

COMMENTARY



Who will provide security guarantees to Russia? Who will provide security guarantees to Russia?

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ABSTRACT

With Russia's security concerns historically driven by its unclear borders and sense of being surrounded by powerful states, its "defensive" expansion of its borders has been seen as aggression by its neighbors. The Western dismissal of Russia's demand for security guarantees was followed by events that rapidly escalated into a NATO-Russia proxy war, with various European leaders returning to ideas of providing guarantees. This commentary examines the issues surrounding Western policy and Russia's distrust of Western negotiations. It proposes an end to the conflict by involving three actions: the UN and its Secretary General providing a neutral umbrella for diplomacy, resolving ambiguities surrounding the equality of states and self-determination in international law, and including and recognizing the diplomatic merits of potential mediators and guarantors comprising the multipolar world.

KEYWORDS

Russia; security; guarantees; United Nations; Europe

For over two centuries, it has been understood by scholars of Russian politics that the two most important factors explaining Russian foreign policy are the lack of clear borders, absent geographic obstacles to invading forces, and the sense of being surrounded by more powerful states, especially in the West. These concerns have resulted in Russian governments of very different stripes essentially pursuing the same security strategy of "defensively" pushing Russia's borders outward (which is of course always seen as aggression by Russia's neighbors) and/or maintaining buffer states on its periphery. The experiences with Napoleon and Hitler have only served to reinforce the importance of this strategy. These factors were also behind President Putin's request in December of 2021 for a new security architecture between Russia and NATO, starting with guarantees that Ukraine would not become part of NATO. This sense of vulnerability was well understood by U.S. policy makers and reflected in James Baker's 1989 promise that NATO would not move "one inch" beyond Germany's borders after unification and current CIA Director William J. Burns, then ambassador in Moscow, who in 2008 warned that inviting Ukraine into NATO crossed the "brightest of red lines" for Moscow (Burns, 2019). These were red lines that had been drawn loudly and repeatedly since the first NATO expansion. Despite

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the fact that the U.S. has and continues to maintain a sphere of influence in the Western hemisphere, Secretary of State Blinken rejected Putin's suggestion as a non-starter, violating the right of every sovereign state to determine their own security arrangements.

50 Whether fear of NATO expansion was the only or primary reason for Russia's SMO can and will be debated for centuries, but is at this point not crucial. Short of the complete defeat of Russia, a scenario that is likely to involve planetary destruction, no end to this conflict is possible without addressing this geopolitical reality. It goes without saying that doing so will not solve the complex local and regional disputes being fought over but it is a prerequisite to bringing an end to the conflict.

55 Germany and France, both of which have been impacted disproportionately by the conflict, are showing signs of awakening to this reality. Chancellor Scholz of Germany called for a return to a peaceful order and to resolve "all questions of common security" with Russia (Moody, 2022), while France's President Macron has called for a new European security architecture that will include Russia (Geert De Clercq, 2022). This would provide
60 Russia with security guarantees, and address its fears regarding NATO enlargement and weapon deployments in proximity of its borders, essentially meeting the demands put forward by Russia prior to its invasion. It's not clear if this is still an option. A diplomatic outcome to a conflict requires not only a possible outcome that both sides can accept, but also credibility that all sides will abide by agreements reached. On that score, Russia has
65 little reason to accept any guarantees provided by NATO, the OSCE or the UN at face value.

In the context of the escalating conflict in Donbas, Russia had already gambled on coercive diplomacy to obtain such guarantees from the US, not just with its proposals of December 2021, but by agreeing to the Minsk Agreements several years before.

70 Despite appearing as an optimistic development, the offers from Germany and France that would consider security guarantees poses complex problems of credibility. This became even clearer when former German Chancellor Angela Merkel, echoing similar claims by former Ukrainian President Poroshenko and France's President François Hollande, revealed that the signing of the Minsk Agreements was never meant to bring
75 peace but was a ruse to provide time to prepare Ukraine for war. The failure to make any attempts to implement the provisions of the accord were obvious to all who cared to look as were the military advisors and arms flowing into the country. These admissions were followed by statements from Putin and Lukashenko, accusing Western leaders of deception and expressing skepticism of the Minsk Agreements (The Guardian, 2022).
80 The damage to the credibility and diplomatic weight of institutions such as the OSCE and the UN Security Council is obvious. These were the bodies that enacted the Minsk Agreements but did not follow through on their provisions, thus undermining their credibility when it is most needed.

85 Creating clarity and credibility sufficient to convince all sides to put down their weapons will be difficult on many levels (e.g. war crimes, reparations, borders, nuclear arms control, sanctions) that go beyond the scope of this commentary, but the unclear western goals make this even more difficult. Western policy aims range from weakening Russia (Knox & Anders, 2022) through economic, political and military means so as to
90 improve the Ukrainian bargaining position, right through to defeating Russia militarily and producing regime change. No matter where in this spectrum US policy lands, it presupposes that there will be no uncontrollable escalation.

95 The major 2019 RAND research brief, “Overextending and Unbalancing Russia”, which
is part of a larger book commissioned by the US Army called “Extending Russia: Compet-
ing from Advantageous Ground” (Cohen et al., 2019), exemplifies US policy towards
Russia. The US has spent millions of dollars on studies to analyze Russia’s vulnerabilities
(Martin, 2021). The book discussed methods for “undermining Russian domestic stability”
(p. 138), “measures that would ... cause Russia to overextend itself militarily or economi-
cally or cause the regime to lose domestic and/or international prestige and influence” (p.
100 iii). This study, which has without a doubt been carefully read by Russian authorities,
makes clear why Russian authorities are likely to be extremely skeptical of Western inten-
tions. Right at the onset of the Russian invasion, various US and UK officials stated the goal
is to extend the conflict to bleed Putin, with the only endgame being the end of the Putin
regime. Canadian Minister of Foreign Affairs, Mélanie Joly, publicly announced the same
intention. Israeli Prime Minister Naftali Bennett mentioned that he was a mediator during
105 the outbreak of the invasion and stated that Russia and Ukraine had made significant con-
cessions to make an armistice feasible. However, the UK and USA blocked his efforts and
preferred a continuation of the war. This coincides with Boris Johnson’s visit to Kyiv that
ended Ukraine’s tentative peace agreement with Russia in April, 2022 (Romaniuk, 2022).
Given the protracted nature of the conflict, the current proxy war may degenerate
towards becoming a war of attrition, leading to the likely use of nuclear weapons by
110 one of the parties.

Two diplomatic pathways can potentially resolve the conflict: a process outside the UN
involving mediators and guarantors in addition to the Minsk signatories, or a UN driven
process. In the first scenario, amidst the current vacuum in Russia-West relations and
trust, Turkey and Saudi Arabia, have demonstrated successful diplomatic roles by estab-
115 lishing the grain deal and prisoner swaps, respectively. Ukraine wants Turkey as a guaran-
tor (Kazanci & Turan, 2022), and Turkey has agreed. As Turkey is a NATO member and also
has increasing relations with Russia, it can be a suitable mediator and guarantor. The dip-
lomatic leverage of Saudi Arabia and India range from established Western defence
relations and recent SCO dialogue partner status to 4-nation Quad membership and
120 BRICS membership, respectively. Additionally, others such as Brazil, Indonesia, and
Mexico, have offered to mediate.

Even as China and Russia align their diplomatic positions more closely after President
Xi’s visit to Moscow, Zelensky’s response is likely to remain ambivalent to China’s 12-point
framework absent any acceptance of it on Washington’s part, as per past events men-
125 tioned. In addition to such neutral positioning, the potency to influence conflicting
parties towards peace and engaged peacemaking is essential. Having secured a diplo-
matic victory by bringing Iran and Saudi Arabia together, Xi is in a better position than
most world leaders in following up with Zelensky on the framework. This marks a
sharp contrast to entrenched US policy, which is to support Ukraine “as long as it takes”.

130 While new mediators and guarantors beyond the Minsk pact that comprise the multi-
polar world can increase confidence in a ceasefire and a new European security architec-
ture, no vehicle exists to bring these countries together. Nor do they have any credibility
to guarantee compliance by all parties to a settlement, let alone security guarantees. The
relative “baby steps” represented by the grain deal are none the less important in provid-
135 ing a start in confidence building.

The UN would seem to be the most obvious venue that could provide the “neutral” space within which a negotiated settlement could be reached, indeed this is its primary purpose, as spelled out in its charter. There are several problems with the UN providing an outcome all sides could live with. Anthony Blinken is fond of referring to the rules based international order by which he clearly does not mean the UN charter which the US violates regularly with illegal sanctions, drone attacks, and so forth. The UN charter is the only legitimate “rules based international order” and the cornerstone of the UN charter as a system of international law is the (formal) fundamental equality of sovereign states. The primary function of the UN is to end “the scourge of war”, which inevitably begins with the violation of one states’ sovereignty by another, and to start a war of aggression is the highest crime under international law. Provoked or not, Russia did start the war but this is obviously not how Putin sees this. Regardless, explicitly or implicitly threatening a war crimes tribunal – or indicting the Russian president of war crimes as was done on the eve of his meeting with Xi, is not a good start.

What complicates the situation are two issues. Firstly, as Richard Falk convincingly argues, the formal equality of states reflected in the Charter and General Assembly is neutralized by the Security Council that in effect provides the P5 with exemption from international law through their veto power. As he also points out, this implies the right of the P5 to maintain a “sphere of influence” as both superpowers did during the cold war (and the US more than a century before and to this day). Secondly, the UN charter endorses the right of nations to self-determination. This principle is the basis on which much of the world was decolonized and Ukraine became a sovereign state, but it is also the basis on which Crimea withdrew and rejoined Russia, Kosovo withdrew from Serbia (following NATO intervention) and on which Russia first recognized the independence of and then annexed the Donbas. This ambiguity in the UN charter and in international law, if properly managed, could be the basis for bringing the sides together in a venue that is not from the outset seen as prejudicial toward one side or the other.

While Russia clearly violated Ukraine’s sovereignty, unlike the U.S. invasion of Iraq, whether this constitutes a war of aggression is not as clear cut as the commentary in the West might suggest. The U.S. invasion was a preventive war, as opposed to a pre-emptive war. Pre-emptive war, shooting first when an invasion is imminent, is recognized as a legitimate strategy. There was no such threat to the U.S., but it could be argued that Russia saw threats on Crimea as imminent. The stronger case Russia’s defenders could make relates to the self-determination and responsibility to protect doctrines also enshrined in the UN Charter. The population in Donbas clearly understood itself as distinct from the rest of Ukraine linguistically and culturally and since 2014 and especially in the months leading to the intervention, it has been under significant attack. The similarities to the NATO intervention in Kosovo are obvious, and the Donbas is obviously of far greater significance to Russia than Kosovo is to NATO.

The point is not to excuse Russia’s invasion and subsequent atrocities or to express sympathy for the intervention, but to demonstrate that the ambiguity outlined above provides the opportunity to coax all sides into a process able to consider the many complex issues involved and in which the “winner” isn’t predetermined. The key actor to begin this process, and who is specifically authorized to do so, is UN Secretary General Antonio Guterres whose interventions have not borne fruit thus far. To be successful, he must have strong support from key players in the international community.

This is where the role of particular states previously mentioned are especially important in loudly calling for an end to the conflict and insisting on the crucial role of the UN and international law. Although Canada is not as immediately impacted by the conflict as its European NATO partners, the prolongation of this conflict serves neither the interests of Ukraine, which is being destroyed, nor, if allowed to escalate to a nuclear confrontation, Canada. Like Turkey, Canada is also a member of NATO with very close ties to the government of the US. In theory, this provides Canada influence within the alliance that states like India, Brazil and Saudi Arabia lack. The Canadian government must use this influence to advocate for an immediate cessation of all hostilities and a settlement based both on the sanctity of borders and the right of national self-determination and negotiated through the only institution with the express purpose and legitimacy to do so, the UN. Lastly, to re-establish the credibility of the organization as a means of settling international disputes, a negotiated resolution must be backed fully by the UN and its core members.

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