



POSITION PAPER

On Ukraine's policy towards the Russian Federation



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KYIV 2020

The electronic version: <http://www.niss.gov.ua>

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ISBN 978-966-554-346-6

Printed and bound in Ukraine.

Translated in the National Institute for Strategic Studies

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Printed by LLC «Landpress», Alchevskyh Str, 2, apt. 2-9, Harkiv, 61002, tel. +38 (057) 373-77-87

The Russian Federation is Ukraine's largest neighbor, a factor in its domestic and foreign policy. Until recently, Ukrainian and Russian societies were tightly integrated. Ukraine's relations with the Russian Federation are complicated by imperial heritage, distorting the perception of the parties to each other.

Russia Federation as an aggressor-state¹ is the main source of external threats to national security of Ukraine. The response to the Russian challenge must be consistent. It should be based on the implementation of a strategic course for Ukraine's membership in the EU and NATO.

These Policy paper offers a vision of the Ukraine's policy towards Russia. The protection of Ukraine's national interests, not ideological guidelines, should be the cornerstone of this policy.

Both surrender to the Russian Federation and transformation into a tool for harming the Russian Federation are destructive for Ukraine

Both surrender to the Russian Federation and transformation into a tool for harming the Russian Federation are destructive for Ukraine and the neighboring region. The concentration of Ukraine's state policy on harming Russia threatens to neglect tasks of development and overcome backwardness, and thus objectively destroys the chances of a successful completion of the confrontation with the Russian Federation². An external enemy is a universal excuse for one's own mistakes. Applying own or joining the collective means of pressure on

¹Law of Ukraine of January 18, 2018, № 2268-VIII «About features of state policy on ensuring the state sovereignty of Ukraine in temporarily occupied territories in the Donetsk and Luhansk regions». URL: <https://zakon.rada.gov.ua/laws/show/2268-19#Text>

²Successful completion of the confrontation with Russia means ensuring state sovereignty, restoring territorial integrity within the internationally recognized borders of 1991 and, on this basis, guaranteeing peace and security in Europe.

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the Russian Federation, the consequences of these actions for Ukraine should be taken into account.

Politics of Ukraine must ensure the neutralization of threats from the Russian Federation, and also to promote a change in Russia's policy towards Ukraine through proving to Russian society and government the harmfulness and futility of confrontation.

Return to relations as of 2013 is impossible both due to the very fact of Russian aggression and due to the unacceptability of unilateral dependence on Russia for Ukrainian society. Until the restoration of territorial integrity of Ukraine neighborly relations with Russia is impossible.

The model of relations with Russia would guarantee state sovereignty and independence of Ukraine, promote peace, security and development in Europe

It is necessary to determine the modality of co-existence, to form a model of relations with the Russian Federation that would guarantee state sovereignty and independence of Ukraine (including its right to a European and Euro-Atlantic trajectory), would promote peace, security and development in Europe. To this end, Ukraine needs to develop a more attractive social model that will ensure greater freedom, greater justice, greater protection of human rights and economic efficiency.

Ukraine does not interfere and is not going to interfere with Russia's domestic affairs. The Russia's government, whose main priority will be the development of its own country, will try to restore good neighborly relations with Ukraine.

Russia and Ukraine after 1990

The proclamation³ and mutual recognition of the state sovereignty of the RSFSR and the USSR in 1990⁴, the balanced policy of the two states contributed to the peaceful disintegration of the USSR. Based on the ideas of a united and free Europe⁵ and the importance of Ukrainian-Russian relations for peace and security in the region, Ukraine's policy was aimed at strengthening good neighborliness, mutual respect and partnership with Russia⁶. The Russian Federation was seen as a key partner in implementing the strategic course for accession to the European Union announced in 1998⁷.

The Russian authorities have made a different choice. Since the mid-1990s, the foreign policy of the Russian Federation has in fact aimed at forming a world order based on the principles of the «club of great powers» with the participation of Russia, as well as forming a zone of privileged interests of the Russian Federation, imposing unequal client relations to weaker neighboring states, and protecting this zone from outside interference⁸.

During 1994–2013, Russia's policy towards Ukraine was formed under the influence of:

- denationalization in both countries and the desire to maximize the profits for elites;

³ Declaration on State Sovereignty of the Russian Soviet Federative Socialist Republic, June 12, 1990; Declaration of State Sovereignty of Ukraine, July 16, 1990.

⁴ Agreement between the Ukrainian Soviet Socialist Republic and the Russian Soviet Federal Socialist Republic, November 1990.

⁵ Charter of Paris for a New Europe, Final document of the Conference on Security and Cooperation in Europe, held in Paris on November 21, 1990.

⁶ Resolution of the Verkhovna Rada of Ukraine of July 2, 1993 «On the Main Directions of Ukraine's Foreign Policy».

⁷ Strategy of Ukraine's integration into the EU, approved by the Decree of the President of Ukraine of June 11, 1998, № 615.

⁸ «The main goal of Russia's policy towards the CIS is to create an integrated economic and political union of states capable of claiming a worthy place in the world community», Decree of the President of the Russian Federation dated September 14, 1995, № 940 «On the approval of the Strategic course of the Russian Federation towards the CIS member states.»

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- economic interests due to the close ties of the two countries;
- great-power ambitions of the leaders of Russia.

Recognizing in international legal enactments⁹ the independence, state sovereignty and territorial integrity of Ukraine, Russia at the same time:

- exerted economic pressure and resorted to threats by force,
- forced Ukraine to join the Russian integration projects¹⁰;
- formed a system of influence on Ukraine, primarily in the political, informational and cultural spheres, as well as in transport, telecommunications and energy infrastructure;
- reduced dependence on Ukraine in strategic areas, primarily in the energy sector and in the defense industry¹¹.

Ukraine's concessions, including the proclamation of a non-aligned policy in 2010, were usually considered by Russia as a success of its own policy and resulted in increased pressure. Bilateral relations gradually became more complicated. **The incompatibility of the goals of the Russian leadership and the aspirations of the majority of Ukrainian citizens to build an independent, sovereign and prosperous European state.**

The goals of the Russian leadership and the aspirations of the absolute majority of Ukrainian citizens are incompatible

In 2014, the post-Soviet period in bilateral relations ended: Russia launched an armed aggression against Ukraine by occupying

⁹ Memorandum on Security Assurances in connection with Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons (1994), The Treaty on Friendship, Cooperation, and Partnership between Ukraine and the Russian Federation (1997), Treaty between Russia and Ukraine on the Russian-Ukrainian State Border (2004) etc.

¹⁰ The crisis around the island of Tuzla (2003), attempts to involve Ukraine in the Common Economic Space (2003–2005) and the Customs Union (2012–2013), «gas wars» (2006, 2009), the situation with the signing of an association agreement with the EU (2013) etc.

¹¹ Promotion of bypass gas supply routes in the EU – South Stream, Nord Stream, Turkish Stream, Nord Stream 2, import substitution in energy and defense industry, etc.

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Crimea and deploying hostilities in Donetsk and Luhansk regions of Ukraine.

As a result, more than 13,000 people were killed and up to 31,000 were injured. More than 2 million people were forced to flee their homes. Ukraine has lost 7 % of its territory and up to 20 % of its economy.

Goals and instruments of the Russian Federation policy towards Ukraine

Russia is attempt to restore Ukraine's unilateral dependence

Despite official declarations¹², Russia is attempting to fix Ukraine in the «gray zone» between the West and Russia and on this basis to restore Ukraine's unilateral dependence on Russia, as well as to achieve de facto recognition of the annexation of Crimea by great powers.

To achieve its goals, Russia uses a wide range of tools, most of which were used before 2014.

In the political sphere Russia, with the use of special services:

- provides political and diplomatic pressure on Ukraine using international platforms – from the UN to NGOs' activities;
- endeavors to form the image of Ukraine as a failed state;
- inflates conflicts within Ukraine;
- seeks to weaken and delegitimize public institutions and the Ukrainian state in general;
- supports «Russia-friendly» political forces and uses public organizations, including nationalist ones, as political weapons;
- interferes in religious life, first of all in complex processes in Ukrainian Orthodoxy.

In the economic sphere, the Russian Federation:

- restricts access to its own market and exports of goods critical to Ukraine;
- in violation of its obligations under the World Trade Organization, blocks the transit of Ukrainian goods, hindering Ukraine's trade relations with Central Asia and the Caucasus;
- creates obstacles to freedom of navigation in the Azov, Black Seas and the Kerch Strait.

In the information sphere:

- propaganda and special information operations of Russia distort public discussion, its agenda, split the Ukrainian society;

¹²The Concept of Foreign Policy of the Russian Federation (2016) declares the desire to build good relations with neighboring countries, including Ukraine.

Position Paper on Ukraine's policy towards the Russian Federation Goals and instruments of the Russian Federation policy towards Ukraine

- Russian intervention to «protect compatriots»¹³ contributes to the securitization of culture, in particular the language issue;
- Russian hacker groups carry out cyber-attacks against information resources of state bodies and critical infrastructure of Ukraine.

Russia has been using military means since 2014¹⁴. In particular:

- the Crimea has been illegally occupied;
- fighting continues in Donetsk and Luhansk regions. This conflict has become a protracted proxy war of attrition against Ukraine;
- military build-up is continued along the Ukrainian border¹⁵;
- a restricted area (A2/AD) has been built up in the occupied Crimea and an offensive group of troops has been deployed.

Russia's offensive capabilities against Ukraine are being strengthened by its newly built military infrastructure.

Due to the strategic importance of the Crimean Peninsula¹⁶, the Russian Federation attempted to annex it¹⁷.

¹³ «The Russian Federation provides support to compatriots living abroad in implementing their rights, ensuring the protection of their interests and preserving the all-Russian cultural identity» P. 3. Art. 69 of the Constitution of the Russian Federation, approved by the all-Russian vote on July 1, 2020.

¹⁴The aggression and military threat from the Russian Federation forces Ukraine to direct more than 20 % of state budget expenditures and more than 5 % of gross domestic product annually to the security and defense sector.

¹⁵After 2014, the 20th combined arms Army was transferred to the regions adjacent to Ukraine and the 8th combined arms Army was restored. 3 of the 8 divisions of the Land Forces of Russia's Armed Forces are located directly on the border with it, and another 3 – in the depths of the Western and Southern military districts bordering Ukraine.

¹⁶The occupation of Crimea ensures Russia's dominance in the Black Sea basin. The territory and infrastructure of the peninsula are used as a base for Russia's projection of power on the Middle East, Africa and the Balkans.

¹⁷P. 2.1. Art. 67 of the Constitution of the Russian Federation with the changes approved by the all-Russian vote on July 1, 2020 forbids revision of «Russian belonging» of the occupied Crimea.

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Russian-controlled quasi-state formations in Donetsk and Luhansk regions, and corresponding armed formations are used to influence the situation in Ukraine, maintain an atmosphere of instability, unpredictability and strategic uncertainty.

Occupation Administration of the Russian Federation on the territory of the Autonomous Republic of Crimea, the city of Sevastopol, certain districts of Donetsk and Luhansk regions of Ukraine (temporarily occupied territories, hereinafter – TOT)¹⁸:

- carries out systemic violations of human rights and freedoms, in particular persecutes Crimean Tatars;
- disdains the property rights of individuals and legal entities of Ukraine, territorial communities and the state;
- appropriates, destroys or damages industrial, infrastructural, cultural heritage assets;
- illegally exploits natural resources, in particular in the exclusive (maritime) economic zone of Ukraine;
- carries out massive anti-Ukrainian propaganda;
- squeezes the Ukrainian language and culture out of public life;
- forms a cult of war and violence, especially among children and youth.

The Russian Federation is carrying out systemic integration of TOT – openly in Crimea, hidden in Donetsk and Luhansk regions. The Russian ruble was put into circulation. The economic ties have been reoriented. Russian legislation is being implemented. Citizenship of the Russian Federation, in particular compulsorily, is granted.

¹⁸ According to the Law of Ukraine «On the Peculiarities of the State Policy on Ensuring Ukraine's State Sovereignty over Temporarily Occupied Territories in Donetsk and Luhansk Regions» (TOT), the occupation administration of Russia consists of its state bodies and structures functionally responsible for the management of the temporarily occupied territories of Ukraine, as well as self-proclaimed bodies controlled by the Russian Federation, which usurped power in the temporarily occupied territories of Ukraine.

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Prolonged armed conflict is a powerful factor in the polarization and radicalization of political forces, the destruction of public confidence and political destabilization

Prolonged armed conflict is a powerful factor in the polarization and radicalization of political forces, political destabilization and the destruction of public trust. The chances for secure reintegration on the base of political-diplomatic instruments are only dwindling with the passage of time.

Objectives and policies of Ukraine towards the Russian Federation

Ukraine's policy towards the Russian Federation should ensure the achievement of the following goals:

- guaranteeing the independence and state sovereignty of Ukraine, restoring the territorial integrity of Ukraine;
- minimization of negative consequences of realization of the threats connected with the Russian Federation;
- proving to Russia's leadership and Russian society the ineffectiveness of attempts to limit sovereignty and the need to recognize Ukraine's independence in practice;
- compensation for damage caused by Russian aggression¹⁹.

To achieve these goals, it is necessary to provide:

- sustainable social development of Ukraine;
- strengthening the economy by attracting transformational investment;
- building stable, transparent and effective state institutions capable of responding to strategic challenges and threats, in particular from the Russian Federation.

The task of restoring territorial integrity of Ukraine may be long-term

Restoration of Ukraine's territorial integrity may be long-term. In this process it is necessary to:

- demonstrate the achievements of Ukraine on the path of social progress, in particular in such areas as medicine, education, infrastructure, living environment;
- promote the rights and freedoms of citizens of Ukraine living in the TOT;
- form a creative and responsible strategic communications system with the citizens of Ukraine, in particular with those who live in the TOT, as well as with foreign partners;

¹⁹ An example is the decision of the Stockholm Arbitration Court to recover from Gazprom compensation for the application of discriminatory terms of the 2009 contracts. At the same time, the desire to obtain compensation for the damage caused by Russian aggression should be correlated with other policy objectives towards Russia.

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- reject attempts to legitimize unrecognized quasi-state entities and to shift to Ukraine the responsibility for the vital activity of the population and the TOT reconstruction without fully restoring sovereign rights.

The divergent interests of external and internal players as well as the cost of reckless steps for state sovereignty and social unity should be taken into account.

Adhering to the basic principles of the National Security Strategy of Ukraine, it is expedient to pursue Ukraine's policy towards the Russian Federation in the following areas: **deterrence, resilience, communications²⁰**.

DETERRENCE

Given the priority of military instruments for Russia, the key is to create such defense and security capabilities of Ukraine that will inflict **unacceptable losses on the aggressor** on land, in the air, at sea and in cyberspace.

Due to the disparity in resources the arms race will be ruinous for Ukrainian economy. **Priority should be given to asymmetric means**, that first of all requires radical changes in the thinking of military and civil servants and significant investments in human capabilities. **A soldier is a citizen in uniform, not «cannon fodder».**

Ukraine's defense and security capabilities need to be built primarily through **more efficient use of resources, including human resources**. The following steps are necessary to:

- update the doctrine of the use of defense and security forces taking into account the peculiarities of the modern security environment;
- concentrate limited resources on the development of bespoke asymmetric strike capabilities, as well as capabilities in the areas of command, control, communications, intelligence and surveil-

²⁰The National Security Strategy of Ukraine approved by the Decree of the President of Ukraine of September 14, 2020, № 392. URL: <https://www.president.gov.ua/documents/3922020-35037>

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lance, electronic warfare, missile and air defense, in the Black and Azov seas;

- strengthen intelligence agencies and develop researches of politics, economics, force and information capacities of the Russian Federation.

The results of long-term conflicts are influenced by both the capacities of the parties and their ability to attract external support by participating in coalitions both on an ongoing basis and ad hoc²¹.

To influence Russia's policy Ukraine should:

- strengthen international trust and promote Ukraine's image as a reliable partner and security contributor;
- use international formats (Normandy, Minsk, Budapest, Geneva, etc.), work on creating a negotiating platform for the de-occupation of Crimea;
- develop a special partnership with NATO, in particular in the framework of the NATO's Enhanced Opportunities Program and NATO-Ukraine annual national programs, providing a platform for the interoperability of the Armed Forces of Ukraine with the armed forces of Alliance countries, the intensity of joint exercises, cooperation of special services, participating in NATO logistics projects and in strategic planning process;
- participate in the process of European defense and security policy making;
- strengthen strategic, including political, defense, intelligence, economic cooperation with the United States, Great Britain, Canada, Germany, and France, taking into account the differences in the policies of these states towards the Russia;
- deepen relations with the member states of the Bucharest Nine initiative, which make up NATO's Eastern flank, as well as with Turkey;

²¹Increased global competition between the United States and China could lead to an adjustment in US foreign policy and security strategy, including on Russia (For example: It's Time to Rethink Our Russia Policy. URL: //https://www.politico.com/news/magazine/2020/08/05/open-letter-russia-policy-391434).

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- intensify work in international organizations, in particular the UN, OSCE, CoE, Interpol etc., as well as in international courts to protect national interests in relations with Russia.

RESILIENCE

Development based national resilience is a prerequisite for defense of Ukraine²². The European transformation of the post-Soviet social model is a guarantee of national resilience and Ukraine's transition to being considered a responsible international player and reliable partner.

In the political sphere it is expedient:

- to seek compromise solutions to sensitive social problems;
- not to allow privileges or restrictions on the basis of race characteristic, skin color, political, religious and other opinions, gender, ethnic and social origin, property status, place of residence, language or other characteristics;
- to promote the consolidation and development of the Ukrainian nation, its historical consciousness, traditions and culture, as well as the development of the ethnic, cultural, linguistic and religious identity of all indigenous peoples and national minorities of Ukraine;
- to ensure the priority development of Ukrainian culture and access to the world culture heritage, in particular by studying English and other world languages;
- to rethink the Soviet period of history, preserving the memory of both Soviet crimes, including the Holodomor of 1932–1933 and mass repression, and the contribution of Ukrainians to the victory over Nazism, rejecting Russia's attempts to monopolize the right to interpret history²³.

²²Large-scale destabilization within Ukraine can destroy statehood both through the Russian invasion under the guise of a «humanitarian operation» and without it.

²³«The Russian Federation, united by a thousand-year history, preserving the memory of ancestors who passed on to us ideals and faith in God, as well as continuity in the development of the Russian state, recognizes the state unity that has developed historically.» P. 2 Art. 67.1 of the Constitution of the Russian Federation with changes approved by the all-Russian vote on July 1, 2020.

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In the economic sphere it is necessary to:

- deepen Ukraine's sectoral integration with the EU;
- develop institutions and expand opportunities for trade with EU Member States and other important trading partners;
- attract foreign investment;
- limit the presence of capital affiliated with the Russian Federation in strategic sectors of the Ukraine's economy, primarily in critical infrastructure, create a system to minimize the risks associated with the acquisition, ownership and control of assets;
- reduce dependence on the Russian Federation as a source, route or supplier of resources and technologies, in particular in the energy sector;
- strengthen the resilience of critical infrastructure, ensure coordinated actions of state and non-state actors in crisis situations on the basis of public-private partnership.

In the information sphere it is necessary to:

- strengthen cybersecurity and security of information resources;
- develop information and cultural industries, which will strengthen the protection of the national information space.

The security and defense sector should be developed, which requires:

- strengthening the integrity of defense, security and state institutions in general, as well as the integrity of their personnel;
- completing the reform of the Security Service of Ukraine: to optimize its structure and number, to strengthen counterintelligence capabilities, in particular to counter the intelligence services of the Russian Federation;
- increasing the capacity of the police and other law enforcement agencies to protect the rights, freedoms and legitimate interests of citizens;
- improvement of planning and using the resources for national security and defense.

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COMMUNICATIONS

To minimize risks to the national interests of Ukraine, it is expedient to keep open channels of communication with Russia through international mediation and on the basis of international law. Priority issues for such communication should be peacebuilding, protection of the rights, freedoms and legitimate interests of Ukraine's citizens and business entities, the environment, etc.

In the economic sphere it is necessary to:

- clearly identify areas in which trade is beneficial for Ukraine;
- build bilateral economic relations on the basis of transparency and European rules;
- take into account that such relations should not be decisive and hinder the integration into the EU, and that Russian public and private companies cannot be priority partners;
- continue reviewing the bilateral treaties base.

The asymmetry of economies (of the countries) limits the effectiveness of Ukraine's economic sanctions against Russia. Further use of this tool should be based on an analysis of its efficiency for national interests.

Ukraine should develop pragmatic cooperation with Belarus, Kazakhstan, and the states of the South Caucasus and the Central Asia, protecting Ukraine's interests and minimizing the involvement of these states in Russia's anti-Ukrainian policy.

Conflicts between neighboring states harm both sides. A consistent and unwavering policy of defending national interests, progressive development of Ukraine, strengthening its national resilience and defense capabilities will likely eventually make the political price of the current policy unacceptable for the Russian Federation, and will encourage to its changes in the interests of Ukraine and Europe as a whole.