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By Taras Kuzio

Four and a half years after Ukraine and Russia signed a treaty in Kyiv and 2 1/2 years after both houses of the Russian parliament ratified that treaty, the border question continues to bedevil both countries. While Russia agrees to the delimitation on maps of the former Soviet internal administrative frontier between itself and Ukraine, 97 percent of which is done, it continues its decade-long opposition to its demarcation.

Ukraine and Russia continue to hold opposing views as to how the border should be defined. The Ukrainian side believes that the border should be the same as any other international border where delimitation on maps is followed by physical demarcation by natural objects or signs arranged at regular intervals. Such an arrangement would be very different to that which continues to exist on Ukraine's Western border, where Kyiv inherited Soviet-style watchtowers and barbed wire.

Russia, in contrast, continues to insist that borders within the Commonwealth of Independent States (CIS) should be divided into "internal" and "external" ones. CIS "internal" frontiers are in effect the same as those that existed in the USSR, except that they may be now delimited on maps for greater clarity. "External" frontiers represent former Soviet external borders.

These opposing views on borders reflect different understandings of nation-building and identity within Russia and Ukraine. Since the Declaration of Sovereignty in July 1990, nation-building in Ukraine has always been understood to consider borders -- wherever they might be -- as integral to a country's sovereignty and territorial integrity, and as a national symbol. Ukraine has therefore not signed the majority of border agreements adopted by CIS structures.

Russia has always remained confused as to whether it is building a nation-state, which would lead to Moscow having similar views on borders to Ukraine, or whether it understands the CIS to be the successor to the USSR so that the CIS, like the USSR, would have no need for demarcated borders between "fraternal" republics. Such a view is accepted by Russophile states within the CIS, such as Belarus and Kazakhstan. This view of borders within the CIS follows from Russia's view of the CIS as a "Near Abroad," whose members enjoy greater sovereignty than they did as Soviet socialist republics, but less independence than the states of the "Far Abroad."

The Ukrainian position became confused itself on July 17 when Oleksandr Kupchyshyn, the director of the Treaty and Legal Department of the Ukrainian Foreign Ministry, stated that demarcation would not be necessary because this would violate the "historic traditions of living together and coexistence of our countries and nations." This sounded suspiciously similar to that of the Russian Foreign Ministry position outlined exactly a month later that rejected demarcation because the Russian-Ukrainian border "should be one of friendship, accord, and communication, uniting rather than separating our two nations."

The Ukrainian media reported that Kupchyshyn was officially reprimanded for his statement. Support for demarcation into a fully fledged international border with Russia was again restated as the official view by Ukrainian Foreign Minister Anatoliy Zlenko and State Secretary Yuriy Serheyev. Serheyev, the president's representative in the Foreign Ministry, confirmed that Ukraine's approach to borders remains delimitation through protocols and separate agreements on maps, followed by demarcation with special signs or boundary posts, and finally, agreeing to a border regime. Explaining this position to Russia, Serheyev said it "coincides with our constitution," conforms to the "national will," and "fully corresponds to the standards of international law."

In a recent opinion poll among foreign policy elites by the Center for Peace, Conversion, and Foreign Policy of Ukraine (CPCFPU), a Kyiv-based think tank with close links to the Ukrainian Foreign Ministry, 87.5 percent supported a demarcated border with Russia, and 53.1 percent believed the lack of demarcation prevents Ukraine from integration into Europe. Meanwhile, 59.4 percent felt the lack of demarcation forced Ukraine's Western neighbors to introduce visas on Ukrainians, and another 56.3 percent thought it contributes to illegal migration, organized crime, and contraband.

Ukraine placed border troops on its 2,292-kilometer Russian Border in January 1993, and eight years on its status still continues to differ from that on Ukraine's Western (former Soviet) borders. Although delimitation on land will be completed this year, Russia's position on the Sea of Azov, the Kerch Strait, and the Black Sea are again influenced by national identity considerations. Non-Russian former Soviet republics, such as Ukraine, Azerbaijan, Turkmenistan, and Kazakhstan, view the Sea of Azov, Kerch Strait, and Caspian Sea as international waterways that should be delimited into country sectors with exclusive economic zones. Russia (backed by Iran in the Caspian) disagrees, with the Soviet legacy continuing to influence its attitude that they should remain "internal seas" as in the USSR.

Besides national identity, the CPCFPU points to three strategic motives for Russia's rejection of border demarcation. Firstly, the continuation of Soviet internal administrative frontiers in the form of "internal" CIS borders would allow Russia to continue to exert influence and apply pressure on other CIS states. Secondly, a nondemarcated border would prolong the confusion surrounding energy deliveries to Ukraine as until now Russia has refused Ukrainian requests to sell gas at the border where meters would be installed so it would be clear as to exactly how much Ukraine imports. Thirdly, Russia has always had irrational fears that Ukraine will slip away from its sphere of influence by integrating with the EU and NATO (it was not a coincidence that the May 1997 treaty was signed only two months prior to the Madrid

NATO summit). Unresolved borders would prevent Ukraine's integration westward as the resolution of border questions is a prerequisite for membership in the EU and NATO. The CPCFPU therefore argues that accepting Russia's position (as Kupchyshyn briefly did) would, "cast doubts on the realization of Ukraine's European choice."

The Russian-Ukrainian border has even more importance for European security in the wake of the international concern over terrorism following the 11 September terrorist acts on the United States. Ninety percent of illegal migrants and two-thirds of contraband, including narcotics and weapons, enter Ukraine from Russia. A demarcated border with Russia has therefore importance not only for Ukraine, but for a soon-to-be expanded EU. Support for the demarcation of Ukraine's eastern border and improving security on it came during a June meeting between Prime Minister Anatoliy Kinakh and the EU's Security Chief, Xavier Solana, who has promised EU funds for improving security on the Russian-Ukrainian border. Obviously though, funds can only be provided if the border is demarcated, and to date Russia shows no sign of softening its opposition to doing so.

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