



CONFRONTATION AND COOPERATION

1000 YEARS OF POLISH–GERMAN–RUSSIAN RELATIONS

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Russia–Ukraine. 25 Years Between “Limited Cooperation and Limited Confrontation”

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Since the announcement of the “Declaration on the state sovereignty of USSR” by the Supreme Council of the Ukrainian Socialistic Soviet Republic on the 16th July 1990, Ukraine has been following the path leading towards independence. The document transformed Ukraine into a subject of international law. Although, during the referendum held on the 17th March 1991, initiated by the head of the Soviet state Mikhail Gorbachev, over 70% of Ukrainian citizens voted in favour of the existence of the Soviet Union, there was no will to defend the collapsing empire amongst Ukrainian elites, including the communist ones¹. The percentage of the supporters of the USSR was anyway much higher than in other republics².

The project of The Union of Sovereign Soviet States put forward in Kiev in June 1991 provoked mass demonstrations of people who supported the full independence of Ukraine. The project of The Union of Sover-

eign Soviet States was establishing the would-be state the only subject of international law, which was in opposition to the “Declaration of the state independence of the USSR”³. The Supreme Council of Ukraine accelerated the work on the construction of the sovereign state institutions, establishing among the others the post of the president of Ukraine⁴.

The inevitable conflict between Moscow and Kiev was prevented by the events in Moscow between the 19th and 21st August 1991, and the attempt to overthrow Gorbachev by the State Committee of the State of Emergency of the USSR. The Moscow *coup d'état*, which was to protect the USSR from collapsing, had in fact led the announcement of independence of the republic by the Supreme Council of Ukraine⁵. Also the communist majority in the parliament voted in favour of this decision⁶. The decided pro-independence

¹ *СРСР розвалився ще на референдумі 17 березня 1991 року*, <http://www.siver.com.ua/news/1/2010-03-16-4006>.

² Ю. Соломатин, *Всесоюзный референдум 17 марта 1991 года о сохранении СССР: помним!*, <http://www.pomnimvse.com/255pb.html>. For keeping the USSR voted 71,3% of voters in Russian Federation, 82,7% in Belaruss and 95% in Asian republics.

³ *О проекте Договора о Союзе суверенных государств*, <http://lawua.info/jurdata/dir347/dk347519.htm>.

⁴ *Історія президентства*, http://www.president.gov.ua/content/president_history.html.

⁵ Л. Кучма, *Україна – не Росія*, Москва 2004, p. 411; А. Зленко, *Зовнішньполітична стратегія і дипломатія України*, Київ 2008, p. 38.

⁶ Л. Кучма, *Україна — не Росія...*, p. 411.

attitude brought immense popularity to the chairman of the Supreme Council, the former secretary of the Central Comity of the Communist Party of Ukraine, Leonid Kravchuk⁷. The former ideologist of the party supported the national movement, which he had been fighting against no so long before⁸.

On the 24th August 1991, 346 MPs voted in favour of independence, whereas only four were against. The first decision made by the parliament of independent Ukraine was to subordinate all the military units on the area of the republic and establishing the Ministry of the Defense of Ukraine⁹. These actions were rational, since a couple of days later Russia, in the speech made by the vice president Alexander Rutskoy, reserved the right to revise the state borders in case the USSR collapsed. It concerned the territories annexed by the USSR between 1919 and 1954, namely the Donbas area and Crimea.

The resolution of the Supreme Council of Ukraine from the 24th August 1991 provided for the appeal to the public by the means of referendum. It was set for the 1st December 1991¹⁰. Over 90% of participants supported the decision of MPs concerning the independence¹¹.

Simultaneously with the referendum, the elections of the first president of independent Ukraine took place. Leonid Kravchuk, supported by the nomenclature and the whole post-communist camp, won in the first round¹². Soon he achieved a great diplomatic success. On the 8th December in the residence of the Belarusian government in Viskuli, Leonid Kravchuk, the president of Russia Boris Yeltsin, and the chairman of the Supreme Council of Belarus, Stanislav Shushkevich, signed the document terminating the USSR and establishing a new union agreement, open for other post-Soviet republics with a meaningful name – Commonwealth of Independent States (CIS).

⁷ *Ibidem*, p. 412.

⁸ T. Snyder, *Rekonstrukcja narodów. Polska, Ukraina, Litwa, Białoruś 1569–1999*, Sejny 2009, p. 275.

⁹ Г. Касьянов, *Україна 1991–2007. Нариси новітньої історії*, Київ 2008, p. 30.

¹⁰ *Акт проголошення незалежності України. 24 серпня 1991*, <http://www.archives.gov.ua/Sections/Nezalezhnist/D-files-4.php?15>.

¹¹ 84% of those entitled to vote participated: *Результати Та Історичне Значення Всеукраїнського Референдуму 1 Грудня 1991 Р. Вибори Президента України*, <http://histua.com/istoriya-ukraini/ukraina-v-umovax-nezaleznosti/vseukrainskij-referendum-vibori-prezidenta>.

¹² *Референдум 1 грудня 1991 року й вибори Президента України*, <http://www.history.vn.ua/book/ukrzno/163.html>.

The results of arrangements made in Viskuli were treated in Ukraine as an act liberating Ukraine from any connections with Russia. “The document signed by him, as Leonid Kuchma pointed out, not only annulled the union settlement from 1922. It also invalidated all the legal documents (in historical meaning) binding Ukraine with Russia, starting with the Treaty of Pereiaslav”¹³. Borys Tarasyuk, many-time minister of foreign affairs, referring to the events at the end of 1991, stated that it was already then that Ukraine had made a European choice. He ascribed the appearing of the new political situation in the Eastern Europe mainly to Ukrainian elites¹⁴.

Since the collapse of the USSR the separatist tendencies of the areas inhabited by Russian-language groups have been the problem in Ukrainian – Russian relations. It referred particularly to Crimea, Donbas, and the territories on the Black Sea with the administrative and political centre in Odessa. The case of Crimea was especially sore since there was a large base of the Soviet navy. After the collapse of the USSR the Black Sea fleet formally belonged to CIS, yet actually it was overtaken by Russia, which had no intention to give up its bases on the Black Sea. The Russian parliament forwarded concern referring to the state affiliation of the whole of Crimea, emphasizing that passing it over to Ukraine in 1954 was a breach of the Soviet legislation at that time¹⁵.

In 1990, as a result of the announcement of the “Declaration on the sovereignty of the USSR”, Republican Crimea Movement came into existence that demanded granting the peninsula with the status of an autonomous republic. The local district authorities as well as the Crimean organization of the Communist Part of the Soviet Union supported the demand of the Movement. In January 1991 in a special referendum organized by the authorities of the Crimea oblast over 93% of inhabitants voted for establishing the Crimean Socialist Soviet Republic within the USSR, i.e. for leav-

¹³ Л. Кучма, *Україна — не Росія...*, p. 418.

¹⁴ Б. Тарасюк, *Зовнішня політика незалежної України: підсумки та перспективи*, Київ 2006, pp. 8 – 9, speech delivered by the author at the Doctor Honoris Causa awarding ceremony at the Lviv University on 9th February 2002 г.

¹⁵ *ПОСТАНОВЛЕНИЕ Верховного Совета Российской Федерации О правовой оценке решений высших органов государственной власти РСФСР по изменению статуса Крыма, принятых в 1954 году*, <http://sevkrimrus.narod.ru/ZAKON/o1954.htm>.

ing Ukraine¹⁶. The result of the referendum was explicit and the authorities of Soviet Ukraine treated it really seriously. In February the Supreme Council in Kiev appointed the Crimean Autonomous Socialist Soviet Republic within Ukraine¹⁷. It did not solve any problems, since the inhabitants of the peninsula demanded preserving the connection with Russia, and not Ukraine.

In September 1991, after Ukraine had announced its independence, the Supreme Council of the Crimean Autonomous Socialist Soviet Republic accepted the “Declaration on the state sovereignty of Crimea” and changed the name of postulated state into the Republic of Crimea¹⁸. In reaction to the bill of the Ukrainian parliament on the “Status of the Autonomous Republic of Crimea” from the 29th April 1992 the Supreme Council in Simferopol passed a bill on the “Announcing the state sovereignty of the Republic of Crimea”, and on the 6th May passed the Constitution of the Crimea Republic¹⁹. Russian was established an official language on the peninsula.

Although no Ukrainian authority recognized the independence of Crimea, the danger of losing the part of its territory was real. Kiev was willing to accept a wide autonomy, however only within Ukrainian borders. President Kravchuk was making attempts to solve the problem by political means. These moves were getting easier due to the return of the Tatars, who had been transported to Russia after the Second World War, after being accused by Stalin’s regime of collaboration with the Germans. They got the support of the highest Ukrainian authorities, which treated Tatars as a factor balancing the Russian influence²⁰. The fate of Crimea

depended, however, on the range of assistance that the Russian Federation provided separatists with and its aptitude to risk starting the conflict with Ukraine.

In September 1993 the first round of presidential elections was held in Crimea. Amongst many candidates only two counted, Nikolai Bagrov and Yuriy Meshkov. The first one represented the old Soviet nomenclature and was inclined toward being the president of the Autonomous Republic of Crimea as well as accepted the Ukrainian statehood²¹. Meshkov, the leader of the Republican Party of Crimea, supported by the block of parties and organizations “Russia”, was in favour of an independent Crimean state allied with Russia or even a part the Federation²². In accordance with the Constitution from the 6th May 1992 he was running for the position of the president of the Crimea Republic. Meshkov won over the opponent with a large winning margin (73%) in the second round, which took place on the 4th February 1994.

Soon after the elections Meshkov took steps towards introducing Russian rouble as the state currency in Crimea and suggested to the Russian authorities the talks on the conditions of the integration with the Federation. Kiev had entirely lost control over the situation on the peninsula, and president Kravchuk was to express the opinion that Ukraine forfeited Crimea²³.

It turned out, however, that Russia had no intention of supporting the president of Crimea or Russian organizations in their attempts aiming at its separation from Ukraine²⁴. Russia’s strategy was to keep the whole Ukraine within its influence zone. The separation of Crimea would have ruined these plans. Among Crimean politicians there appeared a difference of opinions, which the authorities of Ukraine took the advantage of²⁵. In the summer of 1994 the next presidential election took place, which was won by Leonid Kuchma, a representative of the post-Soviet nomenclature in favour of close relations with Russia. The newly elected president started negotiations with representatives

¹⁶ *Правовой статус Крыма: исторический аспект*, <http://ukrstor.com/ukrstor/fedorov-prav-status.html#2-1>; *Общекрымский Референдум 20 января 1991 года*, <http://sevkrimrus.narod.ru/ZAKON/1991.htm>.

¹⁷ *Постановление Верховного совета Украинской ССР о введении в действие Закона Украинской ССР “О восстанавлении Крымской Автономной Советской Социалистической Республики” и о пополнении состава Верховного Совета Крымской АССР 12 февраля 1991 г.*, <http://sevkrimrus.narod.ru/ZAKON/1991-2.htm>.

¹⁸ *Декларация О Государственном суверенитете Крыма*, <http://sevkrimrus.narod.ru/ZAKON/dekl.htm>.

¹⁹ *Конституция Республики Крым Принята седьмой сессией Верховного Совета Крыма 6 мая 1992 года*, <http://sevkrimrus.narod.ru/ZAKON/1992konst.htm>.

²⁰ А. Мащенко, *О том, как Кучма подливал Мешкову. Почему на Украине нет двух президентов. О России как гаранте крымской автономии. Об автономии и федерализме. О русском большинстве и „злой Меджлисовской собаке”*, <http://sevkrimrus.narod.ru/textstes/zatul3.htm>.

²¹ Н. Багров, *Политико-правовые аспекты становления Автономной Республики Крым*, http://www.nbu.gov.ua/ellib/crimea/Bagrov/knp4_27.pdf.

²² О. Слюсаренко, *Русская община Крыма – этапы борьбы за права русскокультурного населения Крыма и Украины*, <http://www.ruscrimea.ru/cms/?go=mon&cin=view&cid=13>.

²³ Г. Касьянов, *op. cit.*, p. 100.

²⁴ А. Мащенко, *О том, как Кучма подливал Мешкову...*

²⁵ Н. Королёва, *90-е годы: о Крыме и его лидерах... так в наше время не состоялось воссоединение Крыма с Россией*, <http://sevkrimrus.narod.ru/textstes/koroleva.htm>.

of the Supreme Council of the Crimea Republic. He won over the majority with political promises so that it voted for the liquidation of the post of the president of Crimea²⁶. Within a year the authorities of Ukraine did actually eliminate all the attributes of the political independence of Crimea and imposed the legislation that was to be in force in the whole of the country.

The first term of Leonid Kuchma lasted while Russia and Belarus were signing integration agreements, which was crowned with establishing the union State.²⁷ Moscow and Minsk were appealing to Kiev to join in building up the alliance of post-Soviet Slavic states. The three countries had a lot in common: culture, language, decades of Soviet statehood, economic ties, and similar views of post-communist nomenclature on the reality. They were the basis for Russia to rebuilt common political, economic, and defense space. It had Belarus at its side. Ukraine, on the other hand, was willing only to cooperate on economic grounds, and as a sovereign state. It was consistent in refusing to take part in any formal political and military alliances in which Russia participated.

The influence of Russia in Ukraine was, however, stronger, than suggested in numerous declarations made by Ukrainian politicians and intellectuals. Russian factor was not limited to business or activities of Russia itself. The post-Soviet Ukrainian elites were driven by the illusion of Russia as the last resort in solving all the problems. They craved for independence, yet wanted to grant Russia possibility to fix Ukrainian policy in case it led to some economic, social, or civilization disaster.

The supporters of close cooperation with Russia emphasized the effects of Russian – Ukrainian co-operation in the past decades. In Ukraine everything that had over-time or universal value or placed Ukraine in the world lead had been made with the participation of the Russian factor. They pointed out to the scientific achievements in the aviation and military industry²⁸. The subject of normalizing relations with Russia had been an issue of continuous public debates and ideolog-

ical arguments since Ukraine acquired independence²⁹.

However, the state leaders of Ukraine applied different logics in their policy towards Russia than the majority of the political elites. It resulted from the position they were holding. Regardless their views before, presidents Kravchuk and Kuchma, after taking over the highest post had become the guardians of the institutions of the independent state³⁰. The range of the Ukraine sovereignty conditioned the political position of the president. It was a natural reaction of each head of the independent Ukrainian state to pursue the relations with Russia on equal terms.

The beginning of the presidency of Leonid Kuchma was the time of making intense efforts to normalize the relations with Russia. Kuchma was successful in the presidential elections of 1994 expressing the support for closer relations with Russia. He was consistent, however at the same time he placed above the national interest of Ukraine in relations with its northern neighbour³¹. On the 21st October 1994 in Moscow, during the first meeting of Leonid Kuchma as the Ukrainian president with Boris Yeltsin, they agreed on the need on working on a treaty regulating the whole of relations between the states³². It was assumed that this text would be agreed upon within a couple of months, however the significance of contradictory interests was so large that the treaty was signed in May of 1997.

The issues of dividing the Black Sea fleet and conditions of the Russian navy stationing in Sevastopol were one of the hardest topics. So was the problem of the Ukrainian debt for energetic resources, which was increasing systematically. Another issue were the assets and liabilities of the former USSR beyond its borders. It was both about the division of the debt as well as properties. Russia demanded applying so called “zero variant”, i.e. itself in the role of a sole heir of the USSR with the right for all the assets and liabilities to pay the dues of the collapsed empire. At first, the Ukrainian agreed on such a solution, however, they soon realized that the

²⁶ П. Иваненко, *О причинах разногласий русских организаций в Крыму*, <http://sevkrimrus.narod.ru/texstes/malenev.htm>.

²⁷ E. Mironowicz, *Polityka zagraniczna Białorusi 1990–2010 [The Foreign Policy of Belarus 1990–2010]*, Białystok, pp. 62 – 82.

²⁸ Ю. Пахомов, *Преодолеть преграды на пути взаимодействия Украины и России* [in:] *Україна та Росія: як зміцнити фундамент стратегічного партнерства*, ed. Ю.А. Левенець, Київ 2008, pp. 194 – 195.

²⁹ П. Сліпець, *Асиметрія сучасного світопорядку як контекст взаємовідності України та Росії* [in:] *Україна та Росія: як зміцнити...*, p. 206.

³⁰ О. Дерганов, *Провідні українські політичні актори в пошуках парадигми стосунків із Росією* [in:] *Україна та Росія: як зміцнити...*, p. 260.

³¹ Л. Кучма, *Звернення Президента України до Верховної Ради України 4 квітня 1995 р.*, *Голос України*, 6.04.1995.

³² А. Зленко, *Дипломатия и политика. Украина в процессе динамических геополитических перемен*, *Нар'ков* 2004, p. 430.

assets of the USSR abroad were much higher than its foreign debts. They made futile efforts to invalidate the previous agreement concerning this issue that had been made in December 1994³³. The creditors of the USSR strongly supported the Russian option. The state treasury of Ukraine was completely empty and there was no question of it paying the financial liabilities of the fallen empire.

During the preparatory works on the treaty the suggestion of the double citizenship for the Russians living in Ukraine and the Ukrainians living in Russia was a long discussed topic. In case of Ukraine it was about the status of about 20% of its citizens. Therefore it can be considered to be a success of the Ukrainian authorities that it debarred the entry on double citizenship in the treaty³⁴.

Russia agreed on preserving the already existing borders, at the same time presenting its willingness for the definite surrendering of any territorial claims, however it demanded completing the agreement on the Black Sea fleet and its bases in Sevastopol before signing the treaty. On the 9th June 1995 Kuchma and Yeltsin signed in Sochi the agreement on dividing the Fleet, according to which Russia acquired 81,7% of all the warships on the Black Sea, whereas Ukraine 18,3%³⁵.

On 28th May 1997 an intergovernmental agreement was signed that stated the status of the Russian troops on the Ukrainian territory³⁶. It determined the rules of dislocation of military units, obliged the Russian authorities to inform Ukrainian government on planned nominations of commanders, forbidden Russia to be in possession of nuclear weapons on the ships stationing on the territorial waters of Ukraine. Russian army was to respect the sovereignty of Ukraine and withhold any actions that were against the Ukrainian legislation. Any moves of Russian ships or planes were to be agreed upon with the suitable representatives of Ukrainian authorities. The agreement was supposed to become valid on 6th July 1999, but be in power for 20 years from

the moment it was signed, which meant till 2017. Every year Russia paid almost 98 million dollars for the lease of the bases around Sevastopol³⁷.

On the 31st May 1997 presidents Kuchma and Yeltsin signed in Kiev the “Treaty on friendship, cooperation and partnership between Ukraine and the Russian Federation”, which had been negotiated for long time³⁸. Both sides assured on mutual respect towards the territorial integrity and inviolability of borders (art. 2). The document included obligations of the sides for the peaceful problem solving, not using aggression or threatening with its use, including economic pressure, in order to force the concession of the partner (art. 3). Being aware of their dependence on the Russian supplies of resources, the Ukrainians acquired a treaty guarantee that the partner would not take advantage of it. From the Russia’s interests perspective it was article 6 that was of significance, in which the sides were obliged to withhold from any actions or support for such, if they were against the other state signing the Treaty. Ukraine and Russia gave each other also guarantees that they would not sign any agreements with third parties against their partner, as well as they would not let their territories be used against their partner’s safety.

While in Kiev the Russian – Ukrainian Treaty was being signed, the head of the Ukrainian Ministry of Foreign Affairs Hennadiy Udoenko was signing in Portugal the “Charter on the Individual Membership in NATO”³⁹. In 1997 it had already been clear that the North Atlantic Treaty would be expanded eastwards and would be nearby Ukraine. The perspective of making a buffer zone between NATO and Russia made president Kuchma take the decision on settling the relations with the Treaty in such a way that the western border of Ukraine would not become the new division line in Europe⁴⁰.

In relations between Russia and Ukraine there were still unsolved problems like: energetic and resource dependence of Ukraine on Russia, the increasing debts

³³ *Ibidem*, pp. 432–437.

³⁴ T. Olszański, *Ukraina wobec Rosji: stosunki dwustronne i ich uwarunkowania* [Ukraine Towards Russia, Bilateral Relations and Their Conditions], Prace OSW, Warszawa 2001, p. 7.

³⁵ *Україна та Росія у системі міжнародних відносин: стратегічна перспектива*, ed. Б.О. Парахонський, Київ 2001, p. 102.

³⁶ *Угода між Україною і Російською Федерацією про статус та умови перебування Чорноморського флоту Російської Федерації на території України*, http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=643_076.

³⁷ *Україна та Росія у системі...*, p. 103.

³⁸ *Договір про дружбу, співробітництво і партнерство між Україною і Російською Федерацією*, http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=643_006.

³⁹ А. Зленко, *Дипломатія і політика...*, p. 449.

⁴⁰ M. Orzechowski, *Stosunki Ukrainy z Federacją Rosyjską* [The Relations of Ukraine with Russian Federation] [in:] *Ukraina w stosunkach międzynarodowych* [Ukraine in International Relations], ed. M. Pietraś, T. Kapuśniak, Lublin 2007, p. 183.

of Ukraine for the supplied resources, submission of technological cooperation of military and industrial complexes of both states to the interests of the Russian Federation, Russia's pursuit to take control over the transmission and energetic infrastructure of Ukraine, the existence of the immense grey economy in the area of the economic cooperation of both states⁴¹. However, the importance of these issues had not been noticed by either of the presidents treating them as merely technical ones.

Russia was the largest trade partner of Ukraine. Around a third of exchange with foreign markets fell on Russia. In 1997 the record level of turnover, 11.6 billion dollars, had been noted. It is true that the financial crisis in Russia resulted in crushing down of commerce during the next two years, however it was already in 2000 the exchange had reached the level from 1997⁴². Raw resources made approximately 63% of value in the structure of Russian export to Ukraine⁴³. The fact that there was no diversification of the supply of energetic resources made their purchase from Russia or via it from Central Asia inevitable. Prices on the Ukrainian market were a bit higher than in Russia, which was disapproved of by Ukrainian elites. The Ukrainians craved for sovereignty, yet they found it hard to accept the fact that Moscow treated Ukraine as a state, which has to take the consequences of its independence, and its citizens had to pay more for gas than the Russians.

On the 22nd December 2003 Russian – Ukrainian Forum of Business and Banking was held in Moscow with the participation of presidents Leonid Kuchma and Władimir Putin. Russia granted a loan of 1.25 billion dollars to Ukraine to pay off the debts for gas supplies⁴⁴. However, the results of bilateral agreement on the further cooperation were of greater significance. Common innovation and technology centres were set up, which were to conduct research on production of medicines, medical equipment, biotechnology, genetic engineering, and biochemical analysis⁴⁵. Russia involved enormous financial means into the research and implementation of the latest technology and made them available for Ukrainian specialists. It was a broad offer, which was to convince the Ukrainian partner that the integration in Euro-Asian area had sense.

⁴¹ *Ibidem*.

⁴² *Україна та Росія у системі...*, pp. 111–112.

⁴³ *Ibidem*, pp. 113.

⁴⁴ *Президент України Л. Кучма відвідав Російську Федерацію*, *Свобода*, nr 52, 29.12.2000.

⁴⁵ *Україна та Росія у системі...*, p. 128.

On the turn of centuries 270 Ukrainian enterprises of so called industrial – defense complex cooperated with 244 Russian weapons companies. Completion of particular types of weapons required supplies of seven thousand elements and components from Ukraine to Russia and around eight thousand from Russia to Ukraine. The aerospace industry of Ukraine got almost 70% of components and 95% of materials and resources from Russia. The majority of Russian military helicopters and transport planes were equipped in Ukrainian engines. The most active cooperation between the states was in the field of space rockets. Placing joint telecommunication satellites on orbit enabling the construction of the state-of-art radiolocation systems was also associated with defense⁴⁶.

The range of Ukrainian – Russian military cooperation indicated very high level of co-dependence and mutual trust of the both sides. In this context the projects on integration with NATO suggested by a part of the political class in power in Ukraine looked more like either a bargaining card in the relations with Russia or, on the other hand, the lack of knowledge on the real state of Ukrainian – Russian relations.

The most significant aspect of co-dependence of Ukraine and Russia was connected with supply and transit of gas. Ukraine was one of the most important receivers of Russian gas. At the beginning of the 1990s it used 115 billion m³ of this resource, by 2003 it had reduced its demand to 69 billion, yet it still remained an enormous sales market. Russia exported the majority of this resource via Ukraine to the Central and Western Europe⁴⁷. Although Ukraine could purchase gas for lower price, it had enormous problems with payments to Russia. Since gas transmission network belonged to Ukraine when supplies were stopped due to the lack of payment it meant stopping supplies for the customers from beyond the CIS. At the same time, Ukrainian

⁴⁶ *Ibidem*, pp. 129–130.

⁴⁷ According to Ukrainian sources, Russia transferred to Western and Middle Europe via Ukraine 80% of its gas, “When the gas pipelines were built none of the leaders of the USSR could have dreamt in his scariest nightmares that the puppet republics of those time would ever become independent states. Yet, what happened, happened. The USSR got dismantled, and although gas pipelines were working for the new states, successors of the communist empire, as they had been before, it required compromises, as well as sharing profits and loss” -anonymous publicist was writing in magazine published by the Ministry of Foreign Affairs of Ukraine: *Дискусія про Східну Європу між Ванкувером, Брюсселем і Владивостоком*, *Зовнішні справи*, 2008, nr 6, p. 13.

oligarchs earned fortunes on trading and re-exporting Russian gas to the West. According to specialists this sector of Ukrainian economy was one of the most corrupted⁴⁸.

Russian monopolist in gas trade, Gasprom, was aiming at taking over Ukrainian transmission systems. The offers of purchasing stocks of its Ukrainian equivalent, Ukrhazprom, were regularly rejected. The company brought enormous profits to clans and politicians taking part in illegal overtaking of gas and selling it to European markets. Russian trade with Ukraine as well as other CIS states was less profitable than with the European Union. Taking over Ukrainian transmission installations would create opportunity for significant increase of profits.

The problem of Ukrainian indebtedness for gas and conditions of its transit to Europe were unsolved in bilateral relations between the two states. Regardless numerous declarations of the state leaders and signing agreements on turnover of gas, the clash of interests of Ukraine and Russia remained unchanged. Kiev did not have sufficient means to pay for the resource even with preferential treatment; Russia had to supply it to Ukraine to be able to transmit it further to Europe. Forcing payments by stopping supplies resulted in continent-wide perturbation and loosing by Russia credibility as a supplier.

The political crisis in Ukraine that broke out in the autumn of 2000, as a consequence of the death of a journalist, Georgiy Gongadze, and suspected contracting the assassination by president Kuchma, led to freezing contacts with the West on the highest level. It fostered increasing the Russian influence in foreign and internal policy of Ukraine. Kuchma's role in this crime was commented on quite moderately in Russia, and the new president of Russia, Wladimir Putin, did not avoid meetings with Leonid Kuchma, unlike western politicians. The former prime minister, Viktor Chernomyrdin, was sent by Russia to Kiev to hold the post of ambassador in May 2001. Moscow was creating conditions to gain trust of Ukrainian authority elites and their conviction that in hard times it was the only reliable ally.

The attitude of Russian authorities caused positive reactions of the Ukrainian governing group. A few dozen MPs of several fractions supporting the president, with Dmytro Tabachnyk as their leader, initiated in April 2001 a movement whose slogan was "To Europe

with Russia". This movement got support from the head of the Ministry of Foreign Affairs of Ukraine, Anatolij Zlenko, in whose opinion common standpoint with Russia concerning closer relations with Europe would mean bigger likelihood of success than using opposing interests between the East and West⁴⁹.

Ukrainian authorities, ignored and isolated in Europe, wanted to integrate with the Union structures in pace that would be correlated with the pro-European course of Russia. The leader of this current, Dmytro Tabachnyk, close to the political circle of the head of the state, claimed that the main objective of both Ukraine and Russia was the future accession to the European Union⁵⁰. For both states it was to be preceded with the standardization of their economies and dismantling customs barriers. Russia and Ukraine could become the members of the Union as an integrated economic zone. At the same time other MPs and politicians close to Kuchma expressed the need for the integration with NATO.

The years between 2000 and 2004, despite some incidents in bilateral relations, were the time of genuine warming-up of Ukrainian – Russian relations. Russia, however, had problems convincing Ukraine to a new integration initiative called Common Economic Area (CEA) with the participation of Russia, Belarus, Ukraine and Kazakhstan. It was to be the space of free movement of commerce, services, capital and manpower. Formally it was not violating the rules of Ukrainian – Russian relations set up in 1997. President Kuchma and the majority of MPs agreed on such a form of integration provided it would be limited to economic matters, and would not comprise the ones connected with policies and defense. In case of Ukraine, importing energetic resources from Russia, dismantling customs barriers was a solution looked forward to. The zone of free trade was to be the goal in itself. Yet, from the Kremlin perspective it was a means to political connection between Ukraine and Russia.

The year 2004 was in Ukraine the time of struggle for the highest post of the state and the real power associated with it. During the election campaign for the post of the president Russian authorities supported the prime minister and the head of the Party of Regions, Viktor Yanukovych, perceived as the one, who would continue the policy of Kuchma. Best Kremlin special-

⁴⁸ T. Olszański, *op. cit.*, p. 10.

⁴⁹ А. Зленко, *Дипломатия и политика...*, p. 460.

⁵⁰ К. Бондаренко, *Зачаровані на схід*, http://postup.brama.com/010419/59_2_3.html.

ists of “political technologies” were sent to Kiev, and president Putin personally supported Yanukovich’s campaign⁵¹. The victory of Viktor Yushchenko, supported by the United States and its European allies, was a prestige defeat of Russia.

Knowing the weight of relations with Russia, especially for the economy of Ukraine, president Yushchenko visited Russia as the first country during his presidency on the 25th January 2005. Before he departed he had appointed Yulia Tymoshenko the prime minister of the Ukrainian government. Kremlin accused her of corrupting Russian state officials and endangering Russia’s budget for multibillion losses. Unlike his predecessor, Leonid Kuchma, the new president of Ukraine had tried to make contacts with Russia as formal as possible⁵². When it comes to bilateral dimension these were to be relations between two equal subjects of international law⁵³. Pro-western rhetoric of Yushchenko left no doubts that Ukraine had decided to limit the range of cooperation with Russia at all possible levels.

At the beginning of his presidency Yushchenko pointed out at the necessity of the rebirth of national values⁵⁴. It was associated with the new historic policy, which was inseparable feature was the confrontation of the Ukrainian national mythology with the Russian and Soviet mythology. The memory about millions of victims of famine in the eastern Ukraine in the 1930s was popularized both in the country and abroad. It was interpreted as the intended crime of Moscow committed against the Ukrainian nation.

The second element of the national mythology, which was to be rooted in the common memory of the society, was the creation of the image of Ukrainian Insurgent Army as a patriotic organization fighting during the Second World War against two totalitarian systems, German fascism and Russian communism. The fighters of UPA sentenced in Soviet period were rehabilitated⁵⁵. Generally, the policy of historic memory was to convince the Ukrainians that the centuries of neigh-

bourhood with Russia had been the time of ceaseless struggle for the independence of Ukraine, continually threatened with the imperialism of Moscow leaders.

Ukraine most efficiently joined in the American strategy of expanding “the zone of democracy and freedom”. Along with the American Ukrainian diplomats would sign various declarations on supporting democracy in Belarus or eliminating the separatist tendencies in Transnistria region⁵⁶. It concerned the areas treated by Russia as its influence zone.

Despite declarations made by Yushchenko on the will to extend the cooperation with Russia, he had simultaneously signaled still unsolved problems, which were finalized by his predecessor with agreements, the issue of the Black Sea Fleet, the membership in CEA, the presence of Russian business on the Ukrainian market. During the first months after the power had been taken over by “the orange”, all the structures of bilateral dialogue either suspended their activity or were eliminated⁵⁷.

The range of issues requiring dialogue and agreement was widening systematically, whereas the will of the sides for compromise was shrinking. From the perspective of the Ukrainian authorities the most crucial issues were the ones of immediate delimiting sea frontier on the Black Sea, payments for the “temporary” stationing of the Russian Black Sea Fleet on the territory of the Ukrainian state, agreement on Transnistria, establishment of the joint gas consortium⁵⁸.

Embitterment with Russia was also caused by the ambitious plans of Ukraine to acquire the position of “the regional leader, moderator of the process of securing democratic transformation and stabilization in the region of the Black and Caspian Seas”⁵⁹. It was to be achieved by the means of GUAM organization. At the summit of the states constructing GUAM, the meeting of presidents of Georgia, Ukraine, Azerbaijan, and Moldavia, which was held in Kishinev on the 22nd April 2005, Yushchenko took the role of a spokesman and

⁵¹ Т. Андрущенко, *Зовнішні чинники президентської виборчої кампанії 2004 року*, <http://www.politik.org.ua/vidmagcontent.php3?m=1&n=40&c=784>.

⁵² *Перший візит Ющенка. Погляд з Москви*, <http://www.pravda.com.ua/articles/2005/01/25/3006452>.

⁵³ *Перші підсумки візиту президента Ющенка до Москви*, http://www.ea-ua.info/main.php?parts_id=6&news_id=158&news_show_type=1.

⁵⁴ О. Дерганов, *Провідні українські політичні актори в пошуках парадигми стосунків із Росією [in:] Україна та Росія: як зміцнити...*, pp. 262 – 263.

⁵⁵ С. Толстов, *Україна і Росія...*, p. 24.

⁵⁶ *100 днів нової влади: погляд неурядових аналітичних центрів, Інститут конкурентного суспільства, Інститут економічних досліджень та політичних консультацій, Міжнародний центр перспективних досліджень, Фонд “Європа – XXI”, Центр політико-правових реформ, Центр Разумкова, Центр ринкових реформ*, Київ 2005, p. 54.

⁵⁷ *Ibidem*, p. 61.

⁵⁸ *Ibidem*, p. 62.

⁵⁹ *Ibidem*.

leader of the regional association of the states⁶⁰. The presidents of Poland, Bulgaria, Hungary, Romania, as well as a representative of the US government, participated as observers. At the presence of the leaders of NATO members the president of Ukraine demanded settling conflicts in South Ossetia, Abkhazia, Nagorno-Karabakh and Transnistria taking into account the interests of the member states of GUAM. The plan of settling the conflict in Transnistria presented by Yushchenko assumed first of all the withdrawal of all Russian forces from the separatist republic and its gradual integration with Moldavia⁶¹. The consultations on Transnistria, according to Yushchenko, should be held in the triangle of Ukraine – Moldavia – the European Union, without the participation of Russia.

Russia's reaction on the unfriendly gestures of Kiev was pretty predictable. In the autumn of 2005 Gasprom announced the plan of five-time increase of price of gas supplied to the Ukrainian market. The Russian side stated that since Ukraine was or wanted to be in Europe, it had to pay European prices for resources⁶². The argument between Ukraine and Russia concerning the gas price had become since then a permanent issue in the relations between the two states and resulted in the annual so called "gas wars". The scenario was always similar, Ukraine refused to pay increased price, whereas Russia stopped supplies. Since Ukrainian pipelines were used to deliver gas to Europe, Ukraine overtook the resource meant for European receivers⁶³. In its negotiations with Russia Ukraine purposefully took advantage of the fact that Europe was getting impatient and anxious about its energetic safety⁶⁴.

During the several of gas crisis the importance of a company RosUkrEnergo (RUE), factoring in the trade of this resource in Ukraine, was rapidly increasing. This led to gigantic profits of Ukrainian and Russian oligarch connected with the centres of power of

both countries. RUE managed by Dmytro Firtash, linked to the President's bureau, acquired immense influence on the shape of international agreements signed by the governments of Russia and Ukraine⁶⁵. On the 19th January 2009 the prime ministers Yulia Tymoshenko and Wladimir Putin signed a 10-year contract on supplies and transit of gas via Ukraine, which limited the role of intermediaries, including RUE, on the Ukrainian market⁶⁶. Rational actions of Yulia Tymoshenko concerning the purchase and distribution of Russian gas were paralyzed by her conflict with president Yushchenko⁶⁷. Any success in this area would mean limiting influence and profits of Ukrainian oligarchs, as well as numerous businessmen and Russian politicians connected with them. Since the future of political movements managed by both the president and prime minister depended on the support of oligarchs, every decision that was beneficial for the state and its citizens was usually effectively blocked by one of the power centres, because it bothered the businesses of influential people⁶⁸. This situation made excellent conditions for controlling Ukrainian policy by oligarchs associated with Russian gas business.

After several years of independence of Ukraine the president's rhetoric on the "European choice of Ukraine" was acknowledged favourably. In intellectual circles the arguments were searched for which could prove the thesis that Russia and Ukraine are two states and nations of entirely different historic, cultural, and civilization tradition. This led to conclusion that Ukraine was a European country that belonged to NATO and the European Union, and Euro-Asian Russia was bound to seek its place in Asia and cooperate with China⁶⁹.

⁶⁵ Газові переговори зривала „РосУкрЕнерго” – Бакай, <http://www.pravda.com.ua/news/2009/01/17/3677007>.

⁶⁶ Україна та Росія підписали „газовий мир” на 10 років, <http://tsn.ua/ua/ukrayina/ukrayina-ta-rosiya-pidpisali-gazovii-mir.html>; Фірташа прибрали з газового ринку. RosUkrEnergo більше не буде посередником у поставках газу в Україну, <http://tsn.ua/ua/ukrayina/firtasha-pribrali-z-gazovogo-rinku.html>.

⁶⁷ С. Толстов, *Україна і Росія...*, p. 26.

⁶⁸ A group of Ukrainian intellectuals rejected the thesis on the weakness of the political system of the state and wide-spread corruption amongst the political elites. They even tended to interpret the political and economic crisis of 2009 as the invention of Russian propaganda aiming at presenting Ukraine as a "collapsed state": *Кризис на Україні то пропаганда Москви [The Crisis in Ukraine as the Propaganda of Moscow]*, interview with Mykola Rabchuk by Filip Meches, *Europa* 13–14.06.2009, nr 271, pp. 6–8.

⁶⁹ М. Гнатюк, *Росія – Україна: неореалістський підхід, Зовнішні справи*, 2008, nr 5, pp. 16–17.

⁶⁰ Д. Малышева, *Саммит признанных. „Демократический пролезитизм” ГУАМ*, <http://www.centrasia.ru/newsA.php?st=1114585260>.

⁶¹ Н. Беліцер, *Україна і Придністров'я, або Чому провалився „План Ющенко”*, <http://euroatlantica.info/index.php?id=1861>.

⁶² Г. Касьянов, *op. cit.*, p. 387.

⁶³ А. Eberhardt, *Rosyjsko – ukraiński kryzys gazowy: lekcja unijnej bezsilności [Russian – Ukrainian Gas Crisis: Lesson of the Union's Impotence]*, *Polski Przegląd Dyplomatyczny* 2009, t. 9, nr 1(47); „Газові війни” та заручники транзитового потенціалу, *Зовнішні справи*, 2009, nr 3, p. 8.

⁶⁴ *Європа не повірить у домовленості, поки не буде газу*, <http://www.pravda.com.ua/news/2009/01/18/3678564/>.

Officially representatives of “the orange” camp described the relations with Russia as strategic partnership, yet in reality, as one of the Ukrainian politics specialists wrote, it should be defined as a state between “limited confrontation and limited cooperation”⁷⁰. In Kiev Moscow’s policy towards Ukraine was perceived as aiming at the restoration of political and military control on its territory. In this situation the only guarantee that Ukraine had to preserve its independence and sovereignty was the integration in European and Euro-Atlantic structures. President Yushchenko and his coworkers were assuring that the presence of NATO on the North coast of the Black Sea would not decrease Russia’s safety, however, even Ukrainian observers found it hard to believe it⁷¹.

The problem of Ukraine governed by “the orange” was the fact that although it was trying hard to be different from Russia, in fact it was still similar to it, especially when it came to the behaviour of political and business elites. Corruption and particular interests did not disappear after 2005. Regardless the intentions and declarations of president Yushchenko and his circle, there was hardly anything done in Ukraine to direct the state and the society on the path of development based on the patterns applied in the Union states.

Ukraine aiming at acquiring NATO membership caused the most embitterment in Russian – Ukrainian relations. The decisions were to be made at the Treaty summit in Bucharest in April 2008. The president of Russia, Wladimir Putin, was warning that the positive response of NATO to the Ukrainian motion would result in placing its strategic objects on the gunpoint of Russian missile system, and Russian border would be closed for products of Ukrainian metallurgy and chemical industries⁷².

The Treaty membership also required settling by Ukraine border issues and the problem of Russian Black Sea Fleet on its territory. The solutions in these matters depended on Russian attitude, which for obvious reasons was not favourable for the Ukrainian membership in NATO. The authorities of Ukraine were pondering on how to remove the Russian fleet from Crimea af-

ter 2017, when the agreement on its stationing, signed in 1997, would cease. It was obvious that Russian war ships would not leave their base in Crimea voluntarily since their presence was a great, “political asset of Russia’s on the Black Sea”⁷³.

“The orange” were more aware of the geopolitical value of Crimea than their predecessors. Driven by various motifs the United States and Turkey were competing with Russia over their presence on the peninsula that belonged to Ukraine⁷⁴. The limited charge Ukraine had over Crimea did not allow taking advantage of all the assets resulting from the geopolitical location of the peninsula. Russian determination to preserve its influence on Crimea was followed by the Ukrainian craving for limiting it.

The change of the president in February 2010 started almost immediately the retreat from the policy perceived in Russia as confrontational. Although the differences between the states had remained, there was a radical transformation of the atmosphere. Difficult economic situation of Ukraine induced Yanukovich to make controversial political compromises, which by broadening the cooperation were supposed to enliven the economy and ease the consequences of the financial crisis. The most powerful oligarchs, Rinat Achmetow and Dmytro Firtasz, were also pushing the new president towards searching compromises with Russia. The most spectacular event in the history of Ukrainian – Russian relations was the signing by presidents Viktor Yanukovich and Dmitry Medvedev on the 21st April 2010 in Kharkov the agreement prolonging the stationing the Black Sea Fleet in Crimea for the next 25 years, in return for lowering gas prices for industrial purposes⁷⁵. It was a complete retreat from the policy of Yushchenko, which was directed at removing the bases of Russian navy from the Ukrainian coast of the Black Sea.

The effects of the political agreement were making the maneuvering space of the Ukrainian diplomacy narrower when it came to possible alliances with the

⁷³ В. Гречанинов, *Севастопольський вакуум, Зовнішні справи*, 2008, nr 7, p. 11.

⁷⁴ С. Дириза, *Крим як бастион стабільності в Україні, “Зовнішні справи”*, 2008, nr 9, pp. 25–26; О. Oleksiyenko, *Black Sea* [in:] *Security*, The Ukrainian Week, 2012, nr 8, pp. 17–19.

⁷⁵ О. Voytyuk, *Rosyjsko-ukraińskie porozumienia w Charkowie oraz ich dla bezpieczeństwa narodowego [Russian-Ukrainian agreement in Kharkov and its consequences for the national security of Ukraine]*, *Disputatio. Przegląd Naukowy*, vol. XII, Gdańsk 2011, pp. 178–179.

⁷⁰ Г. Перепелиця, *Росія в зовнішньополітичній стратегії України* [in:] *Україна та Росія: як зміцнити...*, p. 188.

⁷¹ С. Толстов, *Україна і Росія: новий ракурс, Зовнішні справи*, 2008, nr 4, p. 23; П. Толочко, *НАТО – Цивілізаційний вибор України?* [in:] *Заявка на самоубийство: зачем Украине НАТО?*, Київ 2009, p. 347.

⁷² С. Толстов, *Українсько-російські суперечности, Зовнішні справи*, 2008, nr 5, pp. 11–13.

West. Ukraine was gaining 1.2 billion dollars a year for prolonging the agreement on the stationing of the Russian fleet in Crimea, however this sum resulted from decreasing the price for gas delivered by Russia. On the other hand, lowering the price of gas for the energy-consuming industry did not encourage its modernization⁷⁶.

In the summer of 2010 the talks were held on the cooperation concerning the use of nuclear energy and the integration of transport systems of both countries. It mainly referred to the modernization of the motorway from Moscow to Simferopol in Crimea. A number of decisions were agreed on concerning transport on the Black Sea and the Sea of Azov⁷⁷.

In the dialogue that had been started after a couple of years break there were still differences between opinions of the two states. The biggest controversy was the issue concerning the membership of Ukraine in the Custom Union formed with the participation of Russia, Kazakhstan, and Belarus. Yanukovich agreed on the extended economic cooperation, however, like his predecessors, was against the establishing of supranational structures limiting the state sovereignty. Like Kuchma, he made a couple of gestures implying the continuation of the cooperation with NATO in order to balance Ukrainian relations with Russia⁷⁸. Polish comments on Ukraine being “swallowed” by Russia were, as it seems, far-fetched⁷⁹.

During the presidency of Viktor Yanukovich the relations with Russia, listed by the Yushchenko’s team as the third or fourth position in the hierarchy of importance, became the priority. The previously emphasized differences of civilization, culture and history, had been replaced with pointing at “mutual history of Russian and Ukrainian nations, the closeness of cultures and traditions as well as tight contacts between citizens and economic ties”⁸⁰. The year 2010 was closed with

commercial exchange worth 40 billion dollars, and the presidents were planning to increase it to 100 billion a year⁸¹.

During the period of the increased Russian activity aiming at winning Ukraine for its integration projects, there also appeared the offer of the European Union to sign the Accession Agreement. After 20 years of maneuvering between the East and West, in 2012 Ukraine received offers of choosing the direction of economic, political and civilization development from both sides. Both offers excluded any compromising solutions. The Custom Union with Russia, Belarus, and Kazakhstan, meant rejection of the idea of “European choice” supported by all the governments in Ukraine since 1997. The EU offer of signing the Accession Agreement, on the other hand, meant closing the Russian market for Ukrainian merchandise, which would be difficult to sell in Europe. Russia and Union backed their offers with the perspective of loans necessary for Ukrainian economy. The offer made by the Union included a billion Euro worth loan, opening its market for the Ukrainian products, and the perspective of modernizing Ukrainian economy, whereas the Russian offer included decreasing gas prices, which was to give Ukraine 15.5 billion dollars profit⁸².

Ukrainian government had estimated the potential loss in the trade exchange with Russia for 20 billion dollars a year as a result of signing the Accession Agreement⁸³. The refusal of signing this document by president Yanukovich started a domino effect leading to the collapse of the government and president at the end of February 2014, and taking over the power by pro-western politicians and oligarchs⁸⁴. Russia reacted

⁷⁶ *Ibidem*, p. 182.

⁷⁷ С. Толстов, *Українсько-російський діалог: від пошуку форми до визначення змісту, Зовнішні справи*, 2010, nr 7–8, pp. 10–11.

⁷⁸ T. Serwetnyk, *Moskwa: Kijów spiskuje z NATO* [Moscow: Kiev is plotting with NATO], *Rzeczypospolita*, 22–23.06.2010, nr 144.

⁷⁹ A. Kubik, *Gazprom łyka Ukrainę* [Gasprom is swallowing Ukraine], *Gazeta Wyborcza*, 4.05.2010, nr 102; *Idem*, *Moskwa bierze Kijów do galopu* [Moscow speeds Kiev up], *Gazeta Wyborcza*, 19.05.2010, nr 115.

⁸⁰ В. Єльченко, *Українсько-російські відносини: прагматизм стратегічного партнерства, Зовнішні справи*, 2010, nr 9–10, p. 6.

⁸¹ *Ibidem*, pp. 7–9.

⁸² *Co straci Ukraina bez Umowy Stowarzyszeniowej?* [What Will Ukraine Lose Without the Accession Agreement?], <http://swiat.newsweek.pl/ukraina-unia-europejska-umowa-stowarzyszeniowa-kijow-protesty-newsweek-pl,artykuly,275746,1.html>; *Ukraina dostala ulge na rosyjski gaz* [Ukraine Acquired a Discount for Russian Gas], <http://www.forbes.pl/ukraina-dostala-ulge-na-rosyjski-gaz,artykuly,164204,1,1.html>.

⁸³ M. Kacewicz, *Wiktor Janukowycz chce od Europy 160 miliardów euro* [Wiktor Yanukovich wants 160 billion euro from Europe], <http://swiat.newsweek.pl/ukraina-integracja-z-unia-europejska-protesty-newsweek-pl,artykuly,275717,1.html>.

⁸⁴ P. Musiałek, *Janukowycz nie był źródłem problemów Ukrainy, ale ich przejawem. Dlatego potrzebuje ona politycznego wstrząsu i głębokiej transformacji* [Yanukovich Was Not the Source of Ukraine’s Problems But Their Representation. Therefore It Requires a Political Upheaval and Deep Transformation], <http://www.dyplomacja.org/index.php/pl/osmsz/83-osmsz/210-janukowycz-nie-byl-zrodlem-problemow-ukrainy-ale-ich-prze->

by separating Crimea and incorporating the peninsula into the Federation, and by attempting to overtake the control over the eastern oblasts of Ukraine⁸⁵.

Almost quarter of a century long Russian attempts to incorporate Ukraine into Russian integration projects on the post-Soviet area were a complete fiasco. It seems that after the annexation of Crimea there are hardly any chances of restoring the Kremlin influences in Ukraine, at least in the foreseeable future.

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