

UKRAINE'S FOREIGN POLICY AUDIT

T TRUMAN

INDEX OF RELATIONS

OCTOBER-DECEMBER / 2016

№ 2





To our colleagues, partners and friends!

We are pleased to announce the publication of the second issue of “Index of Relations,” with in-depth analyses of Ukraine’s current relations in four key foreign policy areas: the EU, the US, the Russian Federation, and China.

To establish the index, every foreign policy event, whether a high-profile public statement, meeting, agreement or decision, is given a “plus” or a “minus,” depending on whether it had a positive or negative impact on bilateral relations. The total points for each of these events establish the index of relations in that area.

Over October-December 2016, Ukraine and its partners concluded the year on a relatively positive note, despite the high degree of uncertainty in terms of Russia’s actions towards Ukraine and in the US election, which unexpectedly ended in a victory for Donald Trump.

Processes in Ukraine-EU relations picked up pace: the European Union has rightly taken its place as Ukraine’s top partner. Despite Russia’s growing influence on the EU energy market, Ukraine continues to be in focus in EU energy policy. In 2017, comprehensive reforms in the power industry will be one of the key areas in which the EU and Ukraine will collaborate. During the previous quarter, the usual lull took place in the policy cycle due to the vacation period in Brussels and across Europe.

For this same reason, relations between Ukraine and the US also entered a kind of animated suspension, reinforced by a lame-duck presidency as the Obama Administration wound down. Since the election ended, Ukraine-US relations have ceased to exist in any classical sense, leaving only the same expectations of the incoming Trump Administration: that the US will help Ukraine defend itself.

Russia continued to be the negative leader in relations with Ukraine and even the actual number of points that events during this quarter received remains as low as it was during the previous quarter. What distinguished the fall-winter season was that Russia came up mostly in the context of domestic scandals in Ukraine, rather than foreign policy events.

In relations with China, the late months of 2016 saw a surge in economic ties. A major milestone was the acquisition of a 99.9% stake in the Ukrainian Bank for Reconstruction and Development by a Chinese company, which will be significant in China’s future operations in Ukraine and on EU markets. Cooperation in other areas also kept pace: nuclear energy, financial assistance, and culture and the arts.

Our special topic in this second issue of “Index of Relations” is a review of possible developments in the energy sector over the winter of 2016-17. The authors write that the ‘weaponization’ of energy by Russia is playing a major role in how Ukraine is perceived as a partner in Europe and elsewhere in the world. This makes it extremely important for Ukraine to put serious effort into offering solid arguments to its western partners to persuade them that (1) Ukraine is quite capable of undertaking successful reforms and remains a key partner in the gas sector and (2) this requires additional financial and political support for the country.

Overall, 2017 will require that Ukrainians take more initiative to effectively persuade their foreign partners that supporting Ukraine offers their countries considerable added value.

Cordially,
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RESEARCH METHODOLOGY

The publication “Ukraine’s Foreign Policy Audit. Index of Relations” is based on the monitoring and analysis of the events in the foreign policy of Ukraine by key areas: the EU, the US, the Russian Federation and the People’s Republic of China. The document is issued regularly, at least once every four months, to monitor the dynamics in the developments. In addition to the permanent areas, the expert group will provide an analysis of a special topic, i.e. the most important event, issue or trend for the reporting period. Besides by the experts’ observations, an important component of the research is exclusive interviews with Ukrainian officials responsible for certain areas in the foreign policy, Ukrainian and foreign diplomats. Furthermore, the document is based on numerous discussions with foreign opinion leaders and officials.

The report presents an analysis of foreign political events in Ukraine in each area, as well as that of the partner country’s (region’s) approaches to Ukraine within the period under research. The document discloses the context of the events and provides the assessment of factors that affect the country’s reputation. A forecast of the developments is made based on the facts presented.

Along with the qualitative analysis, the researchers have performed a quantitative analysis, assessing each area on a ten-grade scale.

Step criteria (0.5 points each):

- Discussion
- Agreement
- Document signing
- Implementation commencement
- Finance allocation
- Political support
- Headline-making public statements
- Partial implementation of agreements
- New initiatives
- Full implementation of agreements.

A “minus” will be applied to the score if the criteria assessment is negative.

Total score for the area is the sum of points for the criteria, which characterize the area within the reporting period.

The expert group takes the BISS ¹ methodology as the basis: they have developed a clear scale for foreign policy events assessment.

Event assessment scale:

- Economic and political integration, entry of agreements for more intensive cooperation into force – **7-10 points**
- Signature/ratification of an important agreement (on cooperation, trade, tariffs etc., signature of agreements on integration), provision of loans or economic aid – **4-6 points**
- Official visits at the ministerial level (key ministers: Foreign Affairs, Interior, Defence, Economy and Finance), negotiations on the conclusion of agreements, Top level (President or Prime Minister) official visit by any of the parties – **1-3 points**
- Positive statements made by the key politicians of the state and by the Ministry of Foreign Affairs on the foreign policy direction, parliamentary resolutions – **1-2 points**
- Official visit at the vice minister (or non-key minister) level, a visit of a parliamentary delegation, exhibitions, business forums, national culture days, important diplomatic contacts and negotiations – **1 point**
- Negative statements made by the key politicians of the state and by the Ministry of Foreign Affairs on the foreign policy direction, parliamentary resolutions – **minus 1-2 points**
- Delays in agreement ratifications, denial of invitations to events, denial of support at the international level – **minus 2-4 points**
- Breach of an agreement or mutual obligations – **minus 3 points**
- Trade wars, antidumping investigations, boycott of goods, embargos, expulsion of diplomats, recall of ambassadors – **minus 4-6 points**
- Severing of diplomatic relations, provocations or hostilities – **minus 7-10 points.**

¹ BISS (Belarusian Institute for Strategic Studies). Source: <http://belinstitute.eu/ru/tags/индекс>

UKRAINE – EUROPEAN UNION RELATIONS

October-December 2016

Positive points: +75

Negative points: -10

Total Index: +65

SUMMARY

The last quarter of 2016 brought few significant changes in relations between Ukraine and the European Union. The main focus remained on deepening relations on existing bilateral issues. Visa liberalization was the central element in public discourse in relations between Kyiv and Brussels, and, despite earlier expectations, did not happen in 2016. However, there is a more-or-less clear calendar for the ongoing process. Also, the ratification of the Association Agreement saw some progress with the adoption of the EU Council's Conclusions after a joint agreement with Ukraine. The EU Council conclusions accommodated the fears and myths expressed by some Dutch voters to reassure them that the AA does not offer candidate status or security guarantees.

Where Ukraine has been anxious about the delay in visa liberalization and the ratification of the Association Agreement, the EU has been concerned with the ban on timber exports and a series of reforms that has been moving slower than initially anticipated. Among the main issues are restructuring Naftogaz and adopting laws related to the electricity market. Additional issues include ensuring the full independence and functionality of anti-corruption agencies, which means firstly granting the National Anti-Corruption Bureau of Ukraine the power to wiretap, and appointing a fifth member to the National Corruption Prevention Agency. Of special concern is amending legislation that permits the post-elections exclusion of elected candidates and ending the long delay in appointing 12 new members to the Central Election Commission.

**Events in Ukraine-EU relations
(October-December 2016). Point-based evaluation**

Date	Event	Points
October 5	Ukraine becomes associate member of European Organization for Nuclear Research.	+2
October 13	President Poroshenko signs Law "On the ratification of the Agreement between Ukraine and the European Atomic Energy Community on scientific and technological cooperation and Ukraine's association with Euratom research and training program (2014-2018)."	+2
October 19	Normandy Format meeting on Minsk implementation takes place in Berlin	+2
	EU-Ukraine high-level political consultations take place in Brussels, with Ukrainian President Petro Poroshenko, European Council President Donald Tusk, European Commission President Jean-Claude Juncker, European Parliament President Martin Schulz, and members of European Commission.	+2
	Verkhovna Rada addresses EU Member States, European Parliament, Government and Parliament of Netherlands to complete process of ratifying Ukraine-EU Association Agreement.	-2
October 28	European Commission agrees to allow Gazprom to increase gas pumping capacity in OPAL pipeline, which connects Nord Stream with Central and Western European system.	-2
November 10	Ukraine signs European Social Security Code.	+2
November 11	Agreement is signed under which European Investment Bank will provide €200mn to improve public transport infrastructure in 20 cities of Ukraine.	+5
November 16	Verkhovna Rada adopts an appeal to governments of EU Member States, European Parliament and Council urging visa liberalization by end of 2016.	-2
November 17	Position on simultaneous entry into force of suspension mechanism with visa liberalization for Ukraine is adopted.	+2
November 24	EU-Ukraine Summit	+3
	Agreement on allocating €15mn from EU and €1mn from Government of Denmark to implement EU Anti-Corruption Initiative in Ukraine	+4
	Updated Memorandum of Understanding on energy partnership is signed between Ukraine and European Commission.	+3
November 25	EU increases support for the OSCE Special Monitoring Mission (SMM) by an additional €5mn.	+4
December 1	Ukrainian delegation visits Brussels to discuss cooperation between the European Defense Agency and Ukraine's Ministry of Defense.	+3
December 2	Joint Statement by Presidents of Ukraine and Poland on European Commission decision regarding OPAL pipeline	-2
December 5	EU Delegation in Ukraine issues statement on EU position on ban on unprocessed timber exports.	-2
December 7	Verkhovna Rada Committee on Fuel and Energy Complex, Nuclear Policy and Nuclear Safety supports setting up an energy efficiency fund.	+2
	European Parliament and Council agree on suspension mechanism, bringing Ukraine closer to EU visa liberalization.	+3
December 9	Trilateral EU-Ukraine-Russia energy consultations	+1
December 13	Association Implementation Report on Ukraine is published.	+2
December 15	European Council Decision on Ukraine Association Agreement	+3
December 16	Dutch Government passes bill required for the Ukraine-EU Association Agreement to be ratified by its Parliament.	+2
December 19	EU Council extends economic sanctions against certain sectors of the Russian economy until July 31, 2017.	+5
	Ukraine and European Commission sign agreement on financing joint cross-border cooperation programs for 2014-2020 under ENP framework, including "Ukraine-Romania," "Ukraine-Hungary-Slovakia-Romania," "Ukraine-Poland-Belarus" and "Black Sea." Total budget: €365mn	+4
	Memorandum of Understanding is signed between Government of Ukraine and European Investment Bank (EIB)	+4
	Agreement on EU funding for administrative reform in Ukraine is signed. Overall budget: €104mn	+4
	High-level conference on EU-Ukraine Strategic Energy Partnership	+3
	Ukraine and EU hold third meeting of Association Council in Brussels.	+3
December 27	European Court of Justice suspended the decision that granted Gazprom access to up to 80% capacity of Opal.	+1
	Ukraine received the second tranche of the EU financial aid amounting to €55mn in accordance with the agreement between Ukraine and European Commission signed in 2014.	+4

UKRAINE-US RELATIONS

October-December 2016

Positive points: 28

Negative points: -6

Total Index: +22

SUMMARY

Ukrainian-American relations, in their classical sense, ceased to exist after the Nov. 9, 2016 Presidential election in the US. All there is right now is relations with the Obama Administration and relations between Ukraine and US president-elect Donald Trump. Different backgrounds, different approaches, different atmospheres... only Ukraine's expectations remain the same: if the United States cannot help defend Ukraine, then at least they will systematically help Ukraine defend itself.

Ukraine had finally managed to properly understand the logic of Obama's America and worked out a mechanism for partnering with it when the country found itself faced with a huge unknown in the form of Trump's America and its future approach to Ukraine. Significantly, world opinion about the possible consequences of a Trump presidency is much more dramatic than opinion in Ukraine itself. In Ukraine's government offices, Trump's election was a surprise but not a knockdown that might have forced them to leave the diplomatic ring temporarily and take up Ukraine's favorite holding position: "It'll work out somehow." Instead, the Poroshenko Administration clearly wants to establish contact with the incoming US Administration. It was obvious that even Kyiv was busy kicking around ideas about its American rather than completely delegating this to its embassy in Washington. However it might have criticized the Obama Administration, Ukraine is not ready to give up the level of relations that it had with the US over the last three years.

The biggest challenge facing Ukraine today in relations with the US is to persuade the Trump Administration and America as a whole that Ukraine is not a complete mess but an opportunity and a good place for American investment in the broadest sense of the word: politically, financially and security-wise.

Ukraine's success in relations with a Trump presidency will depend on how effectively Kyiv is able to formulate and persuade the new Administration of two key issues:

- What added value can Ukraine bring to the US?
- How much does supporting an independent Ukraine coincide with US interests?

Events in Ukraine-US relations (October-December 2016). Point-based evaluation

Date	Event	Points
October 6	US Ambassador to Ukraine Marie Yovanovitch notes that the US is monitoring attempts to restrict the independence of NABU in investigating corrupt activities and give the PGO the opportunity to determine the order in which criminal cases are handled.	-1
October 18	The US launches the Antares OA5 rocket, which is manufactured by a series of international companies under the direction of Orbital Science Corporation (US). The first stage of the launch vehicle was developed in Ukraine.	+3
October 25	President Poroshenko and Vice President Biden talk over the phone. Biden is updated on the progress of the Normandy talks in Berlin and the need to actively engage the American side in implementing the Minsk Accords is underscored. The American report on this conversation notes the importance of de-escalating and the need to continue to withdraw forces from the line of contact, as well as the need to support sanctions against the RF until the Minsk Accords are fully implemented.	+1
November 2	The US State Department gives high marks to the e-declaration campaign in Ukraine and calls for those who have used public office to enrich themselves to be brought to justice.	+1
November 9	Donald Trump wins the US presidential election. This raises concerns in Ukraine about Washington's further steps in bilateral relations and on issues related to the Russian-Ukrainian conflict because of Trump's contradictory statements during his campaign.	-3
	US Ambassador to Ukraine Marie Yovanovitch announces that the US will continue support Ukraine regardless of who is president and the US will remain a powerful partner. This is primarily confirmed in bipartisan Congressional consensus on the need to support Ukraine.	+1
November 14	The US Treasury institutes sanctions against 6 members of the State Duma of the Russian Federation from Crimea.	+2
November 15	President Poroshenko holds a telephone conversation with US President-elect Donald Trump. According to the Ukrainian side, the two agreed to continue their contact and, among others, hold bilateral meetings.	+3
November 16	President Poroshenko holds a telephone conversation with outgoing US Vice President Joseph Biden. They discuss regional security and bilateral relations after the presidential election in the US. The need to coordinate actions until Russia completely complies with the Minsk Accords and to maintain the sanctions policy until Ukraine's sovereignty and territorial integrity are completely restored.	+1
November 17	During a joint press conference, Barack Obama and Angela Merkel confirm that sanctions against Russia will remain in place until the RF complies fully with the Minsk Accords and that Ukraine has the right to freely determine its own destiny.	+1
December 3	The Trump team announces that he will nominate retired USMC Gen. James Mattis for Secretary of Defense. In May 2015, Mattis spoke at the Heritage Foundation about the need for the US to respond to the Russian Federation's actions in Ukraine.	+1
	Ukraine and US fully agree to plans for holding the Sea Breeze 2017 multinational military exercises.	+1
December 3, 8, 23	The US Congress, starting with the House of Representatives and then the Senate, approves a bill with the 2017 defense budget and President Obama signs it into law. Accordingly, Ukraine will get US \$350mn to increase its defense capabilities in 2017.	+4
December 9	27 US senators from both parties write an open letter to President-elect Donald Trump calling on him to strengthen America's political, economic and military support for Ukraine, including lethal defensive weapons, as well as to not acknowledge the illegal annexation of Crimea by Russia and to maintain sanctions against the RF until key provisions in the Minsk Accords have been fully implemented.	+2
December 13	Word comes that Donald Trump plans to nominate ExxonMobil CEO Rex Tillerson for Secretary of State. In 2014, Tillerson spoke against US sanctions against Russia.	-2
December 16	President Poroshenko held a telephone conversation with outgoing US Vice President Biden, who supported Poroshenko's humanitarian initiative to release 15 held individuals as a way of unblocking the prisoner exchange process.	+1
December 20	The US extends sanctions to an additional 7 individuals and 23 companies as being linked to Russia's aggression against Ukraine.	+3
December 31	A delegation of US senators visits Ukraine.	+3

UKRAINE-RUSSIAN FEDERATION RELATIONS

October-December 2016

Positive points: +7

Negative points: -39

Total Index: -32

SUMMARY

This area of Ukraine's foreign relations picked up considerable pace over October-December 2016, although not always in relation to foreign policy. In fact, Russia began to make itself felt more and more in domestic scandals: rumors began to circulate that Moscow was preparing a special operation to destabilize Ukraine. Whether because the actual plans were revealed or possibly fabricated documents about such plans were, the operation collapsed before ever getting off the ground. The first phase was supposed to be mass protests but they failed to materialize.

This does not at all mean that Russia's role in domestic political matters remains marginal. Information sources both in Russia and Ukraine, especially in that segment associated with pro-Russian political forces, have been widely publishing articles primarily targeting President Petro Poroshenko. Vladimir Putin himself decided to hit his Ukrainian counterpart in his Achilles' heel. It seems that the informational tidbits tossed during the reporting period may have just been practice for more serious special ops.

The armed conflict in eastern Ukraine intensified at the end of 2016. Neither the Normandy talks nor the latest agreement about a ceasefire after December 24 has made any difference. Most likely this state of "neither peace, nor war" will continue in this year, given that Vladimir Putin seems to have gone into waiting mode. Initially, Moscow is likely to try to come to some arrangement with Washington, then with Paris. Russia is nurturing some expectations for a change in Germany's leadership as well.

Meanwhile, 2017 could be a kind of a 'Judgment year' in relations between Ukraine and Russia. In the first few months, the Stockholm court is expected to hand down its ruling in the gas dispute between the two countries. More verdicts and lawsuits follow that could potentially deal a blow to Russia's reputation and finances alike

Events in Ukraine-Russia relations (October-December 2016). Point-based evaluation

Date	Event	Points
October 12	PACE passes two resolutions on Ukraine labeling Russia's actions in Ukraine as "aggression." The resolution includes a demand that Russia withdraw its forces from Donbas.	-1
October 16	Arsen "Motorola" Pavlov is killed.	-1
October 17	President Poroshenko signs a decree extending sanctions against Russia for another 12 months.	-4
October 19	A meeting of heads of state in the Normandy format takes place in Berlin. A decision is made to complete by the end of November a roadmap for implementing the Minsk Accords.	+2
October 26	Ukraine's Foreign Ministry issues a protest over the latest visit by Vladimir Putin to Crimea without Kyiv's agreement.	-1
October 27	Putin declares his support for Ukraine's initiative to set up an OSCE police mission in Donbas.	+1
November 8	Poroshenko blames Russia of using hybrid methods to steal history" when a monument to Volodymyr Velykiy (the Great) is installed on Red Square in Moscow.	-1
November 11	The SBU announces that Russia is planning to destabilize the internal situation in Ukraine through Operation Shatun.	-2
November 14	The prosecutor of the International Criminal Court compared the occupation of Crimea to an international conflict between Ukraine and Russia.	-2
November 16	Putin signed an order to withdraw Russia from the Statutes of Rome and the International Criminal Court.	-2
November 17	The OSCE SMM reported about a record number of exchanges of fire in Donbas since the beginning of 2016.	-7
November 29	A meeting of FMs in the Normandy format takes place in Minsk. No road map is approved.	-2
December 1	Military exercises near occupied Crimea cause a hostile reaction from Russia.	-2
December 7	Representatives of ORDiLO and Russia meet in Minsk with Ukrainian MP Nadia Savchenko regarding the release of hostages. Ukraine's official negotiators expressed anger at the parallel talks with Russia.	-1
December 14	NSC Secretary Oleksandr Turchynov reports about a massive Russian cyber attack against the internet resources of Ukrainian government agencies.	-1
December 15	Ukraine decides unilaterally to release 15 individuals who were arrested and sentenced in Ukraine in order to revive the prisoner exchange process.	+2
December 18	The battle of the Svitlodarsk Bulge begins.	-7
December 19	The UN passes a resolution on the human rights situation in Crimea with the support of 70 members.	-2
December 21	Members of the Trilateral Contact Group in Minsk approve a ceasefire starting on Dec. 24.	+1
December 23	President Poroshenko calls on Russia to uphold the ceasefire agreement that is supposed to start at 00:00 on Dec. 24. He also calls for the release of all Ukrainian hostages.	+1
December 24	Режим тиші було порушено бойовиками вже через 25 хвилин після опівночі. У цілому за цей день позиції Збройних сил України були обстріляні 28 разів	-3

UKRAINE-PEOPLE'S REPUBLIC OF CHINA RELATIONS

October-December 2016

Positive points: +26

Negative points: -1

Total Index: +25

SUMMARY

Ukrainian-Chinese relations continued to develop in terms of bilateral economic ties during the final quarter of 2016. Nearly all the events during these three months were related to trade and investment, and suggest the directions in which cooperation between the two countries will continue, especially in energy.

One significant event in bilateral political relations was the participation of First Lady Maryna Poroshenko and top Ukrainian officials in the First Ukraine Silk Road Forum on November 7. Speeches by Ms. Poroshenko, Deputy Premier Ghennadiy Zubko and First Deputy Speaker of the Verkhovna Rada Iryna Herashchenko were important signals of how China is looming larger in Ukraine's foreign policy priorities. On the other hand, at lower levels of Ukrainian officialdom, China remains "distant and incomprehensible" and, therefore, uninteresting. The average Ukrainian official still has little interest in knowing about China and the state of Ukrainian-Chinese cooperation in any sphere, and this is the main obstacle to expanding bilateral cooperation.

A definite milestone in trade relations between Ukraine and China was the acquisition of a 99.9% stake in the Ukrainian Bank for Reconstruction and Development by a Chinese company called Bohai Commodity Exchange Co., Ltd. through a State Property Fund auction. This purchase is significant strategically for China to enter the European market and for potential projects in Ukraine in such key sectors as farming, machine-building and infrastructure. Moreover, a Ukrainian bank could be interesting for China both as an investment and as an instrument for servicing the operations of its own corporations in Ukraine.

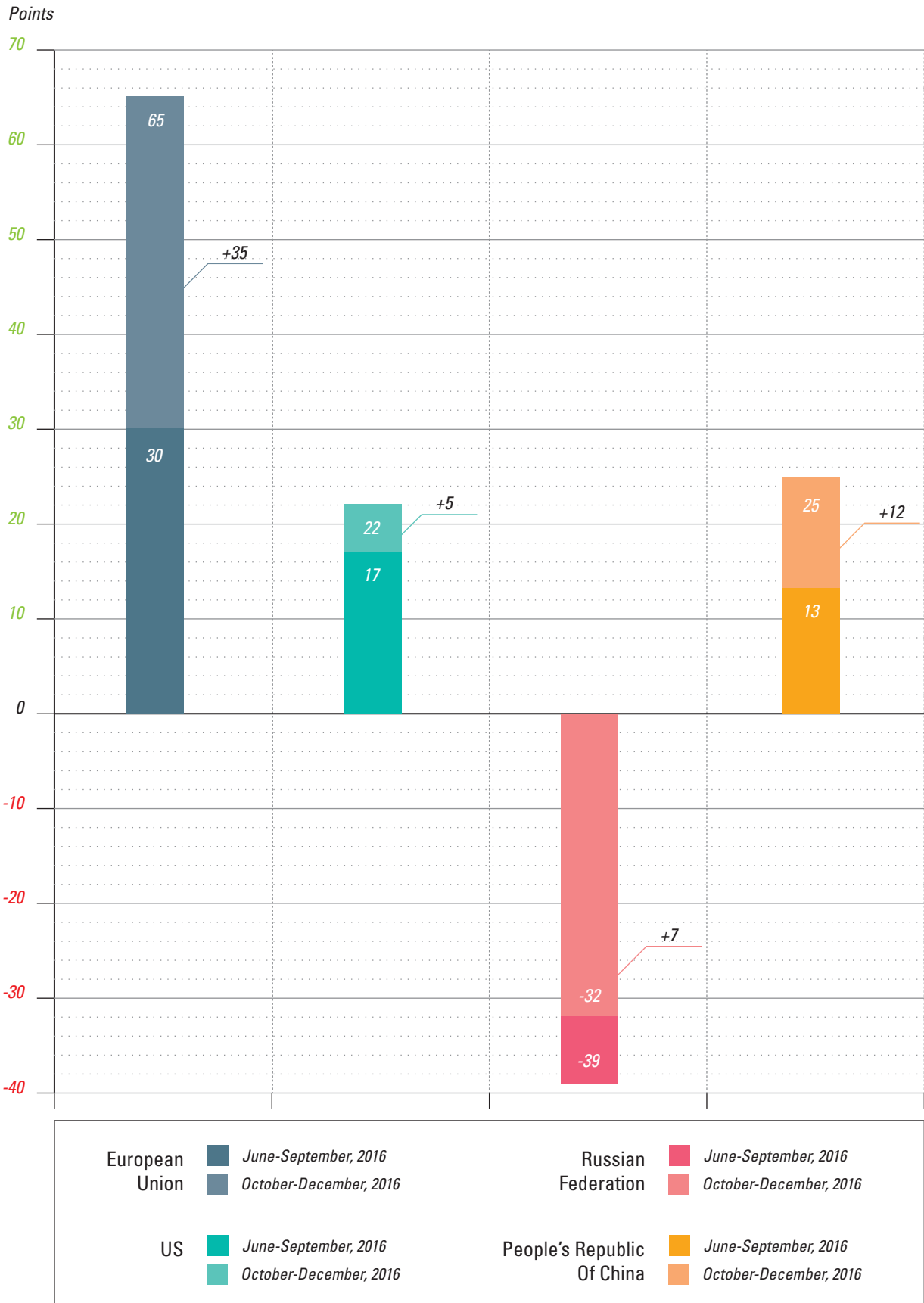
Another area in which relations have been expanding has been in material assistance to Ukrainian agencies. Over the course of this quarter, the Chinese Ambassador in Ukraine, Du Wei, signed two agreements on behalf of the Government of China with the Government of Ukraine to provide the country with 50 free ambulances and special rescue equipment. This is not merely a gesture of friendship on the part of China, but also an indication of growing support for Ukraine in its struggle for sovereignty and territorial integrity. The rescue equipment China is providing goes to the Ministry of Internal Affairs, which is directly involved in running the ATO in eastern Ukraine, where provocations on the part of Russia continue in Donbas to this day.

Sino-Ukrainian cooperation in humanitarian areas has also picked up through charitable activities and the enthusiasm of artists in both countries, testifying to the perpetuation of traditionally friendly relations between the two nations.

**Events in Ukraine-China relations
(October-December 2016). Point-based evaluation**

Date	Event	Points
October 12	Institute of World Policy presents an audit of Ukraine-China relations.	+2
October 14	Management of Ukrainski Novyny, a news agency, meets with a delegation of Chinese media: Xinhua News Agency, Guangming Daily, Jilin News and Liaoning Radio.	+1
October 21	Chinese Government donates 50 ambulances with medical equipment to Ukraine.	+2
	Chinese arts delegation meets with Ukraine's second president, Leonid Kuchma.	+1
October 25	Andriy Pavelko, MP and president of the Ukrainian Football Federation, meets with Zhang Jian, vice president of the Chinese Football Association.	+0,5
October 24-28	Officials from the China National Nuclear Power Co. Ltd. visit the main office of NAEK Energoatom and the Khmelnytskyi AES.	+1
November 1	The Ukraina Foundation holds the presentation of a Ukrainian-Chinese cultural exchange program for youth with the participation of Leonid Kuchma, Ukraine's second president.	+1
	Infrastructure Minister Volodymyr Omelyan announces that Chinese investors are interested in a concession to build roadways in Ukraine.	+0,5
November 1-6	The Antonov company presents its current programs at the international aerospace salon China Air Show 2016 in Zhuhai.	+1
November 6	Ukraine's First Lady and President of the M. Poroshenko Charitable Foundation, Maryna Poroshenko, and Liu Jianjun, president of the Silk Road Chamber of International Commerce, sign a grant agreement to develop an inclusive educational environment in Ukraine.	+1
November 7	The first International 2016 Ukraine Silk Road Forum takes place.	+3
November 16-18	A Ukrainian delegation headed by Petro Poroshenko Bloc faction leader MP Ihor Hryniv participates in the Third World Internet Conference (WIC) in Wuzhen in the province of Zhejiang.	+1
	The National Association of Sugar Producers participates in one of the biggest food exhibitions in the Asia region, ANUFOOD China 2016.	+1
November 17	The Kyiv Institute of International Relations holds a roundtable called "Ukrainian-Chinese Relations in the Framework of the One Belt, One Road (OBOR) Concept, its History, Reality and Prospects: An assessment by Chinese experts."	+1
	An official from Ukraine's Foreign Ministry makes a hostile speech at a roundtable organized by the Kyiv Institute of International Relations and called "Ukrainian-Chinese Relations in the Framework of the One Belt, One Road (OBOR) Concept."	-1
November 21	GCL System Integration Technology and China National Complete Engineering, two Chinese companies, announce that they plan to construct a solar energy station in the 30-kilometer Chornobyl exclusion zone.	+0,5
November 22	China announces that it's prepared to buy sugar produces, pork and oil in Ukraine.	+0,5
November 30	The State Property Fund sells a 99.9% stake in the Ukrainian Bank for Reconstruction and Development to the China-based Bohai Commodity Exchange Co., Ltd.	+3
December 4	Volodymyr Lapa, director of the State Consumer Service of Ukraine, holds a working meeting with Liu Jun, trade and economic counsellor at the Chinese Embassy in Ukraine.	+1
December 9	Officials representing Hubei Province and the city of Yichang visit the Ministry of Energy of Coal.	+0,5
December 16	The Chinese Government transfers emergency rescue equipment to Ukraine.	+2
December 22	Minister of Energy and Coal Ihor Nasalyk announces that a Chinese company is participating in a tender to build a nuclear fuel plant in Ukraine.	+0,5
	Kyiv Mayor Vitaliy Klitschko and China Road & Bridge Corporation Vice President Du Fei sign a Memorandum of Cooperation.	+1

INDEX OF RELATIONS



SPECIAL THEME

WINTER 2016-17: THE ENERGY DIMENSION

January 2006 and 2009 made headlines thanks to two gas wars between Russia and Ukraine. They were a signal that Russia's energy policy had begun to weaponize energy—and revealed Ukraine's vulnerability to the Russian Federation's using gas as a weapon. Today, this is seen as Russia's effective use of non-military instruments in new generation wars. The preparations for this went basically unnoticed by the outside world. Both gas wars were started and controlled by the Kremlin with the purpose of increasing Ukraine's energy dependence on the RF, thereby increasing its economic and political dependence as well. It also demonstrated to Europe the need to undertake its own projects because Ukraine was being made to look like an unreliable transit link.

Ukraine's GTS and UGS were and remain a key element in ensuring the uninterrupted delivery of natural gas to Europe. Despite the many years of systematic accusations by the Russian Federation that gas has been stolen or disappeared on Ukrainian territory, there has been no legal confirmation of such incidents, notwithstanding countless attempts by Gazprom to present these accusations as proven facts.

Every heating season in the last decade has been used as a means to discredit Ukraine through deliberate propaganda campaigns that underpin Gazprom's provocative technical manipulations and Russian media speculation in the European Union. This kind of propaganda has been one of the factors that fostered the building of Nord Stream 1 and continues to be used to promote its second branch and undermine Ukraine's efforts to reform its national gas market.

The most obvious proof of Ukraine's reliability as a transit link to the EU is that it has maintained uninterrupted delivery of gas despite an armed conflict with Russia and the unprecedented economic and political crises of 2014.

Ukraine can easily continue successful reforms and remain an important partner in the gas sector. However, this requires further financial and political support from the EU. And here the European Commission has done the opposite by granting Russia greater access to the OPAL pipeline—a move that has been properly assessed as a violation of bilateral commitments in the Association Agreement between Ukraine and the EU, specifically Art. 274.

Meanwhile, Russia continues to make use of all possible political, economic and informational instruments to cause Ukraine harm, specifically by: violating the technical conditions for the GTS to operate properly by reducing volumes and pressure on incoming gas; harming Ukraine economically by cutting into its income from transit; and damaging political dialog with the EU by continuing to foster negative actions or inaction in Brussels.

UKRAINE-US RELATIONS

October-December 2016

Positive points: 28

Negative points: -6

Total Index: +22

TIMELINE

Obama's America: What legacy is being handed over to the 45th US president?

Relations between Ukraine and the US went into transition mode even before the current election in the US. At some point, Kyiv's decision-makers understood that there were issues that the Obama Administration would simply not consider, such as a defense agreement between Ukraine and the US and the provision of lethal weapons. And so these issues were deliberately set aside for negotiations with the future US president, which Kyiv had thought would be Hillary Clinton.

Similarly, long before the election it also became clear that the Obama Administration was unlikely to make any major last-minute decisions in favor of Ukraine in the last days of his residence in the White House. Ukraine was not even in the running as a success story for Barack Obama personally and the White House was not prepared to seriously invest in either of its two priority policy tracks with regard to Ukraine: fostering domestic reforms and halting Russia's aggression. This was in marked contrast to, say, Joe Biden, who was pretty clear that he wanted to turn "Biden's pet project," as Ukraine was called in his circles, into a Biden success story as Vice President of the US.

What legacy did the Obama Administration, then, leave in each of the components of the US-Ukraine partnership, and which of them is it critically important to maintain under a Trump Administration?

First, there's restraining Russia's aggression. Despite the many critical assessments of the Obama Administration's policies in relation to Ukraine, the issue is where Obama's America has demonstrated really worthy leadership and consistency. There's the matter of sanctions against Russia and the ability to coordinate them at the international level, especially with the EU and the G7. Until his last month in the White House, Barack Obama clearly maintained his sanction-based approach both in terms of the strict tie between sanctions and the full implementation of the Minsk Accords and of a steady expansion of the sanction list. In the last quarter alone, the US three times expanded the sanction list against Russia, twice directly linked to Russia's aggression in Ukraine. Under a Trump presidency, maintaining sanctions against Russia for its aggression against Ukraine will likely become an open question. Most American experts and government officials agree that the new administration will be prepared to review the sanctions against Russia

as it does not see any specific added value in terms of changing Vladimir Putin's behavior. Instead, the Trump team is actively promulgating the argument that sanctions have only strengthened Putin's hand at home instead of changing his approach to Ukraine. In Trump circles, the preferred approach to lifting sanctions is not to tie them to the complete implementation of Minsk, but to phase them out gradually as a reward for each component that is implemented—an approach that is also favored among some EU members.

In Ukraine, fears that, in the last half-year of office, the Obama Administration would try to move towards a political solution to the Donbas situation in line with the Minsk Accords were needless. Ukraine's American partners reassured Kyiv that the US would not demand that Ukraine fulfill Minsk against its own interests and that it was not a matter of principle for the US to resolve the conflict by the end of President Obama's term, although these reassurances were somewhat skeptically received in the Ukrainian capital. The Poroshenko Administration still remembered the pressure put on Ukraine earlier by Assistant SecState Victoria Nuland and especially during talks between Poroshenko and Vice President Biden in New York last September.

In the last months of his presidency, Obama had US diplomats work on two objectives with regard to the Minsk Accords, neither of which involved pressuring Ukraine to carry out the political components. In fact, the point was to ensure that Ukraine was not accused of disrupting the Minsk process, in particular for violating the process of pulling back forces and provoking a humanitarian catastrophe in Donbas by, for instance, interfering in the water supply. American diplomats are convinced that Minsk will work in Ukraine's favor if the country manages to demonstrate on an ongoing basis that it is a pro-active, constructive participant in the negotiations. All told, the United States has made it clear on more than one occasion that its priority is to prevent new escalation in Donbas, rather than a permanent resolution of the conflict. It was already clear in 2015 that the US was mentally prepared for occupied Donbas to become a frozen conflict.

By the end of Barack Obama's second term, Ukraine and the US had established a very comfortable mechanism for cooperating on security issues. Ukraine's Defense Ministry and General Headquarters note that the level of intense cooperation with the Americans is greater than

with any other country. The hopes that there would be real, hands-on cooperation with NATO ended up being realized on a bilateral basis with the US instead. Moreover, the US delegated as an advisor to the Ukrainian defense agency legendary General John P. Abizaid, US Army (ret.), who has been able to visit Kyiv several times already and about whom only positive feedback has been forthcoming. According to available information, the Defense Ministry initially wanted Gen. Philip Breedlove to be their advisor, but certain restrictions on taking on such a function immediately after ending his term as head of the US European Command and the 17th Supreme Allied Commander Europe of NATO, this option was discarded and Abizaid was proposed instead. Insiders say that Gen. Abizaid is still studying the situation, among others by visiting the ATO zone, and has not been offering specific advice so far. Moreover, he warned from the start that Ukrainians themselves would have to eventually decide which of his advice was worth following and which was not.

The impression is that Kyiv only began to appreciate the consultative and advisory assistance provided by the US this last year: prior to that, the focus was only military aid. In addition to 350 instructors at the Yavoriv base who have been training the Ukrainian army, there have also been American advisors who helped in drafting doctrinal documents. Importantly, this is precisely about consultative assistance from the US, as positive feedback about NATO advisors has been the exception rather than the rule. A four-star general like Abizaid, about whom Clint Eastwood even made a film, could become an important voice in support of Ukraine—especially given that Donald Trump admires the legendary soldier enormously

For Ukraine, the critical point is that cooperation in security and defense must remain a priority for the new president. American insiders are generally predicting that security programs, including training and consultation, will remain in effect. Possibly such programs will be under greater scrutiny as to their results. Earlier, several members of the Trump team even mentioned the possibility that Ukraine would be sold some lethal weapons—but not given them.

But it's important for Kyiv that Ukraine continue to get military assistance. The Defense Ministry and General HQ are counting on more supplies of electronic weapons, communication systems, which are in tremendous need in order to establish a proper management system that is based on them, drones of different capacities, RLS for countering artillery attacks, and medical rehabilitation equipment. Ukraine could also use US assistance in building up its Navy fleet. Some steps in these various areas have already been taken at the Congressional and State Department levels.

For instance, Congressman Duncan Hunter (R), himself an ex-marine who visited the war zone in Ukraine in 2015, proposed that the foreign relations and armed forces committees in the House of Representatives consider a bill to provide Ukraine, among others, with equipment for electronic warfare to protect drones and monitoring sensors. The bill also provides assistance to Ukraine in

establishing its own anti-tank manufacturing and setting up training centers for special forces. Eight electronic surveillance towers equipped with radar and cameras that make it possible to observe that is happening at a distance of 64 kilometers, deep into the occupied territories, will be constructed under a contract approved by the State Department with Worldwide Aeros, a California company owned by Igor Pasternak, who is himself originally from Ukraine.

Another piece of good news was the US's official passing of the 2017 defense budget in which US \$350mn is allocated for assistance to Ukraine—US \$50mn more than in the previous budget because of the additional provision of means and technical support to develop an integrated system for monitoring the state border and assistance in training staff officers and senior military commanders in Ukraine's Armed Forces.

As to the second track of the Ukraine-US partnership, fostering reforms in Ukraine, especially the war on corruption, it's clear at this point that President Poroshenko was not able to come through with a pleasant surprise for the Obama Administration as a determined reformer. "In its current state, Ukraine needs a president who is capable of being a radical reformer, but Poroshenko, as we've seen, is not the man," a representative of the US government said about Petro Poroshenko in an off-the-record conversation. This pretty much reflects the dominant opinion in Washington.

Nor was Premier Volodymyr Groisman able to instill any special confidence in Washington: members of the American diplomatic corps and the Congress have shared what they have seen, in informal discussions: Groisman has clearly been given certain limits beyond which he can't take the reform process. At the same time, these officials say that they had hoped that he would not be so loyal to these limits and would be bolder in taking on reforms. "We understand that Groisman has a more difficult task in establishing himself as a reformer than did Yatseniuk because things have become tighter and the reforms that need to be undertaken now will be much more painful than those undertaken by Yatseniuk. It's not clear that Yatseniuk would have been any better as premier under the current circumstances, except that maybe his international PR would definitely have been better," some US government officials openly admitted in November 2016.

The replacement Prosecutor General, Yuriy Lutsenko, also failed to live up to the promise Americans were hoping for after giving him virtually complete carte-blanche in reforming the Prosecutor General's Office in summer 2016. In this case, the Americans painted themselves into a corner by personalizing the PGO with the notion "anybody but Shokin." It didn't work. They spent the lion's share of energy and time advocating powers for their pet project, the National Anti-Corruption Bureau of Ukraine (NABU), and getting the PGO to accept it. Even so, they haven't risked calling this a reform success story yet, given the unreasonable expectations of the scale of activity of this anti-corruption agency. It's not clear whether Biden meant it as a challenge or a plea, but at

a business forum in 2015, he said, “Put people in jail,” a call that completely matches the mood among ordinary Ukrainians, but failed to be heard by Ukraine’s leadership in 2015 and 2016.

There are other issues, too, that gave rise to concerns on the American side. Some of them, the Ukrainian side was clearly not prepared for. For instance, the Presidential Administration was surprised at the concerns expressed at a meeting between Administration officials and the new US Ambassador, Marie Yovanovitch, where she noted that the recent quotas for Ukrainian music on the radio interfered with free speech.

Arsen Avakov has attracted considerable interest. As one American diplomat said privately, “We understand that Avakov is #2 in Ukraine today in terms of influence.”

Still, Bill #5094, the STAND for Ukraine Act, did not reach its logical conclusion in these last months, that is, President Obama never did sign it into law so that the US president would not be allowed to recognize the annexation of Crimea and give Congress the go-ahead to lift sanctions. Bill #5094 in support of Ukraine now remains in committee in the US Senate. According to the latest information, Committee Chair Bob Corker (R), who was considered one of the candidates for the post of Secretary of State immediately after Donald Trump’s victory, took the position that the bill was premature and succeeded in quashing it. This means that, for the Bill to be passed in 2017, it will have to go through the entire process in Congress again, meaning pass the Senate and House of Representatives. Some say that ExxonMobil, whose former CEO, Rex Tillerson, was nominated for SecState by Trump, was actively lobbying against the bill, but Tillerson has denied this.

In spite of all this, it’s clear that the US Congress remains the strongest voice on Ukraine’s behalf. Even if STAND for Ukraine is not pass, other bills are likely to be presented to the Congress that also offer support to Ukraine and for the maintenance/institution of sanctions against Russia. There is already one comprehensive bill on the floor that is intended to provide for additional sanctions against Russia that was sponsored by well-known Democrat Senator Ben Cardin.

One important recent political signal was an appeal by 27 senators to the President-elect of the United States calling for him to increase its political, financial and security assistance to Ukraine. Significantly, more Democrat senators signed the letter than Republican ones, diffusing the stereotype that Republican Party in the Congress is the more pro-Ukrainian one. Effectively a continuation of this appeal was a regional tour that included Ukraine, initiated by Republican Senators John McCain and Lindsay Graham to confirm US support.

In the last months of the Obama Presidency, however, there was investment breakthrough in relations between Ukraine and the United States. For the US, the test case was supposed to be the privatization of the Odesa Port Plant (OPP), which turned into yet another reputational fiasco for Ukraine. Americans, who have shown serious interest in this asset for several years now, finally walked

away when they began to suspect that political games were going on around its sale and found out that OPP supposedly owed Dmytro Firtash something like US \$250mn. Nor should anyone be misled by an application from IBE Trade Corp of New York, whom some US businessmen call “not entirely American,” given that its owner, Alex Rovt, is originally from Mukachiv.

Ukraine failed to improve its investment appeal for American investors even with the personal involvement of US Secretary of Commerce Penny Pritzker, who apparently personally called the executives of several US companies to invite them to the Ukraine-US Business Forum. Even the most optimistic in American business circles say that Ukraine needs to concentrate on holding on to those investors who are already on its market and provide incentives for them to expand their investments, rather than worrying about attracting new ones. Given the country’s current problems, it’s a tall order to even get those investors who are already working on the Ukrainian market to get involved in new projects.

Trump’s America:

A choppy start to an unclear finish

Although the international press included Ukraine among active supporters of a Clinton win in the presidential election, the Poroshenko Administration continues to insist that Poroshenko himself never made any gesture indicating that he favored Hillary Clinton. Requests to meet with the President of Ukraine in New York in September were sent to both candidates, although the official explanation on the Ukrainian side about “conflicting schedules” was not taken at face value in the US.

In the heat of the campaign in the US, President Poroshenko did receive one close advisor of Trump’s, Newt Gingrich, and his wife. According to several Ukrainian diplomats, he also was very careful to maintain a balanced approach and to ignore provocative statements in the US press on this issue. His interview with Fareed Zakaria on CNN was a particularly good example of this.

Despite Ukrainian claims that Poroshenko distanced himself from the presidential race in the US, the biggest headline was the scandal involving the one-time Yanukovych and Trump consultant Paul Manafort who, according to some American sources, is convinced that the information implicating him in the Party of Region’s black book was leaked into the US press on behalf of the Democratic Party. No surprisingly, the minute Trump was elected president, the director of the National Anti-Corruption Bureau of Ukraine announced that its investigation into Manafort was being suspended. The issue became even more complicated when, after a pause, Manafort began to once again be seen in Trump’s circle. According to various American sources, he was even actively involved in discussions over various candidates in the incoming Administration. How much of a role he will play in forming Trump’s Ukraine policies remains an open question. Obviously, Ukraine will have a difficult time establishing a trusting dialogue with

the Trump Administration if Trump himself, under the influence of those he trusts most, has already been convinced and will consolidate the belief that Russia is the country that helped him become president, while Ukraine was the country that tried to get in his way.

Regardless of the Manafort factor and the absence of a meeting with Trump in New York, at the official level at least, Ukraine is not inclined to over-dramatize the situation and to see itself as the biggest loser in the world over the results of the US presidential election, as former Russian Ambassador Michael McFaul notably tweeted. There are a few reasons and explanations behind this.

First of all, the Poroshenko Administration was already disappointed with the Obama Administration's Ukraine policies. The very fact that Barack Obama was the first American President who never once found the time or need to visit Ukraine during his 8 years in office is probably said more than any number of declarations of support. This disillusionment with the outgoing Administration will undoubtedly be exploited by Ukrainian officials when they begin communicating with the incoming one. The belief that, had Obama reacted immediately to the attempt to annex Crimea, Russia's aggression would not have gone forward is something members of the Trump team have concurred with at meetings with their Ukrainian counterparts. According to some sources, even Vice President Biden hesitated about visiting Ukraine in the run-up to the inauguration of the new president. Apparently, he was concerned about complicating Ukraine's contacts with the new US Administration by demonstrating with his presence in Kyiv that Ukraine was the pet project of key members of the "old" one.

Secondly, both in Kyiv and partly in Washington there is a feeling that Donald Trump will, for a variety of reasons, not be especially active on the state of reforms and the progress of the battle with corruption in Ukraine as individual members of the outgoing Administration have been, and as a Clinton Administration would likely have been. This completely suits top officials in Kyiv, who would rather wrap their partnership with the US in a security blanket than anti-corruption armor. Still, it's not worth ignoring the fact that its inadequate approach to corruption could also become a convenient excuse for the Trump Administration to write Ukraine off its list of foreign policy priorities. It's also quite probable that the new US team will be more particular about any assistance provided to any country at taxpayer cost. This means that the Ukrainian Government should itself propose an audit of US aid in Ukraine, to show that the country is not prepared to waste a single cent of American assistance.

Thirdly, Kyiv seriously doubts that Donald Trump will, unlike his predecessor, be able to "reset" relations with Putin's Russia for long, although there is no question that in the early stages of his presidency Trump will likely try to do this and—equally likely—with out taking Ukraine's interests into account. Still, there is reason to believe that these restraining factors as bipartisan consensus in the Congress on support for Ukraine, varying positions within the Trump Administration, and the debate that has risen as a result of the intelligence community's investigations

will prevent the new US President from achieving a grand bargain in the Russian sense, unless Ukraine itself proposes or approves of it.

Trump's victory was as unexpected for Ukraine as for anyone else, but it seems to have given a new lease on life to Ukrainian politics in relation to the US. A series of brainstorming sessions were held at the highest level to determine the most effective way to establish relations with the new American Administration and independent analysis of the US became very much in demand. A roundtable dedicated to the Trump win was held in the Verkhovna Rada, although, admittedly, very few deputies attended. Finally, the beginnings of an action plan to get the US interested in Ukraine emerged: not to obligate, as it had been under President Obama, but to interest. Indeed, the desire to interest the new Administration is so strong that in places it's on the edge between "interesting" and "cajoling".

As posted on the US Department of Justice website, the Poroshenko Administration has even hired a lobbying firm in the US – BGR Group, founded by Haley Barbour, a governor of Mississippi and one-time chair of the Republican Party committee, at a monthly cost of US \$50,000 to, among others, strengthen ties between Ukraine and the US. Ukraine has long needed a serious lobbying firm in Washington to promote the country's interests as opposed to those of individual oligarchs. Recommendations to this effect were included in a study of Ukraine-US relations as part of a Foreign Policy Audit. It can only be hoped that the BGR Group will, in fact, promote state interests and not just those of President Poroshenko.

An action plan has been prepared at the highest level that outlines how relations with the new President and his team will be established and the proper signals transmitted. Official Kyiv's approach is pretty clear: a drop of water can hone a rock, so waiting, hands folded "until they surrender us" is not the answer. Ukraine's new foreign-policy pro-activeness towards the US can only be welcomed: it's simply a pity that it emerged only after the election of Donald Trump to the presidency.

In order to have any hope of influencing US policy towards Ukraine, all possible communication channels have been set in motion. One, for instance is between Vice Presidents Biden and Pence. During the transition period, Biden took advantage of the process of handing over his affairs to familiarize Pence with the situation in Ukraine and to somewhat emotionally inspire his successor regarding the Ukraine dossier. In diplomatic circles, rumors even went the rounds that Biden said something to the effect: "I won't visit Ukraine until I'm positive that my successor understands everything about Ukraine."

During the first six weeks after the election, key emissaries from Ukraine actually visited Trump Tower in New York and had an hour-and-a-half conversation with already-nominated Trump national security advisor, Gen. Michael Flynn. Reports were entirely positive: Flynn, who has been accused of very pro-Russian views after being photographed at an RT anniversary party at the same table

as Vladimir Putin and his commentary on this propaganda channel, seemed very please with his collocutor and left a better impression than is generally had of him in the US. One of Flynn's assistants at the meeting left an even more positive impression: she clearly was very well briefed and understood what was going on in Ukraine.

A conversation between Trump and Poroshenko also left a positive impression. Interestingly, Trump was prepared to talk with President Poroshenko the same day as he spoke with Vladimir Putin, Monday, November 14. But since Poroshenko was then in Sweden and wanted to be reassured that the call was really from Trump, after an earlier scandal with a call from "the President of Kyrgyzstan" who turned out to be a well-known Russian prankster, because Trump was calling from an ordinary cell number. So the conversation was postponed to the 15th. Three elements were demonstrative in the eventual conversation. Firstly, without any diplomatic formalities, Trump asked Poroshenko to tell him about the aggression. The important point there was that Russia's aggression was actually called aggression. Secondly, Trump asked what Obama had done to stop the aggression. Thirdly, as far as anyone knows, Trump never once brought up the subject of reforms and fighting corruption, which were the top priorities on the Ukraine agenda under the Obama Administration.

Still, there are many issues on which neither Kyiv nor Washington have an answer yet, issues that represent both risks and opportunities for the partnership, including

- How critically important in any reset with Russia the positions of other key members of the Administration will matter to the new President? Indeed, it's not even clear what the role of the State Department will be, whether it will have virtual carte-blanche in this region or will turn into an appendage of the National Security Council in foreign policy terms, as it de facto was under Obama.

- How might a good story about Ukraine be formulated and delivered to Washington, based, as US Ambassador to Ukraine Marie Yovanovitch recommends, on facts? How might a narrative be presented about Ukraine as a country that is worth American investment in the broadest sense: political, security and commercial investment that would then be worth defending?

- To what degree will the US under President Trump feel the need to increase its role in the process of resolving the situation in the Donbas? Kyiv is looking at the idea of inviting the new President to join the Normandy format, with the approval of the German Chancellor and the French President. So far there is no reason to think that Trump will be excited about this given that he has consistently—unlike his usual wont—insisted the Germany should handle the Ukraine question. The fact is that neither Germany nor France will be particularly focused on the Normandy format in 2017 because of their own elections, so the US President-elect could actually take on a leadership role in this area.

- What will be the conditions for further assistance to Ukraine? All American representatives are of one thought on this: any new US aid to Ukraine will have even more conditions attached to it than under the previous Administration. Funding in return for firing Shokin was only the start of this new approach.

And so, Ukraine's success in relations with Trump's America will come down to how effectively the country will be able to formulate two main points and persuade the new Administration:

- What added value can Ukraine offer the United States?
- To what extent does supporting an independent Ukraine correspond to US interests?

If it succeeds, the Ukrainian droplet will far more effectively be able to smooth out the American stone.



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