

A stylized map of Europe composed of a grid of grey dots. Several dots are highlighted in red, indicating specific geographical locations across the continent.

For a Balanced Peace

First Steps out of the Security Deadlock in (Eastern) Europe

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- The existing European security and peace order has revealed major cracks in the course of the Ukraine conflict. Unlike during the Cold War, the complex diversity of actors with numerous divergent interests makes a simple rapprochement in this conflict difficult.
- The Minsk-II Agreement offers the only written codified conflict-solving mechanism, which currently includes all the actors involved in the Normandy format. It is therefore necessary to work on a revitalization of this agreement.
- For years an erosion of trust between the Russian Federation and the EU/NATO has been evident. Trust does not simply come back spontaneously, but is regained through concrete effort. Not a major undertaking but small steps, leading to islands of cooperation, could be the way out—to achieve a balanced peace with a more inclusive and stable European security and peace order.

1. Introduction

The current state of the European security order can be briefly summarized in six major points:

- The principles of the European security order are under threat.
- The conflicts in Georgia (2008) and Ukraine (2014) are not the root causes, but symptoms of a larger crisis.
- Different interpretations of the events of the past 25 years and the resulting threat perceptions leave little room for cooperation.
- Many more stakeholders/countries are involved now than during the Cold War.
- More prominent powers are interested in managing the status quo rather than changing it. For the countries comprising the »East European Six«—Armenia, Azerbaijan, Georgia, Belarus, Moldova, Ukraine—the »Divided European Home« is not sustainable and might severely undermine their development and security.
- A bipartisan consensus in the United States (US) on condemning Russia makes progress on dialogue with Moscow extremely difficult.

Thus, 25 years after the often proclaimed and assumed end of the division of Europe, we are heading for a new separation. However, this time the dividing line has moved eastwards—towards the Russian border.

2. Root Causes of the European Security Dilemma

The main explanation for the above-mentioned development lies in a contradiction in the Charter of Paris for a New Europe, usually referred to as the »Paris Charter«. Under the section »Friendly Relations among Participating States«, there are two crucial sentences. The first reads, »With the ending of the division of Europe, we will strive for a new quality in our security relations, while fully respecting each other's freedom of choice in that respect.«

This is well known and understood, but less attention was given to the next sentence: »Security is indivisible and the security of every participating State is inseparably linked to that of all the others.« In other words, freedom of alliances is possible, but only if no one sees their security compromised by shifting alliance memberships.

To fully understand the diverging threat perceptions of the three actors involved—the West (the EU and the US), Russia, and the East European Six—this text examines each actor's main arguments.

a. The West

- The West was striving for a secure Europe through NATO and EU Eastern expansion, because this was requested by Poland, among others. This policy went hand in hand with the West's aim to take a leading role in a post-Cold War security order.
- The more Western-oriented reforms stalled in Russia—with Russia tending towards authoritarianism and becoming stronger, thereby opposing some of the Western moves—the more the West became frustrated, describing the foreign policy of a seemingly corrupt Russia as aggressive, unpredictable, and revisionist. Furthermore, according to the Worldwide Threat Assessment of the Defense Intelligence Agency, the US »will always compete with Russia for influence around the globe«.

b. Russia

- Russia became increasingly frustrated about its lack of a role in a European security order. Whereas Moscow felt compensated for the first and second NATO Eastward expansion—by the NATO-Russia Founding Act of Mutual Relations, Cooperation and Security (1997) and the NATO-Russia Council (2002)—it felt dominated and its security interests neglected when NATO began considering a third wave, this time towards the »in-between« countries, mainly Georgia and Ukraine. Russia maintains that since the end of the Cold War, it has not experienced a »Balanced Peace« and refers to its current situation as being similar to that of Germany after the Versailles Peace Treaty in 1919.

- According to Moscow, a European security order is only possible with an acceptance of Russia's interests in that field, especially concerning its relationship with the countries in-between. As a major power, Russia is insisting on privileged interests in the spheres of security, economy, and cultural relations with regard to Russian minorities in those countries.

c. East European Six

- The six countries want to strengthen their sovereignty, security, and wealth—on their own terms, according to their own principles and goals, and within the framework of international law. Yet they feel that their security environment is becoming increasingly fragile and that they are being denied their right to freely choose their preferred alliance.
- These six countries are quite different and are looking in different directions for their transformation. According to a recent Pew Research Survey, they also differ in their approach towards Russia and the EU—ranging from Armenia, with a very strong pull towards Russia, to Ukraine, with an almost opposite attraction towards the EU. Each has country very good reasons for its stance, for now.

This short analysis of the root causes explains why, 25 years after the »end of history«, everyone in Europe feels threatened: some EU countries by Russia; some of the East European Six by Russia; the US by Russia; Russia by the EU and the US.

3. Status Quo

One of the symptoms of the crisis and the core subject of this paper is Ukraine—a country that saw parts of its population stand up heroically to its political leaders in 2013 and is now trying to survive as one country. Since the war began in 2014, 10,000 people have been killed and 1.7 million people displaced in Ukraine alone; Crimea has been lost and fighting continues in the contested territory of Donbas in the southeast. Economically, there have been some positive signs, but the main challenge remains: how to reform the economy in such a way that the population gains, rather than loses.

After being in effect almost three years, the Minsk II Agreement is increasingly seen by experts as obsolete. This is due to the impossible task of prioritizing the agreement's 13 points. This is especially the case for Point 9, which concerns Ukraine's complete control over the borders with Russia, and Point 11, which concentrates on constitutional reforms and a special status for Luhansk and Donetsk. On the other hand, the agreement makes some progress in the humanitarian aspect. According to the Organization for Security and Co-operation in Europe (OSCE), up to 20,000 civilians can cross the contact line every day. Nevertheless, the agreement lacks the fulfillment of the political goals agreed upon by involved actors.

4. Obstacles to Easy Solutions

Robert Gates, former Secretary of Defense in the George W. Bush administration, described a fundamental dilemma for the EU and the US in finding solutions to the security problem: »Every time NATO makes a move or Russia makes a move near a border, there is a response. Where does that all stop? So, there is a need to stop that downward spiral. The dilemma is how do you do that without handing Putin a victory of huge proportions?« In other words: what would a face-saving option for the first step look like?

The main obstacle for new initiatives is that for some countries, managing the status quo is less costly and more expedient than trying to work out a solution that can resolve the crisis surrounding Ukraine and the wider European security order. Moreover, in the US there is a bipartisan anti-Russian consensus among Democrats and Republicans. Hence, there is no incentive to come up with any solution other than to continue sanctions, which might be strengthened by the »Countering Russian influence in Europe and Eurasia Act of 2017« of the 115th Congress.

For the East European Six, the situation looks quite different, particularly for Ukraine and Georgia. The status quo of a »Divided European Home« is hardly sustainable and could worsen and develop into a »Broken European Home« with severe consequences for stability—and even risking their sovereignty. Here we see the legacy of the Cold War. Then the disputed countries in-between included Hungary and Poland. Today, the East European Six are the new in-betweens, facing adverse security implications.

Also noteworthy is the lack of transparency with regard to intentions. As long as the eastward expansion of NATO and the EU is seen by Russia as an aggressive move, and as long as Russia's longing for participation in building a European security order is seen by the EU and the US as a decoy for becoming an aggressive superpower, little common ground can be expected. To emerge from this state of affairs requires a great deal of imagination for better policy. Now is the time for precisely that.

5. Policy Steps towards a Balanced Peace

This paper offers two steps to begin overcoming the crisis in Ukraine and move towards a Balanced Peace, in which all the interests of the different sides are considered, and the involved parties feel that the pluses and minuses are evenly shared for a sustainable result. Step one is to concentrate on the challenges of the Donbas region by recharging the Minsk II Agreement. Step two is geared towards a medium-term policy through détente, which is not limited to just one country, but includes the entire region of the East European Six. A third step would be a move towards a long-term policy for a European security order, but this goes beyond the scope of this paper.

Before beginning with the problem-solving policy, we have to examine the current situation and the worst-case scenarios. Three options are available:

- continue the current policy and hope for a miracle;
- deploy deterrence and thereby lose the chance for rapprochement;
- remain as tough as possible, but simultaneously try to achieve progress by coming closer.

If Minsk II continues as business as usual we are facing option (a). This would mean relying on Minsk II as it is today and hope for initiatives from Ukraine, from the separatists, or from the EU, Russia, or the US. Such hope can go on for quite a while. To be blunt, however, the conflict could become a much worse scenario than the existing protracted conflicts, like those in Nagorno-Karabakh or Transnistria. That would be a slippery slope towards

the irreversible division of Ukraine, with severe consequences for its economic and political development.

Option (b), deploying deterrence, has its parallel in a policy that is being discussed by experts and some politicians in the Baltic States and Southeast Europe. Envisioned is a kind of cooperation between Ukraine and the Baltic States, as well as Poland and Romania—one that extends back into Polish history, known as the Intermarium. It resurfaced a few years ago as a model for the security of NATO members and Ukraine. It is a method of deterrence against Russia and could lead towards closer links between some NATO member states and Ukraine.

The problem is that the conflict around Ukraine could spread to NATO and the EU, which then could lead to an uncontrolled increase in risks. At the same time, the Intermarium could give Ukraine the illusion of almost having NATO protection, by having close relations with NATO member states in the region. The deterrence against Russia could be a false hope, because of Russia's willingness to continue its strategy as long as a Balanced Peace is not reached.

To avoid these developments, there should be a return to Minsk II, because it is still the only foundation to build upon. It has produced de-escalation, a reduction of the death toll, an attempt to build a rudimentary level of trust along both sides, and the possibility of crossing the contact line and offering a road map for political solutions. Nevertheless, according to some politicians the agreement is useless; experts even say it is dead, precisely because the agreement's political points are not being implemented.

We would therefore suggest an implementation of option (c)—remaining as tough as possible, while at the same time trying to achieve progress by coming closer, via the following two steps:

Step 1. Minsk II Plus: Regional Transitional Power Sharing

Given the lack of trust—not only between the Ukrainian state and the separatists, but also between Russia and Ukraine—one of the ways forward is to build »islands of cooperation«. This would concentrate on »transitional power sharing«—a tool endorsed by academia

as an essential factor for conflict-solving measures—in the Donetsk and the Luhansk regions, bringing together people from both sides of the contact line. The core element should be to form a new trilateral contact group that would replace the existing one. This new group would consist of representatives of the Ukrainian state, who should be drawn primarily from the region close to the conflict—and less from Western Ukraine and the capital Kiev—as well as from the local stakeholders of the contested territories, plus from the OSCE.

The aim would be to prepare to implement the humanitarian aspects of the Minsk Agreement, such as Points 5 to 8, especially to ensure the restoration of economic and social relations¹. This approach would be a trust-building measure to prepare the ground for the more difficult tasks—in particular the status of the two regions within Ukraine, elections, and full border control of Ukraine. The goal would be to counter the fading trust across the contact line. As an inclusive organization, the OSCE would spearhead such an initiative, supported by political pressure from France and Germany on Ukraine and Russia.

Despite imminent further US sanctions against Russia and given the importance of the US and the dialogue it had with Russia under the Obama administration, Washington might join the effort to play an active role in finding a solution. The appointment of former US NATO ambassador Kurt Volker as Special Ukraine Envoy strongly suggests that. The reason behind that could be that letting events take its course will lead most certainly to a remilitarization of Europe, possibly extending to the Arctic, more competition in Eurasia, an uncontrollable multipolar nuclear world, and a very costly and irresponsible competition between the US, China, and Russia.

1. 5. Ensure pardon and amnesty by enacting the law prohibiting the prosecution and punishment of persons in connection with the events that took place in certain areas of the Donetsk and Luhansk regions of Ukraine. 6. Ensure release and exchange of all hostages and unlawfully detained persons, based on the principle »all for all«. This process is to be finished on the day 5 after the withdrawal at the latest. 7. Ensure safe access, delivery, storage, and distribution of humanitarian assistance to those in need, on the basis of an international mechanism. 8. Definition of modalities of full resumption of socioeconomic ties, including social transfers such as pension payments and other payments (incomes and revenues, timely payments of all utility bills, reinstating taxation within the legal framework of Ukraine). To this end, Ukraine shall reinstate control of the segment of its banking system in the conflict-affected areas and possibly an international mechanism to facilitate such transfers shall be established. <https://www.un.org/press/en/2015/sc11785.doc.htm> and in the official document: <http://www.osce.org/ru/cio/140221?download=true>

Step 2. Security Guarantees: Robust Deterrence Without NATO Membership

This step would strengthen the Minsk II agreement and the fulfillment of the 13 points. The goal would be to find a legal and security framework for the East European Six to develop their economies in a secure environment. This should first be agreed upon by the six countries themselves. But given the importance and the urgency of the current situation, the EU and Russia should participate in finding a solution that would be a compromise, taking their own security interests into consideration as well as those of others.

The security guarantees must come from the countries most actively involved in the crisis at the moment. To counter the argument of the broken Budapest Memorandum of 1994, one should consider the changing security environment. Instead of a memorandum, one could envision a more binding document under the auspices of the OSCE. The transparency of intentions should be very clear.

This endeavor demands a very serious reconsideration, which is already underway because of Brexit. Important here is the understanding that the EU is not Europe's only defining element. Instead of conceiving Europe as composed solely of EU members or non-EU members, the concept could be proposed of four rings of Europe that are equally important for the well-being of the continent and that should have similar development opportunities. They would differ in levels of integration, but share an overall understanding of being part of Europe and benefit through close economic ties in a stable and secure environment. All four rings should have a chance to shape the future of Europe in order to be able to find their appropriate developmental path. Here, a failure of imagination could be a serious threat to European security. With effort, however, the legacy of the Cold War—the division of Europe—could finally be overcome. The four rings of Europe could consist of:

- Core EU member states;
- EU member states with less enthusiasm about further integration;
- European states such as Switzerland, Norway, and soon the United Kingdom;
- European states such as the East European Six, Serbia, and Russia.



6. Conclusion

A policy towards solving the crisis in and around Ukraine could consist of three stages. The short-term policy is the implementation of the Minsk II agreement with new ideas, namely regional »transitional power sharing«. The medium-term policy is to find a framework for a prosperous and secure development of the East European Six, with a clear understanding of non-provocative security guarantees. The long-term policy would lead towards a European security order with Russia and Ukraine, which includes a solution for the status of Donbas and Crimea. Although this last step is not the topic of this paper, it should not be forgotten, because without such a vision, step one and step two will be even harder—and because it would be the final step for achieving a Balanced Peace.



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