

WWS Case Study 2/99

Ukraine, Russia, and the
Black Sea Fleet Accords

19990301024

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DTIC QUALITY INSPECTED 1

AQ I 99-05-1047



With the breakup of the Soviet Union in 1992, a process began of dividing the commonly held assets of the Soviet republics between newly independent states. The two most important of these new states, Russia and Ukraine, had much to divide between them. Western observers began to worry that disputes between the two countries over the transfer of Soviet nuclear weapons to Russia, the final legal status of Crimea, and the possession of the Black Sea Fleet (hereafter denoted as "BSF") and its home port of Sevastopol could escalate into a crisis with violent consequences.

Yet after five years of public posturing, stalemate, and stop-&-go diplomatic negotiations, Ukraine and Russia reached an agreement, signed by Ukrainian Prime Minister Pavlo Lazarenko and Russian Prime Minister Viktor Chernomyrdin on May 28, 1997. While it was expected that Russian President Boris Yeltsin would sign the Russian-Ukrainian Treaty of Friendship, Cooperation, and Partnership, few senior Ukrainian officials believed that a separate BSF agreement could be reached. It was also surprising that Moscow had accepted conditions similar to those it had rejected in October, 1996.¹

Briefly, the accords outline an agreement whereby:

- 1) The two nations split the BSF 50-50 with Russia to buy back some of the more modern ships with cash;
- 2) Russia will lease the ports in and around Sevastopol for 20 years at \$97.75 million per year. Russia would also credit Ukraine with \$526 million for the use of part of the fleet, as well as \$200 million for the 1992 transfer of Ukraine's nuclear arsenal to Russia. The payments will go toward reducing Ukraine's \$3 billion debt to Russia (most of which was owed to Russian gas supplier RAO Gazprom).²; and
- 3) Crimea (and the city of Sevastopol, built 214 years ago to proclaim the Russian empire's eternal dominion over the seas³) is legally and territorially a sovereign part of Ukraine.⁴

The Black Sea Fleet Accord in Perspective

A joke making the rounds at the final accord's signing ceremonies in Sevastopol illustrates the suspicion, wounded pride, and confused allegiances wrought from Ukraine's separation from its slavish big brother Russia six years earlier: A Russian and a Ukrainian find \$1,000 on the street. The Russian turns to his buddy and says, "Let's split it like brothers!" The Ukrainian shakes his head and responds,

“No thanks. Let’s split it 50-50.”⁵ How, then, after years of tentative negotiations, mutual distrust, and almost constant arguments, were the BSF accords successfully negotiated?

While Ukrainian and Russian domestic politics were factors in determining the long course of negotiations, it seems that delay tactics conducted by both sides were rarely directed at a domestic audience, with the aim of winning over domestic coalitions. The executive branches of each country were sensitive to domestic concerns, both of their respective hard-line nationalists and of their more conciliation-minded factions, but were not controlled by them. More important were the respective Ministries of Defense and BSF commanding officers.

The BSF negotiations were a case of realism in action. Each nation had an interest in solving the BSF issues. For Ukraine the issue was maintaining new-found independence from Russia. In seeking to reach a deal Ukraine wanted at all costs to avoid being bullied by Russia and to maintain Ukrainian sovereignty over Sevastopol and the rest of Crimea. Ukraine did not want to acquire an entire new “fleet” as it could not afford the maintenance costs for even a fraction of the ships. For Russia, the issue was in acquiring the ships and the rights to base them (preferably on sovereign Russian territory). Russia needed the remains of the BSF not for any strategic purpose but as a symbolic instrument to help it reassert power on its southern flank – vis a vis Turkey, the Caucasus, and future Caspian oil flows. As one observer noted, “Even a small, decaying fleet will give Russia a presence.”⁶ As long as no crisis was at hand, no time pressure weighed on either party. The mostly out-of-date ships would continue to corrode and rust away in their harbors in and around Sevastopol, but this had been going on for years.

The BSF negotiations revolved around three primary issues: division of the warships into a truncated Russian BSF and a Ukrainian navy, Russian naval basing rights in and around the Crimean port city of Sevastopol, and the larger question of which country had ultimate sovereign control over the peninsula. The ships were never the key issue. While at one time a “jewel of the former Soviet

navy,”⁷ the BSF was by 1995, “both small and old, with the newest of the 635 vessels built 17 years ago.”⁸ Sherman Garnett points out in his new book on Ukraine and its security environment that over the past few decades the BSF:

“has been a waning force incapable of performing the role Soviet defense planners assigned it in the Mediterranean against the U.S. 6th Fleet and other NATO assets... The real military tasks it must perform in small-scale conflicts and coastal defense do not warrant maintenance of the current Fleet and support facilities.”⁹

The ships were such a low priority during the actual negotiations that a complete inventory of the vessels and other assets of the BSF was not conducted until late in the talks. And the number of ships actually counted in the fleet varied widely, from the 635 above, to 440,¹⁰ to 380,¹¹ to 300 aging warships and submarines.¹²

The issue of basing rights was even more complicated. Up for debate was how to house the thousands of Russian sailors, officers, and their families stationed in Sevastopol. As for the number of sailors, these numbers too varied widely, from 47,000,¹³ to 70,000.¹⁴ Ukraine, going through a virtually continual economic crisis during the BSF negotiating period, was unable to relocate the Russian servicemen off of Ukrainian territory, even if it had tried.

Finally, both Ukraine and Russia were claiming sovereign control over Sevastopol and the Crimean peninsula. As one *New York Times* article notes, the BSF problem, “was always more of a political issue than a strategic one. A newly independent Ukraine has been reluctant to sacrifice its sovereign rights to a Russia that has generally patronized it.”¹⁵ Ukraine and Russia could have gone to war over the fleet – not over the actual strategic value of the ships in harbor, but over Ukraine’s desire for complete independence from Russia and for Russia’s want to maintain some control in the Soviet successor states. In November 1990, Ukraine and Russia signed an agreement to respect one another’s sovereignty and territorial integrity, and on December 8, 1992, Ukraine became a member of the Russian-dominated Commonwealth of Independent States (CIS). Yet from the start of the decade Ukraine’s relations with Russia were strained due to its concern over Russia’s intentions. In January

1993 Ukraine refused to endorse a draft charter strengthening political, economic, and defense ties among CIS members.¹⁶

Crimean Tensions

In the background of all the BSF negotiations was the status of Crimea, a peninsula butting out into the Black Sea from Ukraine's south shore. Crimea, an area with a large ethnic Russian population, resorts, and a naval base, was handed to Ukraine as a meaningless gesture of friendship in 1954 by the Soviet leader Nikita Khrushchev¹⁷ to mark the 300th anniversary of Ukrainian union with Russia.¹⁸ The BSF's home base was the port city of Sevastopol, capital of Crimea. The new border became salient again after the breakup of the Soviet Union, as Russian nationalists began regular demands that Crimea be returned to Russia, along with the BSF and its base.¹⁹

Many pro-Russian political organizations were active in Crimea. Ethnic tensions in 1992 prompted some to advocate for the secession of Crimea from Ukraine and annexation to Russia. In July 1992, the Crimean and Ukrainian parliaments determined that Crimea would remain under Ukrainian jurisdiction while retaining significant cultural and economic autonomy.²⁰

Yet the ethnic issue still brewed. Crimea's first presidential elections in January 1994 resulted in the election of Yuri Meshkov, a Republican Party of Crimea member advocating closer ties to Russia. According to the U.S. State Department's background notes:

"The results of a non-binding poll on March 27, 1994, demonstrated voters' overwhelming support for greater powers for Meshkov, dual Russian-Ukrainian citizenship for Crimeans, and a treaty to govern relations between Crimea and Ukraine on a more equal basis. However, on March 17, 1995, the (Ukrainian) Rada abolished the 1992 Crimean constitution and dissolved the local presidency."²¹

The Dispute Begins

Disputes over the BSF began with both Ukraine and Russia taking extreme positions. At a January 1992 press conference the Ukrainian Ministers of State and Defense Antonov and Morozov declared that the BSF was always and will remain Ukrainian. The two ministers said their country would "lose"

only what it had never claimed – nuclear-carrying vessels that were to become part of CIS united forces.²² Russia was of course claiming 100% ownership of the entire BSF as well as sovereignty over Sevastopol where it was based. At a March 1992 CIS summit in Kiev, a contentious bilateral meeting between Russian President Boris Yeltsin and Ukrainian President Leonid Kravchuk brought no progress.²³

In April, tensions rose to a crisis level as Kravchuk unilaterally announced the formation of a Ukrainian navy to be based in Crimea. In response, Yeltsin ordered BSF ships to raise the flag of St. Andrew, the recently adopted flag for the Russian navy. As some Russian naval units began to carry out Yeltsin's order, rumors spread that Ukrainian militia groups were on their way from Kiev to take over the BSF's naval installations. Local Russian fleet commanders in turn sent military police backed by armored personnel carriers into the streets of Sevastopol to defend the bases. Although the militia never materialized, a high-level Ukrainian delegation was officially sent to Sevastopol to take over the fleet. Dimitri Pavlichko, the head of a Ukrainian parliamentary commission on foreign affairs and a member of the delegation team, said, "If we look at this in formal terms, Yeltsin's decree puts Ukraine in a state of war with Russia. The fleet is Ukrainian property."²⁴

Kravchuk and Yeltsin were able to defuse the crisis, however, and put aside a week of brinkmanship. In two phone conversations the two presidents agreed to suspend their countries' respective decrees claiming the force for themselves and formed a commission to resolve the dispute.²⁵

By the end of the month Russian and Ukrainian negotiators opened two days of talks in Odessa over April 29-30 on how to divide the BSF. Yuri Yarov, the head of the Russian delegation, was pessimistic about even agreeing upon a mechanism for dividing the fleet.²⁶ At a post-talks press conference, Yarov outlined the basic Russian position, that a settlement should be based on:

"...accepted principles and norms of international law, CIS, and bilateral treaties and agreements. It should not be forgotten that the Black Sea Fleet is primarily people, and in this connection the

Russian delegation stressed the importance of implementing civil, political, social and economic rights of the Black Sea Fleet personnel, workers and employees, their families and pensioners, irrespective of their national status.”²⁷

The Russian delegation proposed a moratorium on any unilateral action that could aggravate the situation around the BSF, with a joint commission of Russian and Ukrainian representatives established to monitor the moratorium.²⁸ The Ukrainians agreed.

The Dagomys Agreement and Sevastopol Stalemate

With the moratorium in place, progress on the BSF problem seemed to quicken. Less than two months after the Odessa meeting an accord was negotiated at the Russian Black Sea resort town of Dagomys on June 23. The Dagomys agreement would resemble the important Yalta agreements reached two months away.²⁹ But two incidents would intervene and derail the Dagomys accord:

First, in the first week of July, the Ukrainian government announced that 97% of all officers of the BSF had sworn allegiance to Ukraine. Asserting their exclusive right to BSF facilities, Ukrainian sailors seized a BSF naval garrison in Sevastopol. On July 14, Russian sailors retook the garrison, after acting on the direct orders of Admiral Yegor Kasatonov, the Russian-backed BSF commander.³⁰

Second, a week later on July 21, a BSF frigate hoisted the Ukrainian flag, broke away from a training exercise off the western Crimean coast, and “defected” to the southern Ukrainian port city of Odessa, about 130 miles away. The BSF command ordered warships and planes to pursue the renegade ship. They caught up with the vessel before it reached its destination, but did not prevent it from entering Odessa harbor. As the Ukrainian government claimed the ship’s crew had acted of its own volition, local authorities in Odessa announced that the frigate was under their protection, and that no charges would be brought against the crew. Admiral Kasatonov responded by accusing Ukraine of “piracy.”³¹

In an effort to get the BSF negotiations back on track, a series of meetings was held in Sevastopol, ending on July 17. Russia’s initial offer of a 80:20 split of the BSF’s ships (in favor of Russia) was

rejected by Ukraine, as was a later Russian offer to divide the fleet on a 60:40 basis. The official Ukrainian response was still a long way from compromise: "Everything stationed or deployed on [Ukraine's] territory must belong to Ukraine. The Russian fleet may only temporarily and by mutual agreement be based on Ukrainian territory."³²

Compromise and Signing at Yalta – Agreeing to Wait Three Years

Finally, at a meeting in early August between Yeltsin and Kravchuk at a dacha located halfway between Yalta and Sevastopol, the two presidents reached an agreement on the BSF.³³ Vasily Durdinets, first deputy chairman of the Ukrainian parliament and a participant in the presidential negotiations, said, "It can be unequivocally confirmed that no one in Yalta won, no one was cornered, and the adopted document was equally favorable to both sides."³⁴

The agreement, signed on August 3, 1992 in Yalta, had three components:

- 1). The BSF was explicitly removed from under the military command of the CIS, and placed under joint control of Ukraine and Russia. The two governments were to have equal authority over the appointment and dismissal of the fleet's top officers.³⁵
- 2). The period of joint control would last for three years, after which a separate agreement on the final division would be adopted.³⁶ The agreement did not determine how exactly the fleet would be divided during the interval.³⁷
- 3). The oaths of allegiance to Ukraine, which the Ukrainian government had forced on Russian sailors of the BSF, were officially voided.³⁸

The first component was sticky because the CIS (Russia) had technically possessed jurisdiction over the nuclear forces of the former USSR. Against Ukraine's wishes, Russia had earlier insisted that the fleet be classified as a nuclear force, so as to retain complete control. Yet one source indicated that it was not clear how many – if any – nuclear forces were on the vessels or stored at the fleet's bases (!)³⁹ The issue of control of the BSF's nuclear weapons was swept under the rug.

Responding to allegations that the Yalta deal was just postponing the settlement of the difficult BSF issues, Admiral Felix Gromov, first deputy commander-in-chief of the Russian navy and a participant in the Yalta talks, responded that the main thing is that the tension between the fleets on the

ground and between the respective ministries of defense has been lifted. And he denied that Ukraine's participation in the joint command gave it the status a nuclear power.⁴⁰

Lt.-General Valery Manilov, press secretary to the CIS Joint Armed Forces, said in response to the Yalta deal,

“At long last an accord on the BSF has been reached... The possibility has emerged of settling the partition in a civilized manner within three years. Within this period both Russia and Ukraine can work out what kind of fleet they need. For the present, the tension among the officers' corps and the inhabitants of Sevastopol has been lifted.”⁴¹

Yet Manilov spoke too soon. By early September, Ukraine had given Russia a note of protest, accusing it of violating the Yalta agreement. In the note, Russian BSF commander Admiral Kasatonov was accused of resisting Ukraine in its attempt to possess a navy high school in Sevastopol. Ukraine claimed the high school did not belong to the BSF and demanded further talks on the subject of replacing Kasatonov as head of the joint command.⁴²

With no progress on any front of the BSF negotiations, on March 31, 1993, the Ministry of Defense of Ukraine issued a statement that it was examining proposals to be submitted to the Rada (Ukrainian Parliament) on renouncing the validity of the Yalta deal of the previous summer.⁴³

“This step has been caused by constant violations of bilateral accords on the Black Sea Fleet by the Russian Ministry of Defense, which constantly distorts the interpretation of the main principles set down in the Yalta agreement, and assigns the task of exchanging, removing, storing and redeploying military hardware to the command of the BSF, without coordinating with our Ministry of Defense.”⁴⁴

The Ukrainian Ministry of Defense went on to allege that Ukrainian funding of the joint-command BSF was being diverted to pay for specifically Russian uses. Finally, the statement complained of the impermissible inflammation of inter-ethnic enmity among the BSF “with Moscow's connivance.”⁴⁵

The BSF press center responded somewhat callously to the Ukrainian complaints:

“The Ukrainian Ministry of Defense is making an assessment beyond its competence. Such actions can rouse national hatred in the fleet, cause moral and material harm to states, and virtually remove the Black Sea Fleet from the talks. The BSF command possesses interstate status, its powers are confirmed by the presidents of the two countries, and the Ukrainian Ministry of Defense's

aspirations to actively influence interstate processes and participate in framing the course of foreign policy... is causing surprise."⁴⁶

Meanwhile, the Crimean parliament approved on April 16 a declaration of concern that the presidents of Russia and Ukraine would call into question the Yalta accords, and appealed to them to reaffirm their commitment to the Yalta deal. Ivan Yermakov, the Ukrainian president's representative in Sevastopol, said in a statement: "The BSF problem is stalemated and the tensions around it have been whipped up deliberately by certain political circles... The delegations of Ukraine and Russia have been working on this problem for over five months, but in vain."⁴⁷

The BSF was always a sensitive issue for the hard-line Russian nationalists, who saw the fleet and its bases at Sevastopol as completely Russian. Russian Vice President Alexander Rutskoi was a member of this camp by the time he publicly split with Yeltsin. Rutskoi sent a telegram to sailors that supported their objections to the division of the fleet and denounce the previous agreements reached on the matter between Yeltsin and Kravchuk. Rutskoi, stripped of all his duties and most of his staff on Yeltsin's orders, complained that "Despite attempts to reach a back room deal which dooms the fleet to degradation and effective annihilation, the will of all Russian sailors, of all patriots, is strengthening to prevent this national and historic tragedy."⁴⁸

Rutskoi was referring specifically to the latest deal reached a few weeks prior, which called for the two sides to start splitting up the BSF by September and finish the task by 1995.⁴⁹ That deal was under challenge from both the military in both Ukraine and Russia, and it was unlikely it would ever be approved by both parliaments.⁵⁰

Brinkmanship by the Russian Duma

Until now, the parliaments of both Ukraine and Russia had been acting fairly responsibly on the BSF issue, while lower-level commanders and outspoken nationalists had been causing all the fuss. But on July 9, 1993, the Russian parliament in a joint session voted 166 to zero to declare Sevastopol part of the Russian Federation.⁵¹ MP Evgenii Pudovkin, the head of a special committee studying

Sevastopol's status, claimed that Russia in fact did not transfer its sovereignty over Sevastopol when the Crimea was transferred to Ukraine in 1954. Deputies instructed the parliament's constitutional commission to begin preparing the necessary constitutional amendments to change the city's status. The Russian parliament also issued a declaration to all BSF personnel supporting their (the Russian half's) call for the retention of a unified fleet, as well as a resolution calling on the Russian government to take over direct financing of the fleet. Doing so would advance a de facto Russian claim to ownership of the entire fleet.⁵²

The Russian executive branch refused to be drawn into the nationalistic rhetoric. The next day Yeltsin condemned the parliament's action, telling reporters he was "ashamed" of it. Yeltsin asserted that the problems of the BSF must be solved gradually and calmly.⁵³ The Russian Foreign Ministry also criticized the parliament's action, saying the declaration "deviates from the line adopted by the president and the government."⁵⁴

Kravchuk, after an emergency meeting with his top ministers, said in a statement:

"Ukraine officially declares that the unilateral decision taken by the Russian parliament has no legal force... The attempts of some political forces in Russia who cannot rid themselves of imperial thinking towards Ukraine and other former Soviet republics are sowing hostility between peoples and undermining the region's peace and stability... Today's international relations must not be a forum for the law of the jungle."⁵⁵

Reading the statement over Ukrainian TV, Kravchuk called the decision a "gross violation of generally accepted norms and principles of international law, overt interference in Ukraine's internal affairs, and an infringement on Ukraine's territorial integrity and borders." The Ukrainian Ministry of Defense followed suit, saying that the Russian parliament would be responsible for "all possible consequences" of its decision.⁵⁶

The United States came out in full support of Ukraine. In a statement the U.S. Ambassador to Ukraine Roman Popadiuk said Washington regards Sevastopol as "an integral part of Ukraine" and characterized the Russian parliament's decision as "untimely." Noting Ukraine's intention to improve

relations with Russia, Popadiuk said that this was not the time for Russian lawmakers to attempt to strain those relations.⁵⁷

The Massandra Agreement... I mean Gentleman's Agreement.

Summer turned in fall with no progress except for a short-lived and vague agreement called the Massandra accords, agreed to on September 3, 1993, which Ukrainian Defense Minister Kostyantyn Morozov promptly criticized in an open letter to President Kravchuk. Morozov said that if they were carried out he would disclaim all responsibility for Ukraine's defense in the south.⁵⁸ On March 14, 1994, Yuri Dubinin, head of Russia's delegation to the BSF talks, was denying a Radio Liberty report that quoted him as saying that Russia had no intention of making an inventory of the BSF, as well as a report by the same radio station on "Ukraine's reluctance to abide by last year's Massandra accords." In denying these reports of Russia's intransigence, he said, "Any attempts to turn the Black Sea Fleet negotiations into a shoot-out by unilateral [maneuvers] and public statements will have little effect."⁵⁹

The now former Ukrainian Defense Minister Morozov said on the same day that the sides must first fulfil their previous obligations before any progress would be had. "The fleet must be divided by 1995 and its non-Ukrainian part must leave the territory of Ukraine, in which Russia can count on our assistance." Morozov also said Moscow's allegations that Ukraine was not abiding by the Massandra accords were groundless – because the Massandra accords *did not exist*:

"We don't know [of] any such accords. The Russian side means the verbal agreements between presidents Leonid Kravchuk and Boris Yeltsin which are not accords as such but merely a reflection of their common view on the negotiation process."⁶⁰

More Crises and "The Odessa Incident"

The lack of movement on the negotiations front and the continuing number of near clashes between rival Ukrainian and Russian BSF units led even moderate actors to take more extreme positions. The usually moderate Russian newspaper *Izvestia* reported during the second week of April 1994 that "The recent spate of incidents involving the Black Sea Fleet could have degenerated into a full-scale armed

conflict between Russia and Ukraine in a continuing war of nerves between the two countries over the status of the Black Sea Fleet.” One such incident was the arrest of a Russian survey ship by Ukrainian forces. The newspaper complained that the operation, “had all the hallmarks of a war-like maneuver, with Ukrainian aircraft carrying missiles and Ukrainian borderguard motorboats pursuing the ship.” The article fell into the trap of looking for conspiracy theories though: “...for it is abundantly clear that the new confrontation was masterminded behind the backs of the Presidents of Russia and Ukraine. Specifically, it runs counter to the two Presidents’ pledge to refrain from unilateral actions with regard to the Black Sea Fleet.”⁶¹

Another, more serious confrontation occurred soon afterwards and came to be known as “the Odessa Incident.” A Russian research vessel left the Ukrainian port of Odessa one Saturday night with \$10 million worth of navigational and marine equipment. Ukrainian ships tried to intercept the Russian vessel but failed. The Ukrainians called it “an act of piracy.” The next evening, Ukrainian commandos seized a maintenance base near Odessa, arrested three Russian officers involved in Saturday’s incident and reportedly roughed up some Russian sailors and their families.

After that night, Russian BSF units went on combat alert at three other bases in the Crimea and sent amphibious landing craft to pick up Russian service personnel and their families at Odessa. The Ukrainian navy put the Odessa base and a BSF river patrol unit under its direct control.⁶²

Once again it was up to the authorities in Kiev and Moscow to extinguish the potentially explosive fire burning in Crimea. According to Kravchuk, the Russian and Ukrainian Defense Ministries gave orders to “put an end to incidents... that could have a chain reaction.”⁶³ Ukraine’s Minister of Foreign Affairs was very concerned as well:

“It is in our interests and those of the Russian side to find a solution to this issue to prevent the fleet problem from detonating unexpected developments. Right now, everything happening around the fleet is out of control, and the Odessa incident is an example of that.”⁶⁴

The two sides resumed negotiations at Ukraine's Ministry of Defense on April 12,⁶⁵ with Russia's delegation led by special envoy Yuri Dubinin and including the Russian navy commander Felix Gromov.⁶⁶ Although both sides were pessimistic going in, the negotiators emerged with a tentative agreement to give Russia the bulk of the disputed BSF and a leased naval base on Ukrainian territory. The document was hastily completed after a CIS summit meeting in Moscow and was signed by Yeltsin and Kravchuk.⁶⁷

The agreement calls on the Ukrainian and Russian foreign ministries to divide up the personnel, ships, bases, and other assets of the BSF within 10 days.⁶⁸ Russia was given a nominal 80-85% ownership of the BSF in exchange for an undisclosed compensation for Ukraine.⁶⁹ Kravchuk said, "Ukraine will take what it can [financially] support and what it needs, strategically, according to our military doctrine." Ukraine would then sell the rest of its 50% share to Russia after the assets had been divided, ship by ship.⁷⁰

According to many, the document eased the most serious military showdown between Ukraine and Russia to date. Yet many observers were still pessimistic:

"It is far from certain that the draft agreement signed... by Ukraine and Russia will be hammered out in final detail or ratified by their parliaments. Half a dozen earlier accords – first calling for dividing the former Soviet fleet 50-50 and then giving it all to Russia – were scuttled."⁷¹

Yet this deal was unique in that for the first time Kravchuk agreed to lease at least one Ukrainian naval port (Sevastopol) to Russia. Kravchuk gave his reasons: "Thousands of (Russian) officers live in Sevastopol, their children, their families. If we say they must leave Sevastopol, we could not propose new housing for them elsewhere."⁷²

Economics had a lot to do with the latest deal, as a *Los Angeles Times* analysis points out:

"While the fleet is nominally under joint command, Ukraine has not paid for its upkeep since December and owes Russia more than \$3.2 billion for oil and gas. Financial pressures, along with the election this year of a pro-Russian separatist leader in Crimea, underlie the conflict that erupted within the fleet last Saturday."⁷³

Yet 12 days later, Kravchuk was denying allegations by Russian Minister of Defense Pavel Grachev that the Ukrainian side was already “reviewing” the agreement reached the week before: “Despite my respect for the Ministers of Defense of both countries,” Kravchuk said, “the issue of the BSF should be resolved by the presidents and the governments.”⁷⁴ This came at a time when Grachev was reported to have issued instructions to purge the upper levels of the Russian army of officers of Ukrainian origin.⁷⁵

Despite the war of words, Ukrainian and Russian negotiators finally agreed upon separate bases once the fleet was divided, with Russia keeping the BSF’s base at Sevastopol, and Ukraine basing its navy at two other Crimean ports.⁷⁶ Now the intervening speed bump was not another Sevastopol crisis but the Ukrainian presidential elections. Russia refused to sign the new agreement until these elections were held.⁷⁷

Kuchma and his Effect on the Negotiations

In the summer of 1994, Leonid Kuchma upset Leonid Kravchuk in the presidential elections. The election win was cause for hope on the BSF front as Kuchma, an ethnic Russian from eastern Ukraine, was seen to be more open to compromise with the Russians than was his nationalistic and independence-minded predecessor Kravchuk. The new president and his new ministers fit this description and soon after being installed called for the normalization of relations with Russia.⁷⁸ Kuchma and Yeltsin also issued a joint letter of to the BSF, saying that any future accords would take into account opinions of the soldiers and officers of the fleet and the residents of Crimea.⁷⁹

Perhaps most importantly, these residents of Crimea had confidence in the new president, who had obtained over 80% support on the peninsula in the elections as compared to Kravchuk’s 5%. With a more pro-Russian president in power, calls for Crimean annexation to Russia waned.⁸⁰ Although Kuchma himself played a major role in disbanding Crimea’s secessionist legislature a year later,⁸¹ this

seemed to be the last influential gasp of Crimean separatism. While the issue was still salient, it was permanently removed as a stumbling block in the BSF negotiations.⁸²

But the high hopes for early progress with Kuchma at the helm faded quickly. Negotiations held later in August at the presidential administration in Moscow brought “no tangible progress,” in the words of one participant. Nor did Ukraine’s initiative to prepare a full inventory of the fleet’s seagoing craft and shore infrastructure, (what would seem to be an essential prerequisite of any settlement of the issue) receive any Russian support.⁸³

By October 18, a regular round of talks had been held but Russia’s chief negotiator Yuri Dubinin and Ukraine’s chief negotiator Yevgenii Marchuk had agreed to avoid any information leaks and refrain from comments during these negotiations.⁸⁴ Unfortunately, that was about the only item of business that they did agree on. Ukrainian Foreign Minister Boris Tarasyuk was talking to the press, however, but only to note that Ukraine’s Supreme Council on Foreign Affairs and CIS Relations had concluded that the BSF division agreement and the Massandra protocol did not correspond with Ukraine’s interests. The committee was to put forth a number of recommendations to President Kuchma.”⁸⁵ Valery Shmarov, Ukraine’s Deputy Prime Minister and Defense Minister, was commenting as well: “Ukraine had all the time been making compromises. But there is a barrier beyond which one cannot retreat.”⁸⁶

Compared on a month-to-month basis, the negotiations seemed to be going nowhere. But compared to two years prior, the positions of the two sides had changed significantly. At the end of 1994, Ukraine and Russia remained deadlocked over Russian basing rights and compensation for the 30% share Ukraine would be transferring to Russia.⁸⁷

A Call for U.S. Intervention and Clinton Visits Kiev

In late February of 1995 a political shakeup rocked the Kuchma administration and by March the former chairman of the Ukrainian Security Service, the former deputy premier for security questions,

and the former chief negotiator for Ukraine at the BSF talks,⁸⁸ Yevgenii Marchuk, was named Ukraine's acting Prime Minister.⁸⁹ Yet while this move may have lent the BSF issue more weight at the upper levels of the Kuchma Administration, it had no visible effect on the speed of the negotiations.

By April 21, Ukrainian Deputy Prime Minister and Defense Minister Valery Shmarov was expressing his frustration at the stalemated talks by not ruling out the invitation of an independent outside arbiter to help settle the issue.⁹⁰ The implied arbiter of choice for Ukraine was the United States and two weeks later, the call for U.S. intervention was explicit. Ukraine's request was aimed at reviving a trilateral diplomatic framework last used the year before when Ukraine agreed to give up its nuclear weapons inherited from the Soviet Union.⁹¹ The idea of U.S. intervention was floated before the start of a 2-day summit between Presidents Kuchma and Clinton in Kiev.⁹²

The response from the United States was of course positive; a U.S. State Department official said the United States would be ready to serve as a mediator. "The United States wants good relations with both Russia and Ukraine," the official said.⁹³

The response from Russia, however, was blunt annoyance. Unenthused by the possibility of U.S. involvement in its CIS family spat with its little brother, a Russian spokesman said U.S. participation would require a request – "which Russia has not made."⁹⁴

During President Clinton's state visit to Kiev over May 15-16, officials reiterated that the United States put a high priority on helping Ukraine in its transition process. In the press briefing hours after the Clinton-Kuchma meetings, U.S. Secretary of State Warren Christopher noted that Ukraine is the 4th largest U.S. aid recipient, with \$700 million in resources committed.⁹⁵ Christopher outlined U.S. goals regarding Ukraine:

"We came here with three key objectives: to strengthen the durable friendship that we have, to demonstrate that friendship; ...to offer support for the economic reforms that are happening here, to urge Ukraine, despite the dislocation and difficulty to stay the course; and then to discuss the new security agenda between the United States and Ukraine..."⁹⁶

National Security Advisor Anthony Lake noted that the BSF issue did come up in the bilateral meetings, but only briefly and in the form of Clinton applauded Ukraine on its handling of its relationship with Russia. "Crimea is an internal Ukrainian issue," said Lake. "The Black Sea Fleet negotiations continue." Surprisingly, there was no Ukrainian request for U.S. mediation. Lake again: "President Kuchma did not ask President Clinton or the United States to play a particular role in this. We have said that we are prepared to be helpful if both sides ask us to become involved. And that is not the case."⁹⁷

Meanwhile, back at the negotiations, Yeltsin had been talking about linking the BSF talks to Ukraine's repayment of its enormous debt to Russia, a move that Kiev strongly disapproved.⁹⁸ Ukraine for its part was still rejecting Moscow's insistence on full control over Sevastopol; instead it was offering to lease some base infrastructure and keep its own navy there as well.⁹⁹

The Radisson (Sochi) Agreement

A month later during an early June set of meetings at Sochi's Radisson-Lazurnaya Hotel, Yeltsin and Kuchma concluded what would be one of the more important agreements in the long history of BSF talks. Meeting at various outside sites on the hotel grounds overlooking the Black Sea, the two leaders were attended by the Russian PM Viktor Chernomyrdin, Russian Defense Minister Pavel Grachev, the naval commanders from each country, and the respective foreign ministers. Meanwhile a team of senior government delegations held separate talks inside to draw up the joint agreement and a statement on Russian-Ukrainian ties.¹⁰⁰

The two sides agreed in principle to split the fleet, with Russia will "buying" back most of the Ukrainian share to end up with 81.7% of the vessels, leaving 18.3% to Ukraine¹⁰¹ Russia would continue to use the base at Sevastopol, paying rent to Ukraine, mostly in the form of energy supplies and debt forgiveness. Ukraine would also be able to use other parts of Sevastopol's large base for its

small fleet that has become Ukraine's navy. The future site of Ukraine's main naval base will be is to be announced, as the two countries decided to leave it out of the final document."¹⁰²

A happy Yeltsin told reporters afterwards that the signing "finally put a period on this question once and for all." Kuchma, as usual, was more guarded, saying "Although some detailed issues remain, I consider this question solved in general." The main thing, he said, "is that Ukraine and Russia really agreed on strategic partnership."¹⁰³

Although the Sochi accord received much publicity as "a breakthrough, finally," the inevitable opposition came only one month later. The Union of Officers of Ukraine called for annulling the Sochi BSF accord and accused Kuchma of surrendering to Yeltsin's demands. An editorial two months post-Sochi in the Moscow newspaper *Moskovskii Komsomolets* was pessimistic about any lasting deal until a clear dividing line, ship by ship, was drawn:

"Ukraine obviously wants to get the more efficient and economical part of the fleet, and in the future it will surely demand that all naval equipment be in good working order. According to some estimates, the Ukrainian share of financing for the Black Sea Fleet exceeds \$81 million."

As for now, the paper wrote, the Sochi accords have failed and thus both sides have further room to maneuver.¹⁰⁴

In September, the Ukrainian parliament speaker was making a familiar denial that there was no stalemate at the BSF talks. Oleksandr Moroz spins it: "I do not believe that there is a stalemate in the... negotiations. We are now experiencing another stage on the way to the final solution to the problem."¹⁰⁵

By October, a meeting between Russian Foreign Minister Andrei Kozyrev and his Ukrainian counterpart Gennady Ukoenko did little to move the BSF negotiations forward, and again it seemed like the only item the two sides could agree on was to issue a joint communiqué'. Before departing for Moscow to attend the meeting, Ukoenko said the negotiations had "mired down into a stalemate due to *severe divergence* since the presidential summit in Sochi last June (emphasis added)."¹⁰⁶

For the first ten months of 1996, the BSF issue was quiet. This was good in that no crises erupted but bad in that no significant progress was made on the issues, except for the handover of four BSF PT-boats to the Ukrainian navy.¹⁰⁷ Affairs heated up again when Russia's newly-appointed chief security official, former presidential candidate, and general rabble-rouser, Alexandr Lebed, began fanning nationalistic fires by declaring that Sevastopol was and always had been a Russian city. He argued that the city had never officially been handed over in the 1956 gifting. Lebed's open letter to the BSF newspaper and a Crimean nationalist paper, although employing tired and overused nationalist arguments, may have contributed to a Yeltsin-Kuchma meeting later in the month. The meeting was called with the express purpose of easing tensions between Russia and Ukraine.

Barvikha

Meeting at the Barvikha sanitarium outside Moscow on October 24, Kuchma and Yeltsin achieved not much more than agreeing that they had agreed in the past, and a vague verbal agreement that "within weeks" they would have an accord on dividing the BSF.¹⁰⁸ The Kremlin, as was becoming habitual, quickly announced at the meeting's conclusion that the two men had resolved all differences over the BSF. Kuchma, as was also becoming habitual, was more cautious: "We did not reach any new agreements... We simply confirmed the past decision that was adopted on a government level."¹⁰⁹

The two decided to postpone the issue of Sevastopol and to have its status determined by a working group. Irina Kobrinskaya of the Carnegie Endowment in Moscow said that the touchy issue of Sevastopol was ignored because, "Neither Yeltsin nor Kuchma can afford to make a final decision. The political situation is not ready."¹¹⁰

Barvikha occurred against a backdrop of rising nationalist rhetoric on both sides. Over two days just before the meeting the Russian Duma: 1) passed a non-binding draft law to rescind the Sochi BSF accord reached a year and a half before, and 2) warned in a declaration that Russia would never cede

control of Sevastopol. The nationalist tone and content of both documents deeply annoyed Kuchma.”¹¹¹

“He was even less pleased when Moscow’s mayor, Yuri Luzhkov, asserted that Sevastopol is a Russian city and should never be surrendered to Ukraine. Luzhkov, who hopes someday to run for president, was merely echoing a sentiment popular among Russian nationalists, but his comment was poorly received in Ukraine. The Foreign Ministry there said in a statement that it would declare Luzhkov *persona non grata* in Kiev, and most legislators endorsed its position.”¹¹²

Endgame

Kuchma was seen a week later in Crimea trying to present the Russian leasing “option” to his constituents in Crimea. Conceding that although one of the options was to evict the BSF from Ukraine entirely, Kuchma said they have to be respectful of “our neighbors and the situation they are in.” Making some of his more cooperative comments to date, Kuchma said “Europe wants friendship with Russia, and the whole world wishes that Ukraine would have proper relations with Russia. Our task is to have good relations with all neighbors and try to come to terms.”¹¹³

And Russia came up with a first as well when PM Chernomyrdin said the leasing period for the Russian BSF would be for a period of 20 years. But he said his visit to Ukraine, scheduled for mid-November, would only take place if “constructive solutions” had been found by then.”¹¹⁴

Ukraine wrote in a letter to Russia’s new chief negotiator, Yuri Kubinin, that it had made “many substantial concessions” on the division of the BSF, especially the fact that it agreed to divide the fleet in the first place. Another concession in Ukraine’s view was a new and special provision in the Ukrainian constitution that allowed foreign military units to lease existing military bases on Ukrainian territory for the temporary deployment of their forces. The letter ended by stating that despite these significant concessions, there has been “constant negative input” into the BSF negotiations, primarily from the Russian Duma.¹¹⁵

The Final Accords are Reached¹¹⁶

Even with both sides granting significant concessions it would be over half a year till the final BSF accords were signed in Kiev by Ukrainian PM Pavlo Lazarenko and Russian PM Chernomyrdin on May 28, 1997.¹¹⁷ A series of conciliatory steps taken by both sides in April of 1997 seem to have pushed the impetus in favor of making a final deal: Ukraine agreed to have its navy participate in joint operational-strategic exercises with the Russian BSF, and Yeltsin's government simply ignored yet another appeal from the Duma to demand "special territorial status" for Sevastopol.¹¹⁸

Conclusion

Although it had the potential to escalate into a major confrontation, the BSF problem was not the primary security concern for either Ukraine or Russia throughout this time period. At a RAND-sponsored conference on Russia, Ukraine, and European Security in June of 1994, with representatives from the Russian, Ukrainian, and Western security communities in attendance, the BSF problem was mentioned not once on a list of 19 "key findings" in the conference's final report. Instead, the report found that "Most Ukrainians now see the decline in the economy as the main threat to Ukrainian security." The report went on to say that:

"The real problem facing Ukraine is not ethnic tensions between Russians and Ukrainians, but a differentiated pattern of economic development in Eastern and Western Ukraine. The eastern regions, where large Russian populations live, are inordinately dependent on obsolescent military and heavy industry."¹¹⁹

Furthermore, the BSF negotiations took place in the context of much more publicized and immediate series of negotiations between Ukraine and Russia on handing over to Russia the Soviet nuclear arsenal.¹²⁰ Yuri Maksimov, the Commander-in-Chief of CIS Strategic Forces, warned after Ukraine attempted to take "administrative" control of the nuclear weapons on its territory that the CIS (Russia) and Ukraine were headed for a struggle that would make the BSF dispute "look like child's play."¹²¹

The two negotiating tracks were on the whole conducted relatively separately, i.e., research found no instances of “missiles for ships” bargaining tactics. Yet during the first two years after the breakup of the Soviet Union (until the Ukrainian nuclear issue was settled), the two issues were negotiated concurrently and thus affected each other. Fast or slow progress on the nuclear issue would have an effect on the BSF negotiations the next month, and vice versa. Finally, it was clear that normalizing relations between Ukraine and Russia, the third and ultimate issue separating the two countries, could never be achieved without dealing conclusively with both the nuclear and BSF issues.

Though Ukraine’s economic malaise and the disagreements between it and Russia on handing over its nuclear weapons seemed more immediate, the confrontational stalemate over the BSF had the potential to turn the ugliest. An April 1994 *Los Angeles Times* article noted that while ethnic and political conflicts in Georgia, Azerbaijan, and Tajikistan had taken tens of thousands of lives, “it is the bloodless tension between Ukraine and Russia, both armed with Soviet nuclear weapons, that poses the most serious threat to stability in the former Soviet empire.”¹²² The concern was that the standoff over the BSF would be the trigger to set off a larger confrontation between Ukraine and Russia.

Today it seems that the BSF issue is settled, at least for the next two decades. Russia and Ukraine have an opportunity to ease their remaining tensions and fully normalize their relations, so that when the time comes again to negotiate over the future of the BSF it will hopefully be a more mundane affair.

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and International Affairs
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D. Currently Applicable Classification Level: Unclassified

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