The Ukraine List #487

compiled by Dominique Arel (darel@uottawa.ca)
Chair of Ukrainian Studies, U of Ottawa
www.chairukr.com
www.danyliwseminar.com
27 July 2017

- -

For regular postings on Ukraine and Ukrainian Studies, follow me on Twitter at @darelasn

- -

#1
Germans Must Remember the Truth about Ukraine – For their Own Sake
by Timothy Snyder

- -

by Timothy Snyder
Eurozine, 7 July 2017
http://bit.ly/2sAhshG

Don't fall for the official Russian line on WWII, historian Timothy Snyder warns German MPs in a speech at the Bundestag. In the debate over Germany's historical responsibility for its wartime actions in Ukraine, "Germany cannot afford to get major issues of its history wrong."

The following is a transcript of a speech delivered by historian Timothy Snyder of Yale University at a conference on Germany's Historical Responsibility towards Ukraine held in the German Bundestag, on 20 June 2017. The event was organized by the parliamentary faction of the German Green party.

When we ask 'Why historical responsibility, why German historical responsibility?', I want to begin from the universal point of view.

I'm not coming to you as an American saying 'we've understood our past and therefore everything is going well in our country.' On the contrary, I think it's very important for all of us, whether things are going well or things are going badly, whether we're Americans or Germans or Russians, to be humble about our various weaknesses in dealing with our past, and above all to be realistic, to be sensitive, to be concerned about how our failures to deal with our own national past can have surprisingly great and immediate and painful consequences for the present and for the future.

So when we ask, as the ambassador did, quite rightly: why should we be discussing historical responsibility just now; why, when Russia has invaded and occupied a part of Ukraine; why, when Brexit negotiations have begun; why, when a whole series of elections between populists and others is being carried out across Europe; why, when the constitutional system of the USA is under threat from within; why, in this moment, should we talk about historical responsibility, my answer is that it is precisely for those reasons that one must talk about historical responsibility. There are many causes of the problems within the European Union and there are many causes of the crisis of democracy and the rule of law in the United States. But one of them is precisely the inability to deal with certain aspects of history.

So, as I say, I am not coming to you from the position that Americans have figured this out. On the contrary, let me begin talking about Germany by talking about the United States.

Why do we have the government that we have now?

In some significant measure, it is because we Americans have failed to take historical responsibility for certain important parts of our own history.

How can we have a president of the United States in 2017 who is irresponsible on racial issues? How can we have an attorney general in 2017 who is a white supremacist?

Because we have failed to deal with important questions of our own past. Not just the history of the Second World War. It might not come clear from this distance how radically the current presidential administration is revising the American attitude towards the Second World War. But when our foreign policy is labelled "America first," we are referring to an isolationist and very often a white supremacist movement which was meant to keep America from entering the war against fascism.

When we commemorate the Holocaust without mentioning that the Holocaust involved Jews, when the presidential spokesman says that Hitler only killed his own people, we're in a very different mental and moral world than we were just a few months ago.

But it's not just that. We also have a presidential administration where the president wonders aloud why we fought the civil war, why it was after all that there had to be a conflict in America about slavery.

I'm not just mentioning this because I take every opportunity now to involve myself in the domestic politics of my own country, but rather because this question of slavery, precisely this question of what a colony is like, of what an empire is like, leads us directly to what I take to be the blind spot in German historical memory.

As you will all know, the American frontier empire was built largely by slave labour. As we don't always remember, it was precisely that model of frontier colonialism, of a frontier empire built by slave labour, that was admired by Adolf Hitler. When Adolf Hitler spoke about the United States, it was generally – before the war at least – with admiration. And it was a question for Hitler: who will the racial inferiors be? Who will the slaves be in the German Eastern empire? And the answer that he gave, both in Mein Kampf, and in the second book, and in practice in the invasion of 1941, the answer was: the Ukrainians.

The Ukrainians were to be at the centre of a project of colonization and enslavement. The Ukrainians were to be treated as Afrikaner, or as Neger – the word was very often used, as those of you who read German documents from the war will know – by analogy with the United States. The idea was to create a slavery-driven, exterminatory, colonial regime in Eastern Europe where the centre was going to be Ukraine.

Now, you have been told many times what results from this, so let me just briefly summarize.

The purpose of the Second World War, from Hitler's point of view, was the conquest of Ukraine. It is therefore senseless to commemorate any part of the Second World War without beginning from Ukraine. Any commemoration of the Second World War which involves the Nazi purposes – the ideological, economic, and political purposes of the Nazi regime – must begin precisely from Ukraine.

This is not only a matter of theory, this is a matter of practice. German policies, the policies that we remember, all of them focus precisely on Ukraine: The Hunger Plan, with its notion that tens of millions of people were going to starve in the winter of 1941; Generalplan Ost, with its idea that millions more people would be forcibly transported or killed in the 5, 10, or 15 years to follow, but also the final solution, Hitler's idea of the elimination of Jews; all of these policies hung together in theory and in practice, with the idea of an invasion of the Soviet Union, the major goal of which would be the conquest of Ukraine.

The result of the ideology of this war was that some 3.5 million inhabitants of Soviet Ukraine – civilians – were victims of German killing policies between 1941 and 1945. In addition to that 3.5 million, about 3 million Ukrainians, inhabitants of Soviet Ukraine, died as soldiers in the Red Army, or died indirectly as a consequence of the war.

These numbers are numbers for inhabitants of Soviet Ukraine alone. Of course, the numbers are greater when one includes the entire Soviet Union. But it's worth being specific here about the difference between Ukraine and the rest of the Soviet Union, for two reasons.

The first is that Ukraine was the major war aim. Ukraine was the centre of Hitler's ideological colonialism.

But beyond that, in practice, all of Soviet Ukraine was occupied for most of the war, which is why for Ukrainians today, war is something that happens here, as opposed to elsewhere.

Hitler never planned to conquer any more than 10% of Soviet Russia, and in practice German armies never occupied more than 5% of Soviet Russia, and that for a relatively brief period of time.

Russians suffered in the Second World War in a way that is unthinkable to West Europeans, in a way that is unthinkable even for Germans. But nevertheless, when we think about the Soviet Union, the place of Soviet Ukraine is very special, even by comparison to Soviet Russia.

In absolute numbers, more inhabitants of Soviet Ukraine die in the Second World War than the inhabitants of Soviet Russia. And these are the calculations of Russian historians. Which means in relative terms, Ukraine was far, far more at risk than Soviet Russia during the war. In other words, it is very important to think of the

German Vernichtungskrieg [war of extermination] against the Soviet Union, but at the centre of that is Soviet Ukraine.

So if we want to talk about German responsibility for Russia, very good – but that discussion must begin with Ukraine. Ukraine is on the way to Russia, and the greatest malicious intention and the greatest destructive practice of the German war was precisely in Ukraine.

If one is going to be serious about German historical responsibility for the East, the word 'Ukraine' must be in the first sentence.

This also goes for the longest and the most earnest, and I think the most important discussion having to do with German responsibility in the East, and that is German responsibility for the mass murder of the Jews of Europe. That is another discussion that makes no sense without mention of Ukraine.

As I was walking to this Parliament building, I passed on the street the famous picture of Willy Brandt kneeling, famously, before the monument to the Warsaw Ghetto Uprising.

This is an important turning point in the history of German self-recognition, of German responsibility. But I ask you to think back not to Willy Brandt in Warsaw in 1970, but think of Jürgen Stroop in Warsaw in 1943. Jürgen Stroop, the German police commander who put down the Warsaw ghetto uprising, who issued the orders for his men to go with flamethrowers from basement to basement to murder the Jews of Warsaw who were still alive.

When Jürgen Stroop was asked: why did you do this? why did you kill the Jews who were still alive in the Warsaw ghetto?, his answer was Die ukrainische Kornkammer. Milch und Honig von der Ukraine [the Ukrainian breadbasket; milk and honey from Ukraine]. Even in 1943, Jürgen Stroop, as he is killing Jews in Warsaw, of Ukraine. He is thinking of the German colonial war in Ukraine.

The Holocaust is integrally and organically connected to the Vernichtungskrieg, to the war in 1941, and is organically and integrally connected to the attempt to conquer Ukraine. This is true in three ways:

Ukraine is the cause of the war. Had Hitler not had the colonial idea to fight a war in Eastern Europe to control Ukraine, had there not been that plan, there could not have been a Holocaust. Because it is that plan that brings German power into Eastern Europe where the Jews lived.

Secondly, the actual war in Ukraine brings the Wehrmacht, brings the SS and the German police to the places where Jews could be killed.

Which brings us to the third point: the methods. It became clear to Germans in 1941 that something like a Holocaust could be perpetrated because of massacres in places like Kamianets-Podilsky, or, more notoriously, Babyn Yar on the edge of Kyiv. It was there that for the first time – not only in the history of the war, but for the first time in the history of humanity – tens of thousands of people were killed by bullets in a continuous large-scale massacre. It was events like this, on the territory of Ukraine precisely, that made it clear that something like a Holocaust could happen.

What does this mean? It means that every German who takes seriously the idea of responsibility for the Holocaust must also take seriously the history of the German occupation of Ukraine.

Or to put it a different way, taking seriously the history of the German occupation of Ukraine is one way to take seriously the history of the Holocaust.

How do we evaluate the question of German responsibility? What about the Ukrainians themselves? Shouldn't Ukrainians themselves be carrying out discussions about what happened in occupied Ukraine during World War II? Isn't Ukrainian nationalism also a theme that should be discussed?

Of course it is. I made my entire career writing about Ukrainian nationalism. That's why I can be introduced as a professor at Yale University – because I wrote about Ukrainian nationalism, about Ukrainian nationalists and the ethnic cleansing of Poles in 1943. Because I published the first article in a Western language about the role of the Ukrainian police in the Holocaust and how that led to the ethnic cleansing of Poles in 1943.

Ukrainian nationalism is a real historical tendency and it ought to be studied judiciously, as some members of the audience here have done better and more recently than I. But if we are speaking not in Kyiv, but in Berlin, if we are speaking of German historical responsibility, we have to recognize that Ukrainian nationalism is one consequence of the German war in Eastern Europe.

Ukrainian nationalism was relatively a minor force in interwar Poland. It was paid by the German Abwehr. Ukrainian nationalists in Polish prison were released precisely because Germany invaded Poland in 1939. When Germany and the Soviet Union jointly invaded Poland in 1939, destroying the Polish state, this also destroyed all the legal political parties, including the legal Ukrainian parties, which up until that point were much more important than Ukrainian nationalists.

So, as I say, if we are in Kyiv, then we must discuss the role of Ukrainian nationalists in the Holocaust and in collaboration. When I was in Kyiv in September to commemorate the 75th anniversary of Babyn Yar, that is precisely the point that I made.

But if we are in Germany, it is very important that Ukrainian nationalism be seen as part of German responsibility. It's not something that can block German responsibility; it's not an excuse to avoid German responsibility. Ukrainian nationalism was part of German occupation policy, and when you occupy a country, you have to take responsibility for the tactics and policies of occupation that you choose. And so Ukrainian nationalism must not be a reason for Germans to not think of their responsibility. It is in fact one more reason to think of German responsibility.

However, I've probably spoken long enough on that theme. It's very important that when we speak about Ukraine, we're not only speaking about nationalists. Nationalists are relatively a small part of Ukrainian history, they're a relatively small part of the Ukrainian present.

When we think about the German occupation of Ukraine, we have to remember some very simple banal points that often escape our attention. Like for example, there was no particular correlation between nationality and collaboration. Russians collaborated, Crimean Tatars collaborated, Belarusians collaborated. Everyone collaborated; there is no, as far as we can tell, correlation between ethnicity and collaboration, with the partial exception of the Volkesdeutsche, of course. But in general, there is no correlation between ethnicity and collaboration.

Something else to remember: the majority, probably the vast majority, of people who collaborated with the German occupation were not politically motivated. They were collaborating with an occupation that was there, and an occupation which is a German historical responsibility. Something that is never said, because it's inconvenient for precisely everyone, is that more Ukrainian communists collaborated with the Germans than did Ukrainian nationalists. This doesn't seem to make sense to us, and so no one ever says it, but it is precisely the case. Vastly more members of the Communist Party collaborated with the German occupation than did Ukrainian nationalists.

And for that matter, very many of the people who collaborated with the German occupation had collaborated with the Soviet policies in the 1930s. These points, although they're very basic, and they're completely obvious, if you think about them, are typical of Ukrainian history. They're typical of the fact that Ukraine was ruled first as part of the Soviet Union and then under an incredibly bloody and devastating German occupation. When we think about the way that occupation ended, we often overlook certain basic points, like this:

Incomparably more Ukrainians died fighting against the Wehrmacht than fighting on the side of the Wehrmacht, which is not something that one can say about every country that's considered an ally.

It's not something that someone can say about, for example, France, which is why there's no official French history of the Second World War and why there won't be one even under Macron. There are some things that Macron cannot do, and one of them will be this:

he will not write the official history of the Second World War in France, because more French soldiers fought on the Axis side than the Allied side.

Now, more Ukrainians fought and died on the Allied side than French, British or Americans. More Ukrainians fought and died on the Allied side than French, British and Americans put together. Why do we not see this? Because we forget that Ukrainians were fighting in the Red Army. We confuse the Red Army with the Russian Army, which it most definitely was not.

The Red Army was the army of the Soviet Union, in which Ukrainians, because of the geography of the war were substantially over-represented.

So when we think about how the occupation ended, we also have to remember where Ukrainians were most of the time – that Ukrainians suffered in the German occupation, where roughly 3.5 million Ukrainian civilians, mostly women and children, were killed, and again, roughly 3 million Ukrainians died in the Red Army fighting against the Wehrmacht.

Where does this leave Germany, and why is this more complicated than it otherwise may seem to be? As a historian, I know the history of Ukraine is unfamiliar, and it can seem complicated, but this is not the only problem.

Part of the problem, as I suggested when I mentioned my own country in the beginning, has to do to habits of mind: related to colonization; to wars of aggression; to the attempt to enslave another people.

The attempt to enslave another people cannot be innocent, even for the generations to come. The attempt to enslave another people, a neighbouring people, will leave its mark, if not directly confronted. And to make matters worse, we are not in the environment in Europe today where these discussions can always take place dispassionately. We're at a very precise moment where German attempts to discuss German responsibility are always simultaneously parts of a discussion carried out from elsewhere about responsibility.

So when we ask: why are all these basic points not remembered? Why is it not always remembered that Ukraine was the centre of Hitler's ideology, of German war planning, that Ukrainians were the intended slaves of Germany? Why is it not always remembered that Ukrainians were understood racially, by Nazi ideology? That if we want to understand the Holocaust, we have to start with Ukraine? Why is it not always remembered that about 6.5 million inhabitants of Soviet Ukraine die as a result of German occupation? – there are lots of reasons, but among them are the mental temptations left over by colonization, the tendency to overlook a people which was not regarded as a people.

All of the language about Ukraine as a failed state, or Ukrainians not as a real nation, or Ukrainians divided by culture – in the German language – that is not innocent. That is an inheritance of an attempt to colonize a people not regarded as a people.

Judgements about Ukraine where Ukraine is held to other standards – not that it's a beautiful, wonderful place in every respect: it's not – but the application of terms like there not being a Ukrainian nation, or there not being a Ukrainian state, if those things are said in German without a direct confrontation with the German attempt to enslave Ukrainians, those words are not innocent, those words have to be reflected historically in Germany.

And there's a particular problem with all of this, which I'm going to mention last. The temptation for Germans to avoid responsibility, which is always a great temptation, is encouraged by precisely Russianforeign policy. It is Russian foreign policy to divide the history of the Soviet Union into two parts. There's the good part, which is the Russian part, and there is the bad part, which is the Ukrainian part.

I can sum this up for you faster than the official memo of the Russian foreign policy does it: liberation – Russian; collaboration – Ukrainian.

That is the line that they follow very consistently – and, in this country, to great effect. Because Russian foreign policy regards the German sense of responsibility as a resource to be manipulated, and the great temptation here is that Germany, which has done so much and which in many ways is so exemplary in its treatment of the past, will fail in this centrally important area of Ukraine in part because of the temptation that Russia offers.

It is so easy to confuse Soviet Union with *Russland*. It happens all the time. But it is not innocent. Russian diplomats do it, but no German should do it. No German should confuse Soviet Union with *Russland*, that simply should not ever happen.

But the way that Russia handles its memory policy is to export irresponsibility. It's to tempt other countries into the same attitude towards Ukraine that it has itself. And this is particularly evident in its concept of Ukrainian nationalists – which again is a real historical phenomenon, but is vastly, vastly inflated in the discourse between Russians and Germans.

Ukrainian nationalism was one of the reasons given [by Stalin] or the great famine of 1932 and 1933. Ukrainian nationalism was one of the reasons given for the Terror in 1937 and 1938. Ukrainian nationalism was one of the reasons given by Stalin for the mass deportations of inhabitants of Soviet Ukraine after the Second World War, and Ukrainian nationalism was the reason given for the Russian invasion of Ukraine in 2014.

There is a common genealogy here, and a temptation precisely for Germans, because if the war was all about nationalism, then why would Germans oppose it?

If the Ukrainian government was nationalist, then why should Germany do anything to stop Russia?

The danger here is that you enter into a kind of Molotov-Ribbentrop pact of the mind, where Germans agree with Russians that the evils that came from Berlin and from Moscow to Ukraine are going to be blamed on Ukrainians. It's so easy, it's so comfortable, it's so tempting to say: 'Haven't we Germans apologized enough? Aren't we the model for everyone else?'

It's such a tempting trap to fall into, but I can say this from experience as an American: if you get the history of colonization and slavery wrong, it can come back. And your history with Ukraine is precisely the history of colonization and slavery. If the remnants of German nationalism, which are still with you, on the left and on the right, meet up with the dominance of official Russian nationalism, if you find common ground there – the common ground being 'it's all the fault of Ukraine; why should we apologize, why should you remember?' – this is a danger for Germany as a democracy precisely.

Now, it's up to Ukrainians to try to take responsibility for Ukrainian collaboration, or Ukrainian participation in German occupation. It's also up to Ukrainians to figure out the Ukrainian role in Stalin's policies of terror, rather than claiming that those were simply Russian policies, because they weren't: they were Soviet policies in which Ukrainians also played a role. That is historical work for Ukrainians to do.

When I was in Ukraine in September, talking about Babyn Yar, when I was standing in front of millions of Ukrainian television viewers trying to talk about these things in Ukrainian, the point that I tried to make was: you don't remember Babyn Yar for the Jews. You remember Babyn Yar for yourselves. You remember the Holocaust in Ukraine because of its part of building up a responsible civil society and, hopefully, in the future, of a functioning democracy in Ukraine. That holds for them, but it also holds for me, and for you, for all of us.

The point of remembering German responsibility for the 6.5 million deaths caused by the German war against the Soviet Union in Ukraine is not to help Ukraine. Ukrainians are aware of these crimes. Ukrainians live, the children and grandchildren and great-grandchildren of that generation, they live with the legacy of these crimes already. The point is not to help Ukraine, the point is to help Germany.

Germany as a democracy, particularly in this historical moment, as we face Brexit, as we face election after election with populists, as we face a declining and decreasingly democratic USA, precisely at this moment, Germany cannot afford to get major issues of its history wrong.

Precisely at this moment, the German sense of responsibility has to be completed. Perhaps up until now, Germany getting its history right was just a matter for Germans. Perhaps at the time of the Historikerstreit ['historian's quarrel', the intellectual and political debate in West Germany] in the 1980s, the history of the Holocaust was a only matter for Germans.

It has to be done for Germans, but the consequences are international.

Getting the history of Ukraine wrong in 2013 and 2014 had European consequences. Getting the history of Ukraine wrong now, when Germany is the leading democracy in the West, will have international consequences.

#2

Staffing Changes at the Canadian Institute of Ukrainian Studies

CIUS Website, 17 July 2017
http://bit.ly/2uwM5IW

The Canadian Institute of Ukrainian Studies has recently undergone staff changes that are expected to only minimally affect operations in the coming months. Dr. Volodymyr Kravchenko, having completed a five-year term as the Director of the Institute, has stepped down as of 1 July 2017 to devote his energies to teaching and research at the University of Alberta's Department of History and Classics. He will, nevertheless, continue to head CIUS's Kowalsky Program for the Study of Eastern Ukraine and the Contemporary Ukraine Studies Program. We are grateful to Dr. Kravchenko for his leadership of the Institute during a very challenging time of fiscal restraint resulting in staff cuts and considerable uncertainty stemming from a lengthy review process. Of course, his term as the Director also spanned dramatic developments in Ukraine, starting with the Revolution of Dignity and then extending through Russia's illegal annexation of Crimea, its ongoing hybrid war in Eastern Ukraine, and the Kremlin's continuing efforts to undermine Ukraine's economy and independence.

In the meantime, long-time CIUS associate, Jars Balan, who since 2000 has been overseeing the administration of the Ukrainian Canadian Studies Program with Andrij Makuch, will be serving as the interim Director until a permanent replacement for Dr. Kravchenko is found. Jars, from 2007 the Coordinator of the Kule Ukrainian Canadian Studies Centre at CIUS, has been involved with the Institute almost from its inception four decades ago, working over the years on various editing contracts, helping to organize conferences on Ukrainian-Canadian themes, conducting research and spearheading the Kalyna Country Ecomuseum project in rural east central Alberta. He has an extensive list of scholarly publications, the most recent being an essay titled "The 'Father' of Ukrainian-language Fiction and Non-Fiction in Alberta: Rev. Nestor Dmytrow, 1863-1925," included in Writing Alberta: Building on a Literary Identity, issued in June by University of Calgary Press.

A search for a new CIUS director will be conducted in the fall, after which the new appointee will take over from Jars sometime in the first half of 2018.

Kule Doctoral Scholarships on Ukraine

- -

Chair of Ukrainian Studies, University of Ottawa
Application Deadline: 1 February 2018 (International & Canadian Students)
https://www.chairukr.com/kule-doctoral-scholarships

The Chair of Ukrainian Studies at the University of Ottawa, the only research unit outside of Ukraine predominantly devoted to the study of contemporary Ukraine, is announcing a new competition of the Drs. Peter and Doris Kule Doctoral Scholarships on Contemporary Ukraine. The Scholarships will consist of an annual award of $22,000, with all tuition waived, for four years (with the possibility of adding a fifth year).

The Scholarships were made possible by a generous donation of $500,000 by the Kule family, matched by the University of Ottawa. Drs. Peter and Doris Kule, from Edmonton, have endowed several chairs and research centres in Canada, and their exceptional contributions to education, predominantly in Ukrainian Studies, has recently been celebrated in the book Champions of Philanthrophy: Peter and Doris Kule and their Endowments.

Students with a primary interest in contemporary Ukraine applying to, or enrolled in, a doctoral program at the University of Ottawa in political science, sociology and anthropology, or in fields related with the research interests of the Chair of Ukrainian Studies, can apply for a Scholarship. The competition is open to international and Canadian students.

The application for the Kule Scholarship must include a 1000 word research proposal, two letters of recommendation (sent separately by the referees), and a CV and be mailed to Dominique Arel, School of Political Studies, Faculty of Social Sciences Building, Room, 7067, University of Ottawa, 120 University St., Ottawa ON K1N 6N5, Canada. Applications will be considered only after the applicant has completed an application to the relevant doctoral program at the University of Ottawa. Consideration of applications will begin on **1 February 2018** and will continue until the award is announced.
The University of Ottawa is a bilingual university and applicants must have a certain oral and reading command of French. Specific requirements vary across departments.

Students interested in applying for the Scholarships beginning in the academic year 2017-2018 are invited to contact Dominique Arel (darel@uottawa.ca), Chairholder, Chair of Ukrainian Studies, and visit our web site www.chairukr.com.

- -

The Eagle and the Trident
U.S.—Ukraine Relations in Turbulent Times
Brookings Institution Press
July 2017
ISBN 9780815730408
http://brook.gs/2tHjwF2

An insider's account of the complex relations between the United States and post-Soviet Ukraine

The Eagle and the Trident provides the first comprehensive account of the development of U.S. diplomatic relations with an independent Ukraine, covering the years 1992 through 2004 following the collapse of the Soviet Union. The United States devoted greater attention to Ukraine than any other post-Soviet state (except Russia) after the breakup of the Soviet Union. Steven Pifer, a career Foreign Service officer, worked on U.S.-Ukraine relations at the State Department and the White House during that period and also served as ambassador to Ukraine. With this volume he has written the definitive narrative of the ups and downs in the relationship between Washington and newly independent Ukraine.

The relationship between the two countries moved from heady days in the mid- 1990s, when they declared a strategic partnership, to troubled times after 2002. During the period covered by the book, the United States generally succeeded in its major goals in Ukraine, notably the safe transfer of nearly 2,000 strategic nuclear weapons left there after the Soviet collapse. Washington also provided robust support for Ukraine's effort to develop into a modern, democratic, market-oriented state. But these efforts aimed at reforming the state proved only modestly successful, leaving a nation that was not resilient enough to stand up to Russian aggression in Crimea in 2014.

The author reflects on what worked and what did not work in the various U.S. approaches toward Ukraine. He also offers a practitioner's recommendations for current U.S. policies in the context of ongoing uncertainty about the political stability of Ukraine and Russia's long-term intentions toward its smaller but important neighbor.

Steven Pifer is director of the Arms Control and Non-Proliferation Initiativeand a senior fellow with the Center for 21st Century Security and Intelligence and the Center on the United States and Europe at the Brookings Institution. He focuses on nuclear arms control, Ukraine, and Russia. He has offered commentary on these issues on National Public Radio, PBS NewsHour, CNN, Fox News, BBC, and VOA, and his articles have run in The New York Times, The Washington Post, Financial Times, National Interest, Moscow Times, and Kyiv Post, among others. He is the author of "The Eagle and the Trident: U.S.-Ukraine Relations in Turbulent Times" (Brookings Institution Press, Spring 2017), and

co-author with Michael O'Hanlon of "The Opportunity: Next Steps in Reducing Nuclear Arms" (Brookings Institution Press, 2012).

Ralph S. Clem is Emeritus Professor of Geography at Florida International University, and is a retired Air Force Reserve intelligence officer.

Three years and a day ago, about noon local time, Malaysia Airlines Flight 17 (MH17) pushed back from Gate G3 at Amsterdam's Schiphol Airport en route to Kuala Lumpur. Just over three hours later, the aircraft — a Boeing 777-200 — crashed in a rural area of eastern Ukraine, killing all 283 passengers and 15 crew on board. Three years later, the public — not to mention the families of the dead — ought to have definitive answers to two key questions: What physically caused MH17 to crash? And, who was responsible?

However, what followed the immediate tragedy is one of the most convoluted attempts in recent memory to attribute causation and responsibility in a major international incident. The complexity of the forensic examinations and criminal investigations into the crash has been daunting. As a result, official results have come out in drips and drabs over the course of months and years. Indeed, the final report from the authorities regarding criminal charges against the perpetrators is still pending as the investigators seek to interview all possible witnesses and analyze thousands of evidentiary items.

Further, Russia, an interested state actor, mounted a massive disinformation media campaign to discredit official reports and to impede investigations. From the beginning, the Russian government has sought to deny and obfuscate its own complicity in the deaths of nearly 300 innocent people. Had Moscow not undertaken such an obstructionist strategy, the investigations would no doubt have progressed more quickly, and the results would have been more universally accepted.

Thankfully, citizen journalists and civil society analysts, such as Bellingcat, helped mitigate these problems. They assiduously compiled detailed evidence from a variety of social media and other unofficial sources, making major contributions to the effort to determine what actually happened to MH17. This experience is the latest and most significant example of how publicly-sourced information enables greater transparency in such matters, especially when governments refuse to release relevant data out of concerns for protecting sources and methods.

By reviewing the official and publicly-sourced evidence now available — and despite the Russians' best efforts at obfuscation — we do now know with certainty the answers to our two questions.

MH17 on July 17: The Basics

Departing Schiphol, MH17 climbed to an altitude of 33,000 ft on a route that took it over Germany, Poland, and then into Ukrainian airspace. The aircraft followed standard civil aviation flight routes and was under continuous air traffic control throughout, being acquired in sequence by successive radar tracking stations until it reached the tracking station in Dnipropetrovsk (known as Dnipro Radar), which exercises radar control over southeastern Ukraine, and which established radio contact with MH17.

After that initial contact, and following a series of routine exchanges of information over 27 minutes, controllers lost radio and then radar contact with the aircraft. A series of increasingly urgent attempts to regain radio contact with the aircraft were unanswered. Dnipro Radar contacted the adjacent Rostov tracking station, which handles air traffic in southwestern Russian airspace — through which MH17 was programmed to fly next — for assistance, but Rostov was also unable to locate or contact the aircraft. Dnipro Radar requested a nearby Singapore Airlines flight to visually acquire MH17, and check their onboard collision avoidance system for any sign of the missing aircraft, also to no avail.

The worst possible explanation for MH17's disappearance from air traffic control radar became clear soon enough, as dozens of images of aircraft debris, body parts, and personal belongings of passengers began appearing on social media almost immediately after MH17 hit the ground. These 298 victims had found themselves among the casualties of ongoing armed hostilities between Ukraine and Russia.

The MH17 crash site was in an area of eastern Ukraine known as the Donbas, where active fighting was (and still is) underway in a conflict that had rapidly escalated from civil unrest in March 2014, to full-scale combat by July. The Russian government, which backs local separatist militias and provides them with arms, advisors, and paramilitary fighters, had already intervened directly in the conflict (although Moscow steadfastly denies this) and was steadily upping the ante in terms of its support both in men and more sophisticated weaponry.

The Official Investigations

As the full scope of the tragedy became clear through international mainstream media, calls for an urgent investigation followed from European and other leaders. On July 21, the U.N. Security Council unanimously passed Resolution 2166, which, among other things, "[s]upport[ed] efforts to establish a full, thorough, and independent international investigation into the incident in accordance with international civil aviation guidelines."

Nowhere was the grief and anger more intense than in the Netherlands, which had 193 of its nationals on the flight. Under international civil aviation regulations, Ukraine had primary jurisdiction for the MH17 crash, which it delegated to the Dutch Safety Board — the Dutch civil authority for safety investigations — on July 23. The board's mandate was to determine the cause of the accident, but not to attribute blame to any party. The essential documents that were published by the Dutch Safety Board are its preliminary report (September 2014) and final report (October 2015). In August 2014, the Netherlands took the lead in forming the Joint Investigation Team tasked with conducting a criminal inquiry into the shooting down of MH17 in order to "arrive at conclusive and convincing evidence that will stand firm in court."

The Joint Investigation Team issued its interim report in September 2016, but its final report is still pending until all witnesses can be interviewed, all possible evidence examined, and individual suspects identified. All of these reporting agencies, by design, operated independently. Their investigations overlap, allowing crosschecking and confirmation of most findings.

Well Inside the Frag Envelope

Although the Dutch Safety Board team faced serious challenges in getting to the crash site (which was in contested territory and largely unsecured), investigators were able to obtain the aircraft's cockpit voice recorder and flight data recorder, as well as photographs of sections of the fuselage (the aircraft had broken up in midair, and the wreckage was scattered over some 50 square kilometers). In its preliminary report, the Dutch Safety Board stated that analysis of the cockpit voice recorder and the flight data recorder confirmed the radio transcript from the Dnipro Radar station, which indicated that no distress calls were made. Further, there were no discussions among the flight crew or audible warnings in the cockpit, nor did systems data indicate problems with the aircraft.

However, the vital point is what the Dutch Safety Board found from scrutinizing the wreckage photos:

[T]he pattern of damage observed in the forward fuselage and cockpit section of the aircraft was consistent with the damage that would be expected from a large number of high-energy objects that penetrated the aircraft from outside.

In other words, pending more detailed analysis, the Dutch Safety Board began to focus on MH17 having been shot down, ruling out an onboard bomb explosion or other causes originating inside the aircraft. The question became: shot down by what?

Initial reporting from official sources, including the U.S. government, indicated that a surface-to-air missile was responsible for bringing down MH17, but it would take another 13 months for the forensic evidence to establish that as fact. During that period, the Dutch Safety Board painstakingly collected parts of the aircraft and transported them to the

Netherlands for reconstruction and forensic analysis. They also conducted numerous ballistics simulations and ran computer models of possible missile trajectories to evaluate likely launch points.

Given MH17's flight parameters and the extent of destruction done to the aircraft, investigators were able to rule out two of the three possible missile types (air-to-air or short range surface-to-air) that could have brought the aircraft down, or air-to-air cannon fire. This left only the third option, a powerful surface-to-air missile that incorporated both a large warhead and a high-altitude capability.

By analyzing hundreds of fragments recovered from the aircraft and bodies of the flight crew (120 fragments were found in the first officer's body alone), the Dutch Safety Board identified the warhead as a 9N314M — a type compatible with only one model of SAM: the Russian-manufactured 9M38/9M38M1 "Buk" (NATO designation SA-11 Gadfly). Small pieces of metal identifiable as parts of a Buk missile were found in the vicinity of the crash and paint samples from those matched small foreign metal objects found in the aircraft wreckage.

Location, Location, Location: It Really Does Matter

With the cause of the aircraft's destruction established as a surface-to-air missile, the next task was to determine the launch site. Given that the front lines between Ukrainian government and separatist forces at that time were fluid, the launch site would likely reveal the perpetrator. The Dutch Safety Board proposed a geographic area for further investigation, but — because it was not responsible for assigning blame — it did not pursue the point further.

However, the Joint Investigation Team was tasked to assign blame, and they did so in their interim report in September 2016. After confirming the Dutch Safety Board findings indicting a Buk 9M38 series SAM, the Joint Investigation Team produced evidence showing that the missile in question was launched from a field just outside the settlement of Pervomaiskiy — an area controlled by the pro-Russian separatists on the date in question.

In a series of animations, the Joint Investigation Team explained how it geolocated and recorded telephone conversations among separatist commanders who had requested that type of missile to counter air attacks by the Ukrainian Air Force. They also explained how telephone intercepts and geolocated photos and videos revealed the route taken by the transporter carrying the missile to the launch site on July 17.

By comparing time-sequenced satellite images, testimony of eyewitnesses, and photos of the missile's smoke plume, the team determined precisely where the launch site was (including a patch of scorched farmland caused by the missile launch blast). Finally, they tracked the same missile transporter-launcher vehicle crossing back into Russia on July 18 — and this is important — with one fewer missile than it had onboard when it

entered Ukraine. As convincing as the Joint Investigation Team report was, the Russian government objected strongly to the findings and launched a major effort to counter them.

The Russian Disinformation Campaign

One must admire the agility and creativity with which Russia's state-owned media and official information outlets are able to generate story-lines supportive of government positions. On no occasion has Russia's ability to spin information been on better display than during the MH17 crisis. Within hours of the crash, a variety of Russian sources — both government controlled and oligarch-sponsored freelancers — circulated various theories of the MH17 crash that deflected attention from Russian complicity. Online, trolls and bots piled on to narratives that served Kremlin interests.

In an impressive display of disinformation — just 4 days after MH17 was shot down — Russia's Ministry of Defense held a briefing replete with convincing graphics and satellite imagery. Here, senior military officers presented two different scenarios that assigned blame to the Ukrainian military. One of these scenarios involved a Ukrainian missile, and the other a Ukrainian aircraft. Notwithstanding the fact that only one of these could have been true — and that both were later definitively debunked — the "evidence" quickly circulated through social media.

Then, in October 2015, the Russian defense firm Almaz-Antey — which produced the type of missile used to bring down MH17 — organized a press conference to demonstrate that investigators had misidentified the warhead, claiming that the "actual" warhead was no longer in Russia's arsenal, but was in Ukraine's.

Despite the fact that Russia was an official party to the investigation, Moscow denounced the Dutch Safety Board's final report. Finally, on September 26, 2016, the Russian Ministry of Defense held another press conference at which Russian officials dismissed their own July 2014 findings blaming Ukraine. Instead, they alluded to newly-discovered radar data that ruled out any missile launch from separatist-controlled territory. These data, after a long delay, were eventually turned over to the Joint Investigation Team, but not in an internationally recognized format. As such, their evidentiary value was nil. This gambit is consistent with the obstructionist approach adopted by the Russians from the outset.

The Citizen Techies

I wrote previously in War on the Rocks about the extraordinary growth and technical sophistication of public-sourced information on matters of national security. In my article, I pointed out that this new type of data might, with appropriate caution, better illuminate events in crisis situations. This rapidly expanding capability owes especially

to burgeoning internet and social media connectivity — both in terms of collection and dissemination — and the growing ability to geo-locate events or things via GPS. The much greater resolution and coverage of commercial satellite imagery and the ubiquity of smartphones capable of shooting video have also added vast amounts of publicly accessible information. In the case of MH17, this information was synthesized almost immediately, providing a fairly informed view of the basic outlines of what happened within a day of the event.

By employing digital forensic tools, and by putting in thousands of hours of painstaking work to verify the authenticity of collected photos and arcane but important details, crucial evidence was brought to bear on key aspects of the search for answers to the MH17 puzzle.

The focus of publicly-sourced research on MH17 has been primarily on the provenance of the suspect missile (now known to be the Russian Army's 53rd Anti-Aircraft Missile Brigade). Using publicly-sourced intelligence from social media, analysts were able to document the journey of the specific missile transporter-launcher vehicle from its base near Kursk, Russia, to eastern Ukraine, and then back to Russia. Likewise, investigating possible missile launch sites — including the attempt by Almaz-Antey to alter its own original proposed launch area to another that conformed to the Russian government's changing storyline — complemented the official findings.

The work of the amateur analysts, especially those at Bellingcat, has been crucial in exposing the misdeeds that resulted in the deaths of 298 people aboard MH17. Indeed, over the last three years, publicly-sourced intelligence has matured to the point that the Dutch used it in the investigations. Further, the fact that the Russian government made such an overt effort to disparage their analysis — unsuccessfully, I might add — further underscores the effectiveness of publicly-sourced information.

Three Years Later

On July 29, 2015, just over a year after the MH17 was shot down, the government of Malaysia brought a resolution to the U.N. Security Council seeking to establish an international tribunal that would prosecute those responsible for the act. Not surprisingly, Russia, a permanent member of the Council, vetoed the resolution. Two years after that veto, on July 5, 2017, the Dutch Foreign Ministry announced that it would try in Dutch courts any suspects identified by the Joint Investigation Team. This is a tall order, given that Russia will not extradite its citizens. Additionally, any suspects in the separatist regions of Ukraine remain outside the remit of the Ukrainian government, at present.

However, we do not need to wait for the trials of particular suspects to answer the two big questions at the heart of the matter. First, it was the detonation of the warhead on a Russian-made missile that caused MH17 to crash. Second, that particular missile was supplied by the Russian military to its separatist clients in eastern Ukraine, making the

Russian state partially responsible for the deaths of those 298 people. That missile was launched from territory controlled by the separatists, making them also responsible. Other contributing factors, such as the failure of the Ukrainian government to close its airspace over the contested eastern regions and the lack of specific threat information to civilian airlines require corrective action, but are not the proximate causes of this disaster.

Notwithstanding the many and varied attempts by Moscow to cloud the MH17 matter through dissimulating tactics, it defies common sense that the Russian leadership was not culpable. Their failure to acknowledge complicity is fully in keeping with their recent behavior.

To deal with such situations, the United States and other democratic governments must be prepared to employ their full range of investigative powers (as the Dutch certainly did), engaging more fully with open-source citizen analysts to achieve the level of transparency that the public deserves.

#6

Why Ukrainian Forces Gave Up Crimea Without a Fight - and NATO is Alert

- -

by Pavel Polityuk and Anton Zverev
Reuters, 24 July 2017
http://reut.rs/2v43VDj

KIEV/SEVASTOPOL, Crimea - The career of Sergei Yeliseyev helps to explain why Ukraine's armed forces gave up Crimea almost without a fight - and why NATO now says it is alert to Russian attempts to undermine military loyalty in its eastern European members.

His rise to become number two in the Ukrainian navy long before Russia seized Crimea illustrates the divided loyalties that some personnel in countries that once belonged to the Soviet Union might still face.

Yeliseyev's roots were in Russia but he ended up serving Ukraine, a different ex-Soviet republic, only to defect when put to the test. NATO military planners now believe Moscow regards people with similarly ambiguous personal links as potentially valuable, should a new confrontation break out with the West.

In 2014, Yeliseyev was first deputy commander of the Ukrainian fleet, then largely based in Crimea, when Russian soldiers in unmarked uniforms took control of Kiev's ships and military bases on the peninsula.

Instead of resisting, Yeliseyev quit and subsequently got a new job: deputy chief of Russia's Baltic Fleet.

Yeliseyev, now aged 55, did not respond to Reuters questions sent to him via the Russian defense ministry.

In Kiev, however, there is no doubt where his loyalties lay. "When he took an oath to Ukraine, these were empty words for him. He has always been pro-Russian," said Ihor Voronchenko, now commander of the Ukrainian navy, who once served with Yeliseyev. In fact, the Russian soldiers were pushing at an open door in late February 2014 - Yeliseyev was just one of many to defect and almost all Ukrainian forces in Crimea failed to resist.

Russia annexed Crimea the following month, prompting a major row with the West which deepened over Moscow's role in a rebellion in eastern Ukraine that lasts to this day.

At the time, Moscow and its allies in Crimea exploited weaknesses within Kiev's military to undermine its ability to put up a fight, according to interviews conducted by Reuters with about a dozen people on both sides of the conflict.

The Russian defense ministry did not respond to questions on their accounts of the events in 2014 submitted by Reuters.

One NATO commander told Reuters that, in a re-run of the tactics it deployed in Crimea, Russian intelligence was trying to recruit ethnic Russians serving in the militaries of countries on its borders.

Speaking on condition of anonymity, the commander said the alliance was particularly sensitive to the risk in countries with high concentrations of ethnic Russians, notably the Baltic states.

NATO had to guard against this, said the commander, though the risk should not be overstated because having Russian roots did not necessarily mean that a person's loyalty is to Moscow.

Officials in the Baltic states, former Soviet republics which unlike Ukraine are NATO members, play down the danger.

NATO Secretary-General Jens Stoltenberg likewise said he trusted the armies of the Estonia, Latvia and Lithuania. Still, he told Reuters: "We always have to be vigilant. We always have to develop our intelligence tools and to be able to see any attempts to try to undermine the loyalty of our forces."

Dropping the Guard

Years before the Crimean annexation, a Ukrainian appointment panel appeared to drop its guard when it interviewed Yeliseyev for the deputy naval commander's post.

Yeliseyev was born near Moscow, graduated from a Soviet naval school in the Russian city of Kaliningrad in 1983 and served with the Russian Pacific fleet.

So the panel asked Yeliseyev what he would do if Russia and Ukraine went to war. He replied that he would file for early retirement, according to Myroslav Mamchak, a former Ukrainian naval captain who served with Yeliseyev. Despite this response, Yeliseyev got the job in 2006.

Mamchak did not disclose to Reuters how he knew what was said in the interview room but subsequent events bear out his account.

Relations between Russia and Ukraine dived as Kiev moved closer to NATO and eight years after his appointment, with the countries on the brink of conflict over Crimea, Yeliseyev stayed true to his word by quitting.

Russia's actions were not the only factor in the Crimean events. Ukraine's military had suffered years of neglect, there was a power vacuum in Kiev after the government was overthrown, and many Crimean residents felt more affinity with Moscow.

Still, Ukrainian service personnel with Russian ties switched sides when the annexation began and some officers pretended to put up resistance only to avoid court-martial. Moscow also intercepted orders from Kiev so they never reached the Crimean garrison.

"There was nothing spontaneous. Everything was organized and each fiddler played his role," said Mykhailo Koval, who at the time was deputy head of the Ukrainian border guard and is now deputy head of the Security Council in Kiev.

Invitation to Defect

Voronchenko, who was another deputy commander of the navy at the time of the annexation, said he had received invitations to defect to Moscow's side soon after the Russian operation began.

These, he told Reuters, came from Sergei Aksyonov, who was then head of Crimea's self-proclaimed pro-Russian government, as well as from the commander of Russia's southern military district and a deputy Russian defense minister.

Asked what they offered in exchange, Voronchenko said: "Posts, an apartment ... Aksyonov offered to make me defense minister of Crimea." Neither Aksyonov nor the Russian defense ministry responded to Reuters questions about the contacts.
Voronchenko, in common with many other senior Ukrainian officers, had been in the Soviet military alongside people now serving in the Russian armed forces. He had spent years in Crimea, where Russia leased bases from Ukraine for its Black Sea fleet after the 1991 break up of the Soviet Union.

"Those generals who came to persuade me ... said that we belong to the same circle, we came from the Soviet army," he said. "But I told them I am different ... I am not yours." Naval chief Denis Berezovsky did defect, along with several of his commanders, and was later made deputy chief of the Russian Black Sea fleet.

Many in the ranks followed suit. At one Ukrainian signals unit, service personnel were watching Russian television when President Vladimir Putin appeared on the screen. "To my surprise, they all stood up," said Svyatoslav Veltynsky, an engineer at the unit. "They had been waiting for this." The majority of the unit defected to the Russian side.

Just a Show

Even those willing to resist found themselves in a hopeless position. One member of the Ukrainian border guards told Reuters how his commander had despatched their unit's ships to stop them falling into Russian hands, and ordered his men to train their rifles on anyone trying to enter their base.

However, the base's military communications were not working, having been either jammed or cut by the Russians. Isolated from his own side, and outnumbered and outgunned by Russian troops outside, the commander struck a deal with the head of a Russian special forces unit.

Pro-Russian civilians were allowed to force the base's gate without reprisals. The Ukrainians "supposedly could not do anything; you cannot shoot civilians", the member of the unit said on condition of anonymity because he is still living in Crimea and feared repercussions.

Russian troops then followed the civilians in, taking over the base and offering the unit a chance to switch allegiance to Russia. About half agreed, although the base's chief refused and was allowed to leave Crimea.

"The commander did not resist," said the unit member. "On the other hand, he did what he could under the circumstances."

Two other people involved in the annexation - a former Ukrainian serviceman now on a Russian base in Crimea, and a source close to the Russian military who was there at the time - also described witnessing similar faked confrontations.

"You have to understand that the seizure of Ukrainian military units in Crimea was just a show," said the source close to the Russian military.

Lessons Learned

NATO's Baltic members differ significantly from Ukraine. Soviet-era commanders, for instance, largely left their armed forces after the countries joined the Western alliance in 2004.

Officials also point out that Russian speakers were among the seven members of Latvia's forces to die during international deployments to Afghanistan and Iraq.

Nevertheless, lessons have been learned from Crimea. "We learned, of course, that there was not only the issue of loyalty, but also false orders were submitted and there was a blockage of communication during the Crimea operation," said Janis Garisons, State Secretary in the Latvian defense ministry.

Latvia has changed the law so that unit commanders are obliged to resist by default. But Garisons said the simplest step was taken long before the annexation, with the introduction in 2008 of vetting by the security services for "everybody who joins the armed forces, from private to general".

#7
Comment by James Sherr (Chatham House)

- -

Facebook, 25 July 2017

The ethnic Russian factor is over-stated in this article, and the state factor (Russian and Ukrainian) understated. The truth lies here: "There was nothing spontaneous. Everything was organised and each fiddler played his role." Ukraine's armed forces were assiduously penetrated over many years. The point is not that Yeliseyev said he would retire rather than fight Russia, but that his selection panel cleared him despite his answer. Who was sitting there? Almost equal importance was Kyiv's neglect of Crimea after Kuchma left office. Loyal SBU and GUR [Ukrainian Defense Intelligence] officers did not feel supported (and some ended up dead, years before these events). The interpenetration of the Black Sea Fleet and criminal structures, Russian and Ukrainian, was beyond the capacity of Ukrainian law enforcement. Yushchenko scarcely thought about Crimea and did nothing for it. Anatoliy Grytsenko, his Minister of Defense did, but he was not supported either. Yanukovych, who was not 'pro-Russian' nevertheless appeased Moscow on all defence issues in accordance with his 'grand bargain' that Moscow never accepted. The FSB and GRU systematically took down the command-and-control of military forces before

Yanukovych's departure. To all intents and purposes, there was no Ukrainian state when these events started.

Will Ukraine Join NATO? A Course for Disappointment

- -

by Steven Pifer
Brookings, 25 July 2017
http://brook.gs/2tKEGGD

Steven Pifer, a former U.S. ambassador to Ukraine, is a senior fellow at the Brookings Institution and author of "The Eagle and the Trident: U.S.-Ukraine Relations in Turbulent Times."

Following the visit to Kyiv by NATO Secretary General Jens Stoltenberg earlier this month, President Petro Poroshenko said Ukraine would seek to meet the alliance's membership criteria by 2020. On July 17, he stated that Ukraine would pursue a membership action plan.

After more than three years of war with Russia, the desire to join NATO is entirely understandable. Polls show public support for a membership course. However, Mr. Poroshenko is setting himself and Ukraine up for disappointment.

To be clear, Ukraine as a sovereign state has a right to choose its orientation and to join alliances. All member states of the Organization for Security and Cooperation in Europe-including Russia-accepted that in the 1975 Helsinki Final Act.

But NATO also has a say in who joins the alliance. It is difficult to see NATO saying yes to Ukraine in the foreseeable future.

NATO has dealt oddly with Ukraine's membership aspirations in the past. President Bush personally tried to persuade his counterparts to grant Ukraine a membership action plan at the 2008 NATO summit in Bucharest. He failed to win consensus, but the summit communique language stated that Ukraine (and Georgia) would be members of NATO. The alliance had never said anything like that before regarding prospective candidates. The language seemed to be a consolation prize for the American president rather than something with operational relevance for the NATO-Ukraine relationship.

Ukraine today is involved in an undeclared, low intensity conflict with Russia in the Donbas. That is not a conflict of Kyiv's choosing, but one forced upon it by Moscow. The Kremlin has organized, led, funded, armed and otherwise supported-in some cases with regular units of the Russian army-violent separatism in Donetsk and Luhansk of a kind

that Russia itself would never tolerate (witness two wars in 25 years in Chechnya).

Even if the Donbas conflict were settled, there would remain the issue of Crimea and its illegal seizure, occupation and annexation by Russia.

Until the simmering conflict in the Donbas and frozen conflict in Crimea are resolved, Ukraine has little prospect of membership. Bringing Ukraine in with the ongoing disputes would mean that NATO would face an Article 5 contingency against Russia on day one of Kyiv's membership. As European Parliament Vice President Lambsdorff said, "the West is not ready to defend Ukraine"-and that is particularly true against a nuclear-armed Russia.

NATO foreshadowed its unreadiness to take in states with territorial or border disputes in 1995 in its study on the how and why of enlargement. That study called on potential aspirants for membership to resolve those disputes before joining-precisely because the alliance did not want to import Article 5 cases into NATO ranks.

There is no reason to think this attitude will change. So what should Ukraine do?

First, the Ukrainian government needs to manage expectations, not fan them. Setting membership as a goal with a fixed near-term date sets a target that will not be met. That failure will negatively affect public attitudes toward the government and toward NATO.

Second, Kyiv should continue to deepen its cooperation with NATO and incorporate the reforms that it would undertake in a membership action plan in its annual action plans with the alliance. Moscow reacts viscerally to the idea of a membership action plan for Ukraine, but it has not reacted in a similar way in the past to action plans that include virtually everything that is in a membership action plan except for the title.

Third, the Ukrainian government should energetically pursue the agreed plan. The reforms would strengthen the military and bolster democratic institutions (NATO is an alliance of shared values as well as interests). Such reforms make sense for Kyiv irrespective of whether or when it might hope to join the alliance.

Having agreed on a plan, Ukraine needs to implement. Unfortunately, its track record over the past 20 years of taking steps it has committed to with the alliance is weak, one reason why Kyiv's corridor reputation in the halls of NATO headquarters is not what it should be. While there is nothing wrong with ambition, completely fulfilling a less ambitious plan rather than again falling short will win Ukraine more points with NATO.

Fourth, instead of pressing NATO for an early membership signal, the Ukrainian government should urge that the alliance maintain its open door policy. Kyiv cannot get in now. It wants to ensure, however, that "not now" does not become "never."

This approach would keep Ukraine moving on a Westward trajectory. It would help the country become a more modern and resilient European state, better capable of resisting

Russian pressure. It would avoid unrealistic public expectations. And it would position Ukraine to make a convincing membership bid when the opportunity arises.

#9
The Russian-Ukrainian Conflict Could Be Escalating

- -

Pavel Felgenhauer
Eurasia Daily Monitor, 20 July 2017
http://bit.ly/2uCwpmM

This week (July 18), Alexander Zakharchenko, the Russia-backed leader of the self-proclaimed and Moscow-supported "Donetsk People's Republic" (DPR), declared that a new state—"Malorossia" or "Little Russia"—must be created to replace the present Ukrainian "failed state." According to Zakharchenko, the regime in Kyiv has failed, and the only way to stop the conflict in Donbas and to maintain Ukrainian territorial unity is to reinvigorate the failed state as a federalized Malorossia that will have two official languages—Russian and "Malorossian" (Ukrainian). This new country would then become part of a joint union state with Russia and Belarus "while continuing to be independent and sovereign." All attempts to join the North Atlantic Treaty Organization (NATO) or the European Union would be repudiated by the new Malorossia government. The capital of the new state would be Donetsk instead of Kyiv. Selected delegates from different regions of Ukraine will be gathered to form a constitutional assembly to inaugurate Malorossia.

The Malorossia declaration by Zakharchenko was condemned in Kyiv and in the West for undermining the Minsk Two (signed in February 2015) roadmap to peace in Donbas. France and Germany called on Russia to condemn the Malorossia project as "unacceptable" and to concentrate on implementing the Minsk Two protocols. The initial reaction in Moscow was mixed. The Russian representative in the Minsk "Contact Group"—Boris Grizlov, an old-time Kremlin insider from St. Petersburg—told reporters the Malorossia initiative "does not comply with the Minsk process and could be treated as a discussion point as part of information warfare and a reaction to provocative statements coming from Kyiv." Some Russian parliamentarians supported Zakharchenko, while others expressed doubts, insisting the Malorossia idea is "impractical and badly thought through." Within the Russian-controlled part of Donbas, different pro-Russia separatist leaders also expressed misgivings about Malorossia.

An opinion seems to have formed in the Russian media that Zakharchenko is a crazy separatist, who does not really know what he is talking about and has embarrassed the Russian authorities by publicly undermining the Minsk Two protocols, which Russia officially supports. Ukrainian observers insisted the Malorossia plan was a "provocation" invented in the Kremlin—it was a way for Zakharchenko and the Russia-backed rebels in Donbas to remind the West about their existence and possibly instigate some Western

pressure on the Ukrainian authorities to make concessions. Ukrainian experts seem to believe the provocative statement by Zakharchenko about a fictitious Malorossia cannot be a prelude to a serious escalation in the Donbas fighting, "since this would destroy the Russian diplomatic game of portraying Kyiv as the bad guy that is failing to implement Minsk Two".

The situation has turned out to be more complicated, however. President Vladimir Putin's aide Vladislav Surkov is the Kremlin's point man on everything concerning Ukraine. He is a true decision maker (together with Putin), unlike Grizlov or any Russian parliamentarians. On July 19, he was reported to have actually supported Zakharchenko at a meeting with experts in the Kremlin. Surkov reportedly said, "All this hype about the fantasy Malorossia state is good—it emphasizes that Donbas is fighting not to separate from Ukraine but for its territorial integrity, for all of Ukraine and not for a part. There is a civil war in Ukraine between forces that see its future differently: Kyiv wants a pro-European utopia, Donbas replies with the idea of Malorossia".

Surkov's spin of the Malorossia idea seems to be more than just a way to cover up the embarrassment of a faulty move by Zakharchenko. It is in line with the Kremlin's longstanding strategic goal to take back all of Ukraine under Russian domination as part of the so-called "Russkiy Mir" ("Russian World"). In essence, Zakharchenko followed up with what the Kremlin has been seeking to obtain all along. Speaking to reporters in Hamburg this month, after meeting President Donald Trump during the G20 summit, Putin once again insisted: "I am absolutely sure the interests of Ukraine and Russia, of the Ukrainian and Russian people fully match, but the interests of Ukrainian leaders and some political forces in Ukraine are different." Putin accused the Ukrainian leadership of deliberately trying to separate the Ukrainian and Russian people and states, which need and want to be together to jointly develop and build a future. Putin accused Ukraine's leaders of "trading in Russophobia" to please the West, which appears intent not to allow Russia and Ukraine to move any closer, at any cost. "I believe this situation will end eventually, and we are interested in it ending as soon as possible," continued Putin.

The fighting in Donbas has been increasing after the Putin-Trump summit. According to the Organization for Security and Cooperation in Europe's (OSCE) special observer mission in Donbas, there has been a 20 percent increase in ceasefire violations in the week after the G20 summit. According to official Ukrainian military sources, on July 19 alone, nine Ukrainian soldiers were killed and five more wounded in renewed clashes along the eastern frontline. These losses seem to indicate a dramatic increase in violence.

Meanwhile, the cost of keeping part of Donbas as a Russia-controlled enclave is growing for Moscow, as the fighting continues to simmer while its social and economic infrastructure degrades. But the Kremlin does not need a "frozen conflict" in Donbas with an ever-growing price tag, when the real goal is to take and "integrate" the entirety (or most) of Ukraine. According to Putin, the true enemy is the regime in Kyiv and its Western backers. And it seems increasingly unlikely that these enemies can be defeated by Russia

simply maintaining the status quo in eastern Ukraine, instead of going all in to end "this situation as soon as possible," to quote Putin.

Michael J. Sheldon is a recent graduate of Malmö University with a BA in Peace and Conflict Studies. Through his academic pursuits and private initiatives, Michael has conducted analysis on the conflict in eastern Ukraine since 2014, specializing in rebel forces.

Since the conclusion of Maidan, politically motivated private security actors operating in parallel with the Ukrainian government have played an integral part in the country's security landscape. While some have been cooperating with Ukrainian authorities, others experience great friction with the Ukrainian Armed Forces (UAF) and Ministry of Interior Affairs (MIA), undermining the formal security structures of the Ukrainian government. It seems that political and military power have become inseparable at the unit level, with many battalion commanders also being career politicians or parliamentary members.

The term "volunteer battalion" is common vernacular in the context of post-Maidan Ukraine. While the term may seem straightforward to anyone with a basic familiarity of the conflict in eastern Ukraine, it encompasses a wide range of units active and inactive in the Anti-Terrorist Operation (ATO) zone today. Effectively, these units can be viewed along an axis of patronage, with those relying on the government as the primary patron representing the formal units, and those that rely on civil society representing the independent units.

Frictions with the government and lasting connections to political entities-a result of a haphazard, and in some instances nonexistent, reorganization effort-raise questions about the allegiances of these units. If unchecked, some of these units will erode the legitimacy of the Ukrainian security institutions.

A persistent issue facing Kyiv originates in its own complacency, and to some degree the ambivalence of the Ukrainian people towards security institutions. Since the beginning of the conflict in the Donbas, far-right nationalist militias operating completely independently from the government have been a recurring theme, and while many have demobilized, integrated into the formal security structure or entirely disbanded, some still persist. The two largest groups that represent this phenomenon are the Pravy Sektor

Ukrainian Volunteer Corps (DUK) and the Ukrainian Volunteer Army (UDA) militias. While both share a common history, they have come to diverge in how they interact with the government.

In late March 2015, well after illegal groups were issued a general stand-down-and-disarm order, Pravy Sektor was ordered to leave the coastal frontline city of Mariupol and the ATO area. Pravy Sektor, which believed themselves to have an agreement with the Ministry of Defense regarding their presence in the ATO zone, considered the order treacherous. Months later, Pravy Sektor ended up in a shootout with Ukrainian authorities after an extensive standoff. After the standoff between DUK and police in late 2015, People's Deputy and former leader of Pravy Sektor Dmitro Yarosh resigned from Pravy Sektor. He took the fifth and eighth DUK battalions with him to form the Ukrainian Volunteer Army (UDA) under his own new political party. Shortly after, DUK disbanded virtually its entire structure in order to carry out an extensive reform. It aimed to organize itself on a small amount of active combat units, with a large reserve force built around the sotni structure.

Units of the Ukrainian Volunteer Army under Dmitro Yarosh and his political party Diya (Action) enjoy an improved relationship with the Ukrainian government compared to DUK. The UDA's two combat battalions and single medical battalion are funded through citizen initiatives, supplying them with everything a light infantry battalion could need. These initiatives are funded by private donations of material support or financial deposits. The UDA has an exceptionally good relationship with official Ukrainian units compared to other independent volunteer units, and will in some cases even invite UAF units onto their bases to conduct joint drills.

Equally interesting is the case of the Organization of Ukrainian Nationalists (OUN) and their volunteer battalions. After a prolonged standoff with the UAF's 93rd Separate Mechanized Brigade in the frontline town of Pisky in 2015, the OUN agreed to relinquish its command of part of its battalion and let it integrate with the formal Ukrainian security structure under the Ministry of Defense. This specific brigade has come to be the destination for a number of other formerly independent volunteer units, such as the Carpathian Sich, a unit with deep connections to the political party Svoboda (freedom). Still, the unit maintains its relationship with the OUN, which is one of the oldest Ukrainian nationalist organizations, and has been ripe with controversy throughout the past century.

Still, the nature of the relationship between the OUN and the Ukrainian government appears to be one of convenience rather than one of allegiance. While the OUN volunteer battalion does take orders from the UAF, it remains a self-sustaining organization, and soldiers from other parts of the Ukrainian ground forces can't transfer to that unit. Like Pravy Sektor's DUK and Yarosh's UDA, the OUN's volunteer units run on private donations, conduct their own training and maintain their own rehabilitation centers. In addition to this, the OUN keeps reserve sotni similar to those of DUK, which are not necessarily affiliated with the Ministry of Defense in any way.

The OUN as an organization remains at odds with the Ukrainian government, and as recently as May 9, national guard troops stormed OUN headquarters in Kyiv. Inside the headquarters were members of OUNs "Storm Corps," which had unofficially completed a rotation to Donbas in the summer of 2016. The OUN volunteer battalion is now scheduled to begin its first official deployment this summer for a duration of approximately three months. Questions remain about the status of the unofficial armed elements of the organization, and if it will find itself in contest with the government once more.

Formal units of the Ministry of Internal Affairs in the ATO zone used to make up the majority of active units in the area but are now a minority, and have largely been replaced by units under the Ministry of Defense. The National Guard of Ukraine (NGU), a type of gendarmerie on steroids under the MIA, contains some of the revered and politically active units to have sprung out of the conflict thus far. The National Guard's 18th Operative Purpose Regiment in particular represents this category of units with far-right motivations, as it contains both Azov and Donbas battalion. These units have, through their growing popularity, been able to seize initiative and expand their functions to beyond what would be considered normal for a national guard unit. They've been able to accomplish this due to a general distrust in government institutions. As of 2016, volunteers were the second most trusted institution in Ukraine, second only to the church.

Azov, perhaps the most well-known unit in the conflict, has grown immensely since its inception. This growth has happened not only in its function as a paramilitary unit, but also in its function as a platform for civil, political and "uncivil" society. Azov as a "brand" consists of three main bodies-one governmental (Azov Battalion), and two nongovernmental. The nongovernmental institutions hold a great significance in Ukrainian society, and have gained notoriety in the past year. On October 12th 2016, Azov's own press corps announced the coming establishment of the "National Corps" political party on October 14, which would be formed on the basis of the alread -established Azov Civil Corps. Azov's Civil Corps, along with the National Corps, is intrinsically connected with Azov, which in turn had sprung out of civil society movements itself.

Azov's Civil Corps has been active since at least 2015 as a recognized entity, and its members identify themselves as activists. However, the Civil Corps has gained notoriety for its operations against certain private establishments. In spite of its bad press, the Civil Corps does have positive functions commonly associated with civil society, such as self-defense classes, issuing storm warnings, visiting animal shelters and so on. The Azov Civil Corps is known to hold blockades of private and public entities. One such blockade occurred in front of Kyivmiskbud's office. There, the Civil Corps physically prevented employees from entering the building if Azov had deemed the organization to be in violation of some sort of code, be it moral or legal. However, the height of these operations was reached in March 2017 when the Azov Civil Corps, with help from other groups, walled off the Russian Sberbank Headquarters in Kyiv in an attempt to prevent the bank from being accessible. This climactic event came after a long line of attacks and blockades on Sberbank assets by the Azov Civil Corps. These attacks on Sberbank in particular were

based on claims that the bank was secretly fueling Russian separatism in the east. This is a common motivation for activism by organizations related to military institutions in Ukraine.

The Separate Special Purpose Battalion "Donbas," under the command of battalion commander and People's Deputy of Verkhovna Rada Semen Semenchenko, is currently a source of controversy due to its connection to an ongoing blockade of separatist held areas. Semenchenko is no stranger to confrontation with the Ukrainian government. He has been known to speak his mind since his criticisms of the Ukrainian military leadership in light of the Ilovaisk massacre. This blockade was launched in late January 2017 by Semenchenko himself, using demobilized Donbas battalion fighters and activists to enact the blockade. Igor Kolomoyskyi, the Ukrainian oligarch behind the funding of initial stages of the ATO, is suspected to be the financier of the operation. The blockade was met with heavy resistance from the Ukrainian security establishment, which denounced it as a destabilizing factor in the already precarious relationship between Ukraine and rebel entities. Kyiv went as far as to condemn it as a "populist action." Eventually, Ukrainian police tried to break up the protest by force, but were unsuccessful. After the rebels nationalized Ukrainian industry on their territory, authorities accepted and adopted the blockade as official policy.

In June this year, Donbas battalion veterans-under the command of Semenchenko together with veterans from OUN and Aidar battalion-went to reinforce a group of farmers in the village of Berezhynka over an apparent land dispute. The farmers claimed that they were up against members of the political party 'People's Front,' Minister of Internal Affairs Avakov and others in the dispute. Shortly after the arrival of Donbas reinforcements, the national guard and other special units of the MIA showed up and detained everyone involved.

This would not have been the first time that the national guard has been called in to dismantle such displays. In fact, such frictions between the Ministry of Internal Affairs and volunteer groups have slowly been intensifying. This has confirmed the reservations of many who joined the NGU upon its re-establishment in 2014-a gendarmerie could be used against their interests, just as the Berkut had been used before.

Regardless of opinion on volunteer battalions in Ukraine, they represent a legitimacy dilemma for the Ukrainian government. Volunteers are currently more trusted by the Ukrainian people than the agencies which are supposed to govern them. Such groups are also in competition with the government for the monopoly of legitimate violence to some degree are. All signs are showing that Avakov and the Ukrainian security establishment intends to deal with this issue. However, this might be too little too late in a society that has grown disillusioned with the promises and expectations of Maidan.

#11

Briton Jailed on Terrorism Charges for Fighting with Russia-Backed Militants in Ukraine

- -

by Halya Coynash
Human Rights in Ukraine, 15 July 2017
http://bit.ly/2vojZN5

41-year-old Benjamin Stimson has been jailed for five years and four months under the UK Terrorism Act for taking part in the fighting in Donbas on the side of the Russian and Russian-backed militants. This is the first terrorism conviction of a UK national for his part in the Donbas fighting, however Britain has previously brought charges under the same law against people for fighting on the side of the so-called 'Islamic State'.

Stimson, who is from Oldham in Greater Manchester, pleaded guilty on July 14 to assisting others to commit acts of terrorism under Section 5 of the Terrorism Act 2006 (Preparation of terrorist acts). Stimson had originally claimed that he had not been a militant and only drove ambulances in Donbas. It was reported earlier in July, however, that he had admitted to the lesser of the two terrorism charges, of assisting others in committing acts of terrorism. The charge stated that he had had "the intention of committing acts of terrorism assisted by others by becoming a member of the militia opposing the Ukrainian government and serving as a soldier within the militia." The second charge – of planning to commit acts of terrorism – was dropped.

The BBC quotes Chief Superintendent Russ Jackson, who heads the regional counter-terrorism unit, as calling the images of Stimson holding a rifle and in military gear as "deeply concerning".

"He has been jailed for the role he played in a violent conflict and I hope his conviction will send a message to all those who are even considering joining conflicts."
The Chief Superintendent's hopes are shared.

Stimson's motives are in dispute, with the left-wing activists supporting him on Facebook having swallowed all the Russian narrative about a 'fascist coup' in Ukraine and treating Stimson as a martyr. In fact, his own words in the BBC interview which probably led to his arrest, suggest that ideological considerations were not the only motivating factor.

Stimson left the UK in August 2015 and travelled to Moscow, before being illegally taken from there into Eastern Ukraine where he joined a front-line militant unit.

He chose to give an interview to the BBC in October that year and was seen and heard in the resulting BBC article 'Ukraine conflict: The Brits fighting with pro-Russian rebels'. This reported that "Eastern Ukraine is not his first conflict. He claimed he was involved in Bosnia, and says he thought about joining the Kurdish Peshmerga in northern Iraq."

The report says that lack of work at home, and ideology prompted him live "with a group of rebel soldiers, just north of the city of Debaltseve in rebel-held territory".
"I see this as more western imperial aggression towards Russia, to people who aren't playing the western game", he said.

He did not want the BBC to show his face, or use his name, but denied that he was "meddling" in the conflict and said that he was no terrorist.

The BBC points out that the UK government has warned that "people who travel abroad to participate in conflicts may be committing criminal or terrorism offences and could face prosecution when they return to the UK".

"Wearing a balaclava over his face during our interview, the British man said he would be prepared to kill someone if his life was threatened. And he said that if he died in eastern Ukraine, it would have been worth it because he is "doing something he is proud of".

Stimson was arrested when he returned to the UK. He later claimed in a long interview to the notorious British propagandist for Russia, Graham Phillips, that the BBC had manipulated him, and deceived him by getting him to pick up a rifle.

He was silent about the fact that there are similar images of him in camouflage gear and holding weapons on his social network page. He claimed also in that interview to Phillips that he had been 'helping' people in Kurdistan and "doing humanitarian work" in Bosnia.

He denied both to the BBC and to Phillips that there were any Russians in Donbas, or that Russia was organizing things, while parroting Russian propaganda about 'Ukrainian fascists'. It was evident in the Phillips interview that he only dimly understands what is Ukraine, what Russia. He says, for example, that he'd wanted to live there, then that he came back to get money "to live in Russia".

Igor Sutyagin, writing for the Royal United Services Institute [RUSI] back in March 2015, estimated that there were around 10 thousand Russian military engaged in eastern Ukraine, as well as considerable military technology. The technology included the Buk missile used to down the Malaysian airliner MH17 over militant-controlled Donbas on July 17, 2014, killing 298 people.

The BBC reports that under British law, an act of terrorism "means resorting to violence, or its threat, to influence a government or people for an ideological cause. Stimson's decision to support a militia attacking a legitimate government therefore fell foul of the law".

Nor is it only the UK who are bringing prosecutions.

In June this year, the Czech authorities reported that a Czech citizen was on trial, also on terrorism charges, over involvement in Donbas. A Latvian citizen, Artem Skripnik is also

on trial, though on war crimes, rather than terrorism. He also claims to have been on a humanitarian mission in Donbas.

Russia, whose leaders claim it is not involved in the conflict in Donbas, and that the vast numbers of Russians fighting are all 'volunteers', has only convicted one Russian (in absentia) for fighting against the militants. Others are treated as heroes, like the Russian mercenary Arseny Pavlov, whose death in a militant-guarded apartment block removed somebody Ukraine would have wanted on trial at the Hague for war crimes.

#12
Ukraine: Separatists 'Disappeared' Blogge
- -

Human Rights Watch, 14 July 2017
http://bit.ly/2vof5zt

Berlin – Authorities in the self-proclaimed Donetsk People's Republic (DNR) in eastern Ukraine have been unlawfully holding a blogger known for his pro-Ukraine views in unacknowledged detention for over six weeks, Human Rights Watch said today. DNR security officials forcibly disappeared Stanyslav Aseev on June 2, 2017, and in recent days Human Rights Watch received credible information from reliable sources that Aseev has been in custody of DNR security services throughout his enforced disappearance.

An underground reporter in an area controlled by Russia-backed separatists and a regular contributor to RFE/RL, Aseev wrote about daily life in the region, from shooting and shelling to cultural events. His blog kept under the name of Stanyslav Vasin was a unique window into life on the other side of the "line of contact," an area that can be difficult for many Ukrainians to access due to travel restrictions and security concerns.

"It seemed clear early on that Stanyslav Aseev was targeted because he wrote things the DNR didn't like," said Hugh Williamson, Europe and Central Asia director at Human Rights Watch. "He is the victim of an enforced disappearance–a very serious crime under international law that cannot be justified under any circumstances, in times of peace or war."

On June 20, at a conference of the Office of the Organization for Security and Co-operation in Europe's representative on freedom of the media in Vienna, Russia's Union of Journalists and Ukraine's Union of Journalists issued a joint statementexpressing concern about Aseev's enforced disappearance, asserting that it was possibly connected with his journalism work, and urging "the international community to do its utmost to establish… [Aseev's] fate [and whereabouts] and secure his release."

On June 2, Aseev, who had been traveling for a number of days, called his mother and said he was on a bus entering the city of Donetsk. He promised to visit her the next morning. On June 3, his mother called him many times, but his cell phone had been switched off. Aseev's mother went to his apartment in Donetsk, but the door was locked. She waited until late at night to no avail and convinced the landlord to open the door for her the next morning. The place looked ransacked. She filed a missing person report with police. She also went to State Security Ministry asking if they had detained her son, but they refused to speak to her. Her subsequent inquiries to police yielded no tangible result.

During the next five weeks numerous international and intergovernmental organizations asked DNR authorities for information regarding Aseev, and the authorities repeatedly denied having any information about him, including at a July 5 meeting in Minsk of the trilateral contact group for peace negotiations on Ukraine. On July 11, Human Rights Watch received confirmation from confidential sources that Aseev was being held at the ministry.

Human Rights Watch has documented numerous cases in which DNR's security ministry forcibly disappeared civilians, holding them in custody for weeks without any contact with the outside world and subjecting them to ill-treatment. A special DNR cabinet decree enables the ministry to hold people for up to 30 days, and sometimes longer, without charging them or even acknowledging their detention.

Such a decree blatantly violates international legal protections against arbitrary detention, applicable both during conflict and peacetime. Numerous interlocutors in the DNR told Human Rights Watch that the State Security Ministry is the most powerful and feared agency in the self-proclaimed republic, as it operates without checks and balances, arbitrarily detaining and disappearing people and inflicting other abuses with full impunity.

A 2016 joint report by Amnesty International and Human Rights Watch detailed nine cases in which Russia-backed separatists detained civilians incommunicado for weeks or months without charge, and, in most cases, subjected them to ill-treatment. Two of the people whose cases are documented in the report, Igor Kozlovsky, a university professor from Donetsk, and Volodymyr Fomichyov, a pro-Ukrainian blogger originally from Makiivka, a town close to Donetsk, have been in the custody of DNR authorities since January 2016.

On August 16, 2016, a court in Donetsk found Fomichyov guilty of weapons possession and handed down a two-year prison sentence, which he is now serving in the DNR. Kozlovsky was also found guilty of weapon possession and sentenced to 32 months in prison in May 2017. The circumstances of their arrest, their conditions of detention and the indications of clearly fabricated evidence documented leave their convictions void of any credibility.

DNR authorities should immediately end Aseev's enforced disappearance by acknowledging his detention and releasing him, Human Rights Watch said. They should

also investigate and prosecute those responsible for this serious crime, as required by international law.

"DNR authorities haven't yet officially confirmed Aseev's detention, but we are in no doubt that he is being held incommunicado by security officials in Donetsk," Williamson said.

#13
Who is Viktor Ageyev?

- -

Another Russian serviceman in Ukraine, a genuine volunteer, or something else?
Atlantic Council Digital Forensic Research Lab, 13 July 2017
http://bit.ly/2tUxo1g

On June 24, a diversionary group was apprehended by the 93rd Separate Mechanized Brigade of the Armed Forces of Ukraine during a raid in Luhansk Oblast. Four men were captured, and another was killed during the incident. One of the men captured was Viktor Ageyev, a 22-year-old Russian citizen who was reportedly an active serviceman of the Russian Armed Forces.

The photographs above were published by the Ukrainian journalist Yulia Kiriyenko on her personal Facebook page. Kiriyenko also included the following description in her June 26 post:

Viktor arrived from Russia to fight us. He arrived to work for the murder of our boys in the East. For this, Viktor was given a machine gun for that. Viktor wasn't very good at shooting it. And when the time came—he choked. Which played into the hands of our boys. Now Viktor is with us. And not just him. He is just one from a diversionary group which our boys from the 93rd Brigade recently seized near Zholobok (Luhansk Oblast). They aren't cadets [trainees], as some would have you believe. Although… it's a pretty common practice to give up your own.

It should be noted that Luhansk separatist officials referred to the captured men as cadets from Kharkiv, thus distancing themselves from their capture.
So, who is Viktor Ageyev, and what can we say about this raid that led to his capture?

The raid

Ageyev and three of his comrades were seized near the village of Zholobok, located 75 kilometers from Ukraine's border with Russia and on the front line between government controlled territory and the Russian/separatist-controlled territory.

Information about the raid was first announced on June 25 via the Facebook page of the press center for Ukraine's Anti-Terrorist Operation (ATO).

The information in this release was similar to that shared by Kiriyenko the following day: both sources mention that four men were captured, one was killed, and two of the casualties were Russian citizens. The information in the release also included a list of seized weapons.

The second Russian, who was killed during the raid, was Aleksandr Shcherba. This man was reportedly the leader of the group.

While the ATO Press Center's release and the June 26 report by Kiriyenko do not contradict one another, there are additional reports from Ukrainian journalists that describe different circumstances related to the incident. (The best summary of these can be found on the Ukrainian news site GordonUA). Yury Butusov, who is perhaps the most plugged-in journalist when it comes to the Ukrainian military, reported on his Facebook page that Ukrainian soldiers attacked the Russian/separatist diversion group with knives in the late morning of June 24.

The destruction of the Russian diversion group was carried out with an special degree of boldness and cold-bloodedness. They used knives to slaughter not some kind of inexperienced mercenaries, but Russian Spetsnaz forces. And the attack, judging by the messages on Russian forums, was carried out at 10am—with the expectation that a weary night guard will relax the enemy, and they would not expect an attack.
Officials from a Ukrainian military unit denied that knives were used, in a Facebook post.

Butusov also reported on his site, censor.net, that, according to sources on a separatist web forum, Ukrainian soldiers cut out the eyes of at least two Russian/separatist fighters. This information has not been confirmed, and has been repeated by Luhansk separatist officials. A handful of extremely graphic photographs have appeared online. They supposedly show two Russian/separatist fighters who died during the raid, but these materials have not yet been verified.

There are multiple accounts, and alleged corroborating photographs, that Ukrainian forces killed two killed Russian/separatist fighters, rather than one, as previously reported. According to Andriy Tsaplienko, a journalist with the Ukrainian news outlet TSN, the Russian commander Aleksandr Shcherba was the target of the raid, and that a second man was killed alongside Shcherba.

Viktor Ageyev

After his initial capture, statements from both the Ukrainian and Russian governments, and an interview with Ageyev himself and his mother, there is a lot of information to process and contextualize about the supposed Russian serviceman.

What is clear is that Viktor Ageyev is a 22-year old Russian citizen who was fighting with Luhansk separatists when he was captured. The Russian Ministry of Defense claimed on June 28 that Ageyev "had never served in Russia's armed forces under contract and was discharged from draft duty last year." This information coincides somewhat with the military identification card that was shared on Facebook on June 26, showing that he was studying gas welding in a college and carried out his year of conscription service at Military Unit 65246 at Novocherkassk in Russia's Rostov Oblast.

The crux of the story is what Ageyev did after his year of conscription service, which ended in 2016. If Russia's Ministry of Defense is to be believed, Ageyev had no further relationship with the Russian Armed Forces after the end of his conscription service and went off to join the Luhansk separatists with no assistance from Russian officials. However, both Viktor Ageyev and his mother have said that he signed on as a contract soldier in 2017, which would have made him an active Russian serviceman at the time of his capture in Ukraine. The BBC Russian Service reports that the minimum term for a Russian contract soldier is two or three years. However, in 2016, a law was passed that allowed short-term military contracts, with terms up to one year. These shorter contracts allow the Russian Ministry of Defense to "quickly mobilize forces for particular tasks, which is important in the rapidly-changing world."

Ageyev last contacted his mother on May 30, 2017—about three weeks before his capture. His mother told the BBC Russian Service that he signed his contract on March 18, 2017 and was moved to a new military unit in Baltaysk in Rostov Oblast, which corresponds with the 22nd Independent Guards Brigade of Russia's foreign military intelligence agency (GRU). Ageyev himself confirmed on his VKontakte page on April 1, 2017 that he signed a contract—presumably referring to being a contract soldier for the Russian Armed Forces.

For more information on Ageyev's page on Vkontakte and his use of the pseudonym "Vitaly Popov," see InformNapalm's June 28 investigation, where they found archived information showing that Ageyev had changed his display name on the social network.
Novaya Gazeta's Pavel Kanygin met with Ageyev's mother, Svetlana Ageyeva, in Barnaul and conducted an interview about her son and his situation.

In the interview, Ageyeva describes how she expected paperwork to be sent to her regarding her son's status as a contract soldier, but it never came, convincing her that something was strange about her son's contract service. She also spoke of how her son sent her photographs of his promotion to corporal, himself dressed in a military uniform on base, holding a military banner, and so on. He left by himself on a train from Barnaul to Rostov Oblast on March 17, which led to some doubts in the mind of his mother—why is he going by himself, and not through the military office, and why is he meeting up with someone in Rostov after being given "coordinates"?

Ukrainian journalists from the television news program TSN interviewedAgeyev himself on July 9 (Russian translation here). In the interview, Ageyev describes the "contract" that he signed, which raises as many questions as it provides answers.

Interviewer: And what did they tell you?

Ageyev: That I would sign a contract here, in the LNR, and would continue to serve here.

Interviewer: And with that you would be counted as part of the Russian army? Or something else?

Ageyev: I don't know, I didn't ask for specifics.

Interviewer: Your mom says that after you completed your conscript service, you tried to find yourself, but as a result of that you went to Bataysk in the 22nd Brigade. Was it so?

Ageyev: Well, I wanted to. It didn't work out there.

Interviewer: So where did it work out?

Ageyev: At the same unit where I served.

Interviewer: This is also at the Rostov Oblast?

Ageyev: Yes.

Interviewer: And what unit is that?

Ageyev: Air Force. When I went to my conscript service, I did not fulfill any special tasks. There were some duties, internal service. The contract soldiers did their own program there, and we were just there to maintain the barracks. (…) Before I went to Luhansk, I didn't spend a long time in Rostov. I went here right away.

Interviewer: And when did you leave on the contract?

Ageyev: Already here, in Luhansk. Well, I returned to my unit, and from there I went to Luhansk.

Interviewer: And how long did you spend at your unit before Luhansk?

Ageyev: About four days.

Interviewer: So, you went to your unit, served there for four days, signed some sort of contract, and then immediately went off to Luhansk? Something isn't right here. Why so fast?

Ageyev: There was probably some dispatch. I didn't delve into this question. They sent me off. They'll pay me money. Service is service.

Ageyev also specified that his copy of the contract he signed was in separatist-controlled Alchevsk, and that it was a typical one-year contract with no mention of Ukraine. He was to be paid 15,000 rubles on the 15th of every month.

Degree of deniability

While there may seem to be a cut-and-dry distinction between "mercenary" and "active Russian serviceman," the difference is not so clear in the case of Russia and the Donbas. Despite Ageyev's own claim and his messages to his mother, it is still not entirely certain that he was an actual Russian serviceman in 2017. As Kanygin's interview with Ageyeva and his own interview with TSN makes clear, there are some strange inconsistencies in his contract signing and departure to Rostov Oblast, raising doubts that he was a "true" contract soldier.

However, this is not to say that Russia and its Ministry of Defense are not connected to the manner, as there are unanswered questions about how Ageyev and Shcherba were recruited to Luhansk Oblast to fight amongst the forces of the self-declared Luhansk

People's Republic. Additionally, Ageyev was adamant and specific about spending four days at a Russian military unit before leaving to the Luhansk. Though he is sure that he signed a contract and was a "true" contract soldier, it is entirely possible that the contract he signed was not a typical or valid one.

A number of investigations have documented how the Russian Armed Forces have facilitated the recruitment of Russian "mercenaries" to fight in the Donbas, often through the local military commissariats in Rostov Oblast. Novaya Gazeta, in particular, has produced excellent investigations into this phenomenon, including the June 2014 article "Farms for the Wild Geese" by Viktoriya Makarenko and the September 2014 "Army and Volunteers" by Elena Kostyuchenko. In these cases, veterans and soldiers are funneled through a part of the Russian military apparatus to the so-called separatist forces, with a degree of deniability and lack of paper trail tying Russia to these fighters.

Someone is not telling the truth, whether it is the truth-challenged Russian Ministry of Defense, or Viktor Ageyev, who admitted to not asking many questions about the supposed contract he signed before being shuffled off to Luhansk. It may be some time before we know what Ageyev's real status was with the Russian Armed Forces and, unfortunately, there is no available open source evidence that allows us to conclusively answer this question as of now. Additionally, the allegations that Ukrainian soldiers tortured the Russian/separatist forces near Zholobok should be investigated. Even though separatist officials have been notoriously unreliable in their claims regarding potential war crimes, there are multiple sources—including anonymous sources from the Ukrainian Armed Forces speaking with Ukrainian journalists—who indicated that the treatment of the killed and captured Russian/separatist forces was especially brutal and excessively cruel.

#14

E.U. Uneasy About Impact of New U.S. Sanctions on Russia

- -

by Steven Erlanger and Neil MacFarquhar
New York Times, 25 July 2017
http://nyti.ms/2vFXCDv

LONDON — European Union officials are worried about a move to toughen United States sanctions against Russia, saying they may undermine Europe's energy independence.

But as usual, the 28-nation bloc is divided, with central European countries more willing to limit the bloc's dependence on Russian oil and gas.

The new round of sanctions has been driven by the United States Congress, which is intent on punishing Russia for its suspected meddling in last year's presidential election.

Bipartisan support in Congress for the new sanctions is so strong that the White House has suggested that President Trump will sign the bill that emerges.

But the new sanctions have important implications for Europe because they target any company that contributes to the development, maintenance or modernization of Russia's energy export pipelines.

That would almost surely affect a controversial pipeline project between Russia and Germany known as Nord Stream 2, which is owned by Gazprombut includes financial stakes from European companies. The project aims to carry Russian natural gas under the Baltic Sea, bypassing countries like Ukraine, Poland and the Baltic States.

The new pipeline, in rough parallel to the existing Nord Stream 1, is being built to carry another 55 billion cubic meters of natural gas per year, underscoring Europe's continuing need for Russian energy.

"We are following the draft bill on Russia sanctions with some concern, notably because of its possible impact on the E.U.'s energy independence," a European Commission spokesman, Margaritis Schinas, said on Monday.

Jean-Claude Juncker, the president of the European Commission, the bloc's bureaucratic arm, has called for an urgent review of how the European Union should respond.

Brussels should be prepared to act "within days" if the sanctions are adopted "without E.U. concerns being taken into account," argued a position paper drafted by the European Commission dated July 19. The paper said the sanctions could affect the maintenance or upgrading of existing pipelines from Russia into Ukraine and elsewhere around the Caspian Sea.

It also raised concerns that unity could be broken between the United States and the European Union on how to deal with Russia over its annexation of Crimea and its sponsorship of warfare in eastern Ukraine.

The European Union — which does much more business with neighboring Russia than the United States does — imposed a series of sanctions on Russia, including on specific energy companies, beginning in 2014 over its actions in Ukraine.

The new sanctions would add punishments against Russian energy, financial, rail, shipping and metals and mining sectors.

The European Commission is seeking assurances from Washington that, if passed, the new measures would not be applied in a way that affects European Union interests or energy companies. It has suggested that European law could be used to prevent the application of "extraterritorial" measures by the United States, and it hinted at trade retaliation.

The tensions over the potential new sanctions on Russia come on top of other recent disputes on trade issues with the Trump administration.

Mr. Juncker earlier threatened rapid retaliation in response to Mr. Trump's contemplated new punitive tariffs on steel imports, which would affect more than a dozen countries, including some in Europe. "We are prepared to take up arms if need be," he said this month at the G-20 summit meeting in Hamburg.

Retaliatory targets for the bloc could include American whiskey imports. "I don't want to tell you in detail what we're doing," Mr. Juncker said then. "But what I would like to tell you is that within a few days — we won't need two months for that — we could react with countermeasures."

Russia has been greeting the prospect of a new round of American sanctions with a certain coolness, waiting to see what the White House will do and expecting reciprocal action by President Vladimir V. Putin. Russian analysts have focused more on the sparring between Congress and Mr. Trump over Russia policy than on any fallout at home.

Depending on the final version of the bill, the most immediate impact is expected in the oil and gas sector, including deals involving Russian-state run companies outside its borders, and on investments from abroad.

"The sanctions bill leaves no space for compromises and cements America's hostile policy toward Moscow for decades ahead," Ivan Timofeev, program director of the Valdai discussion club, a Kremlin effort to court Russian experts abroad, wrote on the group's website.

Russia often accuses the United States of using sanctions to further its own interests, and this time is no exception. Alexey Pushkov, a legislator and frequent commentator on international relations, wrote on Twitter: "The exceptional nation wants to block Russian gas supplies to Europe and to sell expensive shale gas from the U.S. to its European servants. That's the entire 'morality' of Congress."

Russians appeared to be giving little credence to the idea that American anger over Russian cyberattacks during the election might be playing a role.

Mr. Trump has opposed further sanctions on Russia. The push has come from a Congress that wants to tie the president's hands on Russia and prevent him from lifting earlier sanctions imposed by President Barack Obama over Ukraine.

That earlier round of sanctions was carefully calibrated between the United States and its European allies to keep everyone on board and preserve a united response to Russia's land grab in Ukraine. Energy, which divides even European partners, was a crucial part of that calculus.

Nord Stream 2 is important for Germany. But it has been fiercely criticized by central and eastern Europeans. Donald Tusk, the president of the European Council and a former Polish prime minister, is a vocal critic of the pipeline, urging strict regulation of a project he has said would strengthen Moscow.

In a June letter to the European Commission, Mr. Tusk expressed his "negative view" of the project.

It will allow Russia "to close down the transit route through Ukraine, leaving our partners at Russia's mercy, while its aggression has not ended," he wrote.

"It also contradicts the objective we have set for the energy union," making Europe "more dependent on Russian supplies," and "will strengthen Gazprom's position as the E.U.'s dominant gas supplier. In short, it will not serve the best European interest."

#15
EU Adds Russians, Entities To Crimea Sanctions Over Siemens Case

- -

by Rikard Jozwiak
RFE/RL, 26 July 2017
http://bit.ly/2v39eTm

BRUSSELS -- European Union ambassadors have agreed to impose sanctions on four additional Russian individuals and three Russian entities after the revelation earlier this month that four gas turbines from the German company Siemens had been "illegally diverted" from Russia to the annexed Ukrainian peninsula of Crimea, sources told RFE/RL on July 26.

The European Union ambassadors backed a push by Germany for the additions to the EU's existing sanctions list, according to two officials who are familiar with the matter but were not authorized to speak publicly about the decision.

The identities of the Russian individuals and entities have not been released, but a person familiar with the matter told RFE/RL that they are likely to include Russian firms and corporate leaders responsible for transferring the Siemens turbines from Russia to Russia-occupied Crimea.

Crimea has been subjected to EU sanctions on energy technology since Russian military forces seized control of the Ukrainian region in March 2014 and the Kremlin staged a referendum that has been deemed as illegitimate by most countries in the world.

The EU has 150 people and 37 entities on a current sanctions list that has been in place since 2014. The list was renewed in March 2017 for six months and is expected to be extended again in September.

Siemens has said the turbines were "illegally" diverted "against our will" to Crimea and that it was cutting some of its ties to Russia following reports of the illegal shipments. It said the turbines originally had been sold for use at the Taman power plant in southern Russia.

Siemens on July 21 said it would halt deliveries of power-generation equipment under its existing contracts with Russia's state-controlled entities "for the time being" in response to the revelations.

#16

Poroshenko Convinces EU No Anti-Corruption Court Needed

- -

by Veronima Melkozerova and Olena Gonchareva
Kyiv Post, 14 July 2017
http://bit.ly/2eSuGnV

After the West had been pushing foot-dragging Ukrainian officials for months to create an anti-corruption court, a top European Union official caved in on the demand during the EU-Ukraine Summit in Kyiv on July 13.

European Commission President Jean-Claude Juncker, who led the EU side with European Council President Donald Tusk, said that President Petro Poroshenko persuaded him that that an independent anti-corruption court isn't needed. Instead, Juncker accepted Poroshenko's recommendation for a less-than-independent "anti-corruption panel" within the Supreme Court.

In May, Ukraine's Prosecutor General Yuriy Lutsenko said that there was no need to create "another court" — meaning the anti-corruption court. Instead, a panel within the Supreme Court — widely distrusted and politically subservient — will be enough. "We previously insisted on the establishment of a new special anti-corruption court in Ukraine, but President Petro Poroshenko persuaded us that ... it would be better to create the special anti-corruption panel of judges, who would convict high-profile corrupt officials in Ukraine," Juncker said.

Civic activists have long called for the creation of an anti-corruption court, staffed with independent and competent judges, and recruited with the help of foreigners, to try graft cases. This is seen as a solution to the problem of Ukraine's notoriously corrupt and politicized judiciary.

Activists are not happy with the EU capitulation.

The Anti-Corruption Action Center and the Reanimation Package of Reforms says the anti-corruption panel will be as ineffective as Ukraine's current courts, as it will not be independent.

Reformist lawmaker Sergii Leshchenko said the issue is not Juncker's — or the EU's — to decide.

"I guess Juncker is not (familiar enough) with the topic, that's why he said this," Leshchenko told the Kyiv Post. "The anti-corruption chamber reminds me of the three years of so-called attempts to make cosmetic reforms to the General Prosecutor's Office. This is our fight. And we know better what we need — a new anti-corruption court. And we will continue to push for it."

Missed deadline

Setting up the anti-corruption court was one of the main conditions set by the International Monetary Fund and European Union to grant Ukraine further loans. In its latest memorandum, the IMF, which has already disbursed $13.6 billion out of a $17.5 billion bailout for Ukraine, set a strict June 14 deadline for the anti-corruption court bill to be approved by Ukraine's parliament.

Ukrainian reformist lawmakers submitted a bill on an anti-corruption court to the Ukrainian parliament in February. However, Poroshenko and Verkhovna Rada speaker Andriy Parubiy ignored the bill and the deadline was missed.

Ukrainian watchdogs urged the West to continue to push the Ukrainian government to create an anti-corruption court, as the regular courts have been blocking high- profile corruption cases investigated by the National Anti-Corruption Bureau of Ukraine — an independent agency. The bureau, which was created in under a previous IMF agreement in 2015, has attracted praise from the West and Ukraine's anti-corruption watchdogs. "There is no political will to set up an anti-corruption court among Ukrainian officials, especially now, when they've already started preparing for the election campaign in 2019," Leshchenko said on July 11. "Nobody wants to be convicted of corruption or have his cronies accused of bribery while fighting for power."

U. S. State Secretary Rex Tillerson during his visit in Kyiv on July 9 also pushed Ukrainian authorities to speed up the establishment of an institution to finally bring concrete results in the fight against high-profile corruption.

Tillerson publicly warned Poroshenko and other Ukrainian oligarchs that if they do not clear corrupt judges out of the courts and guarantee rule of law, Western investors will stay away.

Activists say most of the reforms — the creation of the public procurement system, the electronic asset declaration system, and the National Anti-Corruption Bureau of Ukraine, as well as other measures — only came about because of constant pressure from international donors and civil society.

But since the EU granted visa-free travel to Ukrainians on June 11 and approved the political and trade Association Agreement, the fight against corruption has stalled, they say. Even worse, Daria Kaleniuk, the Anti-Corruption Action Center's executive directors, said on July 11 that she has seen determined efforts by the authorities to sabotage, undermine and otherwise reverse previous anti-corruption achievements. Transparency International, the international watchdog, condemned Junker's statement, saying there is no alternative to the anti-corruption court establishment in Ukraine.

"We are confident that Ukrainian government deceived European partners that the special anti-corruption panel of judges is the only quick and acceptable decision of the lack of rule of law problem in Ukraine," reads the statement published on Transparency International website on July 13. "These panels within the regular courts won't be independent but strictly controlled by the high officials. They would be formed from the old, corrupt judges and would become a real weapon in hands of high-profile corrupt officials."

Praising progress

Both of the visiting top EU officials — Juncker and Tusk — on July 13 praised Ukraine's efforts in trade and public procurement reform. However, they also stressed that Ukraine's fight against corruption is faltering.

Juncker said Ukraine has shown "tremendous progress" in its reform agenda over the last three years, but that there's still a lot of homework that the country's elite needs to do. The Ukrainian authorities must fight corruption more decisively, Junker said, as this could be "Ukraine's main trump card" to advance its European aspirations.

"This issue is important for the citizens and you have to work with it," Juncker said. "There's been a dialogue between Ukraine and the EU, and Ukraine's reputation depends heavily on improvements in this area. If you didn't fight graft on the all levels, investors will not come to Ukraine."

Tusk spoke of Ukraine's further development plans, saying that the country could not now be defeated by an "external enemy."

"You are too strong," Tusk said. "You can only be defeated by yourselves. If you can bear the burden of reform, and not give up, then you will achieve your dreams and goals."

Juncker said he was very satisfied with Ukraine's securing visa-free travel with the EU, as more than 100,000 Ukrainians have already traveled to Schengen Area in the first month of the visa-free regime.

But the joint press conference didn't last long. Ukrainian presidential spokesperson Svyatoslav Tseholko allowed only two questions from the press. Junker wanted even less — just one question from the journalists.

"I'm so hungry!" Junker said three times during the press conference.
So after speaking to the press for less than 15 minutes, the leaders hurried off to a dinner waiting for them in the House with Chimeras, a historical building next to the Presidential Administration on Kyiv's Bankova Street.

The summit ended with no joint declaration, which is unusual for a meeting of this level. Instead, Juncker and Tusk merely commented that they both "support" Ukraine's European aspirations.

#17

Ukraine Bans Auditor PricewaterhouseCoopers

- -

By Tom Corrigan
Wall Street Journal, 21 July 2017
http://on.wsj.com/2h6nG7P

Ukraine's central bank has banned PricewaterhouseCoopers from conducting bank audits in the country after finding PrivatBank, the country's top lender, developed a more-than-$5-billion hole in its books while under the accounting firm's supervision.

The National Bank of Ukraine removed the Big Four accounting firm Thursday from a list of auditors authorized to work in the country following a meeting of the bank's board.

"The audit report issued by PricewaterhouseCoopers Audit LLC failed to highlight the credit risk exposure faced by PrivatBank PJSC, which led to the bank being declared insolvent and nationalized, with substantial recapitalization costs borne by the state," the National Bank said Thursday.

Ukraine's government, which last year banned nine accounting firms for audit policy violations, warned earlier this month that it was considering a similar fate for PwC over the alleged breakdown in its oversight of PrivatBank.

A spokesman for PwC, which audited PrivatBank's finances from the mid-1990s until 2015, said the country's decision to ban the firm isn't justified.

"We are very disappointed that the National Bank of Ukraine has made a decision to remove PwC Ukraine from the list of statutory auditors of Ukrainian banks in relation to the audit of PrivatBank," he said. "We will examine all options for reversing this decision."

PrivatBank, which accounts for one-third of all individual deposits in the country, was nationalized in December after it uncovered a hole of more than $5 billion. The bank remains at the heart of national crisis stoked by the country's continuing conflict with Russian-backed separatists.

Before being nationalized, PrivatBank was controlled by Ihor Kolomoisky, a media mogul who bankrolled armed formations supporting the Ukrainian military in its fight against the Russia-backed separatists. Mr. Kolomoisky owns one of Ukraine's most popular television stations.

With international support, Ukraine's National Bank has attempted to overhaul the country's banking sector, relying on billions of dollars of loans from the International Monetary Fund. The National Bank says it has shut down more than 80 banks in the past two years, including Ukraine's second-largest private lender, Delta Bank.

Government spending to shore up PrivatBank recently reached 5% of Ukraine's gross domestic product, according to the National Bank.

A 2016 analysis by PwC rival Ernst & Young LLP showed nearly all of PrivatBank's corporate loans were made to companies tied to its shareholders. PwC says PrivatBank's health may have changed sometime after it signed off on its 2015 audit, and that it is still committed to working in Ukraine.

The country's decision to oust PwC is the latest in a string of embarrassments spanning several continents for the accounting firm. They include an investigation into PwC's audits of BT Italia by the U.K.'s accounting watchdog as well as legal action over its work for Petróleo Brasileiro SA, a Brazilian company at the center of a large political corruption scandal.

In the U.S., PwC settled a $5.5 billion lawsuit charging that it failed to uncover a fraud at Taylor, Bean & Whitaker, once one of the U.S.'s biggest privately held mortgage companies. And earlier this year, PwC also settled a $3 billion lawsuit over claims it gave bad accounting advice to MF Global Holdings Ltd., which the brokerage said contributed to its 2011 collapse. In each case, settlement terms weren't disclosed.

In another misstep—broadcast live on television earlier this year—a PwC partner gave a presenter the wrong envelope at the Academy Awards, leading to the announcement of "La La Land" as the winner of best picture instead of the actual winner, "Moonlight." The mistake was quickly corrected and the firm has apologized.

Wily Operator Saakashvili Undone by Taste of his Own Medicine

- -

by Roman Olearchyk
Financial Times, 27 July 2017
http://on.ft.com/2uH0fF4

For more than a decade, Mikheil Saakashvili has been a larger-than-life symbol of defiance in Russia's backyard and a story of hard-fought political success in a region notorious for cut-throat rivalries.

The wily former Georgian president appealed to voters and western leaders alike with his fiery oratory skills, staunchly pro-market and pro-US views and anti-Moscow instincts — first as a two-term leader of his native country and then as a reinvented politician in his adopted Ukraine.

But the news that the 49-year-old US educated polyglot has been stripped of his Ukrainian citizenship and left stateless may have brought a rollercoaster political career to an abrupt end. Perhaps surprisingly it was not Mr Saakashvili's longstanding enemies in Moscow who sealed his fate, but the leader of a pro-west ally: Ukraine's oligarch president Petro Poroshenko.

"He's an extraordinary, talented political animal," said Thomas Eymond-Laritaz, executive director at APCO, a public relations group, who has advised Mr Saakashvili and other regional officials. But he added: "Misha got a taste of his own medicine."

Wednesday's move by Mr Poroshenko, while Mr Saakashvili was in the US, was the culmination of a bitter falling out between two men who have been known each other since their university days in Kiev in the early 1990s.

When he was granted Ukrainian citizenship in 2015 — one of Mr Poroshenko's most controversial acts as president — it seemed for some like a natural fit. Mr Saakashvili, whose political idol is Ronald Reagan, had famously stood up to Russia during the brief 2008 war between the two countries.

Four years earlier, his political appetite and sharp senses were evident when he emerged from Georgia's Rose Revolution as a figurehead. As president he dominated the country for almost a decade until he was forced into exile in 2013.

"On the one hand, what he did in Georgia on the reform front was quite remarkable. He freed up trade, got rid of a crazy bureaucratic system that we still have to an extent in Ukraine. But…he ran Georgia as if it was his private property, squeezing the democratic process," said Mr Eymond-Laritaz.

In Ukraine he was named governor of the Black Sea port region of Odessa not long after Russia annexed the nearby Crimean peninsula. However he had quit within a year, blaming Mr Poroshenko for stonewalling reforms and financially profiting with other oligarchs while Ukraine's economy suffered. He began forging an opposition movement to challenge Mr Poroshenko.

On Thursday some Ukrainian opposition figures came to Mr Saakashvili's defence, describing his banishment as evidence of Mr Poroshenko's "dictatorship" tendencies.

Mustafa Nayyem, a journalist turned Ukrainian MP, said: "You may not agree with Mikheil, maybe you don't like him, but overall Saakashvili is on our side of the barricade…Who knows who will win from this fight between two presidents, but it won't be Ukraine."

In a video statement posted on Facebook overnight on Wednesday, Mr Saakashvili slammed Ukraine's president saying: "Poroshenko decided to deprive me of my citizenship in an underhanded way, while I am out of the country." He added: "I will fight for my legal right to return to Ukraine."

Ukrainian media reported on Thursday that Mr Saakashvili was in New York City with family as he explored his legal options.

Yet he has always been a controversial figure in his adopted country. In one 2015 episode that illustrates how disliked Mr Saakashvili was by some of the Ukrainian establishment, Arsen Avakov, the country's interior minister, hurled a glass of water at him saying: "Get the hell out of my country."

At the same meeting, former prime minister Arseniy Yatseniuk blasted the ex-Georgia leader as "a clown" who was brought to Ukraine to "do a job, not to engage in political trickery".

Mr Saakashvili's tenure as Georgia's president also came to an end after a clash with a powerful oligarch. A series of disputes led Bidzina Ivanishvili, a powerful businessman who made his fortune in Russia, to create an opposition movement that ousted Mr Saakashvili from power through elections, hounded him with investigations, stripped him of his citizenship and forced him to flee before he eventually landed in Ukraine.

In a twist of fate, one of the ways Mr Saakashvili sought to sideline Mr Ivanishvili was by taking away his citizenship.

How the Ukraine War Spilled Into the U.S. Election

by Leonid Bershidsky
Bloomberg, 13 September 2017
https://bloom.bg/2sXNrJ0

U.S. politics as an extension of the Russian-Ukrainian war theater sounds mildly ridiculous -- but, as partisan U.S. forces push competing stories of the post-Soviet nations' interference in the 2016 election, I can't help wondering if that isn't the new normal.

The Russian interference narrative is by now part of the mainstream. Ukrainian interference is a newer, less developed storyline, being pushed by Republicans as a response to the Russia allegations and, by some indications, backed enthusiastically by Russian interests.

The first story on how Ukraine allegedly helped Hillary Clinton's election campaign was published by Politico in January. It described how Alexandra Chalupa, a political operative of Ukrainian origin who worked for the Democratic National Committee, did opposition research on Donald Trump's campaign manager Paul Manafort -- who did a lot of political consulting work in Kiev -- with the cautious help of the Ukrainian embassy.

This didn't amount to direct cooperation between the Clinton campaign and the Ukrainians. President Petro Poroshenko's government had to be careful in case Trump won, since U.S. support is crucial for the current government's survival. The Clinton campaign, too, wanted to keep a distance between the dirt-digging and the candidate. Still, The New York Times published a story on August 14, 2016 citing information from Ukraine's National Anti-Corruption Bureau that a handwritten ledger kept by ousted President Viktor Yanukovych's Party of Regions showed $12.7 million in payments "designated for Mr. Manafort." Other arms of the Ukrainian government made no move to deny that Manafort received illegal payments -- until long after the election. Last month, Ukraine's chief anti-corruption prosecutor Nazar Kholodnitskyi said there was no proof Manafort accepted any illicit payments -- probably welcome news to the Trump administration in the midst of the Russia scandal.

Recently, however, the old Politico story has resurfaced thanks to Deputy White House Press Secretary Sarah Sanders: "If you're looking for an example of a campaign coordinating with a foreign country or a foreign source, look no further than the DNC who actually coordinated opposition research with the Ukrainian Embassy." That same day, the conservative publication The Daily Caller ran a "friendly reminder" that a DNC operative worked with Ukrainians to dig up information about Manafort, and Trump apologist Laura Ingraham tweeted the Politico story. On July 11, Fox News' Sean Hannity joined in, retweeting Donald Trump Jr.'s pick-up of the Daily Caller column. On Wednesday, Senator Lindsey Graham asked Christopher Wray, President Trump's

nominee for Federal Bureau of Investigation director, about it. Wray's response? He'd be "happy to dig into it."

The talking point got some enthusiastic support from Lee Stranahan, the former Breitbart journalist who now has a show on the Russian government-funded Sputnik Radio. In a series of tweets, he suggested the Ukrainian government was helping the U.S. Democrats in return for their help in 2014. He also tweeted a link to an apparently Russian-recorded and -leaked conversation between Victoria Nuland, then an assistant secretary of state, and Geoffrey Pyatt, then U.S. ambassador to Kiev, on how to shape the Ukrainian government immediately after the 2014 "Revolution of Dignity."
At the same time, CyberBerkut, the pro-Kremlin hacker group, whose account had been dormant for months, published a data drop on alleged tied between the charity foundation of Ukrainian billionaire Viktor Pinchuk and the Clintons. This was promptly picked up by WikiLeaks (which, for the sake of fairness, mentioned that CyberBerkut may be a front for the Russian government).

Clearly, people within President Vladimir Putin's propaganda machine would like to give the Clinton-Ukraine story a boost.

The story, however, probably won't cross partisan lines for the simple reason described in a tweet by former Republican National Committee operative Liz Mair: "The big difference between Clinton/Ukraine and Trump/Russia is that Ukraine is not our enemy; Russia pretty obviously is, per common sense." A large part of the Republican establishment regards Russia -- let's face it, not Putin's Kremlin but the country itself -- as a perennial U.S. adversary. This is based on cold war history and habitual intelligence and diplomatic practices as much as on anything Putin has done. It just seems easier for Republicans who share this set notion to side with the Democrats on the Russian story than with populist, pro-Trump Republicans whose views of Russia are more opportunistic.

Ukraine, by contrast, is a U.S. charity case and a counterweight to Russia in the post-Soviet space. So working with it while almost equating the acceptance of Russian help to treason is not a double standard. Within this context, foreign participation in the U.S. political process is not a problem, but the participation of a foreign adversary is. Is that the right line to draw in an increasingly globalized world with internationalized elections?

It's natural that the Russian-Ukrainian conflict is playing out everywhere both sides can reach. The U.S. is an important arena; perhaps Americans should be proud of that rather than worried about it.

Huge Manafort Payment Reflects Murky Ukraine Politics

· ·

by Andrew E. Kramer
New York Times, 15 July 2017
http://nyti.ms/2voonM1

KIEV, Ukraine — Paul J. Manafort, President Trump's former campaign chairman, recently filed financial reports with the Justice Department showing that he earned nearly $17 million for two years of work for a Ukrainian political party with links to the Kremlin.

Curiously, that was more than the party itself reported spending in the same period for its entire operation — the national political organization's expenses, salaries, printing outlays and other incidentals.

The discrepancies show a lot about how Mr. Manafort's clients — former President Viktor F. Yanukovych of Ukraine and his Party of Regions — operated.
And in a broader sense, they underscore the dangers that lurk for foreigners who, tempted by potentially rich payoffs, cast their lot with politicians in countries that at best have different laws about money in politics, and at worst are, like Ukraine in those years, irredeemably corrupt.

Mr. Yanukovych was driven from office in the Maidan Revolution of 2014, after having stolen, according to the current Ukrainian government, at least $1 billion. In the years before his fall, Mr. Manafort took lavish payments to burnish the image of Mr. Yanukovych and the Party of Regions in Washington, even as the party acknowledged only very modest spending.

In 2012, for example, the party reported annual expenses of about $11.1 million, based on the exchange rate at the time, excluding overhead. For the same year, Mr. Manafort reported income of $12.1 million from the party, the Justice Department filing shows.
In 2013, the Party of Regions reported expenses of $3.7 million, while Mr. Manafort reported receiving payments of $4.5 million.

Handwritten ledgers that surfaced last year indicated that the party had actually spent about $2 billion over the past decade or so, much or most of it illegally. Some outlays like payments to an election official possibly amounted to criminal bribery.

Mr. Manafort has not been charged with breaking any laws regarding the reporting of income derived from his efforts on behalf of the party. The disclosures cap lengthy negotiations between Mr. Manafort and officials at the Justice Department, which monitors the activities of Americans who work on behalf of foreign political parties and governments.

In a statement, Mr. Manafort's spokesman, Jason Maloni, suggested that the Party of Regions was accountable for the contradiction between the two disclosures.

"Any questions about the reporting obligations of the Party of Regions should be directed to those within the party responsible for such reporting," he said in a statement. Mr. Manafort's work in Ukraine "was widely known and the firm was paid only for the work it performed. In fact, just last month Ukraine officials indicated that there is no proof of illicit payments."

Though documents discovered after the 2014 revolution show the party's coffers were padded with donations from Ukraine's ultrawealthy steel and natural gas tycoons, it tried to keep up a populist image and declared only a modest, even minuscule, annual budget.

"It means either Manafort is lying, or the Party of Regions was lying," Serhiy Leshchenko, an investigative journalist and a member of Parliament who has been critical of Mr. Manafort's work in Ukraine, said in an interview.

A Ukrainian investigation of this discrepancy is not likely. The Party of Regions is now disbanded, and prosecutors are looking into far more serious crimes than campaign finance filing errors.

Moreover, at the time the party made its declarations, filing a false campaign finance report was considered an administrative offense akin to a parking ticket and punishable by no more than a fine of a few hundred dollars, said Ostap Kuchma, a party finance analyst at the anticorruption group Chesno.

Mr. Manafort's reports to the Justice Department do not cover the entire period he worked in Ukraine. Last summer, The New York Times reportedthat the party's handwritten ledgers showed $12.7 million in undisclosed payments designated for Mr. Manafort's firm from 2007 to 2012.

Anticorruption officials in Ukraine assert that the payments were part of an illegal off-the-books system. Mr. Manafort, who resigned from his campaign post shortly after the article appeared, has denied receiving any cash, and state prosecutors in Ukraine have not accused him of wrongdoing.

Ukraine's chief anticorruption prosecutor, Nazar Kholodnytsky, reiterated that assessment last month, telling Ukrainian television that ledger entries provided no proof of Mr. Manafort's having receiving illegal payments.

But the investigation into the accounting book, including the entries mentioning Mr. Manafort, is still open, and recently shifted from one branch of the prosecutor's office to another, Serhiy Gorbatyuk, the prosecutor in charge of the case, said in an interview.

"The Party of Regions was spending a lot of cash, to bribe voters and for illegal advertising," Daria M. Kaleniuk, the executive director of the Anti-Corruption Action Center, said in an interview. "Manafort took the money to whitewash its reputation in the West."

- -

UKL 487, 27 July 2017

Dominique Arel, Chair of Ukrainian Studies
University of Ottawa
559 King Edward Ave.
Ottawa ON   K1N 6N5
CANADA
tel 613 562 5800 ext. 3692
fax 613 562 5351