

# GIES OCCASIONAL PAPER

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## RUSSIA'S INVASION IN UKRAINE: WHAT HAPPENED BEFORE?

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On February 24<sup>th</sup> 2022, Russia launched a full-scale military invasion into Ukraine, causing a horrific humanitarian tragedy for the Ukrainian people and what might become the most consequential geopolitical conflict since the end of the Cold War. In this contribution, we describe the key events that happened before Russia's war on Ukraine, starting in the immediate aftermath of the fall of the Soviet Union and ending with the start of Russia's aggression. We do not aim to look for the historical causes of the war, nor can we hope to provide a full history of the Russia-Ukraine relationship in this short piece. Our goal is limited to providing some historical background to the conflict.

### **From Ukrainian independence till Orange Revolution (1991-2004)**

The Ukrainian parliament declared Ukraine independent from the Soviet Union on August 24<sup>th</sup> 1991, five days after Russian President Boris Yeltsin had climbed upon a tank in the streets of Moscow to defy an attempted coup by communist hardliners.<sup>1</sup> On December 1<sup>st</sup>, a referendum was organised that resulted in a landslide vote in favour of Ukrainian independence. The most important task for the newly elected Ukrainian president Leonid Kravchuk was to negotiate a "civilized divorce" from Russia. Russian leaders, Yeltsin included, were not in favour of a

complete separation of Ukraine from Russia.<sup>2</sup> However, the dissolution of the Soviet Union was the easiest way for Yeltsin and his allies to get rid of his political rival, Michail Gorbachev, who was the president of the Soviet Union and, hereby, technically hierarchically superior to Yeltsin. Kravchuk met with his Russian and Belarussian counterparts to negotiate a new relationship between the three states on December 8<sup>th</sup> 1991. This resulted in the Belovezh Accords, which formally dissolved the Soviet Union and established the Commonwealth of Independent States. These accords were not unambiguously welcomed by the Russian leadership, who only agreed to the dissolution of the Soviet Union, and hereby to a fully independent Ukraine, to complete Yeltsin's takeover of political power in Moscow.

Several issues needed to be resolved following Ukraine's independence, among which the question of control over its nuclear arsenal, arguably the most pressing for the United States and other western states.<sup>3</sup> Ukraine had the third largest arsenal of nuclear weapons on its territory and insisted on binding security guarantees before it wanted to surrender its nuclear weapons. The issue was resolved in January 1994 when Ukraine, Russia and the US signed the Trilateral Agreement on Nuclear weapons. Ukraine agreed to transfer the nuclear

warheads stocked on its territory to Russia in return for financial compensations and security assurances. In the December 1994 Budapest memorandum, the US, the UK and Russia welcomed Ukraine's accession into the Non-Proliferation Treaty as a non-nuclear state and "reaffirmed their commitment to refrain from the use of force against the territorial integrity or political independence of Ukraine."<sup>4</sup>

Another pressing issue was the division of the Soviet Union's Black Sea Fleet, which was linked to the status of the port city Sevastopol and the Crimean peninsula, where the fleet was located.<sup>5</sup> Crimea had been part of Russia since the times of Catherine the Great, but was transferred to Ukrainian jurisdiction in 1954. In the years following Ukrainian independence, Russia continued to contest the legitimacy of Ukraine's control over the peninsula, with the Russian parliament challenging the legality of the 1954 decision to transfer control of Crimea to Ukraine. The dispute over the Black Sea Fleet would be resolved in 1997, when Russia and Ukraine reached a deal on how to split the fleet among the two countries. More importantly, Russia was given a 20 year lease of the port facilities, as well as the right to keep up to 25,000 Russian troops at the military base in Sevastopol. The deal opened the door for the 1997 Russia-Ukraine Friendship Treaty, in which Russia and Ukraine agreed to respect each other's sovereignty and reaffirmed "the inviolability of the borders existing between them."<sup>6</sup>

In July 1994, Kravchuk was succeeded by Leonid Kuchma, who had won the presidential elections on a platform of economic reconnection with Russia. Under his presidency, Ukraine would adopt a multi-vector foreign policy, in which cooperation with Russia and integration with the West were carefully balanced.<sup>7</sup> Relations with the US, NATO and the EU were strengthened during Kuchma's first term in office, with Ukraine becoming the "most eager participant" of NATO's Partnership for Peace and adopting an official strategy on EU integration.<sup>8</sup> However, because of Kuchma's

increasingly authoritarian inclinations, the relationship with the West frayed during his second term in office. The murder of journalist Gongadze, in which Kuchma's office was implicated, and other illegal actions through which Kuchma attempted to concentrate political power, made clear that he was not willing to implement the democratic reforms necessary for further integration with the West. As the relationship with the US and the EU deteriorated, Kuchma increasingly turned to Moscow for support.

### **From Orange to Maidan Revolution (2004-2014)**

The highly unpopular Kuchma was constitutionally not allowed to pursue a third term in office. Prime minister Viktor Yanukovich became the candidate of Kuchma's Party of Regions in the November 2004 presidential elections. Yanukovich was strongly backed by Russia and its president, Vladimir Putin. In contrast, the US and the EU were openly hoping for a victory of his main competitor: Viktor Yushchenko.<sup>9</sup> In spite of suffering from dioxin poisoning in the run up to the elections, exit polls indicated that Yushchenko had won with 52% of the votes. The official results, however, gave the electoral victory to Yanukovich.<sup>10</sup> Domestic and international election monitors immediately challenged Yanukovich's victory and, in response to the blatant electoral fraud, millions of Ukrainian citizens flooded the streets of Kiev in what would become known as the 'Orange Revolution'. Within two weeks, the electoral results were declared invalid by the Ukrainian parliament and the Ukrainian Supreme Court. New elections were organized on December 26<sup>th</sup>, which were convincingly won by Yushchenko. Another leading figure of the Orange Revolution was appointed as prime minister: Yuliya Tymoshenko.

The Orange Coalition did not last long. Old personnel and political differences between the two leading figures of the Orange Revolution quickly re-emerged and Yushchenko fired Tymoshenko in September 2005.<sup>11</sup> Benefitting from the competition

between the members of the Orange Coalition, the Party of Regions became the largest party in the Ukrainian parliament after the 2006 elections. Yanukovich managed to form a parliamentary majority and became Ukraine's prime minister. This cohabitation of the two main antagonists of the Orange Revolution resulted in several political crises and the eventual dissolution of the Ukrainian parliament in 2007. Yushchenko's 'Our Ukraine'-party and Tymoshenko's 'Bloc of Yuliya Tymoshenko' managed to secure a small majority in parliament in the subsequent elections. In December 2007, Tymoshenko reprised her role as Prime Minister.<sup>12</sup> However, this did not mean the end of the rivalry between the different members of the coalition, which continued to suffer from political infighting.

The change towards a more explicit pro-Western leadership after the Orange Revolution did not result in dramatic progress towards EU-membership. Partially because the EU was disinclined towards integrating a country of the size of Ukraine at a time it was suffering from enlargement fatigue, but also because the necessary domestic reforms were not carried out by the Ukrainian government, the EU did not make a clear membership commitment to Ukraine. In 2007, the EU and Ukraine did start negotiating on an Association Agreement, which would include a Deep and Comprehensive Free Trade Area (DCFTA) between the EU and Ukraine. Yushchenko also did not manage to get a clear prospect of membership in NATO. In the run-up to the 2008 Bucharest Summit, the US supported the idea of offering a membership action plan (MAP) to Ukraine and Georgia, which would put the countries on a clear path towards NATO membership. However, mainly because of the strong opposition of France and Germany, the Summit would not result in the offering of a MAP to either one of these states. The Bucharest Summit Declaration did include the following statement: "NATO welcomes Ukraine's and Georgia's Euro-Atlantic aspirations for membership in NATO. We

agreed today that these countries will become members of NATO."<sup>13</sup>

The relationship between Russia and Ukraine had become more hostile since the Orange Revolution.<sup>14</sup> The most dramatic events were the 2006 and 2009 'gas wars', in which Russia diverted gas shipments away from Ukraine over allegations that Kiev was not paying for its gas supplies. More generally, Russia had started adopting a more assertive policy in its neighbourhood since the beginning of the 2000s and, in the Summer of 2008, it launched an actual war against Georgia over two breakaway regions Abkhazia and South-Ossetia. Russia vehemently opposed any possible accession of Ukraine to NATO. Foreign Affairs minister Lavrov explicitly argued that "Russia 'will do everything possible' to prevent the accession of Ukraine (and Georgia) to NATO."<sup>15</sup> At the NATO-Russia Council, which took place the day after the Bucharest declaration was issued, Putin reportedly told US President Bush: "You realize, George, that Ukraine is not even a state! What is Ukraine? A part of its territory belongs to Eastern Europe, while another part, a significant one, was given over by us!"<sup>16</sup>

With Yushchenko having become highly unpopular during his term in office, the 2010 presidential elections turned into a standoff between Tymoshenko and Yanukovich. Benefitting from Ukraine's economic decline after the global financial crisis, Yanukovich won the elections and became the fourth president of Ukraine. The presidential elections were generally considered to be free and fair.<sup>17</sup> However, after his inauguration, Yanukovich started concentrating political and economic power through illegal means, such as bribing members of parliament and manipulating Ukraine's legal system. In October 2011, he even managed to get his rival Tymoshenko sentenced to seven years in prison on charges of abuse of power.

Yanukovich's foreign policy reconnected with the multi-vector policy of Kuchma.<sup>18</sup> In April 2010, Yanukovich and Russian President

Medvedev signed a deal in which Ukraine would get a 30% discount on Russian gas and Russia's lease on the Sevastopol naval base (due to end in 2017) would be extended for 25 years. Negotiations with the EU also moved ahead, with the signing of the Association Agreement (which included a free trade area between the EU and Ukraine) being scheduled for EU Summit in Vilnius in November 2013. However, Russia was working on a regional integration project of its own: the Eurasian Economic Union. This project, which would involve a custom's union between its members, was not compatible with a free trade agreement with the EU. Using both carrots and sticks, Russia increasingly put pressure on Ukraine not to sign the Association Agreement.

### **The annexation of Crimea and war in East Ukraine (2014-2019)**

In line with Russia's preferences, the Ukrainian government announced that it would not sign the Association Agreement on November 21<sup>st</sup> 2013. Following the announcement, protesters started gathering on Kiev's Maidan Square, starting the 'Revolution of Dignity'. The Ukrainian population did not back down in the face of increasingly violent repression by the Ukrainian authorities. As protest continued, Yanukovich started losing the support of the members of his party, the parliament and the Ukrainian security forces. Seeing his power base erode, he fled to Crimea, where Russian forces took him in. On February 22<sup>nd</sup> 2014, the Ukrainian parliament unanimously voted in favour of removing Yanukovich from office and new presidential elections were scheduled.

Yanukovich's flight was the trigger for a series of dramatic events. Only a few days after the dismissal of Yanukovich, 'little green men' (i.e. Russian soldiers) popped up and seized different strategic locations in Crimea. After a gathering of the Supreme Council on February 27<sup>th</sup>, Sergey Aksyonov was declared Prime Minister of Crimea and a referendum about the status of Crimea was issued. In the following days, the Crimean

peninsula became increasingly isolated from Ukraine, not just physically but also because Ukrainian radio and television were cut off. In the March 16<sup>th</sup> referendum, 97% of the voters supported the "reunification with Russia", at least according to official Russian sources. However, these results were widely contested.<sup>19</sup> Almost simultaneously with Russia's annexation of Crimea, fighting broke out in East Ukraine's Donbas area, a region where a large number of Russian speaking Ukrainians live. With support from Russia, two self-declared 'republics' called for separation from Ukraine: the Donetsk People's Republic and the Lugansk People's Republic.<sup>20</sup> In contrast to its reaction to the annexation of Crimea, Kiev responded to these separatist uprisings by setting up an Anti-Terrorist Operation and managed to push the rebels in the defensive.

The EU and the U.S. responded to the events in Ukraine by imposing economic sanctions to deter further Russian aggression. Initially, Western sanctions were targeted at the Crimean economy, forcing Russia to artificially keep it alive with financial transfers. After Russia initiated weaponized rebellion in the Donbas area, and shot down the civilian plane MH-17 a few months later, the sanction package was substantially extended. In combination with lower oil prices, western sanctions significantly weakened Russia's economic position.<sup>21</sup> Under President Petro Poroshenko, who had won the May 25<sup>th</sup> presidential elections, relations between the West and Ukraine were strengthened. Ukraine finalised the Association Agreement with the EU and the DCFTA entered into full force on 1 September 2017.<sup>22</sup> NATO, in turn, has bend itself to specific Ukrainian needs since the Russian aggression in 2014. Despite not intervening directly or offering membership to Ukraine, it has played an advisory role in reforming the Ukrainian army and enhancing its ability to deal with Russian challenges.<sup>23</sup>

There were several diplomatic attempts to stop the fighting in Eastern Ukraine, among which the Minsk-Agreements stand out as particularly important.<sup>24</sup> The Minsk-

Agreements were negotiated by representatives of the separatist republics and the 'Trilateral Contact Group' (Ukraine, Russia and the OSCE), with mediation of France and Germany. The Minsk-1 Agreement, signed in September 2014, aimed at a ceasefire and included Russian-requested clauses about the special status of the Donbas with local elections and "an inclusive nationwide dialogue."<sup>25</sup> These provisions granted greater autonomy to the two separatist republics. Nevertheless, the fighting continued and the Minsk-diplomats gathered again at the start of 2015. Minsk-II brought the unbridgeable differences between Kiev and Moscow very clearly to the surface. Essentially, Ukraine's principal purpose was to stabilise the conflict in the Donbas and as such regain its full sovereignty. Russia, for its part, was particularly interested in channelling substantial political autonomy to the separatist republics to undermine Ukraine's sovereignty and as such thwarting Kiev's western ambitions.<sup>26</sup>

### **The election of Zelensky and an increasingly aggressive Russia (2019-2022)**

The Poroshenko Administration failed to adequately answer the public's demand for higher living standards and handling the longstanding corruption in the political sphere.<sup>27</sup> In a context of increasing public dissatisfaction with the established political parties and elites, an outsider managed to capture the 2019 presidential elections: comedian and actor Volodymyr Zelensky. With a non-traditional political programme, focusing on 'the people' and contrasting his party against the ruling elite, Zelensky created an anti-corruption image that led to a resounding electoral victory.<sup>28</sup> On foreign policy, Zelensky appeared to be taking a softer stance towards Russia and revived diplomatic channels by agreeing to the

Steinmeier-formula, named after the former German Foreign Minister who simplified the extensive provisions of the Minsk-Agreements.<sup>29</sup> However, the Zelensky Administration would also not accept the surrender of the Crimean peninsula, just as it could not ignore the wilfully Russian intervention in the Donbas area.<sup>30</sup> Meeting with the French, Russian and German representatives in 2019, the Ukrainian president reiterated the stances about Ukrainian sovereignty that had been drawn by his predecessor Poroshenko.<sup>31</sup>

In 2021, Russia build up the pressure on Ukraine and its Western partners to make concessions. In April, up to 100,000 Russian soldiers were placed at the Ukrainian border.<sup>32</sup> After retreating these troops, Putin launched another attempt in November, again deploying large numbers of troops and military equipment at the border.<sup>33</sup> In December, the Kremlin was demanding assurances that NATO would not expand further to post-Soviet states.<sup>34</sup> However, the West would not bow down to Putin's demands, although they kept diplomatic channels open throughout the start of 2022. February 2022 saw the further escalation of the conflict, as the militarization peaked and the Russian demands were repeated with more urge. Despite final diplomatic attempts, Moscow declared the independence of the Republics of Donetsk and Lugansk, under the guise of 'denazifying' Ukraine and 'the protection of Russian citizens'. On February 24<sup>th</sup>, Putin announced the launch of a special military operation in Ukraine. Russian troops and vehicles entered Ukraine in a blatant act of aggression and in clear violation of international law, starting a conflict that, after one month, would already cause over 2,500 civilian casualties, among which over 225 children.<sup>35</sup>

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- <sup>4</sup> "Memorandum on security assurances in connection with Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons" <https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280401fbb>, accessed on March 28, 2022.
- <sup>5</sup> Wolczuk, Roman, *Ukraine's foreign and security policy 1991-2000* (London: Routledge, 2002).
- <sup>6</sup> Taras Kuzio and Paul D'Anieri. *The sources of Russia's great power politics*.
- <sup>7</sup> Paul D'Anieri. *Ukraine and Russia: From Civilized Divorce to Uncivil War*, (Cambridge: Cambridge University Press, 2019).
- <sup>8</sup> Ibid, 89.
- <sup>9</sup> Ibid, 127.
- <sup>10</sup> Adrian Karatnycky, "Ukraine's orange revolution," *Foreign Affairs* 84, no 2 (2005): 35.
- <sup>11</sup> Kataryna Wolczuk, "Conflict and reform in Eastern Europe: Domestic politics and European integration in Ukraine," *The International Spectator* (2006): 7-24.
- <sup>12</sup> Paul D'Anieri. *Ukraine and Russia: From Civilized Divorce to Uncivil War*
- <sup>13</sup> NATO, "Bucharest Summit Declaration" last modified May 8 2014, [https://www.nato.int/cps/en/natolive/official\\_texts\\_8443.htm](https://www.nato.int/cps/en/natolive/official_texts_8443.htm), accessed March 28, 2022.
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- <sup>15</sup> Cited in Martin Malek, "The "Western Vector" of the Foreign and Security Policy of Ukraine: Continuities and Ruptures under President Viktor Yushchenko (2005–2009)," *The Journal of Slavic Military Studies* 22, no 4 (2009): 538.
- <sup>16</sup> Cited in *ibid*: 538.
- <sup>17</sup> Paul D'Anieri. *Ukraine and Russia: From Civilized Divorce to Uncivil War*, 171.
- <sup>18</sup> Ibid, 176.
- <sup>19</sup> Thomas Grant, "Annexation of Crimea," *American journal of international law* 109, no. 1 (2015): 68-95.
- <sup>20</sup> John O'Loughlin, Gerard Toal and Vladimir Kolosov, "The rise and fall of "Novorossiya": examining support for a separatist geopolitical imaginary in southeast Ukraine," *Post-Soviet Affairs* 33, no. 2 (2017): 124-144.
- <sup>21</sup> Anders Åslund and Maria Snegovaya, "The impact of western sanctions on Russia and how they can be made even more effective," *Atlantic Council*, Report (2021). See also Nigel Gould-Davies, "Economic effects and political impacts: Assessing Western sanctions on Russia," *Bank of Finland*, Policy Brief No.8 (2018).
- <sup>22</sup> "Ukraine: Council adopts EU-Ukraine association agreement," European Council, July 17, 2017, <https://www.consilium.europa.eu/en/press/press-releases/2017/07/11/ukraine-association-agreement/>
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- <sup>24</sup> See also 'the Geneva Agreement' and the Poroshenko Plan prior to the Minsk Agreements.
- <sup>25</sup> Duncan Allan, "The Minsk Conundrum: Western Policy and Russia's War in Eastern Ukraine," Chatham House, Research Paper (2020): 7-10.
- <sup>26</sup> Ibid.
- <sup>27</sup> Cristina Gherasimov, "Rupture in Kiev: Ukrainians Vote for Change to Consolidate Their Democracy," Berlin: *Forschungsinstitut der Deutschen Gesellschaft für Auswärtige Politik*. Also see Aram Terzyan, "From Revolution to Transformation and European Integration: Ukraine after the Maidan Revolution," *Centre for Studies in European Integration*, Working Papers Series 1, no. 15 (2020): 45-57.
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