, 2001).
8. U.S. Agency for International Development 1998 Report (www.usaid.gov/pubs/cp98/eni/countries/ua.htm).
9. For more on these elections, see Paul Kubicek, "The Limits of Electoral Democracy in Ukraine," *Democratization* 8, no. 2 (summer 2001): 117-39.
10. There are different views about the authenticity of the recordings. At first Kuchma claimed it was not his voice, but then he said that the digital tape has been spliced together and was the product of an anti-Ukrainian conspiracy. At least some of the conversations have been confirmed as authentic by U.S. government sources.
11. See Torr Bukkvoll, "Ukraine's Social and Political Challenges as Seen from a Western Perspective," and James Sherr, "Ukraine's Euro-Atlantic Choice: Is Failure Inevitable?" both in *Ukraine: Our New Neighbour*, ed. Rikke Kjærulff-Jørgensen (Copenhagen: Danish Institute of International Affairs, 2002), pp. 22, 28.
12. Polls from October 2001 found that 86 percent of Ukrainians thought the tapes were authentic. See Taras Kuzio, "Ukraine One Year After 'Kuchmagate'," *RFE/RL Newslines* (November 28, 2001).
13. Ivan Lozowy, "Kuchma's Comeback," *Ukraine Insider* 1 (September 20, 2001).
14. *Zerkalo Nedeli* (July 7, 2001).
15. For discussion of the weak EU response, see Paul Kubicek, "The European Union and Ukraine: Real Partners or Relationship of Convenience?" in *The European Union and Democratization*, ed. Paul Kubicek (London: Routledge, 2003), pp. 150-73.
16. For example, in a survey in early 2002, 63 percent of the respondents favored closer cooperation with Russia and a plurality (45 percent) favored joining a union with Russia and Belarus. See *National Security & Defence* (Kyiv), no. 2 (March 2002): 36, 40.
17. Sherr, "Ukraine's Euro-Atlantic Choice," p. 38.
18. See Taras Kuzio, "Kyiv Warms to Russia, Cools Toward West," *Oxford Analytica* (September 26, 2002) (www.oxweb.com).
19. For more, see the report by Valentin Badrak in *Zerkalo nedeli* (February 23, 2002).
20. For details on this election, see Nadia Diuk and Myroslava Gongadze, "Post-Election Blues in Ukraine," *Journal of Democracy* 13, no. 4 (October 2002): 157-66.
21. *New York Times* (April 2, 2002): 6.
22. Diuk and Gongadze, "Post-Election Blues in Ukraine," p. 158.
23. According to U.S. government sources, Ukraine received \$175 million in aid from the Freedom Support Act in fiscal year 2000, \$173 million in 2001, and \$154 million in 2002, with \$155 million slated for 2003. See USAID, "Ukraine Program Summary" (www.usaid.gov/country/ee/ua/ua_tables.html). This constituted most of the aid to Ukraine, since the Defense Department's Cooperative Threat Reduction Fund only provided \$136 million for fiscal years 2000-2002.
24. *New York Times* (May 19, 2002): D1; "Vladimir Putin's Long, Hard Haul," *Economist* (May 18, 2002): 24-26.
25. Ian Bremmer and Alexander Zaslavsky, "Bush and Putin's Tentative Embrace," *World Policy Journal* 18, no. 4 (winter 2001/02): 11.
26. *NIS Observed* 5, no. 16 (October 2000) (www.bu.edu/iscip/digest/vol5/ed0516.html#western/).
27. The Kolchuga system is a "passive radar" that can track approaching aircraft and vehicles and aim weapons without being detected. Rather than bouncing signals off a target, the system picks up radio signals emitted by aircraft and other targets.
28. "Report of [US-UK] Experts Team Visit to Ukraine," October 13-20, 2002, provided to author on Ukraine List #188 (electronic distribution), December 1, 2002.
29. Car crashes have claimed the lives of or injured several prominent officials in Ukraine.
30. Victor Zaborzky, "Pressure Mounts on Ukraine to Reveal Arms Trade Details," *Jane's Intelligence Review* 1 (December 2002): 42-44. Russia was also accused of transferring arms to Iraq, but this does not seem to have harmed relations between Bush and Putin.
31. See reports in the *London Times* (p. 18) and *Financial Times* (p. 10), both on September 26, 2002.
32. The constitution adopted in 1996 limits the president to two terms, but since Kuchma was first elected in 1994, he may claim that he can run again in 2004, on the grounds that he was elected only once under the constitution. Boris Yeltsin considered a similar ploy in Russia.
33. Paul D'Anieri, "Evaluating Western Influence on Reform in Ukraine" (paper presented at the Annual Meeting of the American Association for the Advancement of Slavic Studies, Pittsburgh, November 8, 2002).
34. Oleksandr Pavliuk, "Prospects for the Future: Ukraine's Potential and Western Responses," in Kjærulff-Jørgensen, ed., *Ukraine*, p. 57.
35. From 1992 to 1999, only 46 percent of USAID money went to non-governmental actors (43 percent went to the national government and 11 percent to local government). From 2000 to 2002, non-governmental actors received 67 percent of the funds, as opposed to 24 percent to the national government and 9 percent to local governments. From correspondence with USAID mission in Kyiv, received by author on June 12, 2003.
36. For broader discussion of this theme, see Kubicek, ed., *The European Union and Democratization*.
37. Sherr, "Ukraine's Euro-Atlantic Choice," pp. 39-40.
38. Badrak, *Zerkalo nedeli* (February 23, 2002).
39. Geoffrey Pridham, *Dynamics of Democratization* (New York: Continuum, 2000), p. 298.

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