

Overview of U.S. Policy on Ukraine

In the years ahead, U.S. leadership, not just in Europe, is likely to be tested in terms of its ability to enforce international norms in the face of abuses and coercion comparable to what is currently unfolding in Ukraine By helping Ukraine's leaders catalyze Ukrainian economic recovery, the United States could help mount a robust defense of the existing order against revisionist threats — an effort that would pay geopolitical dividends across broad geographical regions.

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Until the 2014 Maidan Revolution, the security and stability of Ukraine was an important but not vital American interest. President Obama and others believed that although there were some American interests in Ukraine, for Russia Ukraine was a “core” interest; making it “vulnerable to military domination by Russia no matter what we do.”¹ And President-Elect Donald Trump’s views appear to reflect a much deeper acquiescence to Russian interests in Ukraine.

However, the U.S. national interest evolves as the global security situation evolves. Maintaining America’s power position in the world is a vital interest, and Russia’s incursions into its neighbors’ territory erode that power position. This is the third time that Russia has forcibly changed the border of an independent state since 1991.² Values and principles aside, caving to Russian pressure and forcing Ukraine to accept “limited sovereignty” demonstrates that the U.S. yields to pressure and blackmail.³

The Role of the United States

The United States has played an increasingly important role in Ukraine since the revolution. Senior Obama administration officials visited Ukraine regularly, including Vice President Biden. The United States was key in developing Ukraine’s IMF program, and direct financial assistance from Washington has accelerated certain important reforms in Ukraine.

While not without controversy, the Obama administration’s Ukraine policy was instrumental for Ukraine’s development after the Maidan. The highest profile debate regarding U.S. policy towards Ukraine has been whether to provide the country with lethal (but defensive) weapons. In December 2014, President Obama signed the Ukraine Freedom Support Act, which gave the U.S. government the authority to spend \$350 million on defensive weapons for Ukraine.⁴ Many Obama administration officials — among them Secretary of State John Kerry, Secretary of Defense Ash Carter, Supreme Allied Commander in Europe Philip Breedlove,

1 Jeffrey Goldberg, “The Obama Doctrine,” *The Atlantic*, April 2016.

2 The other two being Georgia (2008) and Moldova (1992).

3 Lilia Shevtsova, “The Exit Solution?” *The American Interest*, 30 March 2016.

4 “Obama Signs Into Law Bill Authorizing More Russia Sanctions,” *Voice of America*, 18 December 2014.

and Assistant Secretary of State for European and Eurasian Affairs Victoria Nuland — had pushed President Obama to send Ukraine the authorized weapons.⁵ They argued that increasing Ukraine's military capabilities would both send a strong signal and raise costs for possible Russian escalation. Numerous members of Congress from both parties have also pushed the administration to arm Ukraine. Those who do not want to arm Ukraine claim that Russia could easily increase its support to the separatists, thus negating the effect of any aid the U.S. sends, while making the war longer and bloodier. They are also unwilling to enter into what they view as a U.S.-Russia proxy war, noting that Ukraine has the capability to produce its own weapons. Due to these conflicting views and concerns, the \$350 million for lethal aid remains unspent.

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Aside from the debate over lethal aid, the U.S. has provided \$1.3 billion for security, reform, and technical assistance since the beginning of the Revolution.⁶ Security support makes up \$600 million of this aid, providing body armor, vehicles, night and thermal vision devices, medical equipment, heavy engineering equipment, radios, patrol boats, rations, tents, and counter-mortar radars.⁷ U.S. forces take part in Operation Fearless Guardian, a training mission for the Ukrainian military million to train the country's National Guard.^{8 9} The U.S. also continues to participate in Operation Rapid Trident,¹⁰ a long-standing annual training exercise that includes soldiers from 18 nations — Ukraine, the U.S., as well as NATO member and Partner-

ship for Peace countries — that seeks to increase interoperability across the participants' militaries.

The Obama administration also provided economic and technical support for many facets of Ukraine's reform process. One of the most visible and popular reforms has been the creation of a new police force to take over some of the responsibilities of Ukraine's notoriously corrupt "militia."¹¹ The police reform initiative was made possible by a \$15 million dollar grant from the U.S. Department of Justice to fund a training program for 100 Ukrainian police instructors, who then went on to train new police forces throughout Ukraine.¹² Initial reports show that this program has been one of the most successful U.S.-backed reform projects, since eliminating citizens' day-to-day experiences of corruption helps change attitudes about society as a whole.

The U.S. has been at the forefront of delivering humanitarian aid to Ukraine. Since 2014, USAID and the State Department has provided \$135 million in humanitarian aid, including food, medical supplies, shelter, and logistics assistance.¹³ The U.S. was by far the largest donor, surpassing the second largest — the European Commission — which provided \$43.7 million. To help Ukraine rebuild its struggling economy, the U.S. has provided \$3 billion in loan guarantees¹⁴ as part of an international \$40 billion loan package of support for Ukraine's economy.^{15 16}

In the 2015 Defense Appropriations Bill, Congress appropriated an additional \$300 million to the U.S. Department of Defense to provide aid to Ukraine for 2016.¹⁷ The Consolidated Appropriations Act of 2016 (signed in December 2015) provided \$658 million to the State Department for bilateral economic assistance, international security assistance,

5 Josh Rogin, "Kerry Tells Lawmakers He's for Arming Ukraine," *Bloomberg View*, 9 February 2015.

6 Vincent Morelli, "Ukraine: Current Issues and U.S. Policy," Congressional Research Service, 27 October 2016.

7 "Ukraine Gets \$266 mln from U.S. over Two Years —Pyatt," *UNIAN*, 26 January 2016.

8 "Joint Multinational Training Group – Ukraine," Homepage of U.S. Army Europe, www.eur.army.mil/jmtg-u/.

9 Cheryl Pellerin, "DoD Moves Forward on Ukraine National Guard Training," *DoD News*, Defense Media Activity, 20 March 2015.

10 "Exercise Rapid Trident," U.S. Army Europe, *ibid*.

11 "Ukraine replaces entire police force to beat corruption," *CBS News*, 24 July 2015.

12 Adriana Dolgetta Cosgriff, "State, Local, and Federal Government Team up to Support Ukraine," *DipNote: U.S. Department of State Official Blog*, 10 June 2015.

13 "Ukraine – Complex Emergency Fact Sheet #3, Fiscal Year 2016," USAID, 21 January 2016.

14 "The U.S. promised another \$1 billion to Ukraine," *Agence France-Presse*, 19 May 2015.

15 Charles Riley, "Ukraine gets new \$40 billion lifeline," *CNN Money*, 12 February 2015.

16 "U.S. to back \$2 billion in loan guarantees for Ukraine," *Reuters*, 13 January 2015.

17 "Congress Passes Bill Giving Lethal Aid To Ukraine," *Radio Free Liberty/Radio Europe*, 11 August 2016.

The United States played a leading role in forging an international coalition to sanction Russia for its actions in Ukraine.

multilateral assistance, and export and investment assistance to Ukraine.¹⁸ In response to Russian aggression, the Obama administration had also requested \$3.4 billion for military spending in Europe next year, more than quadrupling the current funding of \$789 million.¹⁹

The United States played a leading role in forging an international coalition to sanction Russia for its actions in Ukraine. In March 2014, President Obama issued an executive order putting in place travel bans and asset freezes on individuals connected to Russia's annexation of Crimea,²⁰ and he partnered with other world leaders to suspend Russia's membership in the G8.²¹ As Russia began fomenting conflict in the Donetsk and Luhansk oblasts (provinces), the U.S. ramped up its sanctions to include Russian energy, financial, and defense firms.²² The administration urged the EU to join in on broader sanctions,²³ and has since been instrumental in helping the bloc overcome its internal divisions to maintain a unified front on Russian sanctions.²⁴

In addition to direct material and financial aid, American officials were crucial in supporting Ukraine on the international stage. Former U.S. Ambassador to Ukraine Geoffrey Pyatt, current U.S. Ambassador to Ukraine Marie Yovanovitch, and U.S. Ambassador to the United

Nations Samantha Power, have been very outspoken in condemning Russian aggression against Ukraine. They held Russia accountable for its misinformation campaign, at the same time insisting that the U.S. support Ukraine's sovereignty while helping in its reform process. Assistant Secretary of State for European and Eurasian Affairs Victoria Nuland has been a leading figure of support for Ukraine within the administration both during and after the Maidan, helping to secure much of the aid mentioned above.²⁵ Former Vice President Joe Biden visited Ukraine four times since the Russian invasion of Crimea. During his trip in December 2015, Biden announced an additional \$190 million in U.S. support to help Ukraine implement its programs for reform and fighting corruption.²⁶

Responses to Donbas War

One of the most contentious, if over-emphasized, questions in U.S. policy toward Ukraine is whether or not the United States should proactively supply lethal weapons, even if defensive, to Ukraine.

Those who support arming Ukraine include Ash Carter,²⁷ John Kerry,²⁸ Chuck Hagel, Michèle Flournoy, Ivo Daalder, and many others.²⁹ Former National Security Adviser Susan Rice had resisted calls for giving Ukraine lethal weapons, despite signalling in February 2015 that her views might change. Around the same time, President Obama told a press conference that "it is true that if in fact diplomacy fails, what I've asked my team to do is look at all options ... The possibility of lethal weapons is one of those options that is being examined."³⁰

18 "The new U.S. legislation increased assistance to Ukraine for 2016," Embassy of Ukraine in the United States, 19 December 2015.

19 Mark Landler and Helene Cooper, "U.S. Fortifying Europe's East to Deter Putin," *The New York Times*, 1 February 2016.

20 Steve Holland and Jeff Mason, "Obama warns on Crimea, orders sanctions over Russian moves in Ukraine," *Reuters*, 6 March 2014.

21 Jim Acosta, "U.S., other powers kick Russia out of G8," *CNN Politics*, 15 March 2014.

22 "Third Wave of Sanctions Slams Russian Stocks," *The Moscow Times*, 17 July 2014.

23 Daria Marchak and Patrick Donahue, "EU Readies Russia Sanctions Amid U.S. Pressure on Ukraine," *Bloomberg*, 16 July 2014.

24 Joseph Schatz, "The transatlantic cost of Russia sanctions," *Politico EU*, 9 December 2015.

25 Victoria Nuland, "Testimony on Ukraine," Senate Foreign Relations Committee, 8 October 2015.

26 "Biden Announces \$190M in New Aid for Reforms in Ukraine," *Voice of America*, 7 December 2015.

27 Paul Saunders, "Five Reasons Arming Ukraine Won't Work," *The National Interest*, 12 February 2015.

28 Josh Rogin, "Kerry Tells Lawmakers He's for Arming Ukraine," *Bloomberg*, 9 February 2015.

29 Ivo Daalder, *et al.*, "Preserving Ukraine's Independence, Resisting Russian Aggression: What the United States and NATO Must Do." Chicago Council on Global Affairs, Atlantic Council, and Brookings, 2015.

30 Michael Kofman, "How to Start a Proxy War with Russia," *The National Interest*, 5 February 2015.

The strongest argument for providing Ukraine with lethal defensive weapons is that increasing the cost of escalation for Russia makes escalation less likely: since one of Russia's goals is to credibly threaten to destabilize Ukraine in order to exert influence over its policy choices, if the cost of this destabilization becomes prohibitively high, the Kremlin's influence over Ukraine can be diminished. However, this assumes that the weapons provided by the United States would increase the cost of Russian escalation past some critical point, which is far from clear. *Specifically because that critical point is unknown*, arming Ukraine risks provoking Russian-separatist forces, rather than deterring them.

A second argument used by proponents of providing Ukraine lethal defensive weapons is based on the Budapest Memorandum on Security Assurances of 1994, a political agreement between the U.S., U.K., Russia, and Ukraine. When Ukraine became an independent state in 1991, it inherited the world's third largest nuclear arsenal from existing Soviet military assets and installations on Ukrainian territory. Through the Budapest Memorandum, Ukraine agreed to transfer its nuclear arsenal to Russia, conditional on the other parties agreeing to respect Ukraine's independence, sovereignty, and existing borders, in addition to promising not to use economic or other leverage to influence Ukraine's politics.³¹ In response to Russia's annexation of Crimea and ongoing war in Ukraine's easternmost regions, the United States declared that Russia violated its commitments in the Memorandum.³² Some argue, therefore, that failing to provide lethal defensive aid to Ukraine damages American credibility. However, while this may be a moral case for providing Ukraine lethal defensive aid, the Budapest Memorandum is not a legally binding document and does not oblige the United States to intervene to help Ukraine. Moreover, one could argue that the extensive non-lethal U.S. military aid has satisfied its commitment.

In the end, the arguments against arming Ukraine are stronger, from the point of view of both Ukraine and the United States. First, providing lethal weapons runs the risk of inflaming a simmering conflict and igniting a proxy war between the United States and Russia, in

a region to which both Donald Trump and Vladimir Putin have signaled it is the latter who has the stronger commitment.

Second, the current level of strategic depth is preserved if the United States focuses on financial, political, and technical aid, keeping the option of arming Ukraine open, and hinting that the option becomes more likely if Russia escalates the conflict. Third, lethal defensive weapons are not the only way to increase the costs of a Russian military escalation. Other options include helping the Ukrainian armed forces prepare fortifications and erect anti-tank barriers. Finally, note that from the point of view of the Ukrainian electorate, it is important that their elected officials continue asking for lethal aid from the United States. Thus it is difficult to tell whether Ukrainian elites truly believe lethal aid will help.

For these reasons, the U.S. should maintain its policy of not sending lethal weapons to Ukraine, although the option should be kept open. Keeping the option on the table acts as a restraint against further Russian aggression, since Russia fears that if it were to escalate the fighting, the United States could respond by sending arms to Ukraine. Providing lethal aid to Ukraine should be strongly considered in the event of a Russian escalation in Ukraine, but should not pre-emptively risk provoking such an escalation.

KEY TAKEAWAYS

- 1. The United States has a fundamental interest in Ukraine's future and should play a larger role in the relevant international negotiations.** This is particularly important since no signatories of the Budapest Memorandum — who pledged to respect Ukraine's sovereignty and consult with each other if Ukraine's territorial integrity were violated — are present in the Minsk process, other than Russia. The U.S. should be proactive in setting strategic goals regarding Ukraine, rather than reacting to Russian actions. One way to do this would be to engage more deeply with Germany in the negotiations instead of ceding responsibility completely.
- 2. It is key to understand that the Kremlin's reckless behavior toward the U.S. and its allies**

³¹ "Ukraine," Nuclear Threat Initiative, September 2014.

³² "'Readout of President Obama's Call with President Putin,'" The White House, 1 March 2014.

is calculated to make Russia appear as if it is not a declining regional power, but a strategic adversary. Russia's primary interest in destabilizing Ukraine is not to counteract decades of Western-bloc expansion, but to prevent Ukraine from becoming a successful democracy that might serve as an example for the Russian people. Russia uses a Huntingtonian civilizational narrative to justify intervention to halt the development of democracy in East Slavic countries (Russia's perceived sphere of influence), thus creating a self-fulfilling prophecy of the incompatibility of democracy with East Slavic culture. Supporting Ukraine's transition to democracy is the best way to undermine this narrative.

- 3. Strict conditionality of financial aid remains an effective tool to influence Ukraine's political elites.** The IMF's support package for Ukraine is an example of effective conditionality, although the required tight fiscal policies may actually be contributing to the recession in Ukraine. The conditionality of aid should be re-focused on strengthening and legitimizing state institutions rather than dismantling them; for example, Ukraine's economy can recover more quickly if property rights are secured and the judiciary is cleaned up.
- 4. Skepticism about arming Ukraine should not be interpreted as a shibboleth distinguishing those caving to Russian aggression.** There are effective ways to help Ukraine defend itself that do not involve risking an escalation of the conflict.

RECOMMENDATIONS

- 1. Ukraine and its partners must focus on building a successful and prosperous Ukraine on the territory it currently controls.** This means maintaining a robust sanctions stance and keeping the stakes high for potential Russian escalation, while at the same helping Ukraine build its economy.
- 2. As public frustration with austerity and the slow pace of reforms increases, the U.S. should increase the visibility of the impact of American assistance.** In order for the people to continue to support Ukraine's pro-Western

choice, they must feel that that choice has had a positive impact on their lives. The public is waiting to see infrastructure rebuilt and the education and healthcare sectors reformed. Structural and top-level reforms, though important, can be largely invisible to an impatient public.

- 3. The U.S. should help Ukraine in its efforts to provide Russian-language radio and TV broadcasting to Crimea and the Donbas.** The U.S. should help build transmission towers so that 3G cell phone coverage can be provided to the occupied territories. The U.S. should encourage Kyiv to increase engagement with the south-east of Ukraine with a public awareness campaign focusing on bolstering local self-government bodies and minority rights.
- 4. In every conversation with senior Ukrainian officials, the U.S. should highlight humanitarian concerns** and the need to bring an end to Ukraine's commercial food and medical blockade of occupied territories. The U.S. should insist that all sides, including Ukraine's military and intelligence agencies, respect fundamental liberties, including the right to be free from torture.

The views above are those of the majority of the production team.

FURTHER READING

Steven Pifer, *The Eagle and the Trident: U.S.-Ukraine Relations in Turbulent Times*, Brookings Institution, Brookings Institution Press, 22 August 2017 (forthcoming).

Olexiy Haran and Petro Burkovsky, "Will the U.S.-Ukraine Relationship Survive the Obama Years?" *Wilson Quarterly*, Winter 2016.

Melinda Haring and Kateryna Smagliy, "Ten Things the New US Ambassador to Ukraine Should Do." *The Atlantic Council, The New Atlanticist*, 19 September 2016.