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# Foreign Policy Insight

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# Foreign Policy Strategies and Decisions

## Is a peaceful settlement possible?



**D**iplomatic efforts aimed at organizing negotiations in Astana, which were to take place on January 15 with the participation of Ukraine, Russia, Germany and France at the highest level, have been unsuccessful thus far. Further, the Berlin conference of Foreign Ministers of these countries can be considered a diplomatic failure. Why, after 4 months of ceasefire, which gave a chance for a peaceful settlement of the crisis in Ukraine's east, are Ukrainian citizens still sacrificing their lives? Is there a possibility to reach a diplomatic solution to the conflict?

### The deadlock

The Minsk agreements were concluded on September 5 and 19, 2014, given that at that time it corresponded to the interests of all parties involved. Ukraine tried to buy time in order to restore its defence capabilities and regroup Ukrainian troops after the defeat near Ilovaïsk and Novoazovsk, as well as ensure a continuous gas supply from Russia for autumn and winter. The Russian Federation tried to evade a new round of US and EU sanctions af-

ter a massive counter-attack of the Russian Armed Forces on August 19 — September 5, which was launched to prevent the crushing defeat of DPR/LPR illegal armed groups. The US and Germany strived to ensure a ceasefire regime and turn the conflict into a negotiation framework.

However, given the irrefutable evidence of RF responsibility for the MH17 plane crash, the participation and the key role of the Russian military and intelligence agencies in stirring up terror in eastern Ukraine and Russia's constant provocation of tensions in relations with the West, the European Union and the US nevertheless extended sanctions against Russia in its oil, gas, financial, and defense sectors. Russia responded by refusing to observe two key provisions of the Minsk agreements: the Russian Armed Forces have not been withdrawn from the occupied Donbas territories and the Ukraine-Russia border has not been restored.

An important part of the Minsk agreements is the so-called "secret annex", which has not been officially published yet, but both Russian and European diplomats have repeatedly confirmed its exis-

tence. The annex covered a number of conceptually important issues, including possible boundaries of the territories with special status and the deadline for local elections in the DPR and the LPR to be held between October 19 and November 3, which would legitimize the situation in Donbas. On October 16, 2014, Ukrainian President Petro Poroshenko signed the law, «On special order for self-governance in certain districts of Donetsk and Luhansk regions», which, however, did not correspond to the secret annex. In light of this, in the middle of October, it became clear that the parties would not be able to entirely fulfil the Minsk agreements.

The first attempt to revise the Minsk agreements was a summit **in Milan held on October 17, 2014**. Ukraine's stance in negotiations as well as that of the EU remained the same. There was also a wish to ensure continuous Russian gas supplies in autumn and winter 2014/15. Instead, Russian President Vladimir Putin sought to adjust the agreement to implement a number of important points of his own agenda. These include a wide range of issues: from ensuring that local elections in Donbas take place on the date established in the secret annex (that is, the legalization of the illegal armed groups of A. Zakharchenko and I. Plotnitskyi), keeping Donbas in the federal Ukraine under the draft Constitutional agreement proposed by V. Medvedchuk, to having the European Commission unblock 2 projects strategically important for Russia — a gas pipeline OPAL (filled by 50%) and the de-freezing of the “South Stream” construction.

There was some progress reached on Russian gas supplies to the EU and Ukraine in autumn and winter 2014/15. Other items of the Russian president's agenda were not fulfilled. In response, Russia disregarded the two key provisions of the Minsk agreements mentioned above. Putin does not support the idea of a withdrawal of Russian regular troops and the restoration of the border, as it may lead to the degradation and subsequent break-up of the so-called DPR and LPR under internal socioeconomic problems and the overthrow of their nominal leaders as a result of conflicts between field commanders. This was the reason why the overall strength of the Russian armed forces in Donbas has increased twice since October 24, 2014. According to Ukraine's National Security and Defence Council, as of January 15, 2015, the contingent of Russian armed forces totalled 8,500 people, while the over-

all strength of the illegal armed forces of the DPR and LPR was 38,000 people. It is clear that this is not enough to launch a full-scale military offensive; however, it is enough to try to make some order in the separatist-controlled territories.

In addition, the law of Ukraine, «On special local self-governance in specific regions in Donetsk and Luhansk regions», is not identical to Medvedchuk's draft constitutional reform, as it has a limited 3-year term, does not provide for the federalization of Ukraine and postpones local elections on the occupied territories. The parties have reached an impasse, because any attempt to introduce elements of federalization through the Verkhovna Rada will certainly lead to the internal political crisis, more dangerous for Ukrainian leadership than the resumption of war in eastern Ukraine, which sometimes is quite convenient to explain the absence of reforms and to mobilize Western financial support.

In order to unblock the negotiation process, starting from October 27, Petro Poroshenko began to push through the idea on introducing a free economic zone for DPR/LPR, which in fact would receive its own customs borders and administration, although it would remain under Ukrainian sovereignty. However, it turned out that it is not enough to unblock the negotiation process.

Without going into detail, it should also be emphasized that Putin considers the conflict with Ukraine within the global context of confrontation with the US and NATO. Therefore, the absence of any concessions from the West in its own agenda of relations with Russia, the increasing pressure through keeping oil prices falling and painful sanctions, strengthening the positions of the West in Syria and the Middle East, the impasse in negotiations with the United States on disarmament, the demonstrated enmity towards Putin made him decide on further tactics in Ukraine's east: **concessions and gradual freezing of the conflict or raising the stakes and aggravation of the confrontation.**

### Disposition of the parties

Currently, the positions of the negotiators are as follows. The Russian Federation continues to insist on the constitutional reform and federalization of Ukraine and seeks to legalize the contingent of Russian troops in Donbas as peacekeepers. For this purpose, Russia will try to convince negotiators and the mass media to recognize “humanitarian

aid” on the occupied territories of Donbas. To exert pressure on its opponents, Russia contributes to the escalation of tensions in Donbas, supports the terrorist underground in Kharkiv, Odessa and Kherison and resorts to gas and debt blackmails (e.g. the rejection of Ukrtransgaz services and the demand that Ukraine pay off debt obligations worth \$3 billion). The Kremlin is not ready to compromise yet.

For Poroshenko and Western partners, the previously agreed-upon provisions remain crucial, i.e. the cease-fire, the withdrawal of Russian troops and illegal armed groups and the restoration of the border. Ukraine has demonstrated that it remains open to compromises, such as the establishment of a free economic zone in the DPR and LPR, the extension of the validity of the law, «On special order for self-governance ...», and the readiness of state energy producers Ukrinterenergo and Tsentrenergoto to purchase local coal and ensure electricity, water and food supplies to Crimea during storms in the Kerch Strait. Russia and Ukraine have even signed a contract on the transit of Russian electricity to Crimea. However, from the Kremlin's point of view, these concessions on Ukraine's part are not enough.

The EU is ready to make compromises and ease sanctions if Russia sticks to the Minsk agreements, stops the gas blackmail of Ukraine and the EU and refrains from introducing amendments to the EU-Ukraine Association Agreement (the project by High Representative of the European Union for Foreign Affairs and Security Policy Federica Mogherini as of January 12, 2015). There are anti-sanctions sentiments increasing in the EU. A number of pro-Russian countries are frankly irritated about their own financial and economic losses because of sanctions.

The fear that the crisis in Ukraine can destroy such a comfortable world, in which the EU and US have found themselves after the Cold War, is even greater. **Although the West recognizes that Russia has challenged not Ukraine, but the West, both in the EU and in the US one prefer to discuss settlement of the crisis in Ukraine, but not the root causes of their own conflict with RF**, which lead to early 1990s. That is why any attempts to raise the discussion on the current crisis of the European security architecture and cooperation are perceived painfully and decisively rejected by Western diplomats and politicians.

At the same time, the recent escalation of tensions in Donbas is forcing the EU to respond and react to

the new Russian challenge. Most EU countries and the European institutions officials are trying to balance between the necessity to put pressure on Russia and not to cross the “red line”, after which the deterioration of relations may become irreversible and lead to direct security challenges or threats to EU countries or NATO. Therefore, typical for European decision-making processes, threats to heighten EU sanctions in the nuclear sector and financial payments sphere (blocking Russian access to the SWIFT banking transaction system) are declared so far only in the European Parliament Resolution of January 15, which does not have any legally binding force.

### Will Astana take place?

**Currently, it is impossible to make a clear forecast on further negotiation process, however, the tendencies are rather negative than positive.** Over four months the parties have made only minor concessions. Therefore, so far it is difficult to determine the parameters for principle compromise. There are few alternatives for further developments: from aggravation of the conflict with a large-scale military operation to slowly smoldering military conflict or its gradual freezing.

The trajectory of future development of the situation was to be determined by a meeting at the highest level. The capital of Kazakhstan has been proposed for holding of this meeting. However, meeting's prospects remain unclear. Furthermore, the Normandy format of Astana negotiations, without the US involvement, will not be able to resolve accumulated global contradictions and settle the root causes of the conflict. So far, the US Presidential Administration does not have a strategic vision of a new architecture of international security. The current US President looks like the least adequate political figure among American politicum for decisive actions to settle the conflict with RF. It is likely that in the near future, the US participation in the conflict will be limited to a significant financial and insignificant military aid for Ukraine, political and diplomatic pressure on the Kremlin, support for the position's unity of the Western players as regards the Ukraine-Russia conflict. The US role in supporting oil prices decline is extremely important as it causes more harm to RF than sanctions or political pressure.

The escalation of hostilities at the beginning of January deeply angered German Chancellor Angela



Merkel, who remains Petro Poroshenko's main European partner as regards both a peaceful settlement of the conflict and contacts with the Russian leadership. While conversing with the Russian President Vladimir Putin on the phone on 9 January, Angela Merkel did not get a definite answer about when he was going to withdraw Russian troops from the occupied territories of Donetsk and Luhansk regions. As a result, German Chancellor categorically refused to fly to Astana. In view of Merkel's position and the role she has in the decision-making process inside the EU, Russian agents of influence in the EU are now weakened, and thus will be not pushing ahead with the attempts to affect a thaw between the EU and Russia. Recent elections in Greece somewhat strengthened the pro-Russian flank in the EU, but did not change the configuration of power. Therefore, though unlikely to be heightened, sanctions will be not lifted. What is more, terrorist attacks in Volnovakha on January 13 and Mariupol on January 23 thwarted Mogherini's plan, which provided for partial lifting of sanctions in exchange for certain concessions on Ukrainian issue.

For the French leadership, the Ukraine crisis is becoming less important in view of the security challenges, which France is now facing. French diplomats are becoming more sceptical of Ukraine's ability to implement reforms and be a reliable EU partner. For the time being, there is no critical mass of sceptics among French politicians to have the French position on sanctions and ways of resolving the conflict in Ukraine's east revised. However, there is no wish to either toughen sanctions against Russia or seek innovative ways of resolving the conflict between the West and Russia.

In the meanwhile, according to the Ukrainian media outlets, during the last weeks Vladimir Putin proposed the Ukrainian leadership a new, revised package of proposals to replace the Minsk agreements. The proposed package provided for: a) radical decentralization of Ukraine (similar to a draft action plan for constitutional reform submitted by I. Yukhnovskiy, i.e. the creation of the upper chamber of parliament with political representation of Ukrainian regions); b) special status for the DPR and LPR, i.e. actual independence of local authorities from Kyiv, selection of local heads by vote, budget and national/cultural autonomy, the right to independent foreign trade policy (including integration policy); c) military and political neutrality of Ukraine.

It was proposed to include the abovementioned provisions in the new revision of Ukraine's Constitution. However, Petro Poroshenko, at first in a non-public manner, and then in his Ukrainian Union Day greeting, rejected Putin's proposal. Why did Poroshenko turn down the new proposal of the Russian President? Firstly, Petro Poroshenko must be aware that the number of military units of the Russian army and illegal groups of the DPR and LPR does not allow for a full-scale incursion into Ukraine. Nor will it allow for creating a land bridge between Russia and Crimea. Secondly, the Verkhovna Rada of Ukraine lacks both a constitutional and simple majority to implement such constitutional reform. A simple majority of parliament members might have been gathered in the previous Ukrainian parliament, and that is why Viktor Medvedchuk was working on the draft of the Constitutional agreement. It is interesting to note that not 300 but only 226 votes of MPs were required to pass the draft. As regards the incumbent parliament, no more than 100 MPs are ready to vote for Yukhnovskiy's constitutional draft. Therefore, the only thing that Ukrainian President can offer to his Russian counterpart is the prolongation of the temporary law "On special order for local self-governance in certain areas of Donetsk and Luhansk regions" dated September 16, which is still in force. However, this does not satisfy Moscow's demands, as it meets only one provision of Putin's proposals package.

Ukrainian diplomats still hope that the US and the EU will exert pressure on Russia, demanding the execution of the Minsk agreements on Russia's part. Ukraine's Ministry of Foreign Affairs has failed to offer any innovative approaches neither to the strategy, nor to the tactics for a peaceful settlement of the conflict, lagging behind various initiatives and steps undertaken by other players. The failure of the meeting of the foreign ministers of the Normandy quartet on January 21 in Berlin was another proof of this, whereas a comic story with a biased attitude of a German border guard towards Ukrainian foreign minister P. Klimkin comes as a logical end to the negotiations.

In view of a deadlock in negotiations and difficult domestic economic situation, for Russia the loss of time is fraught with danger. Therefore, in its own fashion, Russia attempted to ease the situation and force the conflict parties into negotiations by escalating tensions in Donbas and raising stakes in

its negotiations with Kyiv through increasing Russian territorial claims.

It is possible that Russia hopes to inflict a crushing defeat on the Ukrainian army in the course of Russian military manoeuvres, which would significantly shift the emphasis of negotiations, as was the case with the Ukrainian army's defeat in Illovaisk in August 2014. The likely targets for the attack by the Russian army and illegal armed groups of the DPR and LPR are critical industrial and transport junctions: a) Mariupol: M. Pohrebyskyi, advisor to V. Medvedchuk, in an interview with the Russian newspaper *Komersant* on January 20 openly stated that the threat was hanging over Mariupol; b) Debaltseve, through which coal from rebel-held territories is transported into Ukraine. Backstage negotiations on the unimpeded use of this route were held between representatives of Ukrainian and Russian Energy Ministries on January 13 in Moscow.

Thus, cannons have taken the place of diplomacy. The possibilities for the peaceful resolution of the armed conflict are running out not only because the West is not ready to provide an adequate response to Russian aggression, or because there is the lack of innovative ideas for a peaceful settlement of the conflict, but also due to the worsening of direct communication between Ukraine and Russia. The Minsk agreements showed everyone that in order to reach significant progress on conflict resolution, there must be a direct contact and mutual understanding between Ukrainian and Russian presidents. The West is considered here as a means of pressure or the umbrella for the proclamation or legitimization of agreements rather than a real player in Ukrainian-Russian contacts.

Apart from official channels of negotiations (trilateral contact group), there was informal shuttle diplomacy between Kyiv and Moscow with the participation of V. Surkov and V. Medvedchuk, as well as B. Lozhkin and R. Demchenko. In addition to the aforementioned persons, there were also some other alternative channels of communication, but it the above-mentioned persons most often participated in the negotiations between Kyiv and Moscow. However, it seems that today negotiations between Ukraine and Russia have ended at both official and unofficial levels of communication.

The Russian Ministry of Foreign Affairs is openly negative about Ukrainian foreign minister Pavlo Klimkin, as was the case with Andriy Deshchysia,

who served as Ukraine's acting foreign minister to June 2014. On January 26, the Russian state news agency ITAR TASS published a commentary on the work of Ukrainian Ministry of Foreign Affairs, citing the source from the Russian Ministry of Foreign Affairs. According to this commentary, the recent statements by Klimkin "have nothing to do with diplomacy". Russian diplomats are irritated by Klimkin's indiscreet comments on general topics and his inability to have a pragmatic and detailed dialogue.

In the meanwhile, there are no active contacts between Surkov and Medvedchuk as well as Demchenko and Lozhkin. It was Demchenko that played a key role in the elaboration of the Minsk agreements. Those involved in negotiations liked Demchenko's pragmatic approach to negotiations. Also, Demchenko is viewed positively both in Moscow and in the West. However, now he seems to be out of the negotiation process. According to some sources, Demchenko refused to take part in the next round of consultations on January 26 alongside Medvedchuk.

Therefore, as of today, Ukrainian-Russian negotiations lack not only a mutually acceptable comprehensive concept of conflict resolution, or the effective international dispute settlement mechanism, but also a channel of effective communication to enable such a mechanism to work. *For this reason, it is envisaged that there will be an escalation of tensions over the next days in Ukrainian-Russian relations, with the recurrence of the trade, gas, coal, loan, and hybrid war.*

### Is there a way out?

There are few proposed diplomatic initiatives. A series of terrorist attacks in Donetsk region came as a complete surprise to the EU. Now Kyiv is better prepared for the escalation of tensions and military actions than it was back in August 2014. However, there are no diplomatic efforts to resolve the conflict peacefully. **The US and European capitals do not have a definite plan for further action and have to mull over the dilemma: how to stick to their principles and withstand the Russian challenge on the one hand, and, on the other hand, to preserve the existing European security and cooperation system, punish the Russian aggressor and avoid a direct confrontation with Russia.** The summit of leaders of EU member states on February 12 will shed the light on whether such a

plan is in place. However, now it is not too early to conclude that the West is unwilling and unready to both revise the post-bipolar system in Europe and make radical steps towards military assistance to Ukraine and punishment of Russia for its military aggression.

Among a variety of diplomatic variants of conflict resolution, two of them stand out: the “Dayton concept” by Russian political scientists Y. Minchenko and F. Lukyanov, and the proposal by the president of the Parliamentary Assembly of the OSCE Ilkka Kanerva as to sending an international peacekeeping contingent to the conflict zone in eastern Ukraine.

The «Kremlin’s Dayton-2» is a dangerous concept, which follows the Kremlin’s line aimed at making Ukraine look like a failed state which needs to become a protectorate. This concept provides for the federalization of Ukraine based on the results of the “5+2” meeting (the US, Germany, France, Ukraine + DPR-LPR) and the rejection of the Minsk agreements. It is planned to create an amorphous and institutionally weak federation in Ukraine similar to Bosnia and Herzegovina, as well as to deploy a peacekeeping contingent to Ukraine, the majority of which will be made up of Russian soldiers. The US will have a role of a background actor, legitimizing the whole project by its presence (the role similar to that, which Russia played in Dayton).

Under current conditions, this scenario is undesirable and practically unfeasible. It can be played out only provided there is a large-scale destabilization of Ukraine and Russian aggression on Ukrainian territory between Odesa and Kharkiv.

The deployment of an international peacekeeping contingent under the auspices of one of the international collective defence organizations is also an unlikely scenario. International peacekeeping missions would help freeze the conflict and get some time to elaborate a new concept of a peaceful settlement as well as implement reforms in Ukraine. However, while playing out such a scenario, Ukraine and Russia will inevitably face the problem of choosing an organization, which would lead the peacekeeping mission. There are few options: the UN, the OSCE and CIS. The OSCE and CIS are bad options in view of the prevailing Russian element there. The UN would be the best option in view of its neutrality, but Russia is unlikely to agree to this scenario.

According to Art.39 of the UN Charter, “the Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression, and make recommendations, or decides what measures shall be taken ...to maintain or restore international peace and security”.

In practice, the procedure for the deployment of the UN peacekeeping mission provides for a number of consultations with the participation of all interested parties from the UN, representatives of the government of the host country, and conflict parties on the ground, capable of providing military and police contingents of states, regional and intergovernmental organizations. Then the Security Council adopts a corresponding resolution on the establishment of mandate, the scale of peacekeeping operations, and tasks to perform. Budget and resources are approved by the General Assembly. A decision on the deployment of a peacekeeping mission requires nine votes by the Security Council members, including five votes from permanent members (China, Russia, Great Britain, the US and France). Therefore, it is unlikely that such a decision will be taken in the near future.

Even if we imagine that such a decision is taken and Ukraine will host a UN peacekeeping mission, this should not exclude a political dialogue between the conflict parties, as political agreements and their execution will provide a basis for peace. Without this, peacekeeping missions may be of long duration and little efficiency, such as the UN mission in Georgia (1993-2009), the United Nations Protection Force in the former Yugoslavia (1992-1995) etc.

All other ideas, suggested by the state and non-state actors, look more like a “wish list” rather than realistic concepts of peaceful resolution. The approaches like “Russia should stop aggression and withdraw troops” do not consider interests of the initiator of the conflict — Russia, and thus will not be accepted or implemented by Russia without inflicting a direct military defeat on Russia. In the short-term perspective, there are no grounds to forecast either a direct military defeat of Russia, or its domestic or economic crisis, which would undermine Russia from within. That being said, such approaches will only lead to further escalation of the conflict, and, therefore, — to new human losses and sufferings. In view of the abovementioned, there are no alternatives to a peaceful diplomatic resolution of the conflict, at least for the next few months.



### Multilevel nature of the conflict

The current crisis, which can be called Ukrainian, Russian, European and even global or geopolitical, should be considered comprehensively. It resulted from a conjunction of conflicts at one point in time at three different levels: geopolitical (global), Ukrainian-Russian (regional) and internal Ukrainian (local). What is more, the conflicts of the higher level aggravate the conflicts of the lower level and vice versa, and the same actors can act at different levels in different roles. A constricted or narrowed understanding of the conflict leads to the fact that the suggested ways for its resolution do not bring the expected results.

*At the global level*, it is a conflict between the major players in the international arena: first of all, between Russia and the West (under the term “West”, we imply the US, EU, NATO and other players who share common standards of behavior with them, e.g. Japan or Australia). The preconditions for the conflict have included errors in creating and developing European and North Atlantic security and cooperation architecture in the early 1990s and false parameters of the former Soviet Union countries’ involvement in European and Euro-Atlantic integration. The violation of international laws by leading players in the global arena and the application of double standards (from the Iraq gamble to the independence of Kosovo) undermined the moral credibility of the West and created a series of precedents of non-punished international law violation. The precedent of Kosovo became a time bomb, and the rejection of the Ukraine and Georgia Action Plan for NATO membership triggered Russian imperialism. The annexation of Crimea has utterly destroyed the post-bipolar system of international relations that has existed for the last two decades.

**The process of the post-bipolar disintegration will lead to the establishment of a new system for world law enforcement and will renew key international institutions.** Only now are leading actors starting to comprehend the ramifications of the collapse of the post-bipolar system of international relations and the search for possible new options for a global security architecture.

Ukraine’s objectives at this level are to develop a new foreign policy that would take account of the principles of the future international relations system and outline specific proposals. Ukraine, which

by force of circumstance has become a catalyst for the destruction of the existing international security and cooperation system, must act not only as a subject of arrangements but must focus its own foreign policy on critical issues such as boundary conflict or conflict zone status. To preserve its subjectivity in international relations, Ukraine should initiate the revision of European and North Atlantic security and cooperation architecture principles and the renewal of international institutions. It is essential for Ukraine to offer and promote its own vision of the role of Russia and other former Soviet Union countries in European and international organizations, put forward solutions to global and bilateral conflict resolution with Russia and occupy its own place in the new world order.

*At the regional level*, we primarily deal with bilateral conflict between Russia and Ukraine which was caused by the erosion of the post-Soviet system of foreign relations in the region and Russia’s desire to restore the “historical truth” and reclaim its position in the region that it considers to be its own sphere of influence, as well as provide a proper place in global and European architecture of security and cooperation. The ultimate catalyst of the conflict was the repeated (after the Orange Revolution) victory of pro-European forces in Ukraine and the country’s attempt to finally break away from Russia’s Eurasian integration project.

Russia sees Ukraine as part of its sphere of influence and a core component of the post-Soviet integration processes. In this respect, Ukraine’s European integration aspirations depend on its internal strength and ability to withstand pressure from Russia or the internal weakness of Russia and its inability to implement imperial policy by force. The weakening of Ukraine and the strengthening of Russia in the last decade have made the European integration of Ukraine a hostage to Russian imperialism, while Ukrainian political corruption, the heterogeneity of Ukrainian society and the weakness of its military and security structures allowed the Russian political elite consider Ukraine a surmounted obstacle on the way to the Eurasian Union.

The complexity of Ukrainian-Russian ties, the interdependence of Ukrainian and Russian economies, military-industrial cooperation, the energy factor, Crimea, the Russian political elite’s psychological dependence on the Ukrainian question and a number of other reasons have significantly

impaired a fast and simple settlement to the conflict. The wider regional context, the precedent of Ukrainian-Russian settlement after the collapse of the Soviet Union and the objective to strengthen the European integration vectors in the former Soviet Union countries should also be taken into account. The handling of the Ukrainian-Russian conflict and ways of reconciliation will bring peace, stability and prosperity not only to the two countries but to other countries of Eastern Europe, the Southern Caucasus and Central Asia. That is why Ukraine has to put forward solutions to defuse not only short-term consequences of the crisis but its underlying causes. We have to outline for Russia and the international community truly innovative conceptual proposals concerning Ukrainian-Russian security and economic relations, ways to tackle the Sevastopol problem — the base of the Black Sea Fleet of the Russian Federation — and the status of the current conflict zones. International experience makes it possible to formulate such ideas and proposals. Heavy sanctions should be imposed against Russia if it refuses to consider them and continues to escalate violence.

**The local (internal Ukrainian) level** of conflict refers to the conflict between closed political and economic social institutions and a new civil society, which denies the oligarchic Latin American-post-Soviet model of nation-building and socioeconomic relations. This conflict has escalated due to the heterogeneous nature of Ukrainian society and the reckless encouragement of regional, cultural, linguistic and religious differences by political elites to support their own short-term gains. Political elites speculate on historical, linguistic, religious, cultural, economic and other differences between regions of the country in order to advance their political positions and chances to enrich themselves through economic rents. Instead of uniting different regions by a common vision of the future, political elites increase electoral preferences and their own political capital by swinging the pendulum of cultural and historical differences between regions.

This process has been taking place since the independence of the country and has led to dialogue delays and a cultivation of the policy of “winner takes all”. What is more, these political cycles led to the disintegration of the country and the armed fighting in Donbas.

To resolve the conflict at this level, it is necessary to hold a national dialogue and formulate a

coherent national policy aimed at uniting all regions of Ukraine through a common goal of promoting future development and preventing future disintegration.

Given a huge number of issues in political, security, economic, energy, social and other spheres, society and political elites cannot afford to spend decades discussing some historical minutiae justifying themselves by deploying plausible arguments. National dialogue in Ukraine should be held relatively quickly and focus primarily on the social agenda points that bring together different regions or people. The issues that cause irritation or rejection in large social groups should be discussed, but, in case of a lack of immediate prospects to reach a consensus, they should be postponed to be addressed later or in regions and communities where they will not trigger fundamental contradictions or conflicts. Ukrainian national dialogue should be based not only on the culture of discussion and consensus, but also on a respect for alternate points of view and the capacity to accept the fact that society is united on the principle of “lowest common denomination”. In other words, Ukrainian national dialogue aims to set a forward-looking and majority-backed agenda of principles, ideas, goals and objectives which will lay the groundwork for the state in a manner comfortable for all citizens.

### Peace dialogue instead of military conflict

Thus, the resolution of the current multilevel and multidimensional crisis is possible from the position of a three-level initiative:

- a) the settlement of a global conflict by means of a new Pan-European agreement on collective defence and cooperation with the participation of all European partners, the US, and Canada to replace the 1975 Helsinki Declaration, which was de-facto disavowed by Russia. The international community should make Russia a concrete and definite proposal: Russia has the right to a full participation in all European security and cooperation structures, which could be subsequently reformed; Russia may get a visa-free regime and a free trade zone with the EU under condition that Russia immediately stops aggression, withdraws its troops from Ukraine, restores sovereignty and integrity of Ukraine during a specific time frame. In case of Russia's refusal,

- the international community will thrust Russia into a complete economic, political and financial isolation, suspend Russia's membership in international organizations etc. In case of Russia's consent, not only thousands of human lives will be saved, but a new page in European and world history will be turned over. The financial and economic isolation of Russia will lead to Russian rapid collapse and will allow for forcefully bringing Russia back to respecting international law;
- b) the establishment of a local Ukrainian-Russian security system with fixed guarantees for Ukraine of its sovereignty and territorial integrity, as well as the gradual regulation of the status of occupied territories of Donetsk and Luhansk regions;
- c) the comprehensive national dialogue in Ukraine at the level of representatives of civil society, expert community and politicians as to constitutional reform and reforms agenda and transformations in Ukraine, the country's reintegration, the "common vision of the future" project, which would appeal to all Ukrainian citizens and will allow for removing separatist and disintegration tendencies.

Two options for a political settlement of the Donbas and Crimea problem are as follows:

- *Return of Crimea to Ukrainian jurisdiction with the preservation of its status of a special customs and administrative territory «porto franco» under «one state — two systems» principle similar to the status of Hong Kong in China, the renewal of the lease of Sevastopol by Russia for 50 or 99 years;*
- Introduction of an effective decentralization, delegation of powers to Donbas local authorities similar to the case of Northern Ireland, in particular "double identity", i.e. the right of people to freely choose a citizenship and have no limitations on their rights at the level of local self-governance bodies, maximum delegation of all competencies to the local level except for foreign policy, national security, currency flows etc.

Such an approach and proposals can breathe life into a peaceful resolution of the conflict, bring conflict parties back to negotiations, change the dynamics of the conflict and escalation to dynamics of cooperation and regulation. This is the best scenario for Ukraine, which will not only save human lives but also allow for starting a new stage of the unification of European continent under European integration principles.



# Regional and global focus: implications for Ukraine

## Syrian shifts and the Ukraine-Russia conflict



During July-December 2014, with the use of “public diplomacy”, Russia actively offered itself to the US as a partner in order to resolve a number of international issues (Syria, ISIS, Ebola, etc.). In August last year, the Boisto Plan was published. It was developed with the participation of the American diplomat Henry Kissinger and representatives of two relevant Russian universities (in particular, the Institute for US and Canadian Studies). In September, there was a PR-campaign conducted by major US and Russian media outlets. As its final chord, the head of analytical agency Stratfor George Friedman visited Moscow in December. He was invited by the Ministry of Foreign Affairs of the Russian Federation and the Moscow State Institute

of International Relations, where the parameters of American-Russian cooperation on resolving global problems, especially the conflict in Syria, have been discussed.

The deterioration of the situation in Syria during July-December made the Kremlin's proposal more attractive for Washington. It seems that a turning point was in December 2014 after the publication of a RAND Corp. report, in which the US official foreign policy course's goal of overthrowing the Syrian president was called a mistake. According to the RAND Corp., weakening the Syrian regime will only complicate the much greater problem of ISIS expansion given that the US-supported Syrian opposition representatives and the Iraqi govern-



ment failed to deal with the group themselves. Even airstrikes on terrorists' positions carried out by allies' air forces have not helped. In these circumstances, the Obama's administration decided to use the Kremlin's mediating services in order to try to reconcile the pro-American Syrian opposition with Syrian President Bashar al-Assad, which is openly supported by Putin. For this purpose, on January 26-28, three-day negotiations between the two opposing sides were held in Moscow. Also, contact between the US Secretary of State John Kerry and the Russian Foreign Minister Sergey Lavrov was significantly intensified.

For Ukraine, this cooperation has already resulted in the quite moderate and one-day-postponed US president's reaction to the terrorist act in Mariupol, as well as in the postponement of an emergency meeting of foreign ministers of EU member states from January 26 to 29 — that will be the day after the extremely important Moscow negotiations on Syria. Most likely, it would be undesirable to complicate these negotiations by discussing the continued controversies on the Ukrainian question.

The "Syrian shift" in US foreign policy may lead to a number of consequences for Ukraine. The further shift of the US administration's attention from Ukraine to ISIS is also possible. In this respect, the United States' cool attitude toward the Syrian opposition is extremely significant. It should be noted that Washington went against the Syrian opposition's interests in order to achieve a priority goal — the destruction of ISIS.

Shifting the burden of solving the Syrian problem to the shoulders of Moscow is a symptom of the growing soft isolationism of the Obama administration. The US president prefers to pay the lion's share of attention to the United States' internal problems (health care reform, racial integration, etc.) and in many cases limit its foreign policy priorities to maintaining the world order. Ukraine is thus viewed by Obama in that context. In practical terms, this means a visible moralistic rhetoric with a minimum of real actions.

If the Moscow negotiations turn out to be successful, one can predict the breakthrough of international isolation and a partial rehabilitation of Russia in the eyes of the international community. However, one should not expect a global agreement between the US and Russia on the Ukrainian issue, as in addition to a tactical agreement on Syria, there are deep contradictions between the two countries, i.e. regarding nuclear disarmament (test-launch of the intercontinental ballistic missile "Bulava", Russia's claims over the INF deployment in Europe etc.). It is unlikely that the US rhetoric on Ukraine will be rapidly changed, but gradually the Ukrainian issue will become less important. And the importance of Russian partnership to address critical international issues will remain. Therefore, it is necessary for Ukraine's diplomats to elaborate new parameters regarding the settlement of the conflict with the RF and not to rely only upon its American partners so as to not find out one day that the solution of the Ukrainian conflict has become a part of a broader package deal between both geopolitical players.

The aim of the publication is to provide analysis of Ukraine's foreign policy in the context of global processes in the region and the world, as well as an overview of major world events that may have an impact on the further development of Ukraine and the region. Special attention is paid to the European integration of Ukraine, in particular implementation of Ukraine–EU Association Agreement.

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