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## **FOREIGN POLICY INSIGHT**

### **Responding to the Russians**

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Russian President Vladimir Putin is escalating the Crimea crisis every day because he believes in three things. First that Ukraine is too weak to defend her own territory. Secondly, that the West is too feeble, divided and fearful to go beyond harsh rhetoric and half-hearted sanctions. And thirdly that he has impunity because of these reasons. Unless the West is able to shatter this belief, and show it is ready to respond to Russia in a robust and steadfast manner, clearly demonstrating that there is a price to pay for abusing the rules of international order we are going to find ourselves in increasingly hot water.

Putin acted towards Crimea just as Nazi Germany did towards Czechoslovakia in 1938 and, as with Hitler, there is a real possibility Putin may not stop with Crimea. The killing of the first Ukrainian soldier on Tuesday, and the storming of a Ukrainian military base on Wednesday shows that Russia has no qualms about using violence and further escalating the crisis. Over the last two days Russia has embarked on a Russification of Crimea. The Ukrainian Armed Forces, one of the last symbols of Ukraine, are now preparing to leave the peninsula following a day of Russian belligerence and antagonism. With their departure Russia's takeover will be complete. Unfortunately, the West is still struggling to come to terms what has happened and adequately respond. The tough language we have heard in the UN Security Council needs to be followed with decisive and effective actions.

Unfortunately, prospects for bringing about a diplomatic solution seem to have evaporated. As UN Secretary General, Ban Ki Moon, headed off to Moscow yesterday, there was little hope of a success. Rather Russia has upped the stakes, threatening serious consequences – including related to talks with Iran and Syria – if the West moves to place tough economic sanctions on Russia. While such threats should

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not be tolerated it is undeniable that Russia has the ability to complicate negotiations with both states due to its seat on the UN Security Council. While Russia has lost the moral, political, and legal right to remain as a permanent member of the UN Security Council (UNSC), it would seem there is no appetite to try and launch a process to have Russia removed or its membership suspended, despite the fact that there are legal mechanisms (albeit quite complicated) available to do this.

EU leaders meeting today and Friday need to follow through on their threats and move to ‘stage three’ economic and trade sanctions, including sanctioning Russians who really matter, and not spend any more time thinking about the possible negative blow back from these actions. The lack of consensus between some states (including the UK and Germany, which both have significant economic ties to Russia) on the eve of the Summit, over how far economic sanctions should go, demonstrates the EU has a real “values” -v- “interests” dilemma.

The West should implement a broad economic and political isolation of the Kremlin. These sanctions should be just as severe as the ones that were imposed on Iran. At the same time NATO needs to up its game, as Estonian President Toomas Ilves recently wrote, “send NATO military forces (ground forces, not just AWACS planes) to NATO allied territory bordering Ukraine to conduct military exercises as well as strengthening the air defence assets deployed to the Baltic States’. Russia’s actions represent the biggest threat to European Security since the Cold War, and need to be seriously countered.

Meanwhile, with the EU due to sign the political part of Ukraine’s Association Agreement this Friday, its needs to go much further. The EU should offer Ukraine a clear membership perspective and rapidly introduce visa-free travel. Technically, there is not a big difference in the level of preparedness between Moldova (which just received visa liberalization) and Ukraine.

International monitors and peacekeepers are urgently needed. This could either be done by the UN, while the EU should also discuss sending a monitoring mission to Ukraine.

The EU, together with the US and the UK, Ukraine’s security guarantors under the Budapest Memorandum, as well as NATO should also invite Ukrainian troops to take part in an immediate military exercise. The Russian invasion shows one thing clearly: Ukraine, even if it adopts a neutral status, will never be safe until it enters under the aegis of NATO, one way or another. Hence the issue of a MAP for Ukraine needs to be put back on the table for discussion. Russia has never invaded a NATO member state.

Ukraine must also put its own house in order. First, it may hope for peace, but at the same time, be prepared for a long and difficult war. There should be full national mobilization and deployment in east and south Ukraine. If Russia is killing Ukrainian soldiers, they should defend themselves. Ukrainian Special Forces should sweep in

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and dismantle the separatist groups mushrooming, with Russian support, on the mainland.

At the same time, it is crucially important to create, as demanded by the EU, an inclusive political process and a national unity government. The new government could reconfirm the key elements of the 21 February deal, deflecting Russian criticism on its non-application. While former president Viktor Yanukovich cannot return as President, he should have the right to a fair trial for murder and corruption and could return from Russia under national or international security guarantees. While this could take place in Ukraine, it would have greater international legitimacy if it were to be held at the International Court in The Hague. In this respect Ukraine needs to urgently sign the Rome Statute.

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Furthermore, reforms must not be postponed for the post-crisis/war period. They must be implemented now. Without administrative, budget, and healthcare reforms, as well as urgent anti-corruption measures, the government risks losing support inside the country.

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Constitutional reform remains the key issue for Ukraine and must be quick and credible. Unfortunately, the Constitutional Reform Commission created in the Rada some days ago has questionable credentials. Given that none of key experts on constitutional law or civil society representative were invited there is a growing suspicion that the review process will be marred by old-style horse-trading. Public and Western pressure must be placed on Ukraine's leadership to make the review of the constitution not only quick but legitimate, credible, and transparent. A new constitution could be adopted quite quickly and then new parliamentary and possibly presidential elections which might fully restart the political system in Ukraine.

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With the strengthening of Ukraine militarily, ties with NATO boosted a show of real muscle from the West and new political legitimacy in Kyiv, Russia may find itself in an increasingly tight corner which could push it to the negotiating table.

*These steps could push Russia to the negotiating table*

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