

# UA: UKRAINE ANALYTICA

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## Crimea

### Editors

Dr. Hanna Shelest  
Dr. Mykola Kapitonenko

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### Contacts:

website: <http://ukraine-analytica.org/>  
e-mail: [Ukraine\\_analytica@ukr.net](mailto:Ukraine_analytica@ukr.net)  
Facebook: <https://www.facebook.com/ukraineanalytica>  
Twitter: [https://twitter.com/UA\\_Analytica](https://twitter.com/UA_Analytica)

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# WHY THE UNITED STATES SHOULD JOIN THE CRIMEAN PLATFORM?

Iryna Dudko

National Academy for Public Administration

Vladyslav Faraponov

Internews Ukraine

***Joe Biden's election as the 46th President of the United States has brought much hope around the world regarding international politics. Ukraine is not an exception, rather the opposite: It hopes to achieve many of its foreign policy priorities during Biden's tenure. The Crimean Platform initiative is one of them. This article deals with hypotheses on the question why the US should take part in the Crimean Platform. The authors' approach to this question may be seen in two dimensions. First, Ukraine has become a real barrier against the Russian war and ideological expansion in Europe, which assumed American support to Ukraine in all possible spheres, including the diplomatic one. Another dimension applies to the militarisation of the Crimean Peninsula, which creates a real threat to the security of the United States and its allies in Europe. The authors state that the Crimean Platform may serve as a compromise for US involvement in Ukraine's foreign policy agenda. US participation in the initiative will help advance Ukraine's approach toward Crimea globally and keep the peninsula's occupation within the international community's attention.***

## The Crimean Platform: Background

Among the issues of current discourse within the framework of Ukrainian and international policy is Ukraine's desire to establish a Crimean Platform aimed at de-occupation of Crimea and its return under Ukraine's sovereignty in a peaceful way. The first Crimean Platform Summit is scheduled for 23 August 2021 in Kyiv.

Officially, Ukraine's President Volodymyr Zelensky announced the initiative during the 75th session of the UN General Assembly in

September 2020, when he urged UN member states to join the platform<sup>1</sup>. Outlining the initiative's essence, First Deputy Foreign Minister Emine Dzhaparova noted that the platform was designed as a unique multilateral coordination mechanism that would oversee the entire spectrum of Crimean issues. "The Crimean Platform is an ecosystem of measures that systematises what has already been done and initiates additional tools for the return of Crimea. As part of its work, we plan to hold the Crimean summit. The key task is the synergy of efforts of Ukraine and the international community

1 Speech by President of Ukraine Volodymyr Zelensky at the general debate of the 75th session of the UN General Assembly, 23 September 2020 [https://www.president.gov.ua/en/news/vistup-prezidenta-ukrayini-volodimira-zelenskogo-na-zagalnih-63889 access: 24 February 2021].

to bring the day of de-occupation of the peninsula close”, she emphasised<sup>2</sup>.

The platform should cover several panels, including the highest political level (countries’ leaders) and the level of foreign ministers and defence ministers. Besides those, the expert level is expected to be established as well, which will provide influence in the international arena, if implemented. However, of importance is not only the forming of the platform, but also the ability of its participants to act (separately or collectively) in terms of the purpose of its convocation. Currently, Ukraine is actively working on inviting international partners to participate in the Crimean Platform. It is known from the public statements of representatives of the Ministry of Foreign Affairs of Ukraine that relevant proposals have already been made to the United States, the United Kingdom, Germany, Turkey, Poland, Slovakia, and the EU.

## US History in Opposing Annexations

Notably, among all the invited states, the US has the most substantial record of condemning the Russian occupation of Crimea and not recognising the peninsula as a part of the Russian Federation. In that regard, US participation is much more valuable than that of any other state. The then US Secretary of State Pompeo issued a declaration in 2018<sup>3</sup> that Ukraine’s officials should undoubtedly use in attracting more participants and during the actual work of the upcoming summit in Kyiv.

Pompeo’s declaration is undoubtedly beneficial for Ukraine in many other ways. One of them is that the United States in particular made the case of occupation of Crimea applicable to Russia: “The states of the world, including Russia, agreed to this principle in the United Nations Charter, pledging to refrain from the threat or use of force against the territorial integrity or political independence of any State”.<sup>4</sup> It is worth noting that these remarks on Crimea became among the first ones at the time regarding Ukraine and were unexpected in some ways as well. One of the last sentences, “Through its actions, Russia, has acted in a manner unworthy of a great nation and has chosen to isolate itself from the international community”, has indeed become just a statement, and neither Ukraine nor the international community had proceeded to solving the Crimean issue.

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Another approach may be found in the reference to the so-called Welles Declaration, named after the secretary of state at the time. That statement had been issued in July 1940 regarding the incorporation of Estonia, Lithuania, and Latvia into the Soviet Union. The Welles Declaration contained an

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2 *Еміне Джарарова: Кримська платформа триматиме наслідки окупації Криму у фокусі постійної міжнародної уваги* (Emine Dzhararova: Crimean Platform Will Keep the Consequences of the Occupation of Crimea in the Focus of Constant International Attention), Ministry of Foreign Affairs of Ukraine, 05 October 2020 [<https://www.kmu.gov.ua/news/emine-dzhararova-krimaska-platforma-trimatime-naslidki-okupaciyi-krimu-u-fokusi-postijnoyi-mizhnarodnoyi-uvagi> access: 14 February 2021].

3 *Crimea Declaration: Statement by Secretary Pompeo*, 24 July 2018 [<https://ua.usembassy.gov/crimea-declaration-statement-by-secretary-pompeo/> access: 10 February 2021].

4 Ibid.

even stronger condemnation in comparison to the similar statement in 2018: “The people of the United States are opposed to predatory activities no matter whether they are carried on by the use of force or by the threat of force. They are likewise opposed to any form of intervention on the part of one State, however powerful, in the domestic concerns of any other sovereign state, however weak”.<sup>5</sup> It is worth arguing that the Welles Declaration condemning the USSR’s attempt to enlarge its territory also had a different legal and political background. At the same time, it could still “offer an interesting answer to the current standoff”.<sup>6</sup>



***A bill presented by Gerald Connolly, Congressman from Virginia, would prohibit US government recognition of Russia’s claim of sovereignty over Crimea . It is worth noting that such resolutions have become an annual signal of bipartisan support to Ukraine***

Some political experts may argue that the respective approach can be a theoretical rather than a practical solution to the problem. Ukraine should use the strategic approach of the US opposing annexations as a global leader and the last superpower (at least politically and militarily). The United States foreign policy also contained

the Hoover-Stimson Doctrine, named for President Herbert Hoover and Secretary of State Henry L. Stimson. The Crimean Platform initiative may help the Pompeo Declaration serve as the basis for a large spectrum of international negotiations and not to become a manifestation of pie-in-the-sky American idealism and be relegated to the dustbin of history.<sup>7</sup>

## **US Support to Ukraine on Crimea**

Both chambers of the US Congress have adopted several resolutions condemning the Russian occupation of Crimea.<sup>8</sup> One of the recent initiatives of American lawmakers goes far beyond Ukraine-US bilateral relations. A bill presented by Gerald Connolly, Congressman from Virginia, would prohibit US government recognition of Russia’s claim of sovereignty over Crimea<sup>9</sup>. It is worth noting that such resolutions have become an annual signal of bipartisan support to Ukraine. Such support in terms of resolutions would be highly appreciated if extrapolated to the US participation in the Crimean summit.

It should be mentioned that the former United States Special Representative for Ukraine Negotiations Kurt Volker has done much to make the Russian aggression in Crimea heard by US officials and the public. Volker’s public statements have undoubtedly become another type of non-recognition legacy that Kyiv should promote. The strategy presented by the former US

5 Press Release Issued by the Department of State, USA, 23 July 1940 [<https://history.state.gov/historicaldocuments/frus1940v01/d412> access: 10 February 2021].

6 K. Calamur, *The Roots of Pompeo’s Declaration in Support of Crimea*, “The Atlantic”, 25 July 2018 [<https://www.theatlantic.com/international/archive/2018/07/welles-act-pompeo/566060/> access: 10 February 2021].

7 *Doctrines - The Hoover-Stimson Doctrine*, “American Foreign Relations” [<https://www.americanforeignrelations.com/A-D/Doctrines-The-hoover-stimson-doctrine.html> access 12 February 2021].

8 *S.Res.571 - A Resolution Condemning the Ongoing Illegal Occupation of Crimea by the Russian Federation*, USA, 10 July 2018 [<https://www.congress.gov/bill/115th-congress/senate-resolution/571/text> access: 15 February 2021].

9 *H.R.922 - To Prohibit United States Government Recognition of the Russian Federation’s Claim of Sovereignty over Crimea, and for Other Purposes*, USA [<https://www.congress.gov/bill/117th-congress/house-bill/922> access: 17 February 2021].

envoy to Ukraine will definitely find a similar vision in Biden's administration, but obviously with a different face. Despite Volker's focus on Donbas, his work in Ukraine was highly appreciated and served as a cornerstone for the EU's and America's approach toward Crimea. Interestingly enough, he had determined American interests in negotiations on Crimea at the beginning of 2019 during the 5th International Forum "Occupied Crimea: Five Years of Resistance".<sup>10</sup>

At the same time, Volker surely understood the real status quo around the Crimea negotiations by acknowledging a long-term standoff over the status of Crimea.<sup>11</sup> It would be beneficial to invite Volker to the Crimean Platform summit, even without the US government mandate. Some of Volker's statements articulate the American approach that the Biden administration would likely expand. During one of the joint hearings in Congress, Volker pointed out the very important approach that becomes more relevant now: "There are also significant human rights violations going on in Crimea, as Russia has imposed a centralized rule over the territory there and disbanded the militias and the local government that had been there".<sup>12</sup>

After the first impeachment of Donald Trump in 2019, Ukraine had a lack of such voices, at least publicly, that would help Biden to legitimise further actions regarding Ukraine. However, the Biden administration has already welcomed the Crimean Platform initiative.<sup>13</sup> Moreover, during his confirmation hearings, US Secretary of State Antony Blinken said that he supported providing lethal weapons to Ukraine.<sup>14</sup> This suggests that if the new administration supports Ukraine in providing military assistance, the US may also assist Ukraine in the Crimean Platform initiative. That seems to be another reason to insist on American participation in the Crimean Platform. Despite focusing more on human rights violations in Crimea, the former special envoy to Ukraine may be seen as the best prepared candidate if the Biden administration were to choose a special representative on Crimea. Such voices have been heard in the EU, and Ukraine has already welcomed such initiatives. At the same time, the EU and Russia had a lot of tensions after HR/VP Borrell's visit to Russia. That is why having a special American envoy may seem more beneficial for Ukraine. Another possible development may be seen in appointing both EU and US special envoys, with the American one focusing on political

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10 *Remarks by US Special Representative for Ukraine Negotiations, Ambassador Kurt Volker*, 27 February 2019 [<https://ua.usembassy.gov/u-s-special-representative-for-ukraine-negotiations-ambassador-k-volker-at-the-5th-international-forum-occupied-crimea-five-years-of-resistance/> access: 12 February 2021].

11 *Press Briefing with Kurt Volker, Special Representative for Ukraine Negotiations*, 08 November 2018 [<https://2017-2021.state.gov/telephonic-press-briefing-with-kurt-volker-special-representative-for-ukraine-negotiations/index.html> access: 15 February 2021].

12 *Joint Hearing, 115th Congress — Ending the War in Ukraine: Kurt Volker, US Special Representative for Ukraine Negotiations*, USA, 08 May 2018 [<https://www.congress.gov/event/115th-congress/joint-event/LC57184/text?s=1&r=52> access: 12 February 2021].

13 *Crimea Is Ukraine, Press Statement, Antony J. Blinken, Secretary of State*, USA, 25 February 2021 [<https://www.state.gov/crimea-is-ukraine>].

14 *Nominee for U.S. Secretary of State Supports Provision of Lethal Weapons to Ukraine*, "Ukrinform", 20 January 2021, [<https://www.ukrinform.net/rubric-politics/3174305-blinken-i-support-provision-of-lethal-weapons-to-ukraine.html>].

negotiations and the European one on human rights.<sup>15</sup>

The United States, as the leader in global international relations, will be able to bring the issue of Crimea to the highest international agenda. As to the position of US officials on the Crimean Platform, according to Kristina Kvien, Chargé d’Affaires a.i. of the United States of America in Ukraine, the US is looking forward to supporting Ukraine as the latter develops its Crimean Platform<sup>16</sup>. However, if this approach reflected Secretary Pompeo’s Crimea Declaration, that is, the position on Ukraine of the previous US administration, what is expected to be the policy of the Biden administration toward Ukraine and Crimea?

### **The Crimean Platform for Biden: A Way to Revise Policy toward Ukraine**

There are considerable differences in opinions over what the Biden presidency might mean for Ukraine<sup>17</sup>. It should be noted that, on the one hand, news of Joe Biden’s election victory was greeted with optimism by many Ukrainian politicians, who viewed it as an opportunity to return to the kind of unambiguous US backing that helped consolidate international opposition

to the Russian invasion of Crimea and eastern Ukraine in 2014.<sup>18</sup> Biden’s personal ties to Ukraine also inspired a degree of confidence. As the former US vice-president in the Obama administration, Biden oversaw Ukraine policy and visited the country on six occasions. No previous US president has ever been so intimately familiar with Ukrainian affairs.

However, not everyone shared this type of enthusiasm in the US and Ukraine. Sceptics pointed to the failure of the Obama administration to prevent Russia’s seizure of Crimea and subsequent reluctance to provide Ukraine with lethal military assistance<sup>19</sup>. In contrast, the Trump administration sent anti-tank Javelin missiles to Ukraine along with other military aid. That policy challenge brings up another reason for Biden’s team to get involved in Crimean talks. Barack Obama was criticised by Trump regarding inaction in the beginning of the Crimean developments and not providing military equipment to Ukraine’s armed forces in 2014.<sup>20</sup> Some American experts argued that Biden’s presidency might become the third term of the Obama administration,<sup>21</sup> which Biden was a part of. It has some rationale; however, Biden may see joining Ukraine’s initiative on Crimea as an

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- 15 J. Hosa, *Why the EU Should Appoint a Special Representative for Crimea*, European Council on Foreign Relations [https://ecfr.eu/article/why-the-eu-should-appoint-a-special-representative-for-crimea/ access: 15 February 2021].
  - 16 *The United States Looks Forward to Supporting Ukraine As It Develops Its Crimean Platform*, Ministry of Foreign Affairs of Ukraine, 26 October 2020 [https://www.kmu.gov.ua/en/news/ssha-gotovi-do-spivpraci-nad-stvorenniam-krimskoyi-platforni-inicijovanoyi-ukrayinoyu access: 14 February 2021].
  - 17 P. Dickinson, *What Can Ukraine Expect from a Biden Presidency?*, Atlantic Council [https://www.atlanticcouncil.org/blogs/ukrainealert/what-can-ukraine-expect-from-a-biden-presidency/ access: 14 February 2021].
  - 18 Ibid.
  - 19 K. Calamur, *Was Obama Too Soft on Russia?*, “The Atlantic”, 15 February 2017 [https://www.theatlantic.com/news/archive/2017/02/trump-obama-russia-crimea/516777/].
  - 20 S. M. Walt, *Obama Was Not a Realist President*, “Foreign Policy”, 07 April 2016 [https://foreignpolicy.com/2016/04/07/obama-was-not-a-realist-president-jeffrey-goldberg-atlantic-obama-doctrine/].
  - 21 C. M. Blow, *Third Term of the Obama Presidency*, “New York Times”, 08 November 2020 [https://www.nytimes.com/2020/11/08/opinion/biden-obama-presidency.html access: 17 February 2021].

opportunity to prove the opposite, at least regarding foreign policy. For example, S. M. Walt assumed Obama was not a realist president by putting domestic policy first and avoiding making tough decisions in the international arena<sup>22</sup>. That would be a profound shift for the 46th US president that he seemed to be lacking.

Joining the Crimean Platform would also help Biden to ease the charged atmosphere around Trump's rhetoric and turn over the toxic page of the US-Ukraine bilateral relations caused by recent scandals in 2019-2020. It is expected that neither President Biden nor his successors will have a better chance of being involved in Ukraine's issues and taking the leading role in that initiative. Undoubtedly, Kyiv has prepared a big agenda in terms of expectations from Joe Biden's administration. Furthermore, during the primaries, Joe Biden, as a candidate for the Democratic nomination, promised to define Ukraine as a foreign policy priority.<sup>23</sup>

Appointing a new US ambassador to Ukraine, increasing, or at least maintaining, the amount of annual military and financial assistance, possibly bringing back the position of the Special Representative on Ukraine Negotiations and enlargement of the Normandy Format, prolongation of sanctions on Nord Stream 2 (which has already taken place), and the Crimean Platform are just the main expectations on the list. A special international forum on Crimea negotiations seems to be the very way of having continued talks to support Ukraine's territorial integrity and sovereignty.

Another reason why Ukraine should insist on US involvement particularly is a possible reluctance of Russia to invite the US to the Normandy Format of negotiations. The recent developments around the extension of the Strategic Arms Reduction Treaty (START III) showed that the Kremlin wanted to secure an official channel of communication with Washington and would rather avoid possible tensions within the aforementioned format.

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***Joining the Crimean Platform would also help Biden to ease the charged atmosphere around Trump's rhetoric and turn over the toxic page of the US-Ukraine bilateral relations caused by recent scandals***

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What is more, the Crimean Platform seems to be very productive in general because it is an entirely new initiative and none of the sides can argue non-compliance with previous obligations. Another strategic reason for attracting the US into the initiative is the format of the talks, which is to be determined by its participants. The Crimean Platform should be seen as encouraging for Washington because Kyiv is in charge of that initiative, and not Moscow. That is why the United States involvement seems to be the most beneficial outcome for both Ukraine and America.

But why, despite prominent positions, should the US support Ukraine and (as a special trend of the diplomatic policy) take part in the Crimean Platform?

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22 S. M. Walt, n.20.

23 *The Presidential Candidates on Russian Aggression Against Ukraine*, Council on Foreign Relations, 30 July 2019 [<https://www.cfr.org/article/presidential-candidates-russian-aggression-against-ukraine> access: 16 January 2021].

The issue may be seen in two dimensions. First, Ukraine remains a real barrier against the expansion of Russian aggression in Europe, responding thus to US foreign policy benchmarks (which found confirmation by President Biden's team) to deter another global leader seeking to crack down on its favoured redistribution of geopolitical spheres in the world.

In this respect it must be noted that bipartisan US support for Ukraine has been a consistent feature since the country first gained independence in 1991 regardless of the political party controlling the White House. This has remained the case despite



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the contradictive character of political processes in Ukraine, as, according to Zbigniew Brzezinski's Strategic Vision, without Ukraine, Russia ceases to be a Eurasian empire.<sup>24</sup>

In accordance with this approach, Ukraine's independent status is among the foreign policy interests of the US. As pointed out by American analysts, Russia's current conflict in Ukraine is not just about Crimea or Donbas; it is also about Ukraine's place

in Europe, that is, where the country fits between Russia and such institutions as the European Union and NATO<sup>25</sup>. It may be added, at the same time, that Russian aggression is not about Ukraine only, but about a stable world order that corresponds to American orientation in European and global affairs.

So, as to Joe Biden's election victory, it paves the way for a new chapter in the strategic partnership between Ukraine and the US. For Biden, the present confrontation with Moscow is a postscript to the Cold War, which calls for support to Ukraine in all possible spheres, including diplomatic one. The Biden presidency might well play an active role in the forthcoming negotiation process regarding the Crimean Platform. As for Crimea, as Steven Pifer stresses, Ukraine cannot at present muster the political, diplomatic, economic, and military leverage to effect the peninsula's return. However, the US government knows how to execute the non-recognition policy. It did so for five decades about the Baltic states' incorporation into the Soviet Union. The Biden presidency will remain supportive of Kyiv's claim to Crimea and will not recognise its annexation by Russia – and the White House will express this view<sup>26</sup>.

### **Crimea Is Vital for Europe's Security and US Interests**

Another dimension, dealt with through possible US participation in the Crimean Platform, applies to the militarisation of the Crimean Peninsula, which poses a significant threat to the security of the

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24 Z. Brzezinski, *The Premature Partnership*, "Foreign Affairs", March/April 1994, p. 80.

25 S. Pifer, *The Biden Presidency and Ukraine: Order from Chaos*, Brookings, 28 January 2021 [<https://www.brookings.edu/blog/order-from-chaos/2021/01/28/the-biden-presidency-and-ukraine/> access: 14 February 2021].

26 Ibid.

United States and its allies in Europe. According to the EU's statement in the OSCE, Russia has moved systems of advanced weapons, including aircraft and missiles, capable of carrying nuclear munitions, weapons, and military personnel, to Ukraine.<sup>27</sup> The aforementioned concerning developments pose a significant threat not just to the peninsula or Ukraine in general, but to the Black Sea region's security as a whole. Joint countering of the militarisation is undoubtedly in line with the US and European interests, but the new US administration is more likely to lead in this role. According to Ukraine's commander of the Joint Forces Operation, Serhiy Nayev, the Joint Task Force of the Russian armed forces in occupied Crimea consisted of 32,000 soldiers in 2020, a more significant number in comparison to spring 2014.<sup>28</sup> Besides that, the Russian Federation had created a multi-stage anti-aircraft missile system over and around the peninsula.<sup>29</sup> From the geopolitical point of view, the placement of Russian nuclear weapons calls for a response from Western leaders, bringing that question to the international community.

The placement of nuclear-capable weapons has undoubtedly become a most unwelcome scenario for the US, Europe, and Ukraine. Simultaneously, as noted by the deputy assistant secretary-general for political affairs of NATO, James Appathurai, Russia

has been seen using the enhanced militia capability to transfer forces into the Eastern Mediterranean, the Middle East, and potentially elsewhere.<sup>30</sup>

In that respect, it would be necessary to recall the recent words of Ukraine's foreign minister Dmytro Kuleba: "Today's Ukraine is not only a security recipient but a security donor in its region. Ukraine has been successfully countering Russian aggression for almost seven years now, protecting not only itself but a wider region between the Baltic and Black Seas".<sup>31</sup>

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and sovereignty by the US***

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All in all, an international forum dedicated to the de-occupation of Crimea can be considered a very concrete way of supporting Ukraine's territorial integrity and sovereignty by the US. Ukraine should particularly insist on US involvement due to a possible reluctance by Russia to invite the US to the Normandy Format.

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27 *EU Statement on "Russia's Ongoing Aggression against Ukraine and Illegal Occupation of Crimea"*, OSCE Permanent Council No. 1296 Vienna, 17 December 2020 [<https://www.osce.org/files/f/documents/7/6/476167.pdf>].

28 *About 32,500 Russian Soldiers Currently Stationed in Occupied Crimea*, "UkrInform", 10 July 2020 [<https://www.ukrinform.net/rubric-defense/3060518-about-32500-russian-soldiers-currently-stationed-in-occupied-crimea.html>].

29 G. Mader, *How Much Has Russia Militarised the Crimea?*, European Security and Defence, 10 March 2020 [<https://euro-sd.com/2020/03/allgemein/16510/how-much-has-russia-militarised-the-crimea/> access: February 17 2021].

30 *The Militarization of the Black Sea after the Annexation of Crimea*, Chatham House [<https://chathamhouse.soutron.net/Portal/Default/en-GB/RecordView/Index/182837> access: 18 February 2018].

31 D. Kuleba, *Why Is Ukraine Still Not in NATO?*, Atlantic Council, 16 February 2021 [<https://www.atlanticcouncil.org/blogs/ukrainealert/why-is-ukraine-still-not-in-nato>].

The Crimean Platform seems to have become the only effective format of Ukraine's negotiations for the Biden administration. Among all the invited states, the US has the most substantial record of condemning the Russian occupation of Crimea and not recognising the peninsula as a part of the Russian Federation by adopting the Pompeo Declaration in 2018, referring to Welles's statement of 1940. The Crimean Platform should be seen as very encouraging for Washington because Kyiv is in charge of that initiative, and not Moscow. Furthermore, Russia has been militarising the Crimean Peninsula, which poses a significant threat to Ukraine and the security of the United States and its allies in Europe. That is why the United States' involvement seems the most beneficial outcome for both Ukraine and the US.

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**Iryna Dudko** is a Doctor of Political Sciences, professor at the Department of Parliamentarism and Political Management at the National Academy for Public Administration under the President of Ukraine. She is focusing on the problems of the USA and Ukraine's foreign policy in the post-bipolar world. Among her latest academic publications is "US Policy towards the CIS States: A Discourse in the Post-Bipolar World", *Integrational Dimensions of Post-Soviet Area Transformation*, Kyiv: Institute of World History of the National Academy of Sciences of Ukraine, 2020.

**Vladyslav Faraponov** is an analyst and project coordinator at Internews-Ukraine and UkraineWorld. His main research interests include US domestic and foreign policy and Ukraine-US relations. Faraponov is a columnist for several Ukrainian media outlets, where he writes on US-related issues. He had previously worked at Ad Astra think tank. Faraponov graduated from Wright State University, Ohio (USA).

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