PRIORITIZE
RECOMMENDATIONS
FOR U.S. ASSISTANCE
TO UKRAINE
2020
The U.S.-Ukraine Foundation (USUF) is a strategic “do tank,” headquartered in Washington, D.C. with a permanent presence working on the ground in Ukraine since 1991. Beginning from our inception, the Foundation, a non-governmental, 501 (c) (3), has created and sustained numerous strategic programs and projects, having secured funding of nearly $50 million.

Our work is aimed at supporting the development of democracy, a free market economy and human rights in Ukraine, and the strategic partnership between the U.S. and Ukraine.

USUF established and partners with the Kyiv-based Pylyp Orlyk Institute for Democracy to help the people of Ukraine explore and re-capture their democratic roots and aspirations. Supporting Ukraine’s institutional capacity and civil society’s preeminent role in Ukraine’s development remains a priority.

Programs in support of the strategic partnership between the U.S. and Ukraine have been directed at the bilateral level, the local level and the grassroots in order to deepen and strengthen the bilateral ties thus enhancing Ukraine’s unique position as a cornerstone of regional stability and a full member of the community of nations.

Programs, which build peace and prosperity through shared democratic values, have focused on the areas of democracy, economic development, health, humanitarian aid and national security policy. Today, the Friends of Ukraine Network (FOUN), the Biotech Initiative and Leadership Development are among the key activities of the Foundation.

Our success is made possible by sponsors and by the cooperation and partnerships we have with a broad base of individuals and organizations in the United States, Ukraine and around the world.
Priority Recommendations for U.S. Assistance to Ukraine 2020

Special appreciation to all members of FOUN who developed these recommendations

FOUN

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These recommendations do not necessarily reflect the views of all the organizations that are represented in the task forces, our sponsors or of all FOUN members.

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INTRODUCTION

The Kremlin’s war on Ukraine is well into its sixth year. Scores of shelling incidents across the line of contact in the Donbas occur daily and Ukraine suffers casualties and fatalities weekly, despite repeated efforts to establish a lasting ceasefire. Moscow’s harassment of shipping in the Sea of Azov and its use of Russian forces to seize Ukrainian ships last November at the Kerch Strait, in contravention of international law, represent dangerous escalation. Moreover, Moscow’s offer of Russian passports to residents of the occupied Donbas further exacerbates tensions. Moscow has yet to respond to the gesture by new Ukrainian President Zelenskyy to establish ease of movement of the local population in both directions across the line of contact, as a step toward reintegration of the occupied territories in accordance with the Minsk agreements. As President Putin seems to have no interest in ceasing Russia’s aggression against its neighbor, we see the need to bolster further Ukraine’s defense capabilities.

MILITARY ASSISTANCE – GUIDING PRINCIPLES:

• The overall objective is to strengthen Ukraine's deterrence by raising the costs of further Russian aggression.
• Military assistance should be grounded in Ukrainian national strategic planning — defending forward and fighting.
• It should enhance Ukraine’s own capability to produce the required equipment.
• It should be based on the most rapid time to field, taking into account training requirements, translations of manuals, support tail required, etc.
• It should avoid creating a concentration of high-value targets — headquarters units, armor, etc.
• It should assume enemy air superiority at all points.
• All assistance should include a continued commitment to training and maintenance as well as a supply of spare parts.

PRIORITY CAPABILITIES:

• Air defense artillery to challenge Russian air superiority
• Coastal defense systems — surveillance, detection, artillery anti-ship missile systems, electronic warfare systems
• Territorial sea protection — small, high speed, well-armed craft with low cost

SPECIFIC OPTIONS:

• The United States should provide excess air defense equipment like the Avenger system and the Hawk system and NATO allies should consider providing the Roland system.
• The United States should provide at least six, and as many as twelve, Mark V PT boats, which carry torpedoes as well as the capacity to be equipped with at least fifty, and as many as 100, Hellfire missiles.
• The United States should provide gratis the 1970s Harpoon anti-ship missiles currently sitting in storage.
• The United States should provide the radar and intelligence systems necessary to track the Russian Navy in the Sea of Azov.
• The Administration and Congress should identify funding mechanisms for the long term.

NATO AND U.S. GOVERNMENT FOREIGN POLICY:

• The United States, NATO, and other Western allies should strongly condemn Russian actions.
• The United States should act bilaterally and through NATO to integrate Ukraine into the NATO/Georgia com-mon maritime picture.
• The United States and NATO should leverage the growing U.S. military presence in Poland to intensify exercises with the Ukrainian military in western Ukraine.
• The United States should work with other allies to facilitate Ukrainian acquisition of unmanned maritime surveillance systems, which would enhance its anti-submarine warfare (ASW), intelligence, surveillance and reconnaissance programs (ISR), mine-clearance, and anti-ship capabilities.
• The United States and NATO should make clear that any further illegal seizure of Ukrainian ships or denial of Ukrainian access to the Sea of Azov will be met with additional, more robust sanctions banning access to U.S./European ports by Russian ships from Black Sea, Sea of Azov, and Don River ports.
• NATO and the EU should send a joint fact-finding mission to the Sea of Azov and bolster the OSCE Special Monitoring Mission along the Sea of Azov coast.
• NATO should increase the frequency of maritime patrols in the eastern Black Sea and establish a permanent command element in the Black Sea.
• The United States, United Kingdom, and France should convene the UN Security Council and, if Russia blocks UNSC action, the General Assembly to affirm the right of Ukrainian ships to use the Kerch Strait and Azov Sea without interference from any nation.

“The world has not forgotten the cynical lies Russia employed to justify its aggression and mask its attempted annexation of Ukrainian territory. Russia’s use of force against a peaceful neighbor must not be tolerated by reputable states. The United States reiterates its unswerving position: Crimea is Ukraine and must be returned to Ukraine’s control.”

— Secretary of State Mike Pompeo, February 2019
ECONOMIC SECURITY TASK FORCE

Economic Security Task Force

Chair: Amb. Roman Popadiuk, U.S.-Ukraine Foundation
Vice Chairs: Anders Aslund, Edward Chow, Dawn Calabia, David Rigsby

INTRODUCTION

The Economic Security Task Force is focused on four areas that have major implications for Ukraine’s economy: the general economic situation, the energy sector, humanitarian issues and the defense sector. The respective area group chairs are Anders Aslund, Edward Chow, Dawn Calabia and David Rigsby. The overall task force chairman is Ambassador Roman Popadiuk. While the general economic situation appears to have improved as seen by the continued cooperation with the International Monetary Fund and the lowered inflation rate, Ukraine continues to struggle with issues of transparency and corruption which hamper business development. Added to these economic challenges is the most recent Russian aggression and activities in the Sea of Azov that have interfered with Ukraine’s shipping and negatively impacted the economy. On the energy front, while gas prices have been moved toward market prices there is still a long way to go, particularly as regards attracting foreign investment and developing domestic sources.

The task force is making a number of specific recommendations to move Ukraine forward on these fronts. The humanitarian issue, caused by Russian aggression, is particularly troubling. The international community has fallen short in providing the wide range of support Ukraine needs. Currently, about 3.4 million Ukrainians need some form of humanitarian assistance and of these about 1.5 million are internally displaced persons who need particular attention. We are recommending increased funding for all areas of humanitarian assistance and particular assistance in dealing with the dangers of landmines. Ukraine is considered one of the most heavily landmine-contaminated countries in the world. The defense sector needs greater transparency and a better procurement process as well as an in-depth analysis to determine the actual needs of Ukraine’s front-line forces. Our recommendations are aimed at creating a more efficient defense structure that will be
able to meet the military's battlefield requirements and help develop the private defense sector. The election of President Volodymyr Zelenskyy, a newcomer to politics, presents an opportunity for reform. By electing him with 73% of the vote and by giving his party a majority in Parliament, the Ukrainian electorate clearly rejected the old ruling class and presented Zelenskyy with a mandate to reform the economy and end corruption. It remains to be seen whether or not the political environment can be shaped to move forward on these issues.

ECONOMIC

The Ukrainian economy has stabilized, and this stabilization needs to be secured while the government should carry out further structural reforms to promote higher economic growth.

- Support the conclusion between the International Monetary Fund and Ukraine of a new 3 to 4-year Extended Fund Facility program with $6-8 billion of financing to maintain Ukraine's macroeconomic stability
- Promote generous international financing for Ukraine's economic development through the World Bank, the European Bank for Reconstruction and Development, the Exim Bank and OPIC
- Support with the assistance of USAID structural reforms to open up the Ukrainian market for both domestic and international competition
- Encourage early private sales of agricultural land to promote investment
- Encourage reforms of the General Prosecutor's Office and the Security Service of Ukraine to ascertain securer property rights and investment
- Promote privatization of the many remaining state enterprises and continue the improvement of corporate governance of state-owned enterprises

ENERGY

- Support public debate on market reform, including the proper roles of the state, state-owned enterprises, and private business, for a sector that has been a major source of vulnerability for Ukraine ever since regaining independence but also holds tremendous potential for releasing economic value through efficiency improvement and increased domestic production
- Assist technically resulting policy and action plans that provide transparent and stable regulatory environment for a competitive energy market and capital formation to modernize the sector
- Leverage public resources to attract private investment, including privatization of underperforming state assets, particularly in promising areas such as domestic gas production and renewable energy
- Develop a comprehensive investment plan in combined heat and power to attract private capital
- Promote engagement by U.S. financial institutions such as OPIC, EXIM, TDA, and the newly formed U.S. International Development Finance Corporation to encourage U.S. private investment in the Ukrainian energy sector
- Work with the EU in its efforts to regulate the Nord Stream II pipeline and the onward flow of Turk Stream second line and to help secure Ukraine's gas supply and transit
- Reduce the country's oil import dependency by helping to revive the collapsed domestic refining industry and stop the import of contraband petroleum products

HUMANITARIAN

- Greater access to areas with greatest needs in the conflict zone
- Increased attention and assistance to neutralize mines and other explosives in eastern Ukraine
- More U.S. assistance, including in kind and personnel to administer to immediate needs
- Humanitarian agencies need donors early support of essential programs
- A UN-led pledging conference to increase donor support for health, nutrition, education and shelter
As the crisis in eastern Ukraine is well into its fifth year, civilians continue to bear its heaviest brunt. Fear of shelling, violent clashes, or treading on one of the many landmines or unexploded remnants of war are the daily reality for millions of people living on both sides of the over 20km – long contact – line.”

— United Nations Office for the Coordination of Humanitarian Affairs Report, July 2019
INTRODUCTION

Ukraine’s competitive 2019 presidential and parliamentary elections held with respect to fundamental freedoms and broadly reflecting the will of the voters have further demonstrated the commitment of the Ukrainian people to a democratic future.

In 2019, Ukrainian voters were clear about the direction of their nation and the serious challenges that need to be addressed by their government, including reinvigorating efforts to strengthen rule of law, combat corruption, strengthen and protect civil society and fulfill Ukraine’s Euro-Atlantic aspirations.

The election results provide Ukraine’s new leadership and the Ukrainian people with an unprecedented opportunity to strengthen democracy and address these challenges. We urge President Zelenskyy and the new government and Rada to carry out reform commitments and seize this opportunity to advance Ukraine’s democracy and accelerate its integration with the European Union and NATO.

A democratic, secure and prosperous Ukraine continues to be in the national security interest of the United States, European Union and international community. Ukraine continues to receive strong bipartisan support in Washington and from European and international partners.

Thanks to the dynamic role of Ukrainian civil society since the Maidan, and the dedication of reformers, Ukraine has made significant progress in the last five years to stabilize its economy, carry out democratic reforms and counter Russia’s war of aggression. We applaud that effort. However, Ukraine must guard against anti-corruption...
backsliding that occurred over the past year, as pointed out by Ukraine’s partners, including the United States. Ukraine’s new leadership has an opportunity to dispel these concerns and reinvigorate Ukraine’s commitment to implement democratic reforms and address entrenched corruption that has held back Kyiv’s Euro-Atlantic progress.

As Russia continues to wage war against Ukraine it is increasingly important in 2019 and beyond that the United States, European Union and other partners of Ukraine step up efforts to strengthen Ukrainian democratic and economic resilience. This includes reinforcing Ukrainian civil society’s fight against corruption and partnering with Ukraine to build a robust democracy with strong institutions, political parties and independent media — all necessary in a healthy and vibrant democracy. Continuing on the reform path, especially in the area of rule of law, will benefit Ukraine’s democracy, economy, security and independence. Failure to do so only benefits Moscow.

RECOMMENDATIONS FOR THE UNITED STATES

- Increase U.S. political and diplomatic engagement with Ukrainian government and civil society and international partners to support implementation of reforms in Ukraine.
- Support and encourage the new president’s and government’s efforts to implement and carry out critical anti-corruption and democratic reforms.
- Deepen political, development and economic cooperation among the U.S., European Union and other international partners of Ukraine to strengthen Ukraine’s democracy, resiliency, fight against corruption and Russian aggression.
- Urge the U.S. Congress to hold hearings on Ukraine’s democratic reform efforts and play a role in determining conditionality on U.S. assistance and support for Ukraine.
- Utilize the political capital and other relevant resources of the three bilateral working groups (on Security and Countering Russian Aggression, Rule of Law and Humanitarian Issues, and Economy and Energy) created in November 2018 in the framework of the U.S.-Ukraine Strategic Partnership Commission.
- Provide robust U.S. government support for Ukraine’s democratic development, including an independent judiciary, strengthened rule of law, human rights and law enforcement.
- Maintain, and, as necessary, increase, U.S. government funding to strengthen Ukraine’s election processes to ensure that elections meet international democratic standards and are free, fair, open and transparent.
- Consider providing additional funding to help Ukraine defend its election infrastructure against cyber-attacks from Russia and other malign actors.
- Intensify diplomatic and political support for Ukraine’s civil society to strengthen their efforts to combat corruption, monitor government and hold it accountable, and eliminate any attempts to curtail activists’ lawful activities, cease attacks and pressure on them.
- Maintain, and increase, where appropriate, current levels of U.S. government funding and technical assistance to further develop and strengthen civil society organizations, with a focus on their institutional development and capacity building.
- Maintain, and increase, where appropriate, support for reform-oriented national political parties.
- Where appropriate, the United States should apply targeted conditionality to both development and new macroeconomic assistance support focused on the passage and implementation of key democratic and rule of law reforms, including independent and impartial courts, as well as comprehensive reform of the Security Service of Ukraine (SBU).
- Increase or maintain current levels of U.S. government funding for academic, professional, and people-to-people exchanges through existing — and new — exchange programs with Ukraine.
- Increase or maintain current levels of U.S. government funding for the development of independent and investigative media in Ukraine.
- Continue to fund the Ukrainian Services of the Voice of America and Radio Liberty at levels that enable them to vigorously respond to Russian disinformation as well as the informational shortcomings and biases of oligarch-controlled media in Ukraine.
- Continue U.S. assistance in support of decentralization in Ukraine, empowering local governments and
communities as purveyors and implementers of reforms and more responsive governance.

- Target assistance for programs to improve trust and confidence and reconciliation between citizens and government in eastern Ukraine.

RECOMMENDATIONS FOR UKRAINE

- Build and improve upon the election code passed in July 2019, including electoral framework and administration, campaign conduct and financing, the information environment, and participation.
- Revise laws governing campaign financing to ensure greater transparency and accountability.
- Facilitate voting by IDPs, other internal migrants and citizens registered in Russian-occupied Crimea and the Donbas.
- Implement elections-related recommendations of the OSCE and other international organizations such as the National Democratic Institute (NDI) and International Republican Institute (IRI), as well as the roadmap for progress outlined by International Foundation for Electoral Systems (IFES) and Ukrainian civil society organizations OPORA, Centre UA (particularly the Chesno NGO) and Reanimation Package of Reforms (RPR).
- Continue to make concrete progress implementing reforms and in strengthening the rule of law, promoting further reform of the judicial system and of law enforcement structures, and more resolutely combat corruption.
- Strengthen the rule of law by reshuffling tainted judicial self-governance bodies, ensure a transparent and competitive selection process for the court apparatus and take other measures recommended by civil society and international experts to improve judicial independence, integrity, professionalism and accountability.
- Support efforts to develop the High Anti-Corruption Court and help ensure anti-corruption institutions work together in fostering rule of law, and transparent and accountable government.
- Encourage Ukraine’s pro-reform forces and judiciary system to undertake and implement reforms that would better hold corrupt officials to account.
- Encourage systemic reforms that would reduce opportunities for government officials to engage in corrupt activities.
- Shore up efforts to safeguard the effectiveness of anti-corruption legal tools and institutions, including final passage of the law on illegal enrichment.
- Remove or amend legislation that unduly and unfairly hampers the work of civil society and refrain from further attempts to limit the space for its operation.
- Thoroughly and impartially investigate and punish all instances of killings and other attacks on civil society activists, journalists, and members of minority groups, including Roma.
- Support and do not undermine the work of the National Anti-Corruption Bureau (NABU), equip it with the necessary tools for its effective activity, safeguard existing anticorruption legislation from being watered down.
- Ensure the transparency, effectiveness and political independence of the Specialized Anti-Corruption Prosecutor’s Office (SAPO).
Standing with the People of Ukraine…

“The United States’ support for Ukraine’s sovereignty and territorial integrity is unwavering. Russia’s aggression and efforts to undermine Ukraine continue, but Ukraine is stronger, more united, more cohesive, and more resilient than ever before, and with our support, those trends will continue.”

— Ambassador Kurt Volker, June 2019

“I return from this brief trip to Ukraine hopeful. Hopeful that Ukraine is ready to write the next chapter of its long history, and it will be a chapter of freedom with a government that benefits all its citizens. And the United States of America must continue to be a good friend and ally in that quest. I am certainly determined to do my part to make it so.”

— Senator Rob Portman, May 2019

“Russia was justifiably expelled from the Council of Europe after its malevolent invasion of Ukrainian sovereignty in Crimea. Not only have Russian forces remained in Crimea, Russia has continued to wage a deadly war in the Donbas region of Ukraine, as well as carry out destabilizing disinformation campaigns across the globe undermining the world’s democratic institutions.”

“The United States Congress continues to strongly condemn Russia’s dangerous naval assault on the Ukrainian Navy and the illegal detainment of 24 Ukrainian sailors… The event represents the latest in a series of malicious steps taken by Russia to undermine Ukraine’s democratic progress and the international rules-based order. The international community must not stand idly by as Russia increases its aggression in Europe and globally. The United States and the free world must raise the cost of Russian incursions…”

— From Joint Statements by Congressional Ukraine Caucus Chairs, Representatives Marcy Kaptur (D-OH), Andy Harris (R-MD), Mike Quigley (D-IL), and Brian Fitzpatrick (R-PA), July 2019
The Friends of Ukraine Network (FOUN) is a non-partisan coalition of former ambassadors, leading policy and international security professionals. It also includes other experts who have dealt with key aspects of Ukraine’s relations with the United States and the international community. Included in FOUN’s overall efforts is the Retired Members Ukraine Caucus, composed of former Members of Congress. As an informal coalition FOUN is able to respond to current issue priorities by engaging experts with relevant expertise as needed.

FOUN is an outgrowth of the U.S.-Ukraine Foundation’s (USUF) U.S. Department of State sponsored U.S.-Ukraine Policy Dialogue programs of 2005 and 2011, that brought together government officials and non-government policy experts from both countries to discuss and make recommendations on numerous issues of mutual concern.

Since 2014, the Foundation regularly convened FOUN and organized designated Task Forces to address U.S.-Ukraine Relations, including such issues as sanctions, national security and assistance in all sectors in support of Ukraine.

FOUN advances policy recommendations through expert testimony, Congressionally sponsored forums and briefings, meetings with key officials in the Administration and Congress, press conferences, media interviews and op-ed pieces.

The 2017 Recommendations were submitted to Congress and to the Executive Branch and many of the recommendations were acted upon favorably.

Throughout 2019, FOUN was organized into three Task Forces to produce a new set of recommendations to respond to the realities Ukrainians face five years after Russia added to its other destabilizing efforts directed at Ukraine, its military aggression seizing Crimea, and carrying out an on-going war in Donbas. The National Security Task Force, the Democracy and Civil Society Task Force and the Economic Security Task Force proposals are actionable policy recommendations designed to support Ukrainian civil society’s fight for a stronger democracy, energize Ukraine’s economic growth and help Ukraine defend itself and care for the victims of Putin’s war.

FOUN is unique in that it brings together individuals from different organizations with many different political views but united in support of Ukraine and in advancing United States’ national interests.

Cover photo by Axsiem
ADVANCING THE U.S.-UKRAINE PARTNERSHIP THROUGH A POLICY DIALOGUE AND THE FRIENDS OF UKRAINE NETWORK

2003-2006
The U.S. State Department awards the U.S.-Ukraine Foundation the U.S.-Ukraine Policy Dialogue Project grant (the first of two) to partner with other U.S. and Ukraine organizations in order to advance Ukraine's Euro-Atlantic integration through collaborative efforts in developing and issuing policy recommendations.
http://usukraine.org/archive/PD06/index.shtml

The Jackson-Vanik Graduation Coalition, co-chaired by Ambassador Steven Pifer and Ambassador William Miller, represented more than 250 businesses and Ukrainian-American, Jewish-American and other non-governmental organizations. The U.S.-Ukraine Foundation initiated this Coalition as a result of the U.S.-Ukraine Policy Dialogue. Several Task Forces within U.S.-Ukraine Policy Dialogue identified the graduation of Ukraine from the Jackson-Vanik Amendment as one of the priorities for strengthening U.S.-Ukraine relations. H.R. 1053, signed into law by President George W. Bush on March 23, 2006, authorized the Extension of Nondiscriminatory Treatment to the Products of Ukraine.
https://archive.usukraine.org/jvgc_pc.shtml

2011-2012
The U.S. State Department awards the U.S.-Ukraine Foundation its second policy dialogue grant, the Ukraine 2020 Policy Dialogue, which was an initiative to develop an ongoing platform for experts and officials in Ukraine, the United States, and Europe to exchange ideas and build a common vision in support of Ukraine's development as a modern, prosperous, and secure European democracy.


Both of the Foundation’s State Department-funded projects were key to the development of the Foundation’s Friends of Ukraine Network (sustained by private funds today), which takes an integrative and facilitative approach through expert testimony and policy recommendations, fostering cooperation and partnership in order to build capacity and develop superior results for Ukraine.

2014
Sanctions recommendations from the Friends of Ukraine Network are submitted to Members of Congress and President Obama in April … while the U.S.-Ukraine Foundation and Friends of Ukraine Network sponsor a roundtable discussion in May on the prospect of additional sanctions against Russia in the months that follow.

2015
Friends of Ukraine Network Recommendations are presented during the Foundation’s September 2015 Forum at the U.S. Capitol Visitor Center, co-sponsored by the Ukraine Caucus. Ukraine’s Ongoing Battle for Freedom — The Risk of Western Failure in Political, Economic and Humanitarian Assistance.

2017
Friends of Ukraine Network Priority Recommendations for U.S. Assistance: Standing with the People of Ukraine are released.

2019
Friends of Ukraine Network Priority Recommendations for 2020 U.S. Assistance to Ukraine are released.