

## Memorandum Mori:

### How the Budapest Memorandum Failed to Protect Ukraine

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#### **I. Introduction**

The United States, the Russian Federation, and the United Kingdom pledged on December 5, 1994, that they would respect the territorial integrity of Ukraine, the Republic of Kazakhstan, and the Republic of Belarus<sup>i</sup>. In exchange for this, these three states were to hand over their nuclear arsenals inherited from the Soviet Union to Russia. These were, in essence, the terms of the Budapest Memorandum. When the Budapest Memorandum is discussed in modern context, it is often referred to in context of Russia violating it and launching the Russo-Ukrainian War in 2014, and each of its subsequent actions (including the full-scale invasion of Ukraine launched in 2022) constituted the end of the Budapest Memorandum. The United States and United Kingdom, through their lackluster response to the 2014 invasion, did not seem to hold the Memorandum in high regard either.

*So why did the Budapest Memorandum fail?* An assurance of upheld territorial integrity from the United States, United Kingdom, and Russian Federation, where nuclear proliferation is the concern, should be a very serious promise. However, Russia never took the memorandum seriously and has continually violated Ukraine's sovereignty since it was signed. When Russian forces seized Crimea in 2014, the United States and United Kingdom did nothing of substance to stop Russia from annexing territory that, as part of the Budapest Memorandum, the Russian government swore to leave unaltered. As should be obvious given that the Russian invasion

persists in 2025, there was insufficient punishment for breaking the Budapest Memorandum, so Russia never adhered to its content.

## **II. Motivation**

In modern parlance, the Budapest Memorandum is invoked often in Ukraine's defense, condemning Russia for violating its stipulations. The intent of this paper is to expand on how and why the Budapest Memorandum failed. The United States and United Kingdom caved to Russia in 2014, and simply allowed the seizure of Crimea to occur, though they had committed to respecting Ukrainian territorial integrity. The hope that convinced Ukraine, after much intense deliberation, to hand its nuclear weapons over to its former imperial overlord, was misplaced.

## **III. Roadmap**

First, I will go over the scope of this paper and the preparatory research, and then go over existing literature on the Budapest Memorandum. Next, I will give background on the tumultuous events that led to the signing of the Budapest Memorandum, as well as lay out the Memorandum's content. Then I will analyze the events between 1994 and 2014 where Russia's disregard for the Budapest Memorandum manifested in a non-military context. After this, I will analyze the events of late February to early March 2014 when Russia first directly invaded Ukraine. Finally, I will attempt to ascertain the reasonings behind the memorandum's failure.

## **IV. Existing Examinations of Failure**

Explanatory reasonings for the failure of the Budapest Memorandum specifically are difficult to find, probably because once it was violated and abandoned by all parties involved, it became a less-than-impactful thing to write about. Since the full-scale invasion of Ukraine however, the Budapest Memorandum has resurfaced as a talking point, and scholarship reaching back to 2014

to explain exactly what led to this moment has emerged mostly in the wider context of the war. The Budapest Memorandum is usually given a singular paragraph or so, then goes unmentioned. Only recently has it made an occasional reappearance, mostly in Western opinion journalism urging Westerners to remember the character of Russia's disregard for the memorandum.

Regarding the Ukrainian attitude toward the Budapest Memorandum and the Nuclear non-Proliferation Treaty (NPT) before either's adoption, there is also very little literature. The Budapest Memorandum is often mentioned in passing, as an example of either Russian duplicity, Western trepidation, or both. Along with the 1997 Black Sea Fleet Partition Treaty, and the 1997 Russo-Ukrainian Friendship Treaty, the Budapest Memorandum is often listed as just one of the multiple treaties with Ukraine that Russia has broken. The Budapest Memorandum is often lumped together with these other treaties, and discussion of these treaties is (understandably) focused on Russia. The Western role in the Budapest Memorandum, and its disintegration, is often mentioned offhand, or ignored, and the Ukrainian battle over the NPT and Budapest Memorandum that coincided the 1994 Ukrainian presidential election is also underdiscussed.

The last hindrance on the research of this paper was language. Many sources are in Russian or Ukrainian. Shorter Russian sources could be translated by me using my own Russian language skills and the help of an online translator, but were not particularly useful because they were so short. Most Russian and Ukrainian sources were also available in English as well, but many longer sources like books or some articles were not used due to the language barrier.

The most common explanation for the failure of the Budapest Memorandum is the simple fact that it was unenforceable by design, as the text lacks any coherent punishment structure.<sup>ii</sup> This is emphasized by Steven Pifer in his article *The Trilateral Process: The United States, Ukraine, Russia, and Nuclear Weapons*, where Pifer lays out the history of the Trilateral

Statement and the Budapest Memorandum, emphasizing certain issues met along the way, particularly the Clinton administration's unwillingness to provide Ukraine with any guarantees.<sup>iii</sup> Pifer is likely the foremost English-language scholar on the Budapest Memorandum, has also written articles for the Brookings Institution espousing this same view. This is also highlighted in Russian dissident journalist Mikhail Zygar's book "*War and Punishment*"<sup>iv</sup> and Harvard Director of Ukrainian Studies Serhii Plokhy's book "*The Gates of Europe: A History of Ukraine*"<sup>v</sup> in the brief section on the Budapest Memorandum contained in each book.

In Pifer's explanation, only Ukraine was bound by the Budapest Memorandum's stipulations because the memorandum never had to go through any ratification process in the United States, United Kingdom, or Russia but did have to be ratified in Ukraine.<sup>vi</sup> This view explains why the American and British response was so lackluster when Russia violated the terms of the memorandum in 2014, as their own legislatures had no reason or means to hold the decision-makers to account. (President in the US and Russia, Cabinet/Prime Minister in the UK) The blame for the Budapest Memorandum's failure is placed on the framing of the document itself in this view. This view is not incompatible with the view prioritizing the role of Russia in the violation, as the structure of the Memorandum (and its existence as a memorandum rather than a treaty) was created to be noncommittal but achieve the removal of Ukrainian nuclear weapons, creating conditions that did not adequately punish preexisting Russian ambition over Ukraine.

## **V. Leadup to the Budapest Memorandum**

### **a. Aftermath of the Collapse of the Soviet Union**

The immediate position of the United States towards Ukraine upon its independence from the Soviet Union was one of tension and restraint. On August 1, 1991, U.S. President George H.W. Bush had advised the leadership of Ukraine (at this point still a constituent republic of the Soviet

Union) in his “Chicken Kiev”<sup>vii</sup> speech to the Supreme Soviet (legislature) of the Ukrainian SSR<sup>viii</sup> in Kyiv, to temper dreams of self-determination and focus on reforming the Soviet Union.<sup>ix</sup> Why would an U.S. President fly across the world to urge another people *not* to pursue independence from a domineering foreign power? The United States and the Soviet Union had been locked in reciprocal fear of dragging the entire world into nuclear war since the Soviets acquired the atom bomb in 1949. In President Bush’s view the collapse of the Soviet Union would create an unpredictable nuclear landscape dispersing nuclear weapons across four countries instead of one. Ukrainians were outraged by Bush’s speech, but the American view on Ukrainian independence had been clearly articulated as a matter of nuclear security.<sup>x</sup>

A little over two weeks after the “Chicken Kiev” speech, Communist Party hardliners seized control of the Soviet government to halt both Soviet President Mikhail Gorbachev’s reforms, as well as the looming collapse of the Soviet empire. They only lasted three days before being arrested at the order of Russian SFSR<sup>xi</sup> President Boris Yeltsin. In the fallout of this August Coup, the Communist Party of Ukraine was banned for its support of the coup attempt. Communists turned into nationalists overnight, and the Supreme Soviet of the Ukrainian SSR voted unanimously for Ukraine to become an independent state on August 24, 1991, – despite President Bush’s fears and warnings.

Chairman of the Ukrainian Supreme Soviet of now-independent Ukraine (though not yet recognized as such internationally) Leonid Kravchuk, flew to the United States to meet with Bush in September of 1991 to convince the U.S. President to provide Ukraine with aid to set up a functional competitive free-market economy. Kravchuk did not request recognition, but did mention that as a gesture of goodwill in the spirit of a new post-Cold War cooperativeness,

Ukraine was willing to give up its nuclear weapons, probably to Russia. Bush was delighted by this idea, though he would still much rather have dealt with Gorbachev.<sup>xii</sup>

The newborn Ukraine, along with all the former Soviet republics, had automatically inherited the Soviet Union's obligations toward the Strategic Arms Reduction Treaty I, signed in July 1991. In name, Ukraine, Belarus, and Kazakhstan (the only Soviet republics with nuclear weapons in their territorial boundaries aside from Russia) were party to the Treaty on Non-proliferation of Nuclear Weapons, (NPT) and by possessing nuclear weapons, were in violation of it through no fault of their own. Resolving this issue was among the top priorities for the West, Russia, as well as Ukraine, Kazakhstan, and Belarus in the immediate post-Soviet period.

b. Preliminary Negotiations on Ukrainian Nuclear Disarmament

The victory of Bill Clinton in the 1992 United States presidential election marked a shift from twelve years of Republican control of the Presidency. (The longest clinching of the Oval Office by one party since Democrat Franklin Delano Roosevelt's four terms beginning in 1933, and Harry Truman's subsequent term that ended in 1953) President Clinton was the arbiter of a new post-Cold War era, and most crucially, had zero foreign policy experience and cared not about the fifteen new states of the former Soviet Union.<sup>xiii</sup> Clinton's initial disinterest emerged as a much more solid policy toward Ukraine than Bush had espoused, intended to end the nuclear proliferation threat so that the President could focus on domestic politics: Plainly, Washington would not talk to Kyiv until Ukraine has given up its nuclear weapons.

Kravchuk had no misgivings about Ukraine letting its Soviet-inherited nuclear arsenal go.<sup>xiv</sup> The equipment needed to launch these nukes was located in Russia. All that a dormant nuclear arsenal did for Ukraine was collect dust and cause problems. Kravchuk dutifully signed the

Lisbon Protocol of START I, joining Belarus and Kazakhstan as agreeing to be non-nuclear parties to the NPT. Kravchuk was following the wishes of Bush and Clinton. Things appeared to be developing toward denuclearization of Ukraine, Belarus, and Kazakhstan.<sup>xv</sup> However, START I languished on the Ukrainian Rada's (Parliament) docket. Discussions and preparations regarding Ukrainian denuclearization occurred throughout 1993, but Moscow, Kyiv, and Washington only talked bilaterally, and never trilaterally.

### c. The Trilateral Statement

In November 1993, the Ukrainian Rada finally ratified START I and the Lisbon Protocol, with alterations that reduced requirements for Ukraine that the United States and Russia had not been informed of. These changes made it clear that Ukraine was worried about the real threat of Russian aggression. Rather than denuclearizing, the changes to the ratified version merely reduced Ukraine's nuclear weapons capability rather than eliminated it entirely. This move showed both the White House and the Kremlin that the Ukraine was unwilling to surrender its most powerful deterrent without compensation. The altered version of START I captured the full attention of Russia and the United States, who quickly agreed to finally hold a trilateral summit.

In early 1994, President Clinton visited Kyiv and Moscow to sign the first trilateral agreement between Russia, Ukraine, and the United States, regarding American support for dismantling of Ukraine's nuclear systems. Kravchuk expressed fear and second thoughts to Clinton privately during the visit,<sup>xvi</sup> and the two hashed out revisions to the preliminaries to the yet-to-be-named Budapest Memorandum. Clinton and Kravchuk presented these preliminaries to Russian President Boris Yeltsin, and the three signed a trilateral agreement.

The agreement stated that the United States would provide security “assurances” to Ukraine and assist with the dismantling and relocation of Ukraine’s nuclear weapons. What “assurances” meant was left unclear. In the Russian and Ukrainian translations of the English-language document, the word for “guarantee” and “assurance” are the same, so the three agreed that the intent of the wording in Russian and Ukrainian was to mean the English word “assurance” rather than “guarantee.” Russia and Ukraine also agreed that Russia would forgive Ukrainian energy debt in exchange for Ukrainian agreement. In exchange for these assurances, Ukraine would hand its nuclear arsenal over to Russia.

#### d. Preparation for Budapest

In February 1994, the Ukrainian Rada ratified START I and the Lisbon Protocol without any alterations. Ukraine did not join the NPT, but having ratified the Lisbon Protocol, committed to joining soon. Things quieted down and began to move toward smooth Ukrainian accession to the NPT. Kravchuk lost the 1994 Ukrainian presidential election to Leonid Kuchma, who took over in June 1994. Kuchma, though skeptical of the West, pushed the Rada to ratify accession to the NPT. In November 1994 it did, but again with an unexpected caveat: Ukraine would accede to the NPT as an owner of nuclear arms, but not as a nuclear weapons state. American and British lawyers found this a workable predicament,<sup>xvii</sup> if Ukraine kept its word about handing over its nuclear weapons. Russia did not accept this situation and condemned the Rada’s decision.

The U.S. Department of State requested Ukraine “clarify” the resolution, and directly issue a statement on whether Ukraine would accede as a non-nuclear weapons state, and deliver this clarification by written note at the next Organization for Security and Co-operation in Europe (OSCE) summit in Budapest, Hungary. At this summit, Clinton, Yeltsin, Kuchma, and British Prime Minister John Major would be present. The wording of this note was deliberated

beforehand and passed to each leader in a fancy ceremony in Budapest, on December 5, 1994.

The note stated clearly that Ukraine would accede to the NPT as a non-nuclear weapons state.<sup>xviii</sup>

## **VI. What is the Budapest Memorandum?**

On December 5, 1994, the leaders of the United States, United Kingdom, Russian Federation, Ukraine, Republic of Kazakhstan, and Republic of Belarus signed the Budapest Memorandum clearing up three years of muddled negotiations over NPT accession and nuclear disarmament. The memorandum stated that the United States, United Kingdom, and Russia would respect the territorial integrity of Ukraine<sup>xix</sup> and agreed upon those borders. Crimea, according to the Budapest Memorandum, is part of Ukraine. The United States, United Kingdom, and Russia all provided security assurances to Ukraine, and proclaimed never to threaten or use force “against the territorial integrity or political independence of Ukraine” and committed to seek United Nations Security Council assistance for Ukraine should Ukraine come under attack.

It is notable that there is no punishment for breaking the Budapest Memorandum. In the event Ukraine’s territory be infringed upon, none of the signatories were obliged to do anything except vaguely “seek immediate United Nations Security Council action.” The United States and United Kingdom had committed to respect and uphold Ukrainian territorial integrity and independence, but what form that support would take is left up to interpretation in the Budapest Memorandum’s very short text.<sup>xx</sup>

## **VII. The End of the Budapest Memorandum**

### **a. Continual Violations (1994-2014)**

Russia continually violated the Budapest Memorandum after its signing. Articles 2 and 3 state that the United States, United Kingdom, and Russia would respect Ukraine’s territorial

integrity and avoid political interference and economic coercion in Ukraine.<sup>xxi</sup> During the presidency of Leonid Kuchma alone, (1994-2005) Russia interfered heavily in Ukrainian politics clandestinely, aggressively, and successfully. Upon the rise of Vladimir Putin, Leonid Kuchma attempted to model himself after Putin's authoritarian success, even founding a "United Ukraine" copycat bloc of Putin's United Russia party. Close ties emerged between many in Kuchma's cadre and Russia. Though Kuchma was not directly Putin's puppet, he was an ally of Russia at this time while also pursuing a relationship with the European Union. However, Kuchma sent potential successor candidates for the 2004 election to Moscow for vetting by Putin.

In 2003, a border clash over the Kerch Strait erupted between Russia and Ukraine, where Ukrainian soldiers almost fired upon encroaching Russian construction. Russia committed more egregious violations of Ukrainian sovereignty and the Budapest Memorandum in the leadup to the 2004 Ukrainian presidential election. There were the two assassination attempts against opposition presidential candidate Viktor Yushchenko in the summer of 2004: In August, a truck attempted to ram Yushchenko's car off a cliff thrice, and in September he vanished – taken to Vienna for emergency treatment for dioxin poisoning, with levels six thousand times higher than normal.<sup>xxii</sup> Yushchenko barely survived, and his campaign was on hiatus for eighteen days. His face was permanently disfigured by this assassination attempt, and he was reliant upon medication while on the campaign trail.<sup>xxiii</sup> These attempts to kill Yushchenko and silence the Ukrainian opposition were done in support of Russia's obvious favorite and Kuchma's protégé, Viktor Yanukovich. Yanukovich appeared alongside Putin and Kuchma at the 60<sup>th</sup> anniversary event for the liberation of Kyiv from Nazi occupation – in an obvious show of Russian support for a particular Ukrainian presidential candidate. Yanukovich even attended Putin's birthday party while running for president.

When the 2004 election results arrived in Yushchenko's favor, people took to the streets to display their support for the winner, and opposition to the inevitable stealing of the election by Russia's chosen Yanukovych. Vladimir Putin pressured Leonid Kuchma to crack down on the protests forcefully, but Kuchma did not risk himself at the very end of his presidency for Yanukovych. Yanukovych was certified as president after a second round of voting, but not recognized internationally as both protests and legal battles with election officials ensued.

Yushchenko won by more than eight points over a month after the election, after a hard fight for another round of voting. This victorious popular rejection of Russian installation of Yanukovych came to be called the Orange Revolution, linking it with similar color-named revolutions against authoritarianism and Russian interference across the former Soviet Union. Russia continued to use the Budapest Memorandum as a mere suggestion to be ignored unless it could be used to condemn the United States and United Kingdom. Russian actions from 2005 to 2010 focused on interfering in the Ukrainian economy – also prohibited by the Budapest Memorandum – until Yanukovych could be placed back in the presidency.

Yushchenko's popularity declined as his presidency went on, and Russia's candidate Yanukovych reemerged in time for the 2010 election. Yanukovych was self-made this time around and remained pro-Russian, but not a direct Kremlin puppet. He secured a wide victory in the 2010 election against then-Prime Minister Yulia Tymoshenko, one of the leaders of the Orange Revolution. It was more difficult for Russia to influence Yanukovych during this period, as he was more focused on his own enrichment and exploitation of Ukraine. Yanukovych even resumed the process of Ukrainian association and eventual membership in the European Union, an issue which Russia publicly claimed a neutral attitude towards but would soon act against.<sup>xxiv</sup>

Just as Ukraine's EU association agreement was to be signed in late 2013, Yanukovich backed out amid the signing ceremony, cowed by Putin. Enormous protests erupted across Ukraine in response, centered in the same place as the Orange Revolution – Maidan Nezalezhnosti,<sup>xxv</sup> the central square in Kyiv. An unknown shooter opened fire on the protestors, and the protests descended into riots, and the country was wracked by violence. Some Ukrainian police claimed that Russian snipers began the shooting.<sup>xxvi</sup>

Yanukovich took Putin's lead in this crisis. He fled his dacha (lake house) under Putin's recommendation to Kharkiv, a major city closer to the Russian border. Yanukovich was more afraid of Putin than the protests, so he continually refused to negotiate with the protestors. Riots escalated into full battles between police and protestors that had raided armories in cities like Ivano-Frankivsk as Yanukovich lost his grip on the country. Yanukovich then resigned and fled to Russia, despite Putin's demands he remain in Kharkiv.

#### b. The Seizure of Crimea

Vladimir Putin still claims that the West had instigated these protests, and that the United States had organized the “illegal coup” now called Euromaidan, or the Revolution of Dignity.<sup>xxvii</sup> However, it was Russia that interfered in Ukraine. Russian protestors were shuttled in late February 2014 from Russia to the eastern Ukrainian Donbas region, and into Crimea, and then rallied the minor pro-Russian sentiment in those places into riots. The Russian Black Sea Fleet blockaded the city of Sevastopol, and these Russian protestors blocked the entrance to the Crimean regional parliament<sup>xxviii</sup> in Simferopol and demanded a referendum to add Crimea to Russia. During the early hours of February 27, in a direct violation of Article 2 of the Budapest Memorandum, Russian troops without insignia (a violation of the Geneva Convention) appeared in Crimea amidst the chaos in mainland Ukraine, and took military control of the regional capital

building in Simferopol.<sup>xxix</sup> That day Russian protestors were brought to Sevastopol (a city that is a separate administration from the rest of Crimea) to prepare for a sham referendum. Two weeks later the referendum was held, following mass expulsion or emigration of Crimeans to the elsewhere in Ukraine.<sup>xxx</sup> Turnout in this referendum was 136% of registered voters in Sevastopol and was overwhelmingly in Russia's favor.<sup>xxxi</sup> The new Ukrainian interim government was unable to do anything to stop this blatant landgrab amidst the turmoil following the Revolution of Dignity, and removed troops from Crimea.

c. The War in Donbas and Invasion of Ukraine (2014-present)

The seizure of Crimea was the largest landgrab in European history since the Second World War. Russia could (and did) pretend that it had not influenced Ukrainian politics and economics up until this point. The signatories of the Budapest Memorandum agreed to specific borders for Ukraine, Belarus, and Kazakhstan, and Russia had blatantly violated that part of the agreement. Twenty years after the Budapest Memorandum was signed, Ukrainians discovered that they had handed over their nuclear arsenal for nothing. The United States and United Kingdom protested, and levied sanctions upon Russia, but this did not alter Putin's policy at all.

In April 2014 Russia demanded that all Ukrainian regions be allowed to veto international agreements. This would allow regions that contained pro-Russian populations to act on Russia's behalf within Ukraine. Russia would be able to use the veto power of these regions to keep Ukraine out of the European Union and NATO.<sup>xxxii</sup> This was an interference not only in Ukrainian politics, but in Ukraine's constitutional order. Ukraine under the new post-Revolution of Dignity government rejected this proposal, and Russia began moving troops and materiel to support separatist movements in the most pro-Russian regions of Ukraine – Donetsk and Luhansk, the two regions which make up the Donbas.

The Budapest Memorandum had lost any meaning by 2014 as Russia prosecuted the War in Donbas. The Minsk Agreements were mediated in late 2014 to stop the war but failed, and it continued for eight years until the full-scale invasion began in February 2022. It is almost redundant at this point to mention the full-scale invasion of Ukraine as the Budapest Memorandum had been so thoroughly gutted by 2022. At that point the signatories of the Budapest Memorandum were already aware that it had gone the way of the Treaty of Versailles.

### **VIII. Why Did the Budapest Memorandum Fail?**

The primary reason as to why the Budapest Memorandum failed is that it was not followed by the Russian Federation in the first place. Vladimir Putin's presidency has been wrought with violations of Ukraine's sovereignty, even if one does not count the physical invasions of Ukrainian territory. The Memorandum itself contains no actual protective clause to ensure adherence, and its status as a memorandum rather than a treaty exemplifies its flawed, noncommittal nature. Effectively, once Russia had no desire to follow the Budapest Memorandum, the only punishment that the United States and United Kingdom were required to inflict was to bring up the issue to the United Nations Security Council.

The great flaw of the Budapest Memorandum that led to its dismissal by Russia was that it was unenforceable on signatories aside from Ukraine. The actual stipulations toward Ukraine were obvious: Ukraine hands over its nuclear arsenal. A nuclear arsenal is a physical, enumerated group of objects that, upon signing (Out of cooperativeness, Ukraine actually began dismantling and moving much of its nuclear arsenal soon after the Trilateral Statement, some 11 months before the Budapest Memorandum) could be removed under the watch of the signatories. Adherence to the memorandum by the states offering "assurances" is unenforceable, and by the memorandum's being simply a memorandum rather than a treaty, the commitments were

unserious anyway. This lack of punitive structure relieved the United States and United Kingdom of responsibilities toward Ukraine other than assurances that Ukrainian territory was in fact, Ukrainian territory, while also getting Ukraine to give up its nuclear weapons. The ineffective sanctions brought upon Russia in 2014 and the doomed Minsk Agreements were not stipulated of the Budapest Memorandum, but separate actions of the West against Russia in that very moment. The failed sanctions and talks were still a greater step than the Budapest Memorandum stipulated, but not enough to deter Russia from invading Ukraine further beginning in 2022.

After the seizure of Crimea, the Budapest Memorandum was cast into the dustbin of history. In the current moment of 2025, returning the Budapest Memorandum to the international discussion is probably fruitless, since it has effectively been hacked to pieces by progressive Russian encroachment, and outright Russian invasion. It serves as a lesson on Western commitment and Russia's duplicity.

a. Some Successes in Failure?

Ukraine handed its nuclear weapons over to Russia in 1994, which greatly pleased the United States and created an avenue for Ukrainian-American cooperation unburdened by fear of nuclear proliferation. The Budapest Memorandum could be considered the beginning of the positive relationship between the United States and Ukraine which, if Ukraine had not given up its nuclear arsenal, may never have occurred. The Budapest Memorandum also got the United States and United Kingdom (though they had no issues with Ukraine's claimed territory) to recognize the boundaries of Ukrainian territory explicitly and at least got Russia to claim to do so.

Perhaps, the Budapest Memorandum prevented nuclear war between Ukraine and Russia. Without a friendly United States or Europe, an isolated Ukraine, desperate to escape Russia's

grasp, could have been invaded by Russia earlier, and decide that the situation was dire enough to use its nuclear arsenal. This is a hypothetical, but it illustrates the importance of the relationship between the United States and Ukraine, as well as the positives of having removed a nuclear flashpoint from the map.<sup>xxxiii</sup>

There is the caveat that if Ukraine had kept its nuclear weapons, it would have had a form of leverage over Russia in the current war or other Russian offensive action that it now does not have. Ukrainian denuclearization in hindsight was a double-edged sword, reliant upon the trustworthiness of Russia to gain the friendship of the United States. This trust in Russia was shown to be a sham as Russia meddled intensely in Ukrainian politics until the outright invasion. The current war avoiding nuclear exchange is good, but if Ukraine possessed nuclear weapons, maybe there would not be a current war. However, without the duplicity and aggression of the Russian Federation, there would *certainly* not be a current war.

## **IX. Conclusion**

The Budapest Memorandum was enforced by trust and nothing more, then collapsed once that trust was continually broken. The hammering out of the memorandum and the Trilateral Statement that preceded it, and the multiple hiccups in the Ukrainian Rada display that the resolution of non-proliferation in Ukraine, Russian trustworthiness, and a working relationship with the United States and United Kingdom were crucial issues to the Ukrainian government and electorate in 1994. Anxiety over these issues was justified, especially over Russian trustworthiness to uphold the assurances made in the Budapest Memorandum. As displayed by history after 1994, the Rada was right not to trust Russian assurances.

There are deeply worrying lessons to be taken from the failure of the Budapest Memorandum. First, the lukewarm response to twenty years of Russian violation of Ukrainian sovereignty before the invasion of Crimea, despite assurances from the United States and United Kingdom of Ukrainian territorial integrity, exemplified the unwillingness of United States (and the West broadly) to adhere to its commitments. This sends a message to other states: acquire a nuclear arsenal as fast as possible in order to survive, because with a nuclear weapon, the United States and its allies will allow any kind of behavior, including invasion of sovereign countries. The other takeaway for states is that without nuclear weapons a state is vulnerable to invasion like Ukraine, as Western assurances cannot be trusted to materialize anything concretely preventative. This encourages proliferation of nuclear weapons, the opposite of the Budapest Memorandum's original intention.

This is a dour conclusion, but it is necessary to display the importance of honoring international commitments. Ukraine has paid the price for the Budapest Memorandum's failure, despite having done everything asked of it in the memorandum. The noncommittal attitude of the memorandum damages Western credibility and emboldens the actions of tyrannies like Russia. At the heart of this is that Russia also agreed to the memorandum, and Ukraine held up its end of the deal. Russia is an independent actor that did not have to continually violate of both the Budapest Memorandum and the sovereignty of Ukraine. Had Russia not interfered with, then brutalized Ukraine, there would be no reason for Western-backed accountability. The Budapest Memorandum failed Ukraine, and Russia is to blame for the failure of the Budapest Memorandum.

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- <sup>i</sup> The Budapest *Memoranda* are actually three separate documents, one for each individual state giving up their nuclear status. Their content is the same, just swapping out placenames.
- <sup>ii</sup> Pifer, Steven. 2011. *"The Trilateral Process: The United States, Ukraine, Russia, and Nuclear Weapons"* The Brookings Institution, Foreign Policy at Brookings – Arms Control Series. No. 6. Pp 24.
- <sup>iii</sup> Pifer, Steven. 2011. *"The Trilateral Process: The United States, Ukraine, Russia, and Nuclear Weapons"* The Brookings Institution, Foreign Policy at Brookings – Arms Control Series. No. 6. Pp 17.
- <sup>iv</sup> Zygar, Mikhail. 2023. *"War and Punishment: Putin, Zelensky, and the Path to Russia's Invasion of Ukraine"* Scribner, New York. Pp 188.
- <sup>v</sup> Plokhyy, Serhii. 2021. *"The Gates of Europe: A History of Ukraine – Revised Edition"* Basic Books, New York. Pp 326, 350.
- <sup>vi</sup> Pifer, Steven. 2019. *"Why Care About Ukraine and the Budapest Memorandum"* The Brookings Institution.
- <sup>vii</sup> I use the Russified spelling of Kyiv: "Kiev", here because that is the spelling in the commonly used name for the speech, as coined by columnist William Safire.
- <sup>viii</sup> SSR = Soviet Socialist Republic, the most common administrative division type in the Soviet Union.
- <sup>ix</sup> 1991. *"Remarks to the Supreme Soviet of the Republic of the Ukraine in Kiev, Soviet Union"* George H.W. Bush Presidential Library and Museum. <https://bush41library.tamu.edu/archives/public-papers/3267>
- <sup>x</sup> Plokhyy, Serhii. 2021. *"The Gates of Europe: A History of Ukraine – Revised Edition"* Basic Books, New York, 2021. Pp 317.
- <sup>xi</sup> SFSR = Soviet Federative Socialist Republic, a special federated administrative division of the Soviet Union.
- <sup>xii</sup> Zygar, Mikhail. *"War and Punishment: Putin, Zelensky, and the Path to Russia's Invasion of Ukraine"* Scribner, New York, 2023. Pp 163-164.
- <sup>xiii</sup> Zygar, Mikhail. 2023. *"War and Punishment: Putin, Zelensky, and the Path to Russia's Invasion of Ukraine"* Scribner, New York. Pp 164.
- <sup>xiv</sup> Pifer, Steven. 2011. *"The Trilateral Process: The United States, Ukraine, Russia, and Nuclear Weapons"* The Brookings Institution, Foreign Policy at Brookings – Arms Control Series. No. 6, May 2011. Pp 10.
- <sup>xv</sup> Ukraine was the only one of these three to possess nuclear warheads, the other two possessed launch systems that could be used for nuclear weapons.
- <sup>xvi</sup> Pifer, Steven. 2011. *"The Trilateral Process: The United States, Ukraine, Russia, and Nuclear Weapons"* The Brookings Institution, Foreign Policy at Brookings – Arms Control Series. No. 6, May 2011. Pp 24.
- <sup>xvii</sup> Pifer, Steven. 2011. *"The Trilateral Process: The United States, Ukraine, Russia, and Nuclear Weapons"* The Brookings Institution, Foreign Policy at Brookings – Arms Control Series. No. 6, May 2011. Pp 24.
- <sup>xviii</sup> Harvard University Policy Memo Resource: *"Ukraine: The Budapest Memorandum of 1994"* Harvard University. <https://policymemos.hks.harvard.edu/links/ukraine-budapest-memorandum-1994>. Accessed 4/19/2024.
- <sup>xix</sup> Ukraine is being used as the example here because its position is the most prevalent, but the agreement was the same for Belarus and Kazakhstan.
- <sup>xx</sup> Harvard University Policy Memo Resource: *"Ukraine: The Budapest Memorandum of 1994"* Harvard University. <https://policymemos.hks.harvard.edu/links/ukraine-budapest-memorandum-1994>. Accessed 4/19/2024.
- <sup>xxi</sup> Harvard University Policy Memo Resource: *"Ukraine: The Budapest Memorandum of 1994"* Harvard University. <https://policymemos.hks.harvard.edu/links/ukraine-budapest-memorandum-1994>. Accessed 4/19/2024.
- <sup>xxii</sup> Zygar, Mikhail. 2023. *"War and Punishment: Putin, Zelensky, and the Path to Russia's Invasion of Ukraine"* Scribner, New York. Pp 224.
- <sup>xxiii</sup> Plokhyy, Serhii. 2021. *"The Gates of Europe: A History of Ukraine – Revised Edition"* Basic Books, New York, 2021. Pp 333.
- <sup>xxiv</sup> Hill, Fiona, and Clifford Gaddy. 2015. *"Mr. Putin: Operative in the Kremlin – New and Expanded Edition"* The Brookings Institution, Washington D.C. Pp 363.
- <sup>xxv</sup> This translates to "Independence Square" from Ukrainian.
- <sup>xxvi</sup> Zygar, Mikhail. 2023. *"War and Punishment: Putin, Zelensky, and the Path to Russia's Invasion of Ukraine"* Scribner, New York. Pp 289.
- <sup>xxvii</sup> Hill, Fiona, and Clifford Gaddy. 2015. *"Mr. Putin: Operative in the Kremlin – New and Expanded Edition"* The Brookings Institution, Washington D.C. Pp 363-64.

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<sup>xxviii</sup> For the sake of unfamiliar readers, I use terms like “state parliament” and “state capital” instead of the more complicated Ukrainian terms that denote Crimea and Sevastopol’s unique statuses within Ukraine.

<sup>xxix</sup> These Russian troops are commonly referred to as the “Little Green Men” as a reference to their then-unknown origin.

<sup>xxx</sup> Zygari, Mikhail. 2023. *“War and Punishment: Putin, Zelensky, and the Path to Russia’s Invasion of Ukraine”* Scribner, New York. Pp 299.

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<sup>xxxi</sup> Zygari, Mikhail. 2023. *“War and Punishment: Putin, Zelensky, and the Path to Russia’s Invasion of Ukraine”* Scribner, New York. Pp 299.

<sup>xxxii</sup> Zygari, Mikhail. 2023. *“War and Punishment: Putin, Zelensky, and the Path to Russia’s Invasion of Ukraine”* Scribner, New York. Pp 298.

<sup>xxxiii</sup> Plokhy, Serhii. 2021. *“The Gates of Europe: A History of Ukraine – Revised Edition”* Basic Books, New York, 2021. Pp 341.

<sup>xxxiiii</sup> Pifer, Steven. 2019. *“Why Care About Ukraine and the Budapest Memorandum”* The Brookings Institution.

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