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A New European Security Order: The Ukraine Crisis and the Missing Post-Cold War Bargain*

Résumé

La crise en Ukraine a montré clairement que l'architecture de sécurité européenne post-Guerre froide n'a pas résolu le "problème russe". La crise constitue un symptôme tragique de cet échec. Ce ne sera probablement pas le dernier, à moins que les États-Unis, l'Union européenne et la Russie parviennent à bâtir un nouvel ordre de sécurité européen qui soit inclusif, souple et acceptable pour tous.

Abstract

The Ukraine crisis has definitively demonstrated that the post-Cold War European security architecture failed to solve its "Russia problem." The crisis represents a

tragic symptom of that failure, but it will likely not be the last unless the United States, the European Union, and Russia can build a new European security order that is inclusive, flexible and acceptable to all.



The violence and tragedy in Ukraine dominate the headlines as Europe and its allies struggle for a response to Russia's brazen behavior. Despite the shock of it all, Russia's actions are less a paradigm shift than a dramatic

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sharpening of a 25-year-old strategic dilemma: how to build an inclusive European security order. The post-Cold War architecture made an attempt at inclusivity, but clearly failed: Russia's actions in Ukraine are the definitive proof. In short, the Russia problem in European security has reemerged from obscurity on the backs of Putin's little green men.

The Ukraine crisis has sparked a debate about the post-Cold War security order, particularly about NATO and EU enlargement and the future of that process. Unfortunately, the debate has been remarkably shallow. On the one hand, there are those who blame the crisis on enlargement; it was Western encroachment, they claim, that precipitated Russia's moves and thus they imply that the way forward is to provide Russia guarantees that enlargement will cease. On the other, there are those who believe that enlargement cemented democratic gains in post-communist Europe and protected vulnerable states from Russian aggression. They argue therefore that the proper response to the crisis is to quickly grant membership in the institutions to Ukraine, Georgia, and any other interested Russian neighbors.

Neither side has it right. The post-Cold War European security order was remarkably successful at stabilizing Central and Eastern Europe. But it contained an inherent flaw: it could not fully include Russia. The mechanisms of an order originally built to keep Russia out of Europe simply could not be adapted for this purpose. After a decade or so of flirtation with the Euro-Atlantic institutions (NATO and the EU), Moscow concluded that they will remain forever dedicated to their original purpose of containing Russian influence. On this point, Russians are in rare agreement with their ex-Soviet neighbors and former Warsaw Pact allies. Only Western Europe and the U.S. have seriously entertained the notion that enlargement of these institutions would improve relations between Russia and the West.

In their attempts to try to understand the origins of the Ukraine crisis, the Western press and Western policymakers often focus on the person of Putin, and on his baleful influence on Western-Russian relations. This type of "great man" theory of history has the dual advantage of both simplicity of explication and clarity of response. If one man is responsible for this crisis, then ridding ourselves of him will go most of the way toward righting it. Indeed, the targeting of

Western sanctions against Putin's inner circle in recent months seemed designed to undermine his authority and set the stage for a palace coup.

Putin is clearly a charismatic and important leader who exercises a great deal of control over policy. But his current policies, as much as Western counterparts might find them distasteful, are hardly marginal in Russia; his approval rating stood at 88 percent in October and he has effectively neutralized opposition to his policies – both within his system and without, through a variety of mechanisms including selective repression, managed competition, and control of the media space. More to the point, the views he currently espouses are more a consequence than a cause of the problems in Russian-Western relations. Most importantly, if he were to disappear tomorrow, none of the fundamental problems would be resolved. Indeed, Putin's departure could well make those problems worse as his successors might be yet more in tune with the nationalist and anti-Western strains so present in Russian political culture.

Instead of wasting our collective energy on analyzing or blaming Putin, we need to ask the fundamental question that should guide our approach to European security going forward: can Russia ever be a normal partner for the West? If one believes the last twenty years demonstrate that Russia is innately hostile to the West and its values and therefore will never accept genuine partnership, then Western-Russian conflict becomes inevitable. Therefore, aggressive efforts to contain or confront Russia in light of the current crisis are both necessary and without significant downside. By contrast, if instead one reads the history of the post-Cold War relationship in a tragic light, as a series of miscalculations about the compatibility of continued institutional enlargement with a cooperative security relationship between Russia and the West, then there is a need to find a balance between sanctioning Russia for its recent transgressions of international norms and keeping the door open for revising the European security order for the future.

The False Inevitability of West-Russian Conflict

This dispute echoes a key debate in Cold War history, namely whether the Cold War began due to fundamental contradictions between the West and the Soviet Union or due to a series of misunderstandings and miscalcula-

tions on both sides of the Iron Curtain. Yet even those historians who point to the latter set of causal factors do not deny that the fundamental contradictions existed. Indeed, the Soviet Union was an expansionist, ideological power with global ambitions and deep hostility to Western interests. Post-Soviet Russia is unpleasant, and has transgressed a number of key international norms in the past year, but it is not the Soviet Union.

In other words, despite the surface similarity between today's debate on Russia and the historical debate about the Cold War's origins, closer examination reveals the key difference: fundamental incompatibilities cannot account for the current conflict between Russia and the West. That 2014 would see outright confrontation between Russia and the West was an unexpected development for political leaders on both sides. As late as June 2013, the Russian and American Presidents issued a Joint Statement on Enhanced Bilateral Engagement: "The United States of America and the Russian Federation reaffirm their readiness to intensify bilateral cooperation based on the principles of mutual respect, equality, and genuine respect for each other's interests. Guided by this approach, today we reached an understanding on a positive agenda for relations between our countries ... This wide-ranging program of action requires enhanced engagement at all levels." Nine months later, President Obama would introduce unprecedented sanctions on Russia for its actions in Ukraine.

While the current conflict might not have been inevitable, in the months and years leading up to the February 2014 invasion of Crimea, the European security architecture had become an increasing source of friction between Russia and the West. That is not to say that institutional enlargement caused the Russian invasion, as John Mearsheimer, among others, would have it. However, it is only possible to understand the Russian decision-making process on Ukraine by situating it in the broader context of the post-Cold War order in Europe and its flaws. Equally, to understand the Western decision-making process on Ukraine, one must take into account the hugely significant achievements of that order. To extricate ourselves from this crisis and construct a new European security order that is in fact inclusive, we must appreciate both the successes and the shortcomings of the old one.

The Missing Post-Cold War Bargain with Russia

The institutional enlargement path that was embarked upon in the mid-1990s has transformed much of post-communist Europe for the better, an outcome that was far from inevitable in the early 1990s. But it is equally clear that this path had inherent flaws from the start, primarily in how it dealt with Russia and its neighbors. Ever since, the West has done its best to manage the consequences of these flaws. The Ukraine crisis put an end to that balancing act.

The story begins with the wildly successful decision to make the newly reunited Germany a full member of NATO and the European Community, which created a precedent for the rest of post-communist Europe: enlarge, with slight modification, the existing Euro-Atlantic institutions in order to facilitate the democratic and economic transformations ongoing there.

The inherent flaw to the decision to extend the institutional status quo in Western Europe to Eastern and Central Europe was that NATO and the EU could never fully integrate Russia. Moreover, Russia would never accept integration on non-negotiable Western terms. The alternative – a wholesale revision of the institutional order so that Russia could be comfortably accommodated within it – would have been a huge risk as it would have involved altering an enormously successful European security order and gambling on an untested alternative. Further, Russia was (until recently) so weakened by its own post-communist transformation that it could not block the process, and (until recently) demonstrated no will to do so. In any case, after German reunification, Western decision-makers were confident that the expansion of the status quo would pay quick dividends.

And it certainly did. Although there has been significant backsliding in recent years in Hungary, Bulgaria and Romania, on the whole EU and NATO enlargement contributed to the secure, pluralistic, market democracies we now see throughout Central and Eastern Europe. That was no foregone conclusion in the 1990s; indeed, as the Arab Spring demonstrates, such sudden transitions are usually much more fraught and frequently fail to produce consolidated, prosperous democracies. The stabilization of Central and Eastern Europe was a significant achievement of which Western statesmen are justifiably proud.

To achieve this geopolitical miracle, Western leaders naturally used the tools available: NATO and the EU. Although not designed for stabilization, these institutions turned out to be well fit for that purpose. Post-communist aspirants believed that membership in these institutions would provide them the levels of security (NATO) and prosperity (EU) that the West enjoyed. Western policymakers in turn used the institutions to guarantee a root-and-branch reform of these countries' security sectors and domestic political economies.

And because the Central and Eastern Europeans greatly desired to join well-established organizations, there was no real negotiation over the terms of membership. NATO and EU officials were given free reign to roam the halls of former Warsaw Pact countries' ministries to impose Brussels' rules and recreate new structures in its likeness. Aspiring members fully accepted the existing rules, the *acquis communautaire* in EU language, in order to join the club.

Why the Post-Cold War system couldn't integrate Russia

But the use of these organizations for the stabilization of Central and Eastern Europe did come at a cost, for which the reckoning is now coming due. Even if Russia had become a market democracy and had sought membership, which, of course, it did not, NATO and the EU would not have been able to absorb such a large country with the multiplicity of economic, social, and security problems that would have come with it – unless the institutions were to change dramatically to accommodate that challenge. But the basic premise of NATO and EU enlargement was that the rules were not negotiable. Further, the use of these institutions for a stabilization program for all of post-communist Europe except Russia created the impression that they were continuing their original purpose of containing Soviet/Russian influence through new, more modern means.

Because Russia could not be integrated like other post-communist states, both sides pursued a policy of what might be called "partnership without membership." This policy did create a dense fabric of interaction between Russia and the West. It came in forms such as the NATO-Russia Council and the EU-Russia "strategic partnership" involving everything from twice-yearly EU-Russia summits at the presidential level to highly technical regulatory convergence efforts.

There were also a wide variety of pan-European structures created in part to serve as a bridge to Russia: the Organization for Security and Cooperation in Europe; the Conventional Forces in Europe Treaty; the Vienna Document (a confidence and security-building regime); and the Open Skies Treaty, which provides for military transparency through observation flights. While these arrangements never fully satisfied either side, they comprised, until the Ukraine crisis, a cornerstone of the European security order by providing multiple forums for increased connectivity, dialogue, interaction and cooperation with NATO's only potential adversary in Europe.

The goal of the partnership without membership model was easy to understand (though difficult to achieve): as the EU-Russia and NATO-Russia relationships broadened and deepened, Russia would gradually develop into a globally integrated market democracy, and, crucially, it would no longer view the enlargement of these institutions as a threat. By increasing the quality and quantity of interaction with Russia, the West hoped Moscow would come to see the membership of its neighbors in Euro-Atlantic institutions as beneficial to Russia.

The risk inherent to the partnership without membership model was that it offered no contingency plan if things did not turn out the way its designers hoped. Initially, it seemed as though there was no need to plan for the worst during the period of increased cooperation and high hopes in the early years of the Putin presidency and particularly following 9/11. Putin of that period used rhetoric that might shock us if Putin were to use it today. Speaking to the BBC in March 2000, he said, "Russia is a part of European culture. I simply cannot see my country isolated from Europe, from what we often describe as the civilized world. That is why it is hard for me to regard NATO as an enemy. . . We believe that it is possible to speak even about higher levels of integration with NATO. But only, I repeat, if Russia is an equal partner." Asked if Russia could join NATO, Putin responded, "Why not?"

But soon after that period, the attitudes in Moscow began to change and a growing chasm emerged between views on European security there and in the West. Even success in other aspects of the relationship, such as cooperation on shared threats and challenges like Afghanistan, non-proliferation and counter-terrorism, did not change the bottom line that

barring a realistic prospect of joining itself, Moscow viewed Euro-Atlantic integration for Russia's neighbors as inherently threatening to Russian interests.

To Russia, this threat perception seemed uncontroversial – its neighbors were gradually being incorporated into political-economic and security blocs that Russia itself could not join. Regardless of the intentions of these countries or the blocs, such a move would be threatening to the excluded state. But to the West, Moscow was denying its neighbors the right to make their own choices on foreign and security policy, which was disturbingly reminiscent of the Soviet Union's attitude toward the Warsaw Pact countries. This remains the fundamental divide that led to the collapse of the European security order: a regional integration agenda which, while not intended as an anti-Russian effort by its authors or the states that aspire to it, Russia cannot – and does not desire to – join.

An action-reaction dynamic has been ascendant ever since, with EU/NATO moves to the East and Russian counter-moves only serving to escalate the confrontation. In April 2008, NATO's Bucharest Summit declaration proclaimed that Ukraine and Georgia “will become” members of the Alliance. In August 2008, Russia invaded Georgia and recognized its two breakaway regions as independent states. Later that year, the EU launched the Eastern Partnership, an enhanced economic and political partnership offering to Moldova, Ukraine, Belarus, Georgia, Armenia and Azerbaijan – but not Russia. Meanwhile, Russia championed its own regional security and economic integration projects, in the form of the Collective Security Treaty Organization (CSTO) and the Eurasian Economic Union.

The Ukraine Crisis

The Ukraine crisis began in the context of this contest for influence in what Europe and Russia used to call their “common neighborhood.” In late November 2013, the Ukrainian government called off preparations to sign an Association Agreement with the EU, the key “deliverable” of the Eastern Partnership. Negotiations on these accords closely conformed with the past practice of institutional enlargement, even if in this case no membership prospect was offered: aspirant countries were expected to adopt EU norms and regulations wholesale in return for trade liberalization, visa facilitation, and closer political association. Instead, under pressure

from Putin, President Viktor Yanukovich reversed plans to sign the deal a few days before its planned signing at a major summit.

In the final days of February following Yanukovich's ouster, Putin made the fateful decision to insert special forces, paratroopers and other servicemen into Crimea. He was seeking to prevent a strategic setback in Kyiv from becoming a strategic catastrophe: Russia's nightmare scenario of being completely pushed out of Ukraine by the West and its institutions. His decision was intended to secure the most important Russian physical assets in Ukraine, namely the Black Sea Fleet base, and to coerce the new Ukrainian authorities into accommodating Moscow's broader interests in Ukraine. That action, and the subsequent efforts to destabilize eastern Ukraine, were therefore driven by a perceived need to guarantee that Russia's nightmare scenario will not come to pass. As Putin himself put it during an interview in late May:

I will reiterate: where are the guarantees that the coup d'état, this second color revolution that happened in Ukraine, won't be followed by NATO's arrival in Ukraine? Nobody has ever discussed this issue with us in the past two decades. I'd like to emphasize that nobody has conducted a meaningful dialogue with us on this. All we heard was the same reply, like a broken record: every nation has the right to determine the security system it wants to live in and this has nothing to do with you.

While Russia's gambit in Ukraine is still unfolding as of this writing, its actions there have already relegated the partnership without membership paradigm in European security to the dustbin of history. A whole host of institutional arrangements involving Russia have been effectively gutted. Even if the conflict in Ukraine itself can be quickly ended, there is no going back to that paradigm; without a new regional order, confrontation between Russia and the West will remain and likely intensify. This presents serious risks for the stability of Europe going forward.

A Future for European Security

The Ukrainian tragedy has dramatically sharpened the long-standing question about how to forge an inclusive European security order. While it might be tempting to simply put aside the disputes of the past in the name of moving forward, these disputes are very much at the core of what divides Russia and the West today. They need to be addressed if we want to avoid long-term confrontation.

In response to Russian actions in Ukraine, the emerging Western strategy is three-fold: to assist and deepen integration with the new Ukrainian government and Russia's other vulnerable neighbors; to sanction and isolate Russia; and to reassure Central and Eastern European NATO members. Effectively, the West has doubled down on the institutional enlargement, reinforcing previous gains and expanding the institutions' reach farther east— Ukraine, Georgia and Moldova have now all signed Association Agreements with the EU¹. Russia will see these efforts not as a response to its actions in Ukraine but as an opportunistic continuation of the same post-Cold War policy that it has long decried as a threat to its interests.

This strategy has the benefit of being responsive to the politics of the moment and morally justified. However, it seems destined to deepen the confrontation with Russia. A newly assertive Russia is likely to continue to push back and the action-reaction cycle will continue.

Under these circumstances, providing new NATO security guarantees or EU membership to ever more vulnerable states on Russia's borders raises the risks of a direct conflict with Moscow. And it is nearly impossible for the West to make good on security guarantees for these countries. Russia has made clear that it views keeping Euro-Atlantic institutions out of its neighborhood as a vital interest, while Europe and the United States do not view the security of Russia's neighbors as fundamental to their interests.

During the Cold War, many questioned whether the United States would sacrifice New York to defend Berlin. Today, few if any believe that the U.S. – or other NATO allies – would do so for Kyiv. In the event, NATO would face a choice between transgressing heretofore-sacrosanct security guarantees or risking war with a major nuclear power. Are the principles at stake – the right of every country to make its own foreign policy choices and freely choose its own alliances – really worth either of these outcomes? This question has been asked regarding previous rounds of enlargement; the difference today is that Russia has demonstrated its willingness to act. This is no longer a rhetorical question.

Avoiding that unpalatable choice will require recognizing that the post-Cold War policy of

institutional enlargement, despite its successes, has run its course. The West's continuing insistence that the only path to stability and security in Europe is for Russia's neighbors to be absorbed into Euro-Atlantic institutions is now begetting threats to stability and security in Europe.

Acknowledging that fact does not mean that the West must accept Russian domination of its sovereign neighbors. The West should provide reassurance in the form of bolstering defenses in the eastern members of NATO specifically to demonstrate that there are lines that Russia must not cross. But those measures alone will only exacerbate tension with Russia. Beyond reassurance measures, new institutional arrangements are needed for non-NATO Europe that are acceptable to both the West and Russia. Achieving such a deal is possible but it will require both sides to compromise. The West would have to accept that the model that worked so well in Central and Eastern Europe will not work for the rest of the continent; institutional arrangements will have to be acceptable to Russia in order for them to succeed. Russia would have to strictly adhere to the limits such new arrangements would impose on its influence in the region and to foreswear military intervention in the affairs of its neighbors.

Achieving such a bargain in the current atmosphere of mistrust and mutual recrimination will be extremely difficult. But it is not impossible. The first step is for the West to adopt a compromise along these lines as its long-term goal rather than just seeking to seize the rhetorical moral high ground and punish Russia. The policy response to the current crisis should then be structured around achieving that long-term goal.

This does not mean that the West should simply accommodate Russian demands—the proposed bargain requires Russia to make difficult compromises too. And negotiations will likely have to be combined with elements of coercion in order to succeed. Such a strategy would offer Russia a path toward security in its neighborhood without confrontation with the West, but it would also entail isolation and confrontation if Russia refuses to engage on the new bargain.

In practical terms, sanctions must be accompanied with an offer for a negotiation on the European security order. Such an offer would not be unprecedented. In 2009, then Russian President Dmitri Medvedev proposed a similar negotiation and put forth a draft

1. In the Ukrainian case, full implementation of the association agreement has been postponed until 1 January 2016.

European Security Treaty. The document was certainly flawed but it was grounded in widely accepted principles such as respect for sovereignty, territorial integrity, and political independence, as well as the renunciation of the use of force.

The dismissive Western response to the proposal stemmed from the concern that it was intended to undermine NATO and the EU. Even the relatively Russia-friendly German Foreign Minister Frank-Walter Steinmeier felt the need to emphasize in response that any discussion of European security could not challenge existing institutions: “to avoid any possible ambiguity: the EU, NATO and the OSCE remain the cornerstones of European security. ... What has taken us decades to build is not up for discussion.” But it was specifically those cornerstones that Russia wanted to discuss.

This time both sides will need to demonstrate a willingness to enter into negotiations without such taboos or other preconditions.

The key to success in those talks will be finding harmonizing mechanisms between the Euro-Atlantic institutions and the Russia-led institutions like the CSTO and the Eurasian Economic Union for current non-members. The West would have to part with the take-the-*acquis*-or-leave-it approach. While they are unlikely to succeed in the current climate, the EU-Ukraine-Russia talks on Ukraine’s Association Agreement are an example that it is possible to discuss these issues in an inclusive manner.

This is a policy of necessity and so difficult for any Western statesman to embrace publicly. It is abhorrent to many even to contemplate compromising the principles of enlargement that contributed to the successful transitions in Central and Eastern Europe. But the alternative is a confrontation with Russia that the West does not want in order to uphold principles it will ultimately not be willing to defend.◇

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