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THE CRISIS OF THE EUROPEAN SECURITY IN RESPONSE TO RUSSIAN AGGRESSION AGAINST UKRAINE

The purpose of this article is to detect the true nature of foreign policy of Russian Federation concerning Ukraine and the European countries. The author also aims to analyze the influence that Russian aggression – annexation of Crimea peninsula and intervention of the Kremlin to the conflict in the Ukrainian East – have for the European security system and national security of separate European countries.

The author argues that the aggressive politics of the Russian Federation concerning the protection of Russian-speaking minorities in the post-Soviet countries has its aim to make the international community recognize the post-Soviet area as the territory of only Russian geopolitical interests. Thus, the questions stated in the article concern also the activities of international organizations aimed at providing security for the European countries. First, the author highlights that the possibilities of NATO to react on the Russian aggression are limited on the territory of Eastern Europe, so the structure of NATO needs reforms to dislocate more powers and facilities in countries bordering with post-Soviet area. European Union, from its side, has a very limited potential to react on the activities of Russia due to the political practice of using “soft power” preferably to any active measures. Moreover, there is an absence of consensus between separate states – EU members on how to deal with the sanctioning policy towards Russia.

Therefore, the author proposes own vision of steps directed to the protection of country-members of the European continent. To sum up, the author affirmed that a necessity emerged of holding a meeting of key European states and the US in sui generis format, for example, Yalta-2 as an analog of the conference in Yalta on 4-11 February 1945, to determine the logic of further development of a global/regional/interregional system of international relations in the security dimension.

Keywords: European Security, Russian Aggression, Ukraine, Annexation of Crimea, NATO.

A military invasion to Ukraine and annexation of the Autonomous Republic of Crimea in March 2014 led to the creation a new geopolitical situation in the region and in the world. Unpredictable behaviour of great nuclear power, which declines to act in accordance with international law and redraws boundaries of a state in its favour, inflicted a disastrous strike on international order that shaped after the Second World War.

In particular, the international structures of security showed an unreadiness in such developments. The key structural elements of the European and Euro-Atlantic security – NATO, the EU and OSCE – were in search of urgent responses on regional and global threats that appeared because of acts of Russian Federation. It can be said without prejudice that delaying during March – December 2014 played into the hands of the aggressor, aggravating tensions at the European continent.

As an aftermath of the present crisis, the above-mentioned organizations and key international actors not only showed its lack of institutional governance but made tactical and strategic blunders in threat assessment and understanding of nature of post-bipolar security environment. Perceptions on decreasing of the role of “hard threats” primary in the European continent appeared premature. A military invasion to Ukraine and annexation of Crimea peninsula by Russian Federation upset the military strategic equilibrium in the region and affected change of configurations that shaped after the end of the Cold War. Tactics of “involvement” or policy of conciliation of Russian Federation that based on relation to Russia as a partner of the West was taking a pounding¹.

¹ Кононенко, К. А. (ред). (2014). *Актуальні виклики та загрози регіональній безпеці: висновки для України*. Київ: НСІД, 31.

Military invasion of Russia to Crimea and Moscow's support of criminal separatist and terrorist groupings in the southeast of Ukraine is violation of the most of international treaties, agreements and obligations that maintain peace and security in Ukraine and Europe: the UN Charter (1945), Resolution of UN General Assembly No 3314 on 14 December 1974, Helsinki Final Act (1975), Charter of Paris for a New Europe (1990), Budapest memorandum (1994) and Founding Act on Mutual Relations, Cooperation and Security between NATO and Russian Federation (1997)¹.

It is important to emphasize that the UN General Assembly adopted Resolution 68/262 on 68 session on 27 March 2014, in which it condemned Russian invasion and spoke in support of territorial integrity, sovereignty and independence of Ukraine².

One of the aftermath of violation of international obligations by Russia is that other actors of the world politics can revise their obligations related to Russian Federation in a legal, political, military, economic and energy spheres. From a standpoint of effectiveness system of the European security, the increasing of the role of NATO as a most influential political and military organization has a key significance. It forecasts necessity of desistance of reduction in defence spending by the European countries and increasing of military presence of NATO (the US) in the territory of Central-Eastern European countries and Baltic states, which are the members of the Alliance³.

Russian aggression uncapped defence and security vulnerability of our state as well as the weak security of East European flank of NATO (inadequate protection of states-members of Alliance in Central-Eastern Europe and Baltic region).

NATO, the EU and OSCE warned over specially Baltic States, which have a large Russian minority, and potentially as to Ukraine Russia can "use" a right to protection of its compatriots living abroad. For illustration purposes 66 % Russian-speaking live in Tallinn, 97 % – Narva etc. (Estonia), 53 % – Daugavpils, 48 % – Rēzekne, 41 % – Riga etc. (Latvia)⁴.

Russian naval manoeuvres in Baltic Sea that were coincident with the peak of events in Crimea as well as looming statements of Russian high officials, which "are passed over" a condition of Russians in Estonia, contributed to the tension in the region.

Poland and Romania, which have a common border with Ukraine, are waiting for grave military and humanitarian consequences for themselves in a case of possible military invasion of Russian Federation to a territory of mainland Ukraine.

Actions of Russia against Ukraine uncapped preparedness gap of countries-members of NATO in this region. With the exception of Estonia and Poland, other states of the region sufficiently reduced defence spending: average within a region is 1,1% of GDP though a demand of NATO is 2 %. Thus, in a case of necessity to put the fifth article of Washington treaty into force (collective defence as a guarantee of national security) these countries have no adequate military possibilities and resources⁵.

It became clear that until March 2014 security of these states-members of Alliance was guaranteed more confidence to international agreements and structures of security than own military possibilities. Today Russia undermined this credibility that enforced NATO in response to a treacherous attack on Ukrainian territory and occupation of Crimea to suspend military and civil cooperation with Moscow.

It is known that in accordance with NATO-Russia Founding Act (Chapter IV. Political-Military Matters) the member states of Alliance reiterate in the context of NATO enlargement to the East that they have no intention, no plan and no reason to deploy nuclear weapons on the territory of new members (so called "three no's" principle)⁶. It should be stressed, however, that situation when Russia turned from a partner into political enemy spurs NATO into the repudiation of an Act.

¹ Fledelius, A. K. (2015). Alliances potentiale: alternative vinkler på Ukraine-krisen 2013-14. *Menneskeret & vrang den danske Helsinki-komité for menneskerettigheder*. 15. Årgang Nr. 1 Konferenceternummer 23. januar 2015, 15.

² UN (2014). *Resolution adopted by the General Assembly on 27 March 2014 [without reference to a Main Committee (A/68/L.39 and Add.1)] 68/262. Territorial integrity of Ukraine*. <http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/68/262> (2021, May, 11).

³ Кононенко, К. А. (ред.). (2014). *Актуальні виклики та загрози регіональній безпеці: висновки для України*. Київ: НСІД, 32.

⁴ Fledelius, A. K. (2015). Alliances potentiale: alternative vinkler på Ukraine-krisen 2013-14. *Menneskeret & vrang den danske Helsinki-komité for menneskerettigheder*. 15. Årgang Nr. 1 Konferenceternummer 23. januar 2015, 16.

⁵ Ibid.

⁶ NATO (1997). *Founding Act on Mutual Relations, Cooperation and Security between NATO and Russian Federation* <https://www.nato.int/cps/en/natohq/official_texts_25468.htm> (2021, May, 11).

Such refusal is determined by urgent necessity to create preconditions for implementing of security guarantees for Central Eastern European and Baltic countries in case of the possible aggressive behaviour of Russian Federation in relation to them. An additional point is that refusal from “three no’s” principle is strategically indispensable to mend misbalance of powers in the Eastern Europe. Since 2001, NATO had an increased focus on Afghanistan, Somali, and Libya, in other words, an area beyond the limits of Trans-Atlantic and European jurisdiction. Today because of strong military threat from Russia zone of risks was dislocated into Europe¹.

Russian occupation of Crimea and further behaviour of Russian Federation determined force Alliance hand to estimate its political and military potential in the region. At this moment the estimations of possibilities of NATO are negative than positive. Military potential of NATO increases totally the potential of Russian Federation. However, in comparison with military forces of some countries of Central Eastern Europe and Baltic region Russian potential is larger. Regular military forces of Russian Federation are approximately 1 million of people. By comparison, the biggest in Central Eastern Europe army of Poland is 100 000, Baltic states have a regular army from 5 to 10 thousand people. At general the overall strength of the NATO army in the region is 290 000 people that is three times as smaller than Russian army has. Russian Federation has an edge over the countries of Central Eastern Europe and Baltic region on a quantity of airforces: 1793 combat aircrafts in Russia versus 112 in Poland and 327 in member countries of NATO in the region².

De facto, we have two-level strategic reality in Europe because of “limitations policy” of Alliance. The overall strength of the army of NATO is 3 million people and among of them 1,5 million in Europe and 300 thousands in Central Eastern Europe and Baltic region that is smaller than 10 %. 23 of the 28 NATO bases are in Western Europe and only 5 in the Central Eastern Europe and Baltic region. American military contingent is mustered only in Western Europe (Netherlands has American militarists more than countries of Central Eastern Europe and Baltic region combined). NATO has approximately 200 units of non-strategic nuclear weapon but the states of the Central Eastern Europe and Baltic region have none.

Deterrent system, which was elaborated by NATO, is not working properly in conditions like as swamping of Crimea. NATO, as well as the EU and OSCE, de facto passed the first strength phase of operation is critical: initiating military actions is very fast, the military activity is low intensity and localized. Thus, the situation of “perfect fact” is created and it is very difficult to change it inverse.

The second phase of operation is characterized by coming into force of Russian aggressive diplomacy, directed on further using of creating a situation as an instrument of pressure for the subjection of country-object of aggression to political and economic agenda, imposed by Russia. In case of Ukraine, it means demand of federalization, Russian as a second state language, refusal from cooperation and possible integration of Ukraine to NATO etc.

Using of deterrent diplomacy, a creation of insecurity and feeling threatened (building of military forces on the border with Ukraine, statements of V. Putin on historical belonging of Crimea, south eastern part of Ukraine to Russian Federation, permit of Council of Federation if it becomes necessary to bring Russian troops into the territory of Ukraine).

The situation in Ukraine underlined that NATO has no safety methods from energy blockade, economic sanctions and information wars on what tactics of Russia is based in the region.

For the purpose of increases in the defensive power of NATO in the Central Eastern Europe, with the aim of strengthening of means of deterrence of Russia and reinforcements of military potential directed on the protection of members countries of alliance it is wise to take appropriate steps:

- ✓ Dislocation of part of ground troops of American contingent in Europe into the territory of new members countries of NATO in Central Eastern Europe first off from Germany to Poland. This step has military as well as symbolic, political function of influence on the behaviour of Russia.
- ✓ Elaboration of strategy for protection of new member-countries of NATO with the aim of stop of Russia from blocking access to countries of Central Eastern Europe and Baltic region. With this view, it is expedient to purchase related procurement for Poland and non-members of Alliance Sweden and Finland.
- ✓ Reinforcement of regional anti-ballistic missile system and air defence system.
- ✓ Transferring of some American bases into the territory of new members of NATO (for example from Germany to Romania or Poland).

¹ Fledelius, A. K. (2015). Alliances potential: alternative vinkler på Ukraine-krisen 2013-14. *Menneskeret & vrang den danske Helsinki-komité for menneskerettigheder*. 15. Årgang Nr. 1 Konferencesaer Nummer 23. januar 2015, 16.

² Кононенко, К. А. (ред). (2014). *Актуальні виклики та загрози регіональній безпеці: висновки для України*. Київ: НСІД, 34-35.

✓ Taking into account vulnerable spheres of Central Eastern European and Baltic countries during the elaboration of a new strategy (for example cybersecurity for Estonia, energy security for Lithuania, anti-ballistic missile system for Poland).

✓ Strengthening of ties between these countries and NATO Automated Command, Control and Information System.

✓ Refusal from a prohibition against the deployment of battlefield nuclear weapons in the countries of Central Eastern Europe and Baltic region.

✓ Transferring of part of nuclear weapons from the territory of Germany and deploying of these weapons in Poland. It could significantly strengthen the means of deterrence against possible attack, which NATO has in its arsenal¹.

Thus, it is long past time to do a review of strategic grounds, on which the system of the European security was based until this time. It is very important because during the long period (post-Yeltsin epoch) Russian Federation is trying to modify security arrangements that were established during the Cold War. Stated differently, Moscow is seeking possibilities to force its own rules of the game, the key aim of which is to create a zone of instability in the post-Soviet area. Forming such arc of instability in a prospect will create threats to European security primary to the Eastern borders of the EU.

The Russian-Georgian war in 2008, Russian occupation of Ukrainian Crimea and intervention of the Kremlin to the internal conflict in the East of Ukraine are means by which the Russian Federation is trying to have the European and Transatlantic community recognise the post-Soviet area as a sphere of its own geopolitical interests or zone of geopolitical influence. So only Moscow has a right to intervene in the internal affairs of post-Soviet countries, resolving its problems of domestic and foreign policy. Other actors of the European security system do not have such right and should recognise Russia as a key architect of the European security system or one of the “arbiters” of the regional/interregional order².

Moreover, the Kremlin is trying to strengthen the status of Russian Federation as a great power that has an influence on international order and has a right to modify international legal norms in accordance with its own national/geopolitical interests. So it may safely be said that the process of further implementation of Russian revisionist politics will become a serious challenge for the European countries and the EU at general, a great threat to the European security system. It is unfortunate that the European community does not comprehend all scale of an idea of the “Great Russia”.

According to the Russian geopolitical strategy, Ukraine and other states of “Eastern Partnership” should accept the status of a buffer zone. So further enlargement of the EU or NATO to the East is out of the question. The Kremlin is continuing to support a neutral status of Ukraine because such status will allow implementing control on all spheres of political and economic life of Ukrainian state. Herewith the influence of the EU and NATO would be reduced and kept to a minimum.

Therefore, taking into consideration the above, we can confirm that the key elements of the European security – NATO (as a collective military defence organization / interregional platform), EU (as an economic regional institution and geopolitical influential power within European continent and the world at general), OSCE (as an regional / interregional forum on different issues of human security) – in the attack condition and Russian occupation of the Crimea – demonstrate their ineffectiveness. First of all, it is subject to the security structures of the EU.

The European Union is concentrated on means of “soft power”. Brussels has no other means to react against Russian policy based on “hard power”. The EU continues to show its ineffectiveness in counteracting aggressive Russian diplomacy directed on confirmation of the fact of occupation of Crimea and further attacks on the sovereignty of Ukraine.

The defence component of a foreign policy of the EU and available potential does not provide possibilities of concrete actions in such situations. However, the EU can demonstrate effectiveness in a struggle against non-traditional regional threats on which tactics of Russia is based in the region. The point at issue is about spheres of energy and economic security. Today the EU realizes it as applying sanctions against Russia³.

¹ Fledelius, A. K. (2015). Alliancernes potentiale: alternative vinkler på Ukraine-krisen 2013-14. *Menneskeret & vrang den danske Helsinki-komité for menneskerettigheder*. 15. Årgang Nr. 1 Konferencetærrnummer 23. januar 2015, 16.

² Laurinavičius, M., Kasčiūnas, L., Keršanskas, V., Kojala, L. (2014). EU and Russia Relations after Crimea: Red Lines for “Business as Usual”. *Eastern Europe Studies Centre* <<http://www.eesc.lt/uploads/news/id750/EU%20and%20Russia%20after%20Crimea.pdf>> (2014, May, 11).

³ Кононенко, К. А. (ред). (2014). *Актуальні виклики та загрози регіональній безпеці: висновки для України*. Київ: НСІД, 37-38.

It should be noted that EU leaders at an extraordinary meeting on March 3, 2014, officially proclaimed the policy of sanctions because of “the clear violation of Ukraine’s sovereignty and territorial integrity by acts of aggression by the Russian armed forces as well as the authorisation given by the Federation Council of Russia on 1 March for the use of the Russian armed forces on the territory of Ukraine”¹. The US supported the actions of the EU and on March 6, 2014, the U.S. president signed an executive order that authorized sanctions “to impose a cost on Russia”².

The EU leaders agreed to start preparing three levels of sanctions (financial, energy and defence sectors). The intention was to use the threat of economic sanctions as an instrument to prevent Russia from destabilizing Ukraine’s east³.

It is worth noting that the country-members of the EU could not come to a consensus about sanctions against Russia. For example, the Baltic States and Poland support these measures because the policy of sanctions will create conditions in which the Kremlin will meet with difficulties in the way of its further attempts to destabilize the region of Eastern Europe now or in the nearest future. The leaders of above-mentioned countries are the vocal supporters of further economic sanctions, political isolation of Russia and reducing dependence on Russian gas.

Versus these countries, Italy, Spain, Greece and Cyprus are against any sanctions. It is explained that situation in these states directly depends on economic development in Russia. After the world financial crisis 2008, these countries renewing its economics became more sensitive to the economic situation in Russian Federation, especially in energy and banking sectors.

And of course, such countries as Germany and France prefer to be mediators in the conflict between Ukraine and Russia supporting de facto sanctions policy but herewith keep in mind its own interests in such spheres of security as energy and military defence.

An absence of consensus on sanctions policy is not the alone problem for the EU. Brussels has no means of counteracting information threats from Russia and does not include this issue in its agenda. Uncritical perception of Russian propaganda bends events in Ukraine that thwarts the diplomatic efforts settlement and de-escalation of the crisis.

In summary, it is appropriate to underline that the current crisis became an expected result of the gradual expansion of destructive processes within the existing system on international security constructed on the base of Yalta-Helsinki agreements. The right of veto of Russian Federation as a country-aggressor in the UN Security Council negates the adoption of a constructive decision on resolving of Russian-Ukrainian conflict. OSCE has no sufficient leverage over Russia, which not for the first time violates the main principles of its activity and defies adopted decisions.

Aggressive actions of Russian Federation against Ukraine not only undermine regional stability in countries in the Baltic-Black Sea-Caspian region but also can have dramatic consequences on the world scale. Inasmuch as in the view of current Russian political leaders, Ukraine is not an alone country, which statehood is placed in doubt.

In this context, it is necessary to reform international institutes, which are called to foster the global and regional security. The withdrawal or at least restriction of the right of veto of five nuclear states in the UN Security Council would be the first step in this direction. It could do right to inhibit the use of priority of veto in case of discussion of especially hard international offences such as genocide, crimes against humanity, punishment for the unleashing of war etc.

In order to increase the effectiveness of the activity of OSCE, it is appropriate to stray from consensus principle during approval of binding decisions directed on a support of regional stability in a case of its violation. It is necessary to create most viable mechanisms of verification in a sphere of arms control that allows influencing hard on transgressing state including using of legal sanctions⁴.

¹ Council of the European Union (2014). *Council conclusions on Ukraine, Foreign Affairs Council meeting (March 3, 2014)*. <https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/141291.pdf> (2021, May, 11).

² Obama, B. (2014). Statement by the President on Ukraine. *White House* <<https://www.whitehouse.gov/the-pressoffice/2014/03/06/statement-president-ukraine>> (2021, May, 11).

³ Spiegel, P., Dyer G. (2014). EU and US present united front with tough sanctions on Russia. *Financial Times* <<https://www.ft.com/content/1905aac0-1738-11e4-87c0-00144feabdc0>> (2021, May, 11).

⁴ Валеева, Ю. (2014). Виклики європейській архітектурі безпеки: український контекст. *Зовнішні справи*, 9, 8-15. <<http://uaforeignaffairs.com/en/expert-opinion/view/article/vikliki-jevropeiskii-arkhitekturi-bezpeki-ukrajinski/>> (2021, May, 11).

Under the conditions of factual disablement of Yalta-Helsinki system, it is important today to elaborate some transitional agreements on sui generis code of conduct of states in new realities in Europe. Primarily it is subject to countries that came to so called grey zone between NATO and Russia – Ukraine, Moldova, Georgia and Azerbaidzhan. A principal speciality of “grey zone” is factual misregulating of rules of competition in it and for it. Namely concerning “grey zone” it is appropriate to speak about “security vacuum” in Europe. The world community should elaborate principles and measures on settlement of territorial problems of countries of “grey zone”. The point at issue is primarily about frozen conflicts on Southern Caucasus, Moldova (Transnistria), Ukraine (Crimea and Donbas) and mechanisms, which give an ability to resolve them more effectively in interests of the European security. These agreements could be captured in a legal document signed by OSCE, the EU, NATO and CSTO (Collective Security Treaty Organization), its member-countries and also some other interested states. Above-mentioned agreements should obligatorily foresee effective mechanisms of guaranteeing of security of countries of “grey zone” and responsibility for violation of these guarantees¹.

There emerged a necessity of holding a meeting of key states in sui generis format, for example, Yalta-2 as an analogue of the conference in Yalta on 4-11 February 1945 to determine the logic of further development of a global system of international relations in the security dimension.

Taking into account sufficient changes in the international environment of security and the internal political situation in Ukraine the main task of our new political authorities is upgrading of strategic documents in particular Strategy of national security, Military doctrine, the Law on the main grounds of a domestic and foreign policy of Ukraine etc.

Another important issue is a formation of a principally new system of national security of Ukraine. It should be fitted with scales of existing threats, be effectively integrated into the system of global and regional security as its inalienable part.

Keeping in mind a declarative character of Budapest memorandum (1994) it is appropriate to initiate and advance an idea of changing it by a new document that would provide an explicit mechanism of automatic using of measures for the protection of security of Ukraine and responsibility of states for violation of its commitments. Such document should have frame character and bilateral agreements with states-guarantors (the US, UK, France and China), which agree on such signing, should content concrete commitments of its participants concerning supporting the security of our state².

Today it is very important to draw lessons from Russian-Ukrainian conflict that gives a possibility to revise tasks of reshaping of global security system and determine parameters of new architecture of European security.

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