

## **WHAT HAPPENED TO UKRAINE AND WHAT CONSEQUENCES MIGHT BELARUS HAVE TO FACE?**

**Ukraine's political crisis that arose in November 2013 has long transcended the national borders and still remains far from resolved. Nonetheless, some conclusions can already be drawn from this situation, including for Belarus. What is going on in Ukraine? Why has Russia annexed Crimea? What is official Minsk's stance on the crisis and what conclusions could the Belarusian authorities draw?**

### **A revolution or a coup?**

Too little time has passed since the Maidan events and the reshuffle of political elites that followed, and it is premature to speak about a new consolidated political regime. However, there is no chance we can apply the classical transitology paradigm to the Ukrainian transition, because the outcome will to a great extent be determined by the external factor (the Russia–West game), rather than the confrontation between the domestic elites.

It is obvious as of today that neither the Ukrainian political system nor the social pattern has been wrecked. Therefore, to treat the developments in Ukraine as a proper revolution would be a mistake, as we can only speak about a forced removal from the authority of a political group that has lost its legitimacy<sup>1</sup>.

The ousting of President Viktor Yanukovich from his office took place without any adequate impeachment procedure, which provided the Russian side with a solid argument about the illegality of the new Ukrainian authorities when asserting its position on Ukraine internationally.

Ukraine's political crisis is still unwinding. Further developments may take the revolutionary track, because Maidan has not yet achieved its objectives (*inter alia*, to eradicate corruption, integrate with the EU, and alter the administrative system), but has become a dangerous instrument in the race for power. Specifically, activists advocating separatism in the east of Ukraine copy Maidan's methods thus seeking legitimacy.

The events of the last few months taught the Ukrainian elite a valuable lesson of political compromise and negotiability. The balance of forces in Ukraine, which was established in the early 1990s building on the foundation laid back in the 1980s, where various business and administrative groups compete for power, yet there is none that is capable of establishing complete control of the opponents, has eventually been undermined. The refusal to meet halfway with the incumbents and inability of the opposition leaders to hold in leash the radical opposition groups have brought about a power vacuum and hasty false decisions of the new authorities<sup>2</sup>. At the end of the day, Russia saw a window of opportunity open up for it to capture a slice of Ukraine.

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<sup>1</sup> According to a report by SOCIS, a Ukrainian political sociology company, a total of 89.1% of the population in Ukraine "completely distrusted" or "rather distrusted" Yanukovich in March 2014.

<sup>2</sup> Specifically, the decision of the Verkhovna Rada to repeal the law on regional languages, which enraged part of the Russian-speaking population. The decision was vetoed by Acting President of Ukraine Oleksander Turchinov.

### **Why was Crimea lost?**

Contrary to the conspiracy theories concerning the agenda of the Russian authorities, the Kremlin's strategy to annex Crimea must have been developed taking into consideration the new Ukrainian administration's accumulated errors. Seemingly, Vladimir Putin's original plan was to create a long-term center of instability in Ukraine in the form of a region that would remain beyond the control of official Kyiv (similar to Transnistria) in order to prevent Ukraine's complete refocusing towards the West and gain an additional instrument to shape internal political processes. However, as the Ukrainian crisis evolved and the scope of the media warfare broadened, the Kremlin made up its mind to play the Crimean card to attain the internal Russian goal to consolidate the central authority. The move has obviously been successful, judging by the hikes in Putin's approval rating and a stronger patriotic sentiment in Russia.

On the one hand, the refusal of the new Ukrainian authorities to defend Crimea safeguarded the country against a military defeat and humiliating peace treaty imposed from a position of strength, whereas on the other hand, it demonstrated its weakness and indetermination, along with the lack of an efficient army. Furthermore, this inertness discouraged the global community from pursuing a more active engagement in the conflict and providing a more substantial assistance to Ukraine as a victim of aggression. Such a tactical move would have been warranted if a full-scale military invasion with the use of arms was bound to take place. However, because Crimea became a scene of a new generation political special operation (rather than a classical military aggression), to which neither the Ukrainian authorities, nor western politicians were ready to effectively respond, no moves were made to counteract the blockade and prevent the consequent annexation of the peninsula to the Russian Federation.

### **Legal aspect of Russia's actions**

The non-recognition of the new Ukrainian authorities is a sovereign right of the Russian Federation or any other country, which, nevertheless, does not nullify the provisions of the Charter of the United Nations Organization and rules of international law, which guarantee the sovereignty and territorial integrity of states.

The deployment of Russian armed forces beyond the bases specified by bilateral agreements and their actions to block the Ukrainian military units in Crimea obviously run counter to the norms of international law, specifically Article 2 Part 4 of the UN Charter, which bans the threat or use of force against the territorial integrity or political independence of any state.

International law allows any foreign state to bring its armed forces into another sovereign state and use force in three specific cases, namely, when there is authorization by the United Nations Security Council, consent by the authorities of the country, where foreign armed forces are deployed, and in self-defense. Within the right of self-defense the "protection of nationals" doctrine exists, which maintain that one state can use force with respect to another state in order to protect its citizens from an inevitable threat resulting from the impossibility or the inability of the authorities to protect the civil population — the excuse that Russia seized on.

As is known, the UN Security Council made no decision to bring foreign troops into Ukraine — nor was there a consent by the Ukrainian authorities, for even if Viktor Yanukovich is treated as a legitimate president, any decision to authorize bringing foreign troops into the country should be approved by the Verkhovna Rada, which never happened. There is no reliable information concerning any massive human rights abuse in Crimea, such as attacks

on Russian citizens or threats of infliction of serious bodily injuries. There are no reports on the inability or reluctance of the new central Ukrainian authorities to ensure the security of Russian citizens residing in Crimea, either. Therefore, Russia's reference to legal arguments in the UN Security Council in order to justify the blockade of Crimea and its separation from Ukraine does not stand up to criticism. Moreover, although Russia repeatedly cites the Kosovo precedent to illustrate the EU's policy of double standards, the Crimean case has fundamental differences from the declaration of independence by Kosovo.

### **Lessons of Crimea**

The developments in Crimea have naturally become a wake-up call for the leaders of the former Soviet Union states, who seek integration relations with Russia. Vladimir Putin must have gone to great lengths to convince his integration partners Lukashenka and Nazarbayev at an extraordinary meeting in March 2014 that the radical Crimean scenario would not be applied to other neighboring countries and that it was only hypothetically possible as a consequence of Maidan-like events in Minsk or Astana.

The Russian parliament's discussion of the bills on simplified procedures for obtaining the Russian citizenship became another bite of the reality sandwich, despite the fact that the bills that dramatically simplified procedures for citizens of the former Soviet Union states to get the Russian passport tabled two years before were turned down by the State Duma in the autumn of 2013<sup>3</sup>. However, under pressure from the Ukrainian developments in late February 2014, updated bills were submitted to the Russian parliament, one of which received an approving comment by Prime Minister Dmitry Medvedev. If Russia should sign these bills into law, Belarusian and Ukrainian citizens will be able to obtain the Russian citizenship within only three months, provided they choose to deny their current citizenship. Against a rather complicated demographic backdrop, this move by the eastern neighbor could make the threat of Belarus's losing workforce even more real.

The post-Soviet leaders will be a lot more cautious when choosing the European development path, as it could eventually threaten the independence and territorial integrity of their states resulting from potential aggressive responses by Russia. What we have in the end is the following picture of the former Soviet Union: the loyal Russia's allies (Armenia and Belarus) will coexist with the pro-Western countries that will have to face long-running conflicts as payment for their disloyalty to Russia (Moldova, Georgia, and Ukraine).

The Crimean crisis left only two possible scenarios for Belarus's relationship with Russia. The first one is to pretend that nothing extraordinary has happened and continue pursuing bilateral relations within the established track. The second scenario envisages an expeditious creation of the independence infrastructure and consistent estrangement from Russia. Both are improbable in their pure form, though, because the annexation of Crimea is such an important event — both regionally and globally — that Belarus will not be able to simply ignore it, whereas a sharp geopolitical reversal would be treated by the Belarusian authorities as a threat to the existing political regime. Furthermore, the conflict between Ukraine and Russia showed that the West is not ready to provide fast real support for a country that seeks to get beyond Russia's control.

Therefore, official Minsk chose to take a neutral position: on the one hand, it maintains the habitual level of relations with Russia, while on the other hand, it will exercise caution when considering various aspects of relations with Russia, attempt to formulate the national ideology more clearly and, possibly, elaborate a strategy for sharply reversing its foreign policy in case of emergency (i.e. if Russia decides to back a candidate alternative to

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<sup>3</sup> For details, see: A. Yeliseyev, Belarusians between the 'Karta Polaka' and Russian 'Compatriot' [in Russian]. BISS-Blitz, February 2013, <http://belinstitute.eu/ru/node/660>.

Lukashenka). In any case, Belarus will not benefit from any abrupt moves, at least until the “moment of truth” comes concerning the final terms and conditions of the treaty on the Eurasian Economic Union.

Moreover, the Belarusian president is trying to impose himself as a mediator in the resolution of the Russian–Ukrainian conflict, although Belarus, a close ally of Russia (including in the military sector) cannot play the part of a formal impartial intermediary. Nevertheless, because Lukashenka has interests in Ukraine that are different from those pursued by the Kremlin, maintains close contacts with both Kyiv and Moscow, is well aware of the ongoing processes and is interested in having the conflict settled, he can be involved as a communicator and initiator of the conciliation process. If Minsk succeeds in this role, it will see entirely new exciting prospects open up in the region, including in the framework of its relationship with the European Union. Further, his peacemaking role could help the Belarusian president garner more support domestically. However, neither party (especially Russia) seems willing to engage Belarus as a mediator. It looks like Kyiv would not mind such a scenario, whereas Moscow will apparently seek to negotiate Ukraine’s future with the United States and the European Union.

Under the circumstances, **one of the most realistic mechanisms to secure Belarus’s real independence would be for the country to gradually and consistently build up a balance of interests of influential foreign players** (including the United States and China) **in its territory**. No one will be interested in a destabilization of such a country, and the compromise of external players will thus facilitate the country’s efforts to maintain its neutral status, which is in line with the Constitution of the Republic of Belarus.