

Diplomaticheskii Marafon: Zapiski Uchastnika Rossiisko-Uktainskikh Peregovorov v 1992-1999 Godakh [Diplomatic marathon: Notes of a participant of the Russian-Ukrainian negotiations in 1992-1999]

(Russian) Hardcover – January 1, 2005

by Iurii Dubinin (Author)

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Editorial Reviews

This is a new book by Iurii Dubinin (b. 1930), a professional diplomat, ambassador to the USA (1986-1990), and assistant to the Ministry of Foreign Affairs (1994-1996), head of the Russian state delegation to Ukraine, and the ambassador to Ukraine (1996-1999). It is about the negotiations between the Russian Federation and Ukraine (Russian-Ukrainian treaty) when the latter became an independent state in 1991. The negotiation covered the following issues: the fate of the Black Sea fleet, nuclear arsenal, other military and normal industries, and other properties.

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YURI DUBININ

The topic of Ukraine's ratification of the START-I Treaty and related issues became central during the meeting of the presidents of Russia and Ukraine in Moscow on January 15, 1993. I attended this meeting and took part in the drafting of the agreements. During the Moscow talks, Russia spoke from a position of full support of Ukraine in the implementation of its commitments on nuclear weapons. Our country's president declared Russia's readiness to provide Ukraine with guarantees of its security before Ukraine ratified the START-I Treaty and acceded to the Nuclear Non-proliferation Treaty, which would come into force after Ukraine became a party to these agreements.

In order to ensure the nuclear and environmental safety of the strategic nuclear forces on the territory of Ukraine, it was decided to determine the system of material and technical support and performance of works on warranty and author's supervision by Russia over the operation of missile systems of strategic nuclear forces. The governments of the Russian Federation and Ukraine were instructed to prepare and conclude specific agreements to ensure the implementation of this agreement within a month.

An important result of the meeting was the instruction of the presidents of the Russian Federation and Ukraine to the governments of the two countries to immediately start negotiations on the settlement of all complex issues related to the implementation of the START-I Treaty. Among these problems were the conditions for the dismantling, transportation, and destruction of nuclear warheads deployed in Ukraine, including the processing of nuclear components for use as fuel for Ukrainian nuclear power plants (NPPs).

I was appointed head of the delegation of the Russian Federation to these talks. The delegation included: V. F. Konovalov — First Deputy Minister for Atomic Energy, B. V. Gromov — Deputy Minister of Defense, A. G. Bratukhin — Deputy Chairman of the Committee on Defense Industries, and V. V. Zharkov — head of the Department of Disarmament of the Ministry of Foreign Affairs.

Among the advisers to the delegation were employees of the Ministry of Foreign Affairs V. I. Midin, A. A. Klapovsky, R. F. Sorokin, G. Efimov, V. S. Artemev, E. A. Gryaznov, officials of the Ministry of Defense V. M. Zhurbenko — Lieutenant General, Deputy Chief of the General Staff, E. P. Maslin — Colonel-General, head of the 12th Main Directorate, V.N. Yakovlev — Major General, Deputy Chief of the 12th Main Directorate, I. S. Semenov — Rear Admiral Chief of Staff of the Navy, Colonels I. M. Sinitsyn, V. I. Teleshev, A. S. Shinnikov, V.

Main Department, V. G. Vinogradov — Chairman of the Committee on Economy, E. I. Mikelin — Chief of Main Department, senior officials of the Committee for Defense Industries, N.I. Shumakov — head of the Main Department of Guarantee Supervision and Disposal of Weapons and Military Equipment, V. I. Shmaev — Deputy Head of the department, and G. S. Letuchikh — Head of Division. My assistant, V. A. Sorokin, was appointed Executive Secretary of the delegation.

Of great importance was the participation of our outstanding military commander, Army General Boris Vsevolodovich Gromov, in the delegation. He played a very important and constructive role.

Yu. I. Kostenko headed the Ukrainian delegation. He was the Minister of Environmental Protection of Ukraine. The delegation also included Deputy Defense Minister I. V. Bizhan and General A. L. Kryzhko — Head of the Center of Administrative Management of Strategic Nuclear Forces of the Ministry of Defense of Ukraine.

Our delegation was entrusted with negotiations on issues related to the implementation of the START-I Treaty and the Lisbon Protocol. I was fully aware of their great importance and of the exclusive responsibility that was placed on our delegation in this regard.

The subject of the negotiations were large-scale issues that generated increasing interest not only in Russia and Ukraine, but also throughout the world. These issues required urgent solutions. Therefore, in developing directives for negotiations and the tactics for their conduct, I decided to take a path that could lead to an agreement as soon as possible. To this end, the greatest possible final outcome of the negotiations was determined, which would fully satisfy all the legitimate interests of Ukraine. The essence of this approach was as follows:

- All nuclear warheads of strategic nuclear weapons located on the territory of Ukraine would be exported to Russia, where they would be disposed of.
- Ukraine, as a result of this operation, would receive the so-called peace dividend in the form of fuel for its nuclear power plants in an amount equivalent to the amount of fissile materials extracted from nuclear warheads removed from its territory.

I considered it undesirable to put forward to Ukraine at the same time any inquiry positions, in order to correct them during negotiations. With such tactics, there were no spare positions, as our proposals contained the maximum of what Russia could do.

It seemed that such a position had to be understandable to the whole world, that with ever-increasing caution, followed the nuclear ambitions of Ukraine. It should have been stated at the very beginning of the negotiations that trying to prevent their delay, and even more so to turn them into something resembling bargaining was quite inappropriate, as I thought, on such an acute and sensitive issue as nuclear weapons, because it could create the ground for every kind of

speculation. The delegation fully agreed with this approach. It did not raise objections from the top leadership of Russia either.

Already on January 26, that is, some ten days after the meeting of the presidents of the two countries in Moscow, we flew on a special flight to Ukraine. The Ukrainians organized talks in a sanatorium that belonged to the Ministry of Defense located in Irpen, a few dozen kilometers from Kyiv. Irpen is a traditional place of relaxation for residents of the Ukrainian capital. It is a rich forest. Everything is beautiful in winter and probably even more tempting in summer, when you can refresh yourself in the cool water scattered between the trees. However, the eye catches on inscriptions on the banks: "Swimming is prohibited." Our Ukrainian friends explained to us that this is a poisonous trace of the Chernobyl disaster: the area was heavily contaminated by radiation during the tragic events in the spring of 1986. This was like another parting word to us in our negotiations.

There were a lot of negotiators. There was Yu. I. Kostenko- young with an excellent athletic bearing, in a fashionable Western coat and a beautiful, non-standard hat with a cocky wide brim. The appearance of this hat reminded me of my climbing trips, where a hat was given a lot of importance and my light felt hat, who knows how it got in our house, was the envy of my companions to conquer the Caucasus mountains. "Is my partner a climber?" — flashed through my mind.

Yu. I. Kostenko, as it turned out, was really a climber, and of high class. He was modest, even somewhat shy, but I heard that in matters of nuclear weapons on Ukrainian territory, he belonged, if not to the extremists, but at least to very radical circles. Yu. I. Kostenko was not only a member of the government, but also a Deputy of the Supreme Council from the nationalist party called Rukh, and he was one of the leaders in Rukh. In the Supreme Council of Ukraine Y. I. Kostenko lead a special deputy working group to prepare for the ratification of the START Treaty. In short, he was a person with a prominent position in both the executive and legislative branches of government.

Even before our meeting, he managed to say that negotiations on nuclear weapons could last for twenty or thirty years. That wasn't very encouraging.

We took our seats and exchanged greetings. Y. I. Kostenko suggested limiting the plenary meeting to opening statements.

"Without discussing them," he emphasized, "so that after such statements we will break up into working groups at once.

Well, it may be so. Everything would depend on the content of the opening statement of the Ukrainian delegation.

Yu. I. Kostenko spoke first. Rather, he did not speak, but read out a statement, and clarified that he did it on behalf of the Ukrainian government. There was an unexpected new element in the statement: the proclamation of Ukraine's "ownership" of "nuclear warheads". We were no longer talking about intricate formulations, such as the one that was used not so long ago in the Memorandum of the Ministry of Foreign Affairs of Ukraine ("ownership" of all components of nuclear warheads). Now the conversation became direct and frank. It was also said that, "Ukraine has not decided where exactly the dismantling of nuclear warheads and processing of weapons-grade uranium and plutonium will be carried out".

The statement was important. In addition, it was done on behalf of the government. I proposed a short break in order to assess the written text along with the delegation. We all agreed that it should be responded to without delay. Ownership of nuclear weapons is one of the signs of a "nuclear" state. The declaration of ownership of nuclear weapons located on the territory of Ukraine was a claim to the status of a nuclear power. If we did not immediately give our assessment of such a statement in the working groups, then in the negotiations as a whole, and around them, nothing but confusion would result.

We also had to think about the possible public reaction. We did not seek to advertise the talks, but they were known about. Correspondents were eyeing them. The slightest ambiguity could result in serious costs.

In my response, I drew attention to the fact that what Yu. Kostenko said was a change in Ukraine's position on nuclear weapons, a departure from commitments made in the highest-level state acts of Ukraine, as well as in the international documents signed by it both within the CIS and in a broader international context, in particular, in Lisbon.

I noted that, of course, Ukraine, as a sovereign and independent state, had to decide which fate to choose, what policy to follow in this matter. But as for Russia, there was an imperative for us, dictated by our own international obligations, primarily the Treaty on the Non-Proliferation of Nuclear Weapons.

By virtue of these obligations, Russia, as a nuclear state, has no right to transfer nuclear weapons to anyone, as well as control over them, neither directly or indirectly, nor in any way to help, encourage, or motivate any non-nuclear-weapon state to produce or acquire nuclear weapons in any other way, as well as control over such weapons. Ukraine had declared the goal of becoming a non-nuclear state, and we could not be involved in changing this course.

I also drew attention to the fact that the issue of where nuclear warheads were to be exported and where they were to be dismantled and disposed of had also been resolved in connection with the elimination of tactical weapons. It was resolved on the basis of an agreement signed by the

presidents of the two countries. So, in this matter, the Ukrainian government was also on the way to review its obligations. However, I did not place special emphasis on this.

The fact is that no serious specialist in the world, let alone a state, would take the risk of dismantling, or repairing foreign nuclear warheads, not to mention eliminating them. I was convinced of this by conversations with our general designers of nuclear weapons and military authorities. So, if the words in this regard from the statement read out by Yu. I. Kostenko were nothing more than a delusion, or a negotiation maneuver, then life would put everything in its place as soon as the really fundamental issues are resolved.

In the statement, voiced by Yu. I. Kostenko, it was said about the possibility of such a solution to the problem of disposal as the construction of a plant for dismantling and processing nuclear warheads on the Ukrainian territory. Kyiv wanted to get funds for the construction of such a plant from the United States. But it was so far from reality that it did not require critical analysis. I focused on our positive program, on the fact that Russia was ready to assist Ukraine in fulfilling its international obligations to the extent that it depended on us.

“In particular,” I stressed, “the Russian side agrees to provide Ukraine with a peace dividend from the elimination of nuclear weapons remaining on its territory.”

This peace dividend could be fulfilled in the supply of fuel elements for Ukraine's nuclear power plants in quantities corresponding to the cost of decoupling materials that would be extracted from the nuclear warheads removed from Ukraine, minus Russia's costs for the disposal of these warheads. Of course, we were also ready to immediately develop, with Russia's full participation, a procedure for ensuring the environmental safety of nuclear warheads on the territory of Ukraine for the entire period that would be required for the export of nuclear weapons from Ukraine to Russia.

A discussion followed. The Ukrainian colleagues felt uncomfortable. They were in a hurry to wrap up the plenary session. They asked for their statement not to be made public. At the same time, they did not move away from the introductory statement made by Yu. I. Kostenko.

What did this declaration of ownership of nuclear weapons mean? There could be two options. Either it was a major step aimed at ensuring Ukraine's status as a nuclear state, or a tactical move in the negotiations, designed to create conditions for obtaining the greatest benefits from the elimination of nuclear weapons on the territory of Ukraine. The answer to this question could be found by solving, in practical terms, all the specific problems that arose.

Thus, if the Ukrainian side raised the issue of ownership of nuclear warheads only in order to justify obtaining material peace dividend in the form of fuel for nuclear power plants, then an agreement ensuring that Ukraine would receive this dividend as a result of the

elimination of nuclear warheads on the territory of Ukraine would make the dispute about the ownership of these nuclear weapons pointless. And so on, with regard to all the problems that arose. Therefore, we focused on the negotiations in the working groups, trying to make them as pragmatic and productive as possible.

We broke up into working groups. One was on issues related to the jurisdiction of the Ministries of Defense (in which the deputy head of the General Staff Lieutenant-General V. M. Zhurbenko stood as the main figure from our side), and should solve — this is the main — the issue of the schedule of the export of nuclear weapons from Ukraine. The task of the other (where the tone was set by V. Konovalov) was to determine the size of the peace dividend for Ukraine. Finally, experts in the defense industry had begun to prepare a draft agreement on the implementation of warranty and supervision over the operation of strategic missile systems of Strategic Forces.

It should be clarified that within the framework of a single state — the Soviet Union — the production of missiles (that is, carriers, means of delivery, not nuclear warheads) was organized in such a way that some of them were produced in Russia, and some in Ukraine. Therefore, after the Soviet Union was gone, Ukrainian missiles turned out to be in Russia, and Russian in Ukraine. Maintaining these missiles in good technical condition, as in the case of nuclear warheads, was also a matter for the plants where they came from. In this regard, an agreement on how to service these missiles after Ukraine gained independence was necessary for both sides.

Our draft agreement on ensuring nuclear safety on the territory of Ukraine had also been handed over to the Ukrainian side.

I moved between all groups, but pretty soon “got stuck” in the military group. The main person there from the Ukrainians was Ivan Vasilyevich Bizhan. Following me, Yu.I. Kostenko came over there. We presented our proposals on the schedule for the removal of nuclear warheads from Ukraine in writing. The Ukrainian colleagues did not like them. But they did not have their own proposal. Moreover, from the Ukrainian side we heard only ornate statements, from which it was impossible to understand whether Ukraine intended to fulfill its obligations to eliminate their nuclear weapons. All the weapons, of course.

However, we could not get a clear answer. What kind of schedule for the export of nuclear warheads could be discussed under such conditions?

I read out the letter of L. M. Kravchuk to G. Bush, dated May 7, already known to readers.

“Ivan Vasilyevich,” I said, “it is written here about the elimination of all, I emphasize this word, nuclear weapons located on the territory of Ukraine. Could you say whether Ukraine is going to fulfill what its president wrote?”

But I.V. Bizhan and this time away from the answer. It hid behind the lengthy arguments of a general nature. The conversation dragged on late. It does not do without reproaches to our address: they say, why such scrupulousness and whether it is necessary to speak so much about the same.

- “So, is Ukraine ready to eliminate all or not all of the nuclear weapons?”

But the shorter the question, the longer the answer.

“Ivan Vasilyevich,” I appealed to Bizhan, “stop this bickering. We will take a break, after which you will give us a written statement of your position on the elimination of nuclear weapons in Ukraine. Whatever you think is right. To avoid any misunderstanding. Especially as the Russian position is stated in writing.”

- “It will not be made quickly.”

- “How long will it take?”

- “Until morning.”

- “Well, let's start tomorrow morning with a discussion of the wording that the Ukrainian side will prepare.”

The next morning came.

- “What about the wording on the elimination of nuclear weapons, Yuri Ivanovich?” - I appealed to Kostenko.

Kostenko replied that there was not enough time.

- “What are we going to do? Maybe it takes a few more hours?”

- “No, this is not enough either. It will take a few days.”

So, there was a snag in this matter. However, this issue was one of the most fundamental.

We were going to the atomic energy specialists. The situation there was different. As in other cases, we submitted a draft agreement on the problem of disposal. The Ukrainian colleagues said that they had some ideas, but complained that there was a lack of data in Kyiv that was needed to estimate all possible options for Ukraine to receive a peace dividend and to choose the best one. They frankly added that they would not like to miscalculate. That was understandable. V.Konovalov tried to answer all the questions, but the Ukrainians were asking for new clarifications.

We proposed to continue the work of the experts in Moscow in a couple of weeks. Within the same two working groups there were both military experts and nuclear energy specialists. We

undertook to transfer all the necessary written materials on the disposal of the nuclear filling of warheads. The Ukrainians promised to convey to us, also in writing, their position on the elimination of strategic nuclear weapons located on the territory of Ukraine. Anyway, this was kind of an agreement.

The missile specialists worked more effectively. They were almost ready to draft an agreement on the procedure for the implementation of the warranty and the supervision of the operation of strategic missile systems of the Strategic Forces, located both in the Russian Federation and Ukraine. We agreed with Yu.I. Kostenko to report this project to the leaders of our countries with a proposal to be signed by the heads of our governments immediately and without any connection to other issues. The environmental risk of a malfunctioning rocket was huge and no delays were allowed.

And what about nuclear security, that is, about the maintenance of nuclear warheads on the Ukrainian territory by Russian specialists? In this regard, we also conveyed to our Ukrainian colleagues our project in the form of an agreement on the use of “C” facilities, which were already discussed above.

Its essence was simple. The Russian side continued to be responsible for all special activities with warheads, in other words, the Russian side maintains them in good condition and the Ukrainian side creates the necessary conditions for the Russian specialists and ensures the external security of the “C” facilities, as well as their functioning.

The Ukrainians also had a proposal on this issue. It contained a clause on recognition by Russia of Ukraine’s ownership of nuclear weapons. But after the discussion at the plenary meeting on the statement read by Yu.I. Kostenko, the Ukrainians removed their proposal from the discussion, however, they did not want to work on ours and they said they needed to think. There was no progress, but I wanted to keep hoping for the best.

Meanwhile, it was already going on into the evening. It was time to decide on the departure to Moscow. V.M. Zhurbenko advised me to fly out early, at seven or eight o’clock. Nothing, they said, would interfere with it. The plane was allocated to us by the Ministry of Defense, so [?] ordered the Deputy Chief of the General Staff to look after organizational matters. I agreed.

We were writing a joint press release with Yu.I. Kostenko. It was streamlined, but generally not bad: the meeting is the first, something is done, something is promised, however, we heard much more, which is of concern. The escalation of nuclear ambitions in Kyiv was becoming clearer. But the ultimate goals of Ukraine were not completely clear. I did not want to lose optimism. In addition, our Ukrainian colleagues were asking for restraint in public assessments. I agreed to report this in Moscow, but with mutual understanding on the part of our colleagues.

We made the long trip to the Boryspil airport in a car with Yu.I. Kostenko. There was talk of abstract topics: ecology, travel. But there was little talk on the topic of negotiations. It was felt that Yu.I. Kostenko was so passionate about the Ukrainian domestic aspects of this problem that the international significance of this giant issue seemed to elude him. As if Ukraine was so tough that it was ready to stand against anyone.

“Here the Americans tried to exert pressure - we put them in their place,” he told me.

I tried to diplomatically push the interlocutor to more balanced assessment, gently advising him not to miss the international aspect of the problem.

Here was the plane.

We said goodbye, and we settled in the cabins. General E.P. Maslin hurried to find a chess partner. The engines started, then ... stopped. The commander of the plane reported: Moscow has closed, there was a blizzard.

Maybe there was something open near Moscow?

We were looking for it, but there was little hope: one by one all airports in the European part closed.

A few minutes later we had the final sentence: there was nowhere to fly. So far, only Boryspil was open - the airport near Kyiv, where we were sitting, but even here the wind carried more and more snow flakes.

Having learned about it, the Ukrainian colleagues rushed to the rescue. They found cars. Later that night, we were again in the sanatorium. Dinner was collected for us, scrambled eggs appeared on the pans, a lot of scrambled eggs, and even something for warming us. Our military, the Ukrainian military, our diplomats, the Ukrainians; all were mixed up and forgot the disagreements around the elimination of what had recently been created together with such difficulty.

“And all because it happened so with the plane,” E.P. Maslin suddenly said to me, “that the diplomatic protocol was violated.”

What an assessment of the diplomatic side of the negotiations!

- “You are probably joking Evgeni Petrovich?”

- “No, I'm not joking. Our Ukrainian colleagues offered to arrange a farewell dinner. We did not agree, but in vain. While sitting at the table, we would have known that we couldn't fly to Moscow. It would not have been necessary to go to the airport.”

I'm puzzled.

- “To whom did the Ukrainians talk to about dinner?”

- “Vladimir Mikhailovich.” (this is Zhurbenko).

V.M. Zhurbenko was silent.

- Vladimir Mikhailovich, why didn't you tell me about it?

He was confused.

“We hurried to Moscow,” he tried to justify himself, “not anywhere.” But, in this way, it is even more romantic.

- “So, for the Russian-Ukrainian friendship despite everything!”

Nobody objected to this.

The negotiations in Irpin raised even more questions regarding the position of Ukraine than there were before. Nevertheless, we waited for our next meeting, scheduled for March 2–3, with hope. It was hoped that in Kyiv the study of the written proposals that we had submitted in Irpen would make Ukraine's approach more constructive. Especially since L.M. Kravchuk had already received the positive response from B. N. Yeltsin on the issue of obtaining security guarantees from the nuclear powers that was of interest to Ukraine in connection with the proposed non-proliferation treaty. However, events between the meetings developed in a different direction.

On February 11, Deputy Foreign Minister of Ukraine B.I. Tarasyuk published an interview in the *Nezavisimaya Gazeta* devoted to the negotiations. It was haughty. This was not new. The Ukrainians seemed to have forgotten about their own request for restraint with the media. But the main thing was that the Russian position was perverted beyond recognition in the interview. It was felt in Moscow that it was impossible to not respond. It followed. We exchanged courtesies, as they say. But this was not so scary.

On February 16, as it was agreed, Ukrainian experts on nuclear energy flew to Moscow. In accordance with the agreement in Irpen, we handed over to them all the documents relating to nuclear warheads and elements of the missile systems of strategic nuclear forces deployed in Ukraine, including the processing of nuclear components. They were offered to work on the text of the agreement. They refused, and asked us to give them an opportunity to examine the problem better in Kyiv. We treated this with understanding.

On February 24, a meeting of the working group of military representatives was held in Moscow. We expected a written statement from the Ukrainian side on its position on the elimination of strategic offensive weapons deployed on its territory and the timing of these measures. What was promised to us. But we got nothing. Moreover, the guests who arrived from Kyiv refused to even discuss these topics. I called Yu.A. Kostenko in Kyiv.

- “What's happening?”

He replies: “The Ministry of Foreign Affairs of Ukraine believes that there should be no talk on this issue. I can't help it.”

This was bad.

In addition, Kyiv reported that they were not ready to sign an agreement on copyright and warranty service of the missile systems. This was what we agreed on in Irpen! It was completely incomprehensible.

Here was the second round of negotiations. It was near Moscow. We had Yu.I. Kostenko, I.V. Bizhan, and other acquaintances.

Ensuring the safety of nuclear weapons in Ukraine was in the foreground. We stood for a clear, reliable agreement on this matter. The issue was urgent and could not be a bargaining chip, especially the subject of bargaining. This was what we are talking about.

In response, we heard: let Russia recognize Ukraine's ownership of nuclear warheads. We had already heard it in Irpen.

We proposed to work on the text of the agreement: maybe a pencil would discipline their thoughts.

There was a refusal.

The issue of nuclear safety was so important to us that, having met the unwillingness to agree on a comprehensive agreement to this effect, we proposed a number of specific measures that could resolve the main concerns. In particular: before August 1, 1993, to withdraw flight assignments from all means of delivering nuclear weapons on the territory of Ukraine; before August 1, 1994, to take the head parts of intercontinental ballistic missiles and their combat blocks to central pre-factory bases in Russia for the purpose of the subsequent dismantling; before August 1, 1993, to transfer to a reduced degree of combat readiness and take to the central pre-factory bases in Russia nuclear munitions of longer-range cruise missiles for heavy bombers for the purpose of the subsequent elimination.

We received no response.

We worked a lot in Moscow on the issue of Ukraine receiving fuel for nuclear power plants. Something was even put on paper. But it did not solve everything.

As for the withdrawal of nuclear munitions from the territory of Ukraine (all, of course), then, alas, we were no longer promised written formulations, but in words – fog. It was worse than the month prior in Irpen.

There was one concrete result: once again we agreed to sign an agreement on the maintenance of rocket complexes and again agreed to submit this agreement to be signed by the heads of government.

What else? It was agreed that all issues between Russia and Ukraine on the eve of Ukraine's ratification of the START Treaty and the Lisbon Protocol should be grouped into three agreements: the first was on the disposal of nuclear weapons; the second was about ensuring nuclear and environmental safety; the third was about servicing missile systems.

This, of course, was something, but I would have liked more. Our conversations were in a different pitch. There were also trustees. My negotiating partner told me:

- "Yes, L. Kravchuk, of course, remains the president of Ukraine. But do not think that he is able to achieve all that he wants, to fulfill everything he has signed for."

The times, they say, were changing in Ukraine ...

There is something to think about.

How were the continuation of the negotiations? We received an invitation to fly to Kyiv for this purpose, but an invitation without a date. Say, we agree further.

Since we were not only interested in success, but were also ready to move quickly, I assured Yu.I. Kostenko that we would be in Kyiv as soon as we received a signal from there.

In the meantime, the situation around Ukraine's nuclear policy continued to worsen. On March 10, the first public hearings of a special working deputy group headed by Y.I. Kostenko, with the participation of experts, were held in the Supreme Soviet of Ukraine.

They were about the preparation of materials for the ratification of the START-1 Treaty and the decision on accession to the Non-Proliferation Treaty. Yu.I. Kostenko noted that these issues "intensified the internal political struggle of different forces, which often come out from opposite positions, and it can be argued that today in Ukraine there is not a single serious political group that would unconditionally support the ratification of the START Treaty 1 and accession to the NPT. According to Yuri Kostenko, public hearings only confirmed that, although ratification of the START-1 Treaty and Ukraine's accession to the NPT are possible, they will not mean Ukraine's immediate implementation of the Lisbon Protocol of May 23, 1992, and Ukraine itself can ratify the START-1 Treaty and join the NPT as a nuclear-weapon state."

What was the main focus of these hearings? First of all, the denial of the state-legal significance of the Declaration on State Sovereignty of Ukraine of July 16, 1990 with regard to the problem of nuclear weapons.

It was argued that this was only a political statement of "forward-looking intentions". Furthermore, the question was raised that the conditions of ratification guaranteed Ukraine's receipt of all the rights of international law and international relations as a nuclear state. International public opinion perceived all of this as a new indicator of serious changes in Ukraine's policy towards nuclear weapons. By the end of August, the Supreme Council of Ukraine had a closed review of the draft military doctrine. Judging by leaks in the press, the stumbling block at the meeting was the attitude to nuclear weapons. Especially alarming was the fact that the government proposed to keep 46 of the most advanced SS-24 nuclear missiles in

service of Ukraine, thus trying to tilt the balance in favor of the proposed project of this doctrine.ⁱ The resistance of Ukrainian diplomacy noted by our delegation on the issue of the elimination of all nuclear weapons deployed in Ukraine began to take shape and came from the highest echelons of state power in Ukraine.

Then, 162 deputies (this is more than a third of the Supreme Council of Ukraine) published a joint statement in which they openly called Ukraine a “nuclear power”. Y. Kostenko was among the signatories. However, in the subsequent explanation of the press center of the Ministry of Foreign Affairs of Ukraine of April 29, 1992, it was noted with direct reference to the statements of Kostenko that his interpretation did not reflect the official positionⁱⁱ. Apparently, it would be embarrassing not to release such a clarification, taking into account that Kostenko was the head of the delegation at the negotiations aimed (as it seemed) just the opposite - at securing Ukraine the status of a non-nuclear power. Meanwhile, the invitation from Kyiv to continue negotiations was delayed. It would never come at all. Nevertheless, Moscow considered it necessary to continue the dialogue. The delegation has carefully worked out drafts of the three documents that we agreed on during the last negotiations. We handed them over to the Ukrainians, and gave quite an unusual form to the negotiations.

For this purpose, we used the meetings of the Prime Minister of Russia V. S. Chernomyrdin with the Prime Minister of Ukraine L. D. Kuchma. I was included in the list of persons accompanying V. S. Chernomyrdin. Of course, I kept all the papers ready. At the right moment, V. S. Chernomyrdin touched on the topic of nuclear weapons, giving me the opportunity to report on the remaining problems.

It was so during V. S. Chernomyrdin's trip first to Kyiv, a little later — in Kharkiv, Rostov-on-Don in June 1993, and then at the trilateral meeting of leaders of Russia, Belarus, and Ukraine at the very beginning of July near Moscow. The Ukrainians heard me, but avoided making decisions. It seemed as if something in Kyiv hung over our interlocutors, making it difficult for them to maneuver.

The Supreme Council of Ukraine's adoption of the document "The Main Directions of Ukraine's Foreign Policy" on July 2 was a big surprise. This document proclaimed that, "Ukraine can and should become an influential world power capable of playing a primary role in ensuring political and economic stability in Europe."

One of the results of such an orientation was the correction of the term “neutrality.” In the same document it was written that, " In view of the cardinal changes that took place after the USSR's disintegration and which once determined the present geopolitical situation of Ukraine, its declared intention to become, in future, a neutral and non-bloc state has to be adapted to new

conditions and cannot be considered as an obstacle for its full-scale participation in an all-European security structure".

In addition to the Conference on Security and Cooperation in Europe (CSCE), the document referred to NATO and the Western European Union (EU) as such structures. Compared to the originally stated credo, this evolution of Ukrainian politics was quite significant. Finally, in this document Ukraine was proclaimed as an "owner of nuclear weapons". Thus, it was a fundamental revision of what had been declared in the Declaration on State Sovereignty.

Concrete action followed immediately. Their goal was to provide the Ukrainian army physical access to nuclear weapons. The order of the Ministry of Defense of Ukraine of July 3 about the inclusion of nuclear arsenals on Ukrainian territory (so-called "C objects") into the structure of the 43th Rocket Army (RA) of Ukraine became known. The order contained instructions to the 43th RA commander to take leadership over "C-objects" special activities. Measures were taken to compel the personnel of 43th RA's nuclear-technical units to swear an oath to Ukraine. At the same time, the personnel of two nuclear-technical units of the 46th Air Force Army that contained more than 600 strategic nuclear weapons were sworn-in in May 1992. Thus, Ukraine had practically gained control over these devices and their operation. The Chief of the General Staff of the Russian Armed Forces M. P. Kolesnikov wrote that given that the flight crews of strategic bombers also took an oath, Ukraine had acquired "the fundamental possibility of the use of nuclear weapons".ⁱⁱⁱ

On July 27-31, 1993, during a trip to the United States, the Minister of Defense of Ukraine (unsuccessfully) tested the waters on giving Ukraine "the transitional nuclear status", or recognizing as "a temporary nuclear power". On July 30, the Chairman of the Standing Committee on Foreign Affairs of the Supreme Council of Ukraine D. V. Pavlychko asserted that Ukraine should keep "incomplete nuclear status". "46 missiles with solid fuel (we are talking about the most modern missiles SS-24) - he said - should remain in Ukraine until the revision of the Treaty on the Nonproliferation of Nuclear Weapons in 1995."

According to M. P. Kolesnikov, "the practical actions of the Ukrainian leadership more and more obviously lined up a coherent scheme of "slow crawling into nuclear status." The tension around the problem was increasing. The problem had acquired a global significance. On August 5th, the Russian government issued a statement in connection to the current situation. The statement noted that the steps taken by Kyiv to establish control over the nuclear weapons was causing "concern in the world", and would "lead to very serious consequences for international stability and security of the entire system of international relations". It was also

pointed out that “a dangerous precedent is being created that can be used by countries on the threshold of possessing nuclear weapons.”

At the same time, we reaffirmed our readiness to continue cooperation with Ukraine in ensuring nuclear and environmental safety of the nuclear weapons. Despite what was happening in Kyiv, and the lack of interest there in systematic and substantive negotiations that could help solve problems related to nuclear weapons, we were actively looking for possible agreements on issues that could depend on Russia.

While visiting Moscow once again in early August, L. D. Kuchma met with V. S. Chernomyrdin. At the end of their meeting, Chernomyrdin indicated to me, saying:
— “I spoke with L. D. Kuchma about sending you to Kyiv in the near future to continue negotiations on nuclear matters. L. D. Kuchma not only agreed, but also promised to monitor how these negotiations will proceed. How long does it take to get ready?”
— “I’ll be ready tomorrow.”
— “Good luck.”

I called V.N. Mikhailov, the Minister of Nuclear Energy, and said that the negotiations would be very responsible. He agreed to personally fly to Kyiv. In addition to G. P. Maslov, the General Staff assigned two more qualified specialists— Lieutenant-general (two-star general) I. N. Volynkin and Major-general (one-star general) A. N. Svetikov. The Ministry of Foreign Affairs was represented by Vladimir Zharkov.

We met in Kyiv on August 13th. We had always been well received in the Ukrainian capital, but this time the attention was especially emphasized. Our small delegation was put in a state mansion. This time our negotiating partner was a man with big views and a steady hand - Vice-Prime Minister V. N. Shmarov. The composition of the Ukrainian team was smaller than usual, and was updated by the Chief of the General Staff A.V. Lopata being the main military representative, instead of I. V. Bizhan. The Foreign Ministry was represented by K. Grishchenko. V. N. Shmarov set up constructively and acted decisively.

By the end of the second day, all but one issue had been resolved. We had agreed on the elimination of all nuclear warheads deployed in Ukraine, on their disposal in Russia, as well as on the procedure for calculating all operations. Ukraine would have to receive a “peace dividend” by supplying fuel assemblies for nuclear power plants. Russia’s costs for these supplies were supposed to be compensated by selling a share of uranium extracted from Ukrainian nuclear warheads. We had also agreed on the maintenance of nuclear weapons during the period required for their export to Russia. The draft of one of the documents read as follows: “the Parties shall ensure security in the process of operation and removal of nuclear warheads

from missiles and during their transportation...". That solved the problem. Ukraine's ownership of nuclear weapons was out of the question.

The presidents of Russia and Ukraine only had to consider the period during which all nuclear warheads must be withdrawn from the territory of Ukraine to Russia.

Our agreements were formulated in three draft documents: an agreement on the disposal of nuclear warheads; the main principles of disposal of strategic forces nuclear warheads deployed in Ukraine; and an agreement on the procedure for the implementation of warranty supervision over the operation of the strategic missile systems of the Strategic Forces located on the territory of Russia and Ukraine (the draft of this agreement had not changed but had been re-confirmed for the third time).

Significant contributions were made by V. N. Mikhailov, who combined the qualities of a top-class specialist with courage in decision-making. The projects were endorsed by all participants of the meeting. Thus, we were ready to report to the leaders of our states. It was a breakthrough, a very important breakthrough, on the back of a surge of concern regarding the problem of the elimination of nuclear weapons in Ukraine and the ratification of the START-1 Treaty. This problem increasingly concerned the leaders of Russia and the United States. In early July, in view of G7 summit in Tokyo, it became a topic of special consideration between B. N. Yeltsin and B. Clinton. The presidents of Russia and the United States agreed to transform the process of ratification of the START-1 Treaty into a trilateral format: Russia - USA - Ukraine.

The first working trilateral meeting was to be held in London immediately after our talks in Kyiv. Thus, our agreement in Kyiv, which solved almost all the issues associated with the strategic nuclear weapons deployed in Ukraine, was reached just before this meeting. This gave it particular importance.

The Russian leadership fully approved the draft documents that we brought from Kyiv. I was urgently included into the group flying to London for the trilateral meeting that Boris Yeltsin and Clinton had agreed on. The meeting was headed by the Deputy Minister of Foreign Affairs G. E. Mamedov. The U.S. was represented by Deputy Secretary of State S. Talbott. After we arrived in London, we held a bilateral Russian-American meeting. I spoke about the agreements that had been reached. They came as a complete surprise to Talbott. But his reaction surprised me. The draft agreements that I brought to London solved the main points of the big problem that worried the leaders of Russia and the United States. It seemed like this should have caused at least a sense of satisfaction from the American representative. But his face didn't express anything like that.

The only reaction from Talbott was a request to discuss the documents with the experts of the American delegation. A careful analysis of our projects carried out by these experts (unfortunately, I have not kept their names, but they were high-level representatives of, as I remember, the military) led them to the conclusion that we and the Ukrainians had completely solved all the problems and they did not require any additions, amendments or clarifications. The American experts behaved more openly than Talbott, and did not hide that they had not even assumed that we would be able to negotiate with the Ukrainians without the mediation of the Americans. They probably attentively examined not only the words and punctuation of the documents, but also all the Russian, and especially, Ukrainian visas put under the project for this reason. They recorded the position of each who put these visas.

Finally convinced at the strength of these texts, our American colleagues congratulated us and noticed, smiling, that there was nothing to discuss in the trilateral format in London after that. Perhaps this sincere remark was the reason for Talbott's reserved attitude to the news we brought to London. Trilateral discussion did not really follow (Deputy Minister B. I. Tarasyuk arrived in London from the Ukrainian side). The heads of the governments of Russia and Ukraine, Vladimir Chernomyrdin and Leonid Kuchma, also came. The issue of nuclear weapons in Ukraine with all our results of work in Kyiv was brought to this meeting.

EPILOGUE

In mid-November, an open crisis broke out in the Ukrainian Rada over the START-1 ratification issue. President Kravchuk's proposal to ratify the package of the above three documents received less than 170 of the required 221 votes in a parliamentary vote. On November 18th, however, the Rada passed a resolution entitled «On the Ratification of the Treaty between the U.S.S.R. and the U.S.A. on the Reduction and Limitation of Strategic Offensive Arms, Signed in Moscow on July 31, 1991, and Its Protocol, Signed in Lisbon on Behalf of Ukraine on May 23, 1992».

Judging by the title, it was a big international event of a positive nature. It is said that on that day a representative conference on the elimination of Ukrainian nuclear weapons was held in the United States, where there was an atmosphere of understandable concern. And suddenly, in the midst of the discussion, the Ambassador of Ukraine, taking the floor out of turn, announced: START-1 was ratified by Ukraine! His words were greeted with applause.

I do not know for sure if that was the case. If so, then the ambassador, apparently, limited himself announcing only the title of the decision. But the government of Russia justly described

the resolution as “an outrage upon the important international documents, the basic provisions of which were actually made null and void by the Ukrainian legislators.”

Indeed, the Rada came out with a series of provisos. Among others, it proclaimed Ukraine’s state ownership of nuclear weapons; turned down Article 5 of the Lisbon Protocol, which contained Ukraine’s commitment to join the NPT; declared Ukraine’s plans to not eliminate all of their nuclear weapons that remained on the Ukrainian territory, but only eliminate 36 percent of the launch vehicles and 42 percent of the nuclear munitions, leaving the rest of the nuclear-missile arsenal to Ukraine.

International law cannot recognize the ratification of a treaty if its provisos are incompatible with its subject and terms. Ukraine formulated a new document which was convenient for certain political forces in Kyiv and which had nothing in common with the START-I Treaty. In view of this fact, the government of Russia declared that the decision of the Ukrainian Rada with regard to START-I could not be recognized. A similar statement was released by Washington.

It wasn’t an issue of just Moscow and Washington. President Kravchuk described Ukraine’s failed accession to the NPT as “a major political mistake” of the Rada which “delivered a colossal blow to Ukraine’s authority and its international prestige.” As the head of state admitted later, “we were on the brink of an economic blockade and international isolation.”^v

Could Ukraine really have become a nuclear power? Theoretically, yes. The country had the required research and technological potentials to support this technology. But here is what Minister Victor Mikhailov, an outstanding authority in this field, wrote in 1994: “It would take many decades for Ukraine to become a nuclear power—and funds which it does not have... One can master anything. But what would it cost!... The entire country worked to build our [Soviet—Y.D.] nuclear complex. Russia’s nuclear complex is now estimated at about five billion dollars. We need corresponding research facilities, specialists with required professional skills, as well as the infrastructure.”^v

Shortly after the Rada’s decision, Leonid Kravchuk made a remarkable statement in a televised interview: “I asked my opponents the question, ‘Who are our weapons aimed at?’ If we are to retarget our missiles, we must choose a target to aim the missiles. Let us suppose that we choose a target. What will the reaction be in a situation where no one aims their missiles at us while we choose an ‘enemy’ to target our missiles? What will be the international reaction and attitude toward Ukraine?”^{vi}

It would be correct to not ask the question “Could Ukraine become a nuclear power?” but to ask, “Could it do it in the modern world?”. Indeed, during the Cold War the possession of

nuclear weapons was considered a blessing (given the worldview of the period) on which the weight of the state in the international arena and even the hope for peace depended. But humanity had turned that page. At least I'd like to believe that. Most people have come to the conclusion that nuclear disarmament, not nuclear weapons, is good for humanity, and that the main guarantee of security should be the cooperation of all states instead of deterrence. Today, economic success is more important to global stature than brow-beating.

Therefore, the most reasonable way was to help Ukraine reach solutions that met the interests of the whole world. Officials in Russia and the United States sought to solve this problem. It was necessary to take care of nuclear weapons located in Ukraine before the parliamentary elections and the convocation of a new Supreme Council. On the basis of the agreements reached in Massandra, it was proposed to develop a clear schedule for the withdrawal of all nuclear weapons from Ukrainian territory.

On January 14, 1994, tripartite agreements with the presidents of Russia, the U.S. and Ukraine were signed in Moscow. A supplementary document stated Ukraine's key commitments to completely fulfill its obligations with regard to all the nuclear weapons remaining on the Ukrainian territory, and terms for the supply of fuel assemblies for Ukrainian nuclear power plants as compensation. Security guarantees were granted to Ukraine by Russia and the U.S. once the START-1 Treaty entered into force and as soon as Ukraine became a non-nuclear signatory to the NPT.

The United States offered to give Russia \$60 million USD as prepayment to cover Russia's expenditures for the disassembly of strategic munitions and the manufacture of fuel assemblies. The money was to be deducted from payments due to Russia under a Russian-U.S. contract on highly enriched uranium. The agreements reached during our meeting in Kyiv and approved in Massandra received confirmation status at the highest level by the three powers — Russia, the U.S., and Ukraine.

The Ukrainian Rada discussed the tripartite agreements on February 4, 1994. In the resolution, it withdrew its reservations concerning Article 5 of the Lisbon Protocol, thus opening up the possibility of Ukraine joining the NPT. The government was instructed to exchange instruments of START ratification and increase its efforts to conclude interstate agreements aimed at fulfilling the Rada's November 18, 1993 resolution. But this decision was vague.

As for the practical implementation of the trilateral agreements, our delegation met with the delegation of Ukraine in Kyiv on February 11-12th. Within two days, we agreed on all the issues that were necessary for the implementation of these agreements. On May 10, 1994, the prime ministers of Russia and Ukraine signed an agreement for the implementation of the tripartite arrangements reached by the presidents of Russia, the U.S., and Ukraine.

To clarify the implementation of the presidential agreements, another trilateral meeting (Russia — USA — Ukraine) at the expert level was planned. However, due to the successful work of our delegations in Kyiv, as well as the time in London, such negotiations were not needed. In the trilateral format, the parties discussed only the extent of the peace dividend for Ukraine for previously removed tactical nuclear weapons. I didn't participate in these negotiations.

After a series of elections in Ukraine, the process of the START ratification and accession to the NPT had to be completed by the new Ukrainian president, Leonid Kuchma. On November 16, 1994, the Rada passed a law on Ukraine's accession to the NPT. However, the law once again contained several reservations, one of which stated: "Ukraine is the owner of the nuclear weapons which it has inherited from the ex-U.S.S.R."

The restoration of the long-withdrawn claim once again brought the issue of Ukraine's status as an NPT signatory back to the agenda: as non-nuclear, as it was bound by its international commitments, or as a new nuclear state. However, this question could only be rhetorical since the position of Ukraine's top legislative body was quite clear: being the owner of nuclear weapons meant being a nuclear state. There were no provisions in the law or in any documents related to the adoption of the law, which would say otherwise.

Kyiv trumpeted its victory, emphasizing the effort the country's leadership had made in order to overcome the resistance of deputies who opposed Ukraine's accession to the NPT. Kuchma made a passionate speech, saying that it would take at least U.S. \$160-200 billion in investment within ten years to launch the closed-cycle production of nuclear munitions. "Who amongst the advocates of nuclear games can stand up and tell us to whom we should sell or pawn all of Ukraine's property, just to obtain a nuclear arsenal for ourselves and make 'happy'?" he asked.

But what did these reservations really mean?

On the following day, November 17th, Russia's Foreign Ministry came out with the statement. It noted that under the conditions that accompanied the adoption of the law, it still remained unclear: Ukraine was going to join the NPT as a nuclear and non-nuclear state.

The Russian Ministry of Foreign Affairs asked Ukraine to clarify this issue.

Answers to these questions were demanded not only by Russia but the entire international community. Incidentally, the official representative of France said that his country was ready to provide security guarantees to Ukraine after it joined the NPT as a nuclear-free country.

No one answered that question.

The tensions came to a head at the CSCE summit in Budapest, where Ukraine was to provide the instruments of accession to the NPT, and Russia, the U.S., the U.K., and Ukraine

were to sign a memorandum on security guarantees for Kyiv. Ukraine was in a dilemma as to whether to officially specify its status of a state not possessing nuclear weapons, thus receiving security guarantees, or to decline and send the entire range of issues back to the negotiating table.

Ukraine had to formally clarify its status as a non-nuclear state. The country would only receive security guarantees in this way. If it refused to do so, the whole ceremony would be canceled and the Ukrainian problem would require negotiations again. And this, among other things, would continue to slow down the process of nuclear disarmament.

I was not in Budapest, but participants told me about the tense negotiations on this issue. On the eve of December 5th, the day the ceremony was to be held, the parties were engaged in intensive negotiations which continued throughout the night. By the morning, Ukraine had prepared a Foreign Ministry note on its accession to the NPT as a non-nuclear state (not possessing nuclear weapons). The *Izvestia* newspaper wrote on the following day: “When President Leonid Kuchma of Ukraine handed the document on his country’s accession to the Nonproliferation Treaty to Boris Yeltsin, Bill Clinton and John Major, the hall where the CSCE Budapest summit was held gave a sigh of relief.”^{vii}

The way to solving the problems of the implementation of the START-1 Treaty was finally open. As a result, the NPT was significantly strengthened.

Between March 1994 and June 1996, about 2,000 nuclear munitions of strategic weapon systems were removed from Ukraine to Russia for disassembly. In all, considering tactical weapons, about 5,000 nuclear munitions were moved to Russia in almost 100 trains. The START-1 Treaty and the Lisbon Protocol were completely fulfilled. The epic about Ukraine’s renunciation of nuclear status can take a worthy place in the history of diplomacy and serve as an instructive lesson.^{viii}

The START I Treaty and the Lisbon Protocol have been fully implemented. This contributed to the fight against the proliferation of nuclear weapons and opened the way to further large-scale nuclear disarmament measures.

A few years later, in 2004, I met in Moscow with Jim Collins, the U.S. Ambassador to Russia in 1997–2001. Unlike me, he was in Budapest at the moment when the final point was put in the long negotiations with Ukraine. I asked how the situation had been there. “It was difficult, very difficult,” Collins replied with an expression on his face that said even more. I heard the same assessments from my colleagues who participated in the negotiations in Budapest. I then asked Collins a straight question: did the United States take any additional steps towards Ukraine to encourage it to implement the agreements reached in Budapest?

—“No,” Collins answered, “the American side did not do anything like that.”

So, what prompted Ukraine to join the Treaty on the Non-Proliferation of Nuclear Weapons as a nuclear state? In answering this question, our opinion coincided with Collins': in Budapest, the Ukrainian leaders saw with particular clarity that this step would be welcomed all over the world and would serve Ukraine more than resistance to the desire of the international community.

ⁱ "Moskovskiy Novosti"

ⁱⁱ "Golos Ukraini", 29.04.1992

ⁱⁱⁱ "Nezavisimaya Gazeta", 19.06.1996

^{iv} "Nezavisimaya Gazeta", 13.01.1994

^v "Nezavisimaya Gazeta", 08.1994

^{vi} From TV-interview, 20.11.1993

^{vii} Izvestiya.

^{viii} "Nezavisimaya Gazeta", 19.06.1999