

European Foreign And Security Policy And The Russia-Ukraine-Conflict

A working paper of the Working Group on Just Peace
Of the German Commission for Justice and Peace

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Preliminary remark

The present text is the result of a lengthy and intensive study of the subject matter in the Working Group on "Just Peace" of the German Commission for Justice and Peace. The Working Group was mandated by the Commission to deal with the perspectives and difficulties of EU foreign and security policy. It has decided to take the Russia-Ukraine conflict as an example when working on this broad field. Accordingly, the text focuses less on intra-Ukrainian challenges than on the challenges being faced by the EU's Common Foreign and Security Policy.

The text is intended to stimulate and guide public debate. It does not see itself as a contribution to the scientific discourse on the Russia-Ukraine conflict, although it has been taken note of as far as possible. Accordingly, no literature references have been given to support the statements.

The Commission sees this text as a basis for further political dialogues in Germany and with our international partners, in particular in Ukraine and Russia. Special thanks go to Professor Dr Heinz-Günther Stobbe, who, as moderator of the Peace Department, made a decisive contribution to the development of the document.

Berlin, March 2018

Introduction: The Russia-Ukraine conflict as a challenge to peace policy

The talk of the crisis in the EU has long dominated public and political debate in Germany and large parts of Europe. In fact, the EU is in considerable turbulence, from the EURO crisis to the conflicts over the responsible treatment of the refugees who are trying to cross Europe's borders, to BREXIT and its consequences. It seems that the Russian-Ukrainian crisis fits perfectly into this gloomy picture. However, this is only partly true. Rather, it exemplifies the need to avoid a generalised crisis diagnosis and to examine each area of European policy more closely. In this sense, we regard the Ukrainian crisis as a test case for the EU's Common Foreign and Security Policy (CFSP). It is important to take the current weakness of the EU as an opportunity to account for its need for reform, but also to reflect on its strengths. For this reason it is important, before any critical analysis, to remember first of all the fact that the European unification process was conceived from the outset as a peace project and as such has indeed been successful for decades. The extent to which this historic achievement has become a matter of course for most people in Europe is demonstrated by the rather small, sometimes even mocking response to the award of the Nobel Peace Prize to the EU in 2012.

Perhaps this also explains to some extent why the public spheres of European societies, in contrast to the time of the Iraq war for example, do not seem to be really worried by those events that are actually euphemistically described as the Russia-Ukraine crisis. Rather, it is a very serious political and armed conflict that combines elements of civil war and partly covert and partly open external aggression. The rapid integration of the Crimea into the Russian Federation is essentially an annexation contrary to international law, which was to be given an appearance of legitimacy through a dubious referendum. The illegal nature of the vote results from the fact that it was not carried out in accordance with Ukrainian law, as required by international law. It was also not free, as the position of the Crimean Tatars shows. After all, the presence and actions of the undercover Russian army units in the territory of Ukraine before the referendum violated international law.

With its action, the Russian government has broken a number of contractual agreements, such as the Budapest Memorandum of 1994, in which Russia, Great Britain and the USA gave Ukraine special security guarantees for the withdrawal of all nuclear weapons stationed there (third largest nuclear arsenal in the world!) and excluded violent border shifts; in addition, the lease agreement with Ukraine on the use of the port of Sevastopol by the Russian Black Sea Fleet, concluded in 1997, and 2010 extended until 2047, and finally the "Treaty on Friendship, Cooperation" of May 1997 between Russia and Ukraine, whose paragraph 3 is worth quoting completely:

"The High Contracting Parties shall construct their relations with each other on the basis of principles of mutual respect for sovereign equality, territorial integrity, the inviolability of borders, the peaceful settlement of disputes, the application of force, including economic and other means of pressure, the right of peoples to decide their own fates freely, nonintervention in internal affairs, the upholding of human rights and basic freedoms." The contract was ratified by the Russian parliament not until 1999 and was also extended for ten years in 2010.

Even more decisive for Europe is the massive violation of the European peace order, as agreed in the Helsinki Final Act (1975) and in particular the Charter of Paris for a New Europe (1990) involving Russia. All this together makes the Ukrainian conflict after the wars on the territory of former Yugoslavia the greatest challenge for the CFSP in the EU's history. It has various dimensions, but international law must be regarded as the most fundamental. Russia's annexation of Crimea has violated two fundamental principles of the European and global peace order, namely the principles of state sovereignty and of the territorial integrity of states. Unfortunately, both breaches of the law are difficult to reverse and in any case cannot be reversed in the short term. This makes it all the more important to at least name them clearly and to keep them in mind regardless of changes in daily political affairs.

Russia's policy towards Ukraine has surprised and unsettled the West. Uncertainty, however, does not tend to be a good basis for a wise and appropriate reaction. Three key issues need to be addressed in order to assess the EU's approach: On the one hand, it is necessary to understand and explain the decision of the Russian government (cf. Section I) and, on the other hand, to describe how Western policy, i.e. essentially the policies of the European states and the USA, reacted to this decision (cf. Section II). Finally, this reaction must be assessed critically, because only in this way can lessons be drawn from it (cf. Section III).

I. Russia as an actor

The orientation framework of Russian foreign policy

Most experts in politics and science agree that Russian politics does not follow a fixed master plan, but persistently pursues several interlinked goals. There are strong reasons for assuming that Putin's and the ruling elites' foreign policy is increasingly determined by domestic political motives, above all the motive of maintaining one's own power and keeping up a corrupt system with mafialike and kleptocratic features. However, this track is only to be followed to the extent that it seems helpful for understanding Russian foreign policy. In any case, from this point of view, the following aspects can be distinguished:

- a) In general and especially in the case of Ukraine, one of the most important goals of Russian foreign policy is likely to be to secure Russia's immediate environment or the "near abroad", i.e. the territory of the former Soviet Union, as a political, economic and to a certain extent also military sphere of influence and control zone. This corresponds to the Soviet Union's successful efforts to surround itself with a ring of socialist vassal states after the Second World War. After 1999 Poland, the Czech Republic and Hungary joined NATO, after 2004 Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia, after 2009 Albania and Croatia, and finally Montenegro joined NATO in 2017. The Russian government has consistently criticised this eastward expansion of NATO, which included states that were predominantly members of either the Soviet Union or the former Eastern Bloc, because it regarded this development as a threatening encirclement. This also and particularly affected the deployment of missile defence systems in Poland and Romania, which according to NATO were directed against possible attacks from Iran, but which the Russian government regarded as a threat to the nuclear balance. At the Munich Security Conferences in 2007 and 2013, the Russian Government made clear its concern for Russia's security, which it considered appropriate and justified. However, it was not listened to and responded to this experience by seeking to minimise the number of Western-oriented states and governments, in particular to prevent accession to NATO. This happened in the cases of both Georgia and Ukraine. These are hegemonic rather than imperial ambitions, which were also often asserted by the USA, especially in countries that were often referred to as "America's backyard" (e.g. Cuba). The goal of defining zones of influence, especially when they are relevant in terms of security policy, often tempts major powers

to break the law and even to accept armed conflicts. This also happened during the Russian-Ukraine crisis on the part of the Russian government.

- b) The Russian Government's foreign policy is based on the conviction that it can only be successful on the basis of internal stability, unity and particularly strength. Their efforts are therefore aimed at avoiding "colour revolutions" in their own country and in the countries close to them and to stifle all attempts to achieve this as much as possible. In their view, a "strong state" cannot be reconciled with the existence of a strong opposition capable of bringing about a change of government. Civil society actions and initiatives are therefore curtailed or suppressed in their effectiveness and separatist movements such as those in Chechnya are fought with brutal severity. Responsible for this and active in this sense are above all the security organs (police and domestic secret service SFB) and the army as well as an extensive state-controlled and promoted propaganda apparatus. This includes the creation of a new, strong security force, the National Guard, to combat terrorism and organised crime, but also to combat internal unrest. Nevertheless: Despite state arbitrariness, state influence on the courts, state manipulation of elections, the system of Putin-style "controlled democracy" or "Demokratuur" (B. Reitschuster) clearly differs from the Soviet dictatorship. The comprehensive control by party organs has been replaced by the influence of a network of personal connections and institutional overlaps, whose mode of operation gradually undermines the constitution from within without fundamental constitutional changes. Moreover, Russia's policy is based on other ideological foundations than the Soviet empire, i.e. no longer on Marxism-Leninism, which still led Gorbachev's policy. It is designed to a larger degree to establish continuity with the tsarist past. Even the revived worship of Stalin is primarily a reminder of national and imperial greatness, not a sign of a return of Stalinist rule. Today's Russia is burdened by the communist past in many ways, whether it is glorified, repressed or kept secret. Nevertheless, it is not enough to see the present only as a variant of the collapsed Soviet Union. The distinctly hostile separation from the West has hardly any anticapitalist, but rather strong cultural features with a religious slant (cf. below). The reforms of the planned communist economy introduced under Yeltsin in the sense of neoliberalism, which went hand in hand with a "wild" privatization, as it were, have not, however, produced a real, let alone a social market economy that would benefit the entire population. In contrast, market economy segments and an enormous concentration of power have emerged in the hands of oligarchs close to the government, some of whom

have accumulated gigantic wealth in the meantime. They too lack interest in structural changes in the economy and politics that would limit their power and financial gain. They support Putin's rule, but at the same time set limits. Putin does not tolerate oligarchs challenging his power, but others are spared or promoted.

- c) The most important component of Russian policy, which is crucial for international relations, is the intention to overcome and compensate for the Soviet Union's decline, and the dramatic consequences of its dissolution, which the military in particular perceived as humiliating. Russia wants to be and should again be recognised as an equal partner on the world political stage. In this respect, President Obama's assessment that Russia is merely a "regional power" has certainly been perceived as a strong disparagement. The same applies to the increase in Western arms expenditure. Russia's efforts will therefore focus on modernising its armed forces, as laid down in the "State Armaments Programme 2020", which initially led to an enormous increase in military expenditure, but which has been reduced again in the last two years. This allows the Russian government to pursue a great power policy of classic design and, if it deems it necessary, also to use military force without being restricted in its freedom of decision by moral or international law norms and regulations. The war in Chechnya illustrates this in the field of domestic policy, the wars in Georgia and Syria in that of foreign policy. In Chechnya, as in Syria, the motive of the fight against terrorism has been or is being asserted above all, which is certainly important, but at the same time pushes other motives into the background, which in reality have great weight or even priority. Political influence, military presence and economic interests are important. These goals are also pursued by Western countries and are not per se reprehensible. However, the always problematic use of military force must respect the restrictions and rules binding under international law, which must not be disregarded for reasons of interest.

The geopolitical component of Russian foreign policy is not to restore the bipolar structure of the Cold War, but to preserve the multipolar world and be recognised as a great power being part of it. From the Russian point of view, Europe and the EU apparently only play the role of subordinate players of the hegemonic power of the USA without having a leading and independent role in this world. Nevertheless, the Russian government is trying to deepen existing transatlantic tensions and drive a wedge between the US and the EU in or-

der to increase its influence. The Russia-Ukraine conflict must therefore be seen as part of a geopolitical conflict in which Russia seeks to position and assert itself alongside the USA, China and India.

Means and measures of Russian policy

The Russian Government is using a wide range of instruments to achieve its objectives. In the Russian-Ukrainian conflict, as in comparable cases, it operated temporarily by offering economic advantages (discounts, loans) or vice versa by threatening with economic disadvantages (price increases, import bans), based on Ukraine's economic dependence on Russia. Presumably in view of the strengthening of the Maidan movement, the overthrow and flight of the Ukrainian president and some decisions of the new government especially on the language issue (23 February 2014) the Russian side decided to tighten its course. It is unclear when the plans for the annexation of the Crimea began, and there is evidence to suggest a rather early date. The fact is that just five days after Yanukovich was formally deposed, Russian soldiers occupied the parliament and government building of the Autonomous Republic of Crimea. At that time, the Crimea still belonged to Ukraine, even according to official Russian interpretation, so all subsequent decisions and measures can clearly be seen as direct intervention by one state in the internal affairs of another state. On 16 March a referendum was organised to annex Crimea to Russia, and already on 20 March 2014 the Russian Parliament decided to admit Crimea to the Russian Federation. Two days earlier, in a speech to the nation, President Putin had explained in detail why his government had to integrate the Crimea and to intervene in eastern Ukraine. Among other things, he claimed that Russia had had the duty to protect the 'Russians' living there from forced Ukrainization and imminent genocide. In March and April, armed militia units occupied the Donbass, which in turn were attacked by the Ukrainian army. This started a war that has been going on ever since.

Within an astonishingly short period of time, the usual pattern of the various steps aimed at achieving or increasing Ukraine's destabilisation became apparent: Internal unrest is stirred up and fuelled and linked to concern for the Russian parts of the population, who are allegedly in increasing danger. From Russia's point of view, this is not only an opportunity, but the decisive legal reason for Russia's intervention as a protective power (see below). The actual intervention takes place in various ways, mainly through financial and military support for the separatists, through arms supplies and infiltration by regular troops, secret service personnel and special units, but

also through extensive manoeuvres in the border region of Russia. All in all, this is a variant of warfare that has in principle already been practised by the USA, and which has been called a "hybrid war" since the Russian-Ukrainian conflict because it combines open and covert operations. In the case of the Crimean annexation, the soldiers without sovereignty badges have become almost proverbial as the "little green men", the "polite people" or the "tourists" and "holiday makers".

While Moscow triumphantly boasted of military activities in Crimea after initial denial and decorated Russian soldiers with medals, it still denies being involved in or able to influence the fight of the separatists in eastern Ukraine. However, the evidence is overwhelming, not least the growing number of killed Russian soldiers, whose deaths are difficult to hide at home. President Putin has declared that they were on holiday in the war zone and that their presence there, like that of all members of the armed forces, was therefore of a private nature. It is true, however, that Russian volunteers also have fought and still fight on Ukrainian soil. Russian interference goes hand in hand with the establishment of parallel statelike structures, at the same time referendums are organized and their Pro-Russian results are recognized by Russia and Russian passports are issued. All this is similar to what happened in Abkhazia and South Ossetia in 2008. In Ukraine the path bifurcates from there on: In Crimea the integration into the Russian Federation followed directly and on 7 April 2014, the "People's Republic of Luhansk" and the "People's Republic of Donetsk" were founded in the eastern Ukrainian separatist territories, planned by the separatists as building blocks of what is called "New Russia". Meanwhile, both areas have been declared independent and the separatists have taken over heavy industry businesses owned by the Ukraine. This takeover took place after Ukrainian forces had blocked the transport routes for the necessary raw materials. The separatists have expressed their intention to ask Russia to annex "New Russia", but the Russian government has rejected this request and is officially sticking to the Minsk Agreement. Integration of the two republics would deprive it of the possibility of preventing Ukraine's accession to NATO. In fact, Russia has at least taken over the management of the large economic enterprises because the separatists lack suitable management personnel. The official means of payment in the 'Republics' is now the Russian rouble.

Russian politics is accompanied by an elaborate propaganda campaign, which is particularly concerted in Russia itself, but in which other European states are also involved. It is aimed at defending Russian measures as a purely defensive reaction to the advance of the West and to the dangers and consequences of a "fascist" seizure of power in Kiev, especially for Ukrainians of Russian descent and language. It also

serves the strategic objective of dividing the Western states in order to bring an end to sanctions and, more generally, to weaken the EU's capacity to act. It is carried out by foreign channels or programmes, especially in the social media and also on Russian state television, where, for example, there is open debate about military options and operations with regard to both Ukraine and the West. Finally, the catalogue of measures is completed by numerous cyberattacks, especially in 2016, on important functional areas of Ukraine, including those relevant to security, the nature and scope of which are difficult to explain without the financial and personnel support of the Russian state. They are not yet as comprehensive as the 2007 attack against Estonia, which affected large parts of the state and the economy and paralyzed them for weeks. But they cause serious disturbances to life in state and society, for example in the payment of salaries to state employees. Western and Ukrainian security experts see these as actions that are primarily intended to demonstrate and test the capabilities of Russian cyber services.

II. The European Union and the USA as actors

It is this course of events, only outlined here, which has aroused and continues to arouse strong fears, particularly in Poland and the Baltic States. They are additionally nourished by the existence of Russian minorities, some of them large, with a generally tense relationship to the majority population (and vice versa), and not least by the ideological constructions on which Russian politics is based (see below). Finally, historical experiences and memories play an important role. These countries' yearning for Europe and their membership of the EU and NATO certainly compel the Western states to respond appropriately and effectively to their fears.

Initial reactions of American and European politics

European politics was completely surprised by the events in Crimea and eastern Ukraine, although of course they have a long history. Although similar scenarios had already been played out after the war in Georgia, they were classified as unlikely. The surprise effect triggered by the Russian action cannot therefore be adequately explained by secrecy and deception alone. Rather, it signals a high degree of ignorance of the warnings that had long ago been voiced by the Russian side, particularly with regard to the situation in Ukraine. Already in 2006, Foreign Minister Lavrov had threatened with serious consequences in connection with the so-called "Cold War in

Crimea" in the event of Ukraine joining NATO. In 2008, during the NATO summit in Bucharest, President Putin angrily raised the same issue with his American counterpart Bush. The background situation was not only the announced deployment of American defence missiles in Romania and Poland, but also the rapid expansion of NATO, which mainly included countries that had belonged to the Soviet Union or to Soviet domain. Russia protested against these developments, which it saw as part of a targeted policy of encirclement. The sharp criticism at the Munich Security Conferences in 2007 and 2013 thus continued a series of futile attempts by the Russian government to halt this trend. It must not be forgotten, however, that despite everything Russia had concluded an agreement with NATO in 1997 which included reciprocal measures of military restraint, provided for the adaptation of the Treaty on Conventional Armed Forces and led to the NATO-Russia Council in 2002. At the time, President Putin also raised the issue of the possibility of Russia's membership of NATO, an idea that met with little approval in the West. On the other hand, NATO assented to Ukraine's request to join the Alliance in 2008, but without presenting a membership action plan or a date. For its part, the EU did not combine the action plan agreed in 2005 with Ukraine with any prospect of accession. Obviously, the EU wasn't in much of a hurry to get into a closer relationship, because the preparations for an Association Agreement were not completed until 2011 and it took until 1 September 2017 before the EU-Ukraine Partnership Agreement could officially enter into force (while the FTA has existed since early 2016).

The Russia-Ukraine conflict broke out in the form of mass protests after the Ukrainian Council of Ministers had published a decree on 21 November 2013 suspending the signing of the Association Agreement scheduled for 28/29 November, even though Prime Minister Azarov had announced it the day before. The protests continued throughout the winter despite the icy cold, but Europe still reacted quite cautiously until the violence escalated in January 2014. On 18 and 19 January, over a hundred people were killed, including 13 police officers. Subsequently, members of parliament, the army and the police as well as some oligarchs joined the Maidan movement, which gained a majority in parliament. Only then Europe was alarmed and the foreign ministers of France, Germany and Poland rushed to Kiev on 20 February 2014 to negotiate an interim solution with Prime Minister Yanukovich. But the agreement of 21 February, which also provided for his later resignation, suddenly became invalid when Yanukovich fled Kiev for Kharkov on 22 February, the day after the compromise was published, thus breaking an agreement with Putin, who had promised him generous aid for his further term of office. According to his own statement, President Putin ordered the start of Russian intervention in Crimea on 23 February.

When the referendum was announced there for 16 March, the EU and the US relied on diplomatic pressure to prevent this step, but without success. On 17 March, they announced sanctions against almost a dozen prominent people in Russia and Crimea, again in vain, as Putin who pretended not to hear the warnings of Obama and Merkel, for example, determined the course of events. In the wake of Russia's exclusion from the G8 group, economic sanctions were gradually tightened, to which the Russian government in turn reacted with punitive measures, from which, as in the West, its own economy had to suffer and is still suffering. Western sanction policy reached its peak after the Malaysian Boeing 777 (flight MH17) was shot down over the war zone in the Donbass by a Buk surface-to-air missile. This weapon system as such did not clearly indicate Russian involvement, but film recordings of the launcher on its way from the border to the launch site and this location itself confirmed this suspicion. However, even then Russian involvement was decisively denied when a comprehensive investigation report from the Netherlands was available, proving Russia's co-responsibility. At the same time, Russian sources continually spread alternative explanations in the media, sowing the seeds of doubt and causing confusion. Conspiracy theories are a popular and effective instrument in this context. Despite everything, the Western states now for the first time unanimously condemned Russian support for the separatists. On the battlefield, the Ukrainian army, in all probability due to American military advisers and arms supplies at a low level grew stronger. The foreseeable victory of Ukraine in August 2014 could only be prevented by massive Russian military aid in the form of heavy military equipment and regular troops. However, the military success of the Ukrainian armed forces caused the plan to link the two "people's republics" territorially with Russia to fail for the time being. This opened up a real opportunity for diplomacy for the first time, but at the price of the lasting frustration of those forces on both sides who wished for and considered a resounding military success to be achievable.

The priority of a peace-oriented foreign policy

Public opinion rarely gives European Ukraine politics good marks, often it is accused of showing striking weaknesses. However, a fair judgment must distinguish the phase before the annexation of the Crimea from the phase after. In the first phase, it undoubtedly lacked attention to the warning signs of the impending conflict, including wisdom with regard to domestic political development in Ukraine. Among other things, the presence of Western political celebrities on the Maidan has fed Russian fears, apart from the lack of sensitivity to Russia's military security needs, of which the

Bush administration in particular is guilty. The second phase, on the other hand, firstly demonstrates the structural weakness that characterizes each party to a conflict, which is dealing with an opponent whose decision to use military force has been made, while it itself does not want or cannot take military action. In fact, the Western side, especially the European side, has never seriously considered responding to Russia's actions by using military force, despite some voices from Europe and the USA. At the insistence of Germany and France, there is no longer any talk of Ukraine joining NATO. This restraint is a merit worthy of respect. It remains to be considered, however, whether the West should not have paid more attention to giving Russia the opportunity to promote its economic interests in Ukraine. When Russia tried to persuade Ukraine to join Putin's project of a EuroAsian economic community, the EU declared such a step incompatible with EU membership. It is unclear whether this initially purely legal statement was also emphasized in order to exert political and economic pressure on Ukraine. However, it would probably have been possible to send a clear signal that Ukraine could have continued to maintain its traditionally strong relations with Russia also as a member of the EU.

One thing is clear: the EU was unable to prevent either the annexation of Crimea or the war in Ukraine. However, the USA and the EU have not recognized the annexation either and have to this day unanimously denounced Russian action as a serious violation of international law, which is a lasting burden on international relations with Russia. The sanctions imposed by the West on Russia for annexing Crimea and Russia's support for pro-Russian rebels in eastern Ukraine have cost the country 2 to 3 percent of its gross domestic product each year. For its part, the Federal Government has consistently put up with the economic losses of German companies. For example, German exports to Russia have collapsed by the billions over the last three years. Other European companies are also affected and have also suffered significant losses in sales, especially since the Russian government has imposed import barriers, which mainly affect agriculture in Europe. At the same time, following the conclusion of the Association Agreement in March 2014, the IMF, the EU and the US granted Ukraine billions in loans to help the country economically.

If the costs of sanctions policy are added to the costs of warfare and armament, the conflict proves to be an extremely costly affair for all sides. Sanctions act like a double-edged and to a certain extent blunt sword. The main burden of the negative consequences (shortages, price increases), including government measures, has to be borne by the Russian population, which, however, blames the West alone. At the same time, oligarchs close to the state benefit greatly from the shortage situation,

which is opening up new business areas and pushing up prices. For this reason alone, sanctions cannot force Russian policy to change course; at best, they give diplomacy a little more emphasis. Peace policy, which excludes the use of military means, must therefore focus primarily on diplomacy, and this begins with crisis management that seeks to prevent either the conflict itself or at least an escalation of the conflict.

Different formats of crisis management and the role of the OSCE

Initial efforts to resolve Ukraine's internal crisis and avoid its expansion into a foreign policy conflict date from January and February 2014, when the EU Foreign Representative reaffirmed her commitment to economic aid to Ukraine, but in return called for economic reforms. After the Munich Security Conference in 2013, at which reform-oriented Ukrainian politicians met with representatives of the EU and the US Secretary of State John Kerry, the EU and the US imposed sanctions on selected Ukrainian politicians who were held partly responsible for the increase in violence. It became increasingly clear that the West not only supported the concerns of the EuroMaidan movement, but also recognized its representatives as dialogue partners, some of whom were received daily at the American Embassy in Kiev. On the other hand, the Russian government considered the movement to be illegal in principle, but especially because of its indisputable right wing, and as a "mercenary" of the USA because of its contacts with the American embassy. After Ukrainian President Yanukovich had left the capital on 21 February 2014, the transitional government concluded the Association Agreement with the EU four weeks later, the failure of which had sparked the protest. The Russian side has judged and judges this development as a controlled and unconstitutional coup d'état, which has once again extended the Western sphere of influence a little further in the direction of Russia. The constitutionality of the events was also critically assessed by Western legal experts, so that the transitional government was rather fragile until the elections on 25 May and therefore also received massive support from the West.

On April 17, 2014, the first attempt to control the Russian-Ukrainian crisis began. In Geneva, the US, Russian, Ukrainian and EU (Geneva format) Foreign Ministers met to decide on the deescalation of the conflict through the disarmament of all illegal associations and to commission the OSCE Special Monitoring Mission (SMM) to monitor them. The SMM had previously been agreed upon by the OSCE in Vienna on 20 March. The SMM's mandate does not mention the Crimea, but, like the Minsk agree-

ments a little later, deliberately focuses on the rest of Ukraine and the settlement of the Donbass problem. This made it possible for Russia and Ukraine to maintain their opposing view of what was happening in Crimea. The SMM also has the advantage that the OSCE is not an institution recognized under international law, partly because of the rejection of the US, which fears for NATO. It also includes Russia. OSCE monitoring therefore only minimally restricts Ukraine's sovereignty. Otherwise, the SMM's tasks extend to the whole of Ukraine, not only to Eastern Ukraine. In Ukraine itself, many voices are calling for greater US involvement in crisis management and are therefore more in favour of the Geneva format than the later Normandy format. In this context the US is not like an uninvolved spectator, but it has tightened its sanctions and extended them to people, banks and organizations in eastern Ukraine. This is easier for the US government than for the European states because American economic relations with Russia are less important for the USA than, for example, German economic relations with Russia for Germany.

Nevertheless, it is indisputable that political crisis management since the summer of 2014 has been shaped within the framework of the so-called Normandy format suggested by Chancellor Merkel. At the Chancellor's first visit to Trump in early March 2017, Merkel and US President Trump agreed not to change anything about this. The Normandy format dates back to the first meeting of Putin, Merkel, Hollande and Poroshenko on the occasion of the French celebration of the 60th anniversary of the Allied landings in Normandy during the Second World War. There, the four heads of government had agreed to resolve the Russia-Ukraine conflict together. The political process is based on the Poroshenko peace plan, which provided the basis for the two Minsk agreements Minsk I of 19 September 2014 and Minsk II of 12 February 2015. Minsk II is essentially an implementation agreement on Minsk I, but goes beyond that in some points. Negotiations are taking place at the level of Heads of State, Foreign Ministers and Directors of Foreign Ministries. This process is supported on the ground by the Trilateral Contact Group (Ambassador level) consisting of representatives of Russia, Ukraine and the OSCE, which also maintains contact with the local leaders in Donetsk and Luhansk, mainly through the OSCE. It began operations shortly after the first meeting in Normandy on 8 June 2014. The negotiations of the trilateral contact group usually take place in Minsk. There the two separatist entities either send emissaries or their leaders directly participate in the talks via video conferences. Conversely, the OSCE leaders of the Trilateral Contact Group are also visiting local leaders in the two separatist areas for talks. Here too, the special status of OSCE representatives helps to maintain contacts between Russia, Ukraine and the entities not recognized by Ukraine.

One can speak of a kind of division of labour between the Normandy format and the trilateral contact group, in so far as the Normandy level discusses and decides primarily on fundamental issues, and the contact group mainly on operational issues. The trilateral group tries to improve the situation of the population at local level, for example by repairing the destroyed infrastructure (water pipelines, power plants, power lines between Ukraine and entities), and is also trying to enforce the ceasefire with its regulations among the groups involved in the armed struggles. OSCE observers are repeatedly hindered in their work, sometimes arrested or fired upon, but are neither able nor empowered to intervene in the fighting. Nevertheless, they provide a picture of the situation and events at the front that is not distorted from the outset by propaganda purposes and is therefore reasonably reliable.

The limits of diplomacy

The Minsk I agreement (2014) aimed at a limited ceasefire, but failed to achieve this goal. The armed conflicts continued unabated and resulted in the battle for Donetsk airfield. The separatists were able to record considerable gains in land, some of which they later lost again and which, on balance, turned out to be less than they intended. Minsk II (2015) was the result of an initiative by Germany and France, and its objectives go even further than Minsk I. The Protocol includes a ceasefire, the exchange of prisoners, the withdrawal of heavy weapons, the establishment of a buffer zone, the holding of local elections and recognition of the autonomy of the occupied territories and the monitoring of the area by the OSCE. Since Minsk II there have been no major territorial gains for either side, but the overall situation has not changed fundamentally since then, and none of the main objectives of the agreement have really been achieved. After all, over two and a half thousand prisoners of war were exchanged. Apart from this, a fragile status quo has established itself, which even the separatists cannot fundamentally jeopardize, because this would require a considerable increase in Russian military aid. The Russian government is not showing any willingness in this respect at the moment and would probably not be in a position to do so at the same time due to its mission in Syria.

Within this framework, the hybrid war continues. The United Nations has registered over ten thousand fatalities to date. Russian army units are still deployed in the east of Ukraine, and so-called aid convoys are carrying material and military goods in support of the separatists. Nevertheless, Russia denies any involvement and the existence

of any war, especially as it denies the legitimacy of the Ukrainian government. With this in mind, the EU continues to take a negative view of Russia's implementation of the Minsk Agreement and has therefore extended sanctions once again. Ukraine is also only half satisfied with the role of the OSCE, because their presence also prevents them from continuing the war with the utmost severity and ending it with a victory over the separatists and their Russian supporters. In view of the OSCE's continued obstruction, Ukraine calls for the deployment of UN troops, a demand Moscow has recently accepted (see below). Not only the Ukrainian government, but also large sections of the Ukrainian population support the army on the front and continue to demand Western arms supplies, which have so far been refused by the EU.

Obviously no quick solutions are possible in this conflict. An agreement on the autonomy of eastern Ukraine and local elections there and on control of the Ukrainian border with Russia has emerged as an insurmountable obstacle to date. In any case, the Ukrainian government considers the security situation inadequate and finds it difficult to tolerate the Russian government acting as a mediator while at the same time being a party to the war. Nevertheless, or precisely for this reason, further negotiations are needed. Fortunately, despite the difficult situation and the continuation of the war, the talks between the parties have not been broken off. The ceasefire over Easter 2017, which had been in force since the beginning of April, was largely observed, but the fighting flared up again afterwards. In spite of everything, the Heads of State and Government of the Normandy format have, in this context, reaffirmed in a joint telephone conversation that they continue to seek a political solution to the conflict. A helpful step could be the use of armed blue helmets in support of the OSCE engagement, which Ukraine insists on all the more as actions against the OSCE have increased considerably in the first half of 2017. At the beginning of September, President Putin agreed to this proposal and added that he was considering submitting it to the UN Security Council. The Ukrainian government immediately rejected this move because Putin's concept contained several unacceptable elements. This applies above all to his demand that the two 'Republics' should be directly involved in negotiating the details of the UN mission. This would, according to Ukraine, implicitly and legally recognize their separation. Moreover, Putin wants to restrict the deployment of UN soldiers strictly to the protection of the OSCE and allow it only for the peripheral zone of separatist areas, i.e. neither in the Donbass nor in the rest of Ukraine and thus also not on the Ukrainian-Russian border. Ukraine would thus continue to have no control over border traffic between Russia and the Donbass, while at the same time the UN force would act as a de facto buffer between the Ukrainian army and the separatists. By contrast, Ukraine demands full freedom of movement for a

robust force of at least 20 000 troops, capable of securing peace and monitoring the withdrawal of Russian troops. The Western partners of Ukraine agree with these arguments and conditions, but seem in part inclined to arrange the various requirements in the sense of a stepbystep plan that would begin with the protection of the front line and only in the end lead to a kind of UN protectorate.

So there is some hope that the hardened positions will start to move, yet at the moment nobody can say what will happen next. It is realistic to state that the interests involved are partly contradictory and this contradiction also affects the interest in conflict resolution: While Ukraine could accept a cession of its eastern part only at the price of serious political and economic disadvantages and would therefore prefer a victory gained through its weapons to a negotiated solution, it is enough for Russia and the separatists to maintain the status quo in order to keep Ukraine in a state of permanent internal unrest. Indeed, not only the Eastern Ukraine, but the entire country is affected by the war, not only financially, but above all because of the many soldiers and volunteers on the front, which directly affects a large number of families. In particular, the high number of internally displaced persons is a heavy burden on Ukraine and requires international assistance. In other words, the status quo that is to be maintained is itself quite unstable. The takeover of the large companies based in eastern Ukraine by the separatists and Russian executives makes the situation considerably more difficult, and by no means only for Ukraine. In eastern Ukraine itself, thousands and thousands of jobs are at risk of being lost and the already difficult economic and social situation will deteriorate further. Without generous and increasing help from Russia, the separatists will not be able to assert themselves in the long term, neither economically nor politically. All this already requires a tremendous effort. In a way, Russia has manoeuvred itself into a dilemma in eastern Ukraine: It cannot fully integrate the two separatist republics like the Crimea without isolating itself further internationally, nor is it possible to abandon them without losing much of the respect and support of the Russian-oriented population. Their dissatisfaction is growing anyway. In addition, the situation in Crimea gives little reason for carefree triumph. There, too, Russia has placed an enormous financial burden on itself and further damaged its international reputation after the annexation. The UN is continuously registering serious human rights violations and a growing oppression of the Tatars.

Under certain circumstances, the uncomfortable situation for all parties results in a convergence of interests between Kiev and Moscow, because in this respect both want to limit the damage of the conflict. Russia has failed to destabilize Ukraine in all respects. In particular, the economy is beginning to stabilize. In any case: The war

might last even longer, the conflict threatens to 'freeze'. A negotiated solution therefore requires patience, especially if the Russian government continues to claim untruthfully that it is not part of the conflict and has no influence on the separatists. How pressure can be exerted in an appropriate manner to achieve progress must be decided on a situational basis. However, it would be of little help if the sanctions were ended without any recognizable consideration. On the other hand, there is no point in maintaining sanctions as a mere punitive measure. Their end or their mitigation must be a tangible prospect for Russia, linked to clear conditions. The Western states have made the implementation of Minsk II such a condition; it is now up to Russia to decide whether it wants to continue its previous game of hideandseek. Otherwise, it would be important not to use Russian submission and concession in the West again as an opportunity to humiliate Russia.

The weakness of EU diplomacy

For the time being, the diplomacy of all the states involved has not resolved the Russia-Ukraine conflict, but has at least been able to contain it. With this mixed, i.e. partly positive outcome, however, two aspects give cause for thought with regard to the western side. While the EU member states, together with the US, have so far shown a rare degree of stability as regards sanctions, the EU's foreign policy has generally shown little activity and the EU's external envoys have hardly ever appeared, a weakness that was partly due to British pressure in Mrs Ashton's case. Instead, and in strong contrast to this, it was mainly the heads of government or foreign ministers of individual states who were diplomatically active. This may have been mainly due to pragmatic reasons, such as consideration of the different political weight of states and individuals, which may have had a positive effect. In addition, the respective actors may have acted in constant close contact with the High Representative of the Union for Foreign Affairs and Security Policy. Nevertheless, it would be desirable in future to bring the EU more clearly into play as an actor in order to make it clear that the conflict affects the EU as a whole. In addition, EU members indirectly affected by the conflict, such as Poland, could become more involved in this way.

However, a common foreign and security policy for the EU requires a common assessment, which perhaps does not exist to the necessary extent. It is therefore necessary to reflect on the internal political trigger of the conflict, that is, the dispute over a greater proximity of Ukraine to the EU, which arose because part of the population preferred links with Russia. From a Western perspective, this orientation towards Rus-

sia remains a problem today, because the Russian government and important forces of Russian society are consciously moving further and further away from the West as far as their selfimage is concerned. This inevitably has consequences for the possibilities of conflict resolution. Economic and political interests are negotiable and allow compromises to be reached in the short term; cultural and structural change, on the other hand, can only be brought about in the long term and be controlled only to a limited extent, since it must be supported by other social forces than the usual elites alone.

The security policy and military components of the Western answer

After the annexation of Crimea in violation of international law, the destabilization of eastern Ukraine and the hybrid warfare practiced in the process, especially the militarily weak Baltic states and neighbouring Poland are worried about a new revisionist policy of Russia. NATO has reacted militarily to this in order to signal to Putin that he cannot annex these states comparatively safely because of the Russian minorities living there. For this reason, the NATO summit in September 2014 decided on so-called "reinsurance measures" with a view to the eastern allies. They should have a calming and confidencebuilding effect on them, discourage the Russian leadership and on the whole prevent war and secure peace. This initially included increased patrolling, surveillance (air policing, AWACS) and exercise activities. A Readiness Action Plan (RAP) and its implementation until the NATO Summit in Warsaw (July 2016) was agreed. The main focus was on increasing the operational readiness and responsiveness of NATO reinforcements: Increase of the NATO Response Force (NRF) which has never been deployed before from 13,000 to 40,000 (operational within 30 days) and the establishment of the NATO "spearhead force": 5,000 soldiers in the standby forces with high readiness of two to seven days, 5,000 each in the standup of the preparation phase and stand down of the followup phase, with a readiness of 30 days each (each phase one year). NATO Force Integration Units/NFIU) were set up, each with around 40 soldiers in the Baltic States, but also in Poland, Romania and Bulgaria. Germany provided four soldiers each for the NFIU in Poland, Latvia and Estonia, three in Lithuania.

A real rapid operating capability was not feasible in 2015 due to a lack of transport capacity, national regulations for heavy transports, etc. In 2016, the NATO summit in Warsaw decided to station four multinational battalions with up to 1000 soldiers each

in Estonia, Latvia, Lithuania and Poland. Germany has the leadership of the NATO battalion in Lithuania. In addition, the USA agreed with Poland to establish a military presence in Eastern Europe as part of the European Reassurance Initiative with the deployment of a brigade rotating every nine months in Poland. Logistics centres in the West should ensure the material prerequisites for the rapid availability of the reinforcements

Again and again objections are raised to these military policy decisions, because such "sabrerattling and war cries" (F.W. Steinmeier) provocatively ignored Russian security concerns, as had already happened with NATO enlargement. This argument is unconvincing because it has little to do with the real security situation in Eastern Europe. While the small forces of the Baltic States have a handful of tanks from the 1950s and not a single combat aircraft (the 300man Latvian Air Force has four rescue helicopters), the 15th Army Air Brigade is stationed with stateoftheart helicopters 26 km beyond the eastern border of Latvia in Ostrow, Russia. The Kaliningrad area, the Russian enclave southwest of the Baltic States, is considered the most militarized region in Europe, but as such also requires special defence efforts from the Russian point of view. Meanwhile, the additional deployment of S400 groundbased air missiles to defend against combat aircraft, cruise missiles at all altitudes and short and mediumrange missiles, as well as Iskander shortrange nuclearcapable missiles, from which it is not known whether they will be withdrawn again or remain permanently. In 2014/15 twelve major military exercises took place in Russia with 38,000 to 95,000 soldiers, over distances of 5,000 and more km, each time with nuclear planning and unannounced ("snap exercises"). Since 2015, the relocation of three Russian divisions to the border with Ukraine, which is scheduled for completion in 2018/2019, began at about the same time as the completion of NATO operations. In 2017, the major exercise "Sapad" (West) took place, in which Belarusian and Russian task forces were involved. It was officially attended by 12 500 men. This would be just below the upper limit beyond which OSCE observers would have to be admitted. Manoeuvres with this name were already carried out in Soviet times, so in principle they are part of routine. Plans were always made for the event of a military confrontation with NATO and often with Poland as a theatre of war. This could be explained by the principle of forward defense already in force in Soviet times, and indeed the Russian army leadership emphatically emphasizes the purely defensive character of the exercises and assures that no Russian troops will remain permanently in Belarus. Nevertheless, they have a disturbing effect on Poland's government and population. As far as Sapad 2017 is concerned, there is another important point: At the same time, three airborne manoeuvres are taking place on Russian territory as part of a fake attack, also known as

"Sapad", involving some 24,000 men. At the same time, smaller exercises were conducted from the Baltic Sea to the Black Sea with a total of around 100,000 to 120,000 participants, but the connection between these exercises is not clear. All this may be motivated by fears and mistrust on the Russian side, but it stirs up the same feelings on the part of the neighbouring states and NATO. This means that it is not the military security situation, but the security atmosphere that is most worrying, because it increases the risk of misunderstandings and misinterpretations.

In other words, such military exercises do not in themselves need give rise to greater concern. NATO is also constantly manoeuvring, in 2014, 162 manoeuvres were carried out, in 2015 a total of 270, significantly more. Often a military conflict with Russia is simulated, for Russian military and security politicians again and again reason for warning comments. In this case, the Russian actions are causing increased concern on the NATO side for two reasons: Firstly, a shortterm Russian manoeuvre on the Ukrainian border was directly linked to the start of covert operations in eastern Ukraine. On the other hand, there is a considerable imbalance in the respective exercise activity, a ratio of 3 to 1 for exercises with more than 1500 soldiers between 2015 and 2017, a ratio of 2 to 1 for exercises with more than 10 000 soldiers, and a ratio of 4 to 1 for exercises with 1500 to 5000 soldiers. The readiness of the Russian army to fight is therefore much stronger than that of NATO. NATO would probably not be able to fend off an actual Russian attack on one of the Eastern European states.

This comparison cannot simply be applied to the balance of power between NATO as a whole and Russia, because in this respect NATO is superior in almost all respects. This backlog makes the military modernization efforts on the Russian side understandable. But this is not about military capabilities in general, but about those available in an Eastern European crisis situation. In this respect, the concerns of the Eastern European NATO members are undoubtedly more justified than the Russian security concerns, with the exception of the situation of the Kaliningrad exclave surrounded by NATO countries. There, the mutual military measures create an uncertainty that can only be resolved by building mutual trust and not by military means.

In this respect, it would be good if Russia took into account the security needs of its neighbours as well as its own. This is all the more true when one takes into account their historical experience of having been abandoned once before in the face of Nazi aggression and not only been liberated by the Red Army, but at the same time subjected to Soviet rule, which is also viewed critically in Russia today. It is difficult to acknowledge this in today's Russia, which sees the Soviet state critically, but is proud

of the achievements and victims of the Red Army in the "Great Patriotic War". In Poland, for example, these are not denied, but the forced division of the country between the Third Reich and the Soviet Union is not forgotten there, nor the mass murder of Katyn perpetrated by the Russian side and denied for decades, nor the fact that the advancing Red Army from across the Vistula watched passively as the German Wehrmacht and SS units razed Warsaw to the ground. These and other memories do not fit seamlessly into a common great narrative as it is handed down in Russia, nor do they find any resonance in it. Such discrepancies in perception and the lack of sufficient alliance capacities reinforce the demand for security in Eastern Europe and have given new urgency to the issue of war prevention through effective defence capabilities, which had become less topical since the 1990s. NATO cannot and must not ignore this reality, because a defence alliance that supposedly or really does not fulfil this task loses its legitimacy in the eyes of those who have a need for protection. The fact that nationalist forces in the Baltic States and Poland fuel security fears and occasionally hysterical tendencies by cultivating images of the enemy and overdramatizing the Russian threat does not take away the right to express general scepticism about the credibility of Western promises of support. If it is not convincingly refuted, the consequences are foreseeable: The Baltic states would be under pressure from their populations and thus be tempted to nationalize and upgrade their security policy even further than they have been doing since 2014 anyway. Already, militias and paramilitary groups are very popular in Eastern Europe. In Estonia alone, the so called defence league "Kaitseliit" now has around 26,000 members (as of 2016). This is a traditional organization which was officially incorporated into Estonian defence in 1992 and whose tasks and structure were regulated by law in 1999. As an association independent of the military and police and divided into 15 battalions, it reports directly to the Ministry of Defence.

A loss of confidence in the collective defence system would also probably have a retroactive effect on the Alliance itself and would also massively fuel the centrifugal forces in the other NATO states fomented by national populists and their powerful allies in Washington and Moscow. To refrain from reacting in the form of reinsurance measures in view of the existing military imbalances in Eastern Europe would therefore not be beneficial but harmful in terms of peace policy. First and foremost, they have symbolic or political significance in expressing the will to no longer accept further action based on the model and pattern of the Crimean annexation. A majority of the populations in Poland, Lithuania, Estonia and Latvia are still convinced that without NATO these countries would not be immune from sharing the fate of Georgia or Ukraine in one form or another. Nobody can be interested in sowing doubts about

the correctness of this conviction. The Russian government and population should also be able to understand this. The following applies to both sides: threatening gestures primarily calm one's own fear, but increase that of the opposite side. That's their point. But it is important to overcome fears on both sides through mutual trust.

III. Dimensions of the conflict

The regulatory dimensions of the conflict

An essential aspect of the Russia-Ukraine conflict is that the interpretations of the conflict among the parties to the conflict differ widely, in some cases to the contrary. This manifests itself not least in the constant exchange of accusations and counter accusations, which has taken on ritual forms following military incidents. It is no coincidence that the international situation has since been often referred to as the Second Cold War. However, this comparison is misleading, for today's Russia differs from the Soviet Union in several respects, as already indicated. It acts on a different ideological and cultural basis, which also entails a different relationship to religion. But it would be wrong to interpret the conflict as a purely intraEuropean conflict. From the outset, it also had the character of a global collision of different even opposing concepts of order on the part of the major powers involved, which affect the understanding of the state and political rule and their relations with other areas of society such as the economy, law and civil institutions. In this respect, it resembles the former EastWest conflict as a contrast of systems, and this conflict is also reflected in numerous nation states.

In the short term political memory of the media society, it is almost forgotten how the Russia-Ukraine conflict began, namely as an internal political conflict in Ukraine. The focus was neither on their future NATO membership, which had been on hold since 2014, nor on economic interests. First people protested against the Ukrainian Government's decision to suspend the Association Agreement with the EU. Then the protest was very quickly directed against the president and the regime. The decisive factor was now the striving for autonomy and political selfdetermination of part of the Ukrainian population, which was represented by tens of thousands of permanent demonstrators on the Maidan. However, similar actions were limited to the cities of western Ukraine, while counterdemonstrations took place in eastern and southern Ukraine. The "revolution of dignity" was directed against the government and its supporting oligarchy, partly because of the prevailing corruption and selfenrichment, but

above all because the political elites often treated the people only as a mass of submissive subjects without having a political will of their own. A system similar to that of Russia was therefore rejected, not Russian fellow citizens, as claimed by the Russian government. The demonstrations of 2013/2014 publicly expressed the will of part of the population to change from subjects to citizens and as political subjects to form a civil society that demands a state whose people are a community of free citizens. This process brought Ukraine all by itself close to Europe and contained a potential for regulatory conflict, which since the Orange Revolution of 2004 had increasingly attracted Russia's attention. The Russian accusation that nationalist and fascist forces in Ukraine, supported by Western and especially American forces had planned a coup or even genocide, lacks any basis in view of the actual distribution of power and the course of events within the protest movement. Above all, it is impressively refuted by the result of the elections, which completely marginalized the extremely nationalist right. Russian propaganda also conceals the fact that large sections of the Russian population have supported the Maidan movement and reject the annexation of the Crimea and the policy of the separatists. This also applies to the episcopate of the Russian Orthodox Church (see below).

The image of a fascist coup is a construction typical of the propaganda war, which is based on some indisputable facts in particular the violent behaviour of groups within the "rightwing sector" and combined with historically and emotionally charged stimulating words ("fascism") to generate an almost reflexlike approval of the Russian population for the measures of their government. It cannot be ruled out that provocateurs were also at work during the turbulent events. Already in the days of the Orange Revolution a series of "party dummies" (A. Shekhovtsov) appeared alongside convinced extremists of the rightwing sector, who, by vociferously promoting themselves, created the impression of considerable strength and deliberately intended to discredit the democratic movement through apparent solidarity.

The merely instrumental and manipulative character of Russian argumentation is also made clear by the fact that the same Russian government tolerates or supports comparable groups, such as the motorcycle club of the nationalist "patriot" Alexander Soldastanov, in Russia itself and their involvement in the Crimea and in eastern Ukraine. This also happens politically and with money in some Western European countries. Putin's government is therefore not fighting against the rise and political success of nationalist and fascist aspirations, but against the rebellion of a movement for democratization under the sign of individual and political freedom, which could become a model for the Russian people. It was no coincidence that the Russian gov-

ernment's course hardened after the massive protests in Russia in 2011/2012, which had arisen due to electoral fraud. At the time, President Putin's support which had reached astronomical heights after the second war in Chechnya and then following the Crimean action and the Ukrainian conflict also fell dramatically. Ultimately, then, the focus is not mainly on Ukraine, but on Russia itself. What began as a domestic political conflict in Ukraine is gradually turning out to be a regulatory conflict between Ukraine and the Western states on the one hand and Russia on the other. It has a different design than in the Cold War, but it still reaches very deep. A number of decisive statements from Moscow leave no doubt that the Russian leadership is placing the Russian-Ukraine conflict in line with the upheavals in the wake of the Arabellions and the colour revolutions, which are all attributed to US politics and the CIA and aim to secure global dominance. Internal causes are largely ignored, especially the autocratic or even dictatorial power relations that could remind us of Russia itself.

In the West, it was hardly registered how determined the Christian churches took the side of EuroMaidan from the very beginning. In contrast to Russia, where the Russian Orthodox Church is absolutely dominant, the majority of Ukrainians are also Orthodox, but they usually belong to either the Moscow or the Kiev Patriarchate, which was founded in 1992 but is not recognized by the rest of Orthodoxy. In addition, there is the Greek-Catholic Church of Ukraine, united with Rome, and the Roman Catholic Church, as well as a growing number of Protestant denominations. A Roman Catholic bishop made it the duty of every Christian to join the movement. All religious communities unanimously called for nonviolent protests. They provided humanitarian and spiritual assistance and tried to keep the conflicting parties apart in the streets and squares. Finally, they organized round tables to discuss and coordinate responses to government action. In contrast to this active solidarity, the Orthodox Church of the Moscow Patriarchate largely held back with statements and actions. However, the bishops unequivocally supported the territorial integrity of Ukraine, some sympathized with Russia, others with the concerns of the Maidan movement.

For Western policy, this situation means the need to support and strengthen the original tendency of the democratic reform movement and not simply the respective government and the current political elite of Ukraine, regardless of what they say and above all do. A mere exchange of leadership cliques does not help anyone in the long run, least of all the people of Ukraine. This country most urgently needs a new policy that also resists the temptation to abuse Russian aggression in order to postpone or completely avoid absolutely necessary reforms. An important lever is the determined fight against corruption in business, politics and not least in the judiciary. The government must also remember that parts of the Ukrainian population have rejected

the change in state, society and economy if it wants to live up to its claim to remain the government of Ukraine as a whole. Surveys in Crimea have shown that even before the annexation the population there was highly dissatisfied with the ongoing neglect of the Ukrainian government, while confidence in the Russian authorities increased after the annexation. The government in Kiev will therefore not succeed in reducing Russia's influence in eastern Ukraine if it fails to take account of the fears, legitimate claims and interests and also the suffering of the people living there.

An important first step would be a mutually satisfactory solution to the language issue, which is still outstanding. With support from the West, the government should resist the whispers of more radical forces that are resigned to the two 'Republics' and want to encapsulate and isolate them in every respect. However, the Ukrainian government has failed to prevent the blockade of traffic routes to eastern Ukraine. Nevertheless, as far as it is within the power of the government, all doors should remain open and remaining in Ukraine should open up an attractive alternative for the inhabitants of the separatist areas. Autonomy regulations, willingness to reconcile and some political pragmatism are indispensable elements in the struggle for a new order and new identity for Ukraine. It seems to be a paradoxical result of this conflict, in the course of which it was repeatedly claimed (e.g. by former Chancellor Schmidt) that there had never been a common national consciousness in Ukraine, that precisely this has received a considerable boost in development. The development of a Ukrainian political identity, which is no longer primarily determined by the positive or negative attitude towards Russia or the West and which integrates the various cultural strands of Ukrainian society, can be clearly observed. Much depends on whether and to what extent the process of hostility between Ukraine and Russia can be stopped. The linchpin is the relationship with the ethnic Russians living in Ukraine.

The emergence of the Ukrainian state after the dissolution of the Soviet Union was felt by many in Russia as a shock being concomitant of an amputation. The then Prime Minister Gorbachev was still firmly counting on Ukraine's membership of a multinational union because he could hardly imagine its independent existence. Under Yeltsin, blatant threats by Russian politicians against the independent Ukraine and in favor of the Ukrainians of Russian origin became loud, even to the point of warning of a nuclear conflict. Russia must break with this tradition of a close relationship that acts as a chain for one side in order to build a relationship of equal partners that can be as close as in the past. For its part, Ukraine must try not to poison the desire for independence with the desire for revenge. The memory of the fact that there were and still are strong links between the two countries and peoples, not least thanks to kinship, can help here. Reconciliation may be too big a word for a new be-

ginning, but it indicates the direction of thoughts and work that must be done now so that one day Ukraine can become a link between the European Community and Russia according to an older idea.

The cultural and religious dimension of the conflict or the "Grand narrative"

In Germany, President Putin's speech in German in the Bundestag in 2000 made a great impression and strengthened the hope for a further rapprochement of his country to the West. He spoke at the time of Russia's contribution to the fall of the Berlin Wall in the sense of an expanded "European humanism" that proved that no one could ever lead it back into the past. Some observers therefore believe that the provocation of the West through the annexation of Crimea is explained by his disappointment that his ideas and initiatives have not been accepted or even deliberately disregarded. An unbiased analysis of developments will indeed have to pay careful attention to Western policy failures. It has obviously dramatically underestimated the impact in Russia of the dissolution of the Soviet Union and the experiences of the turbulent years before Putin's presidency. Similarities with the inner-German experiences after reunification are unmistakable. Putin's speech at the Munich Security Conference in 2007 already indicated a changed perception of the world, which, while startling to Western participants, hardly acted as an impetus for a serious dialogue.

In the meantime, such a dialogue has become much more difficult, indeed it seems almost impossible. The Western and Russian views of the Ukrainian conflict differ not only in one point or another, they could hardly be more contradictory. While the West condemns Russia's annexation of the Crimea as contrary to international law, Russia considers it to be in full compliance with international law on account of the referendum held, the legality of which the West in turn denies. What is welcomed in the West as a grassroots democratic movement, Russia calls a "brown revolution" with the intention of destroying the Russian part of the population. Russia's justified quest for world renown as a peace power is opposed to the neoimperialism of the USA and the EU, which is blackmailing and subjugating weaker states and peoples and glossing over its incessant warmongering as humanitarian interventions. Left and rightwing groups and individuals in Germany and Europe often share this view. In Russia itself, however, it is not based solely on historical and legal arguments or nationalist ideas; rather, it is embedded in a historical narrative that goes far back to the events before and after the fall of the Berlin Wall. This "Great Narrative" (F. Lyotard)

deals only to a lesser extent with security policy risks and fears of encirclement; at its centre is above all Russia's unique position in the world of states and its role in civilization in contrast to the West. It also describes not only differences, but a deep and ultimately irreconcilable contrast of a cultural and religious nature. Especially the values and universal human rights constantly conjured up by the West are, as the filmmaker A. Kotschalowski recently put it, "an illusion, a Bolshevik one". Their "absolutisation" has become a selfdestructive "obsession" in the West. From this perspective, the degree of aberration can be seen in a whole bunch of problems weighing on Western societies: Consumerism and hedonism, the decline of morality and morals, the decline of the family and appreciation of 'unnatural' lifestyles, pornographization of art and the world in which we live, disregard for ecclesiastical and state authority and as the sum of all this an increase in violence in all areas of life. Paradigmatically for the erroneous path of the West stands the term "Gayropa", one of the battle cries of the rightwing antiWestern agitation, whose key words in the ecclesial area are as follows: Liberalism, individualism, secularism. In this gloomy, apocalyptic scenario, a rapprochement to the West and an adoption of Western values seems like an insidious poison that destroys the "true values" of Russian culture, rooted in the Russian Orthodox faith and cultural tradition of Russia. It would simply be tantamount to cultural, religious and, ultimately, political suicide.

Against this background, the Russian Orthodox Church has a statesupporting role to play in the truest sense of the word, a role that the state once again offered it after the collapse of communism. It is experiencing a kind of Constantine change, but at the same time unlike the historical original returns to preCommunist conditions in a certain way. The state grants it great freedoms and privileges, it receives considerable financial support from both the state and the private sector, a rapidly growing number of monasteries enjoy astonishing entry figures; religious education at school is once again permitted, as is the work of church publishing houses, etc. It is no longer disreputable or even dangerous to publicly profess one's faith in the Church; rather, it is again considered good form and promotes prestige. All this is in principle neither wrong nor suspicious and is also customary in this country. Whether it expresses a lively and active faith is not certain in either case. In view of the generally high rate of approval of Putin's policies, it can be assumed that the church people predominantly support the statefriendly course of church leadership. For the time being, this and only this is of importance for the West.

In turning away from the West, the Russian Orthodox leadership seeks to join forces with Orthodox Islam and Protestant fundamentalists who also reject the ideas of lib-

eralism. In contrast, ecumenical relations with the World Council of Churches in Geneva and the Roman Catholic Church cooled off considerably in 2002 and 2005, but have since improved again with the Roman Church. It is significant with what tenacity the Moscow Patriarchate refused to accept John Paul II's request to visit Russia and, consequently, chose Cuba, far away, as the meeting place of Patriarch Cyril and Pope Francis in 2014. The ecumenical space is often used as a forum for accusing Western churches or Christian movements of violating Russia's "canonical territory" and of making proselytes ("canonical territory" means an area for which a church claims jurisdictional supremacy). In some cases these accusations are quite understandable or even justified, but only conceivable as fundamental criticism, because the Russian Orthodox understanding of the relationship between church and state (as a relationship of harmony or the "Symphonia") permits neither the neutrality of the state towards religions nor unrestricted freedom of religion. The recent ban on Jehovah's Witnesses illustrates this in concrete terms. The "holy Russia" has a religious-cultural mission under the given condition of a "godless" western world. It consists of being the home of the only true Christian faith and being capable of saving this doomed world because of the great suffering of the Russian people in history.

The attitude of marked hostility towards the West is by no means new in Russia. Since the heyday of the "Slavophiles" in the 19th century, it has been a recurrent element in the intellectual and literary discourse on Russia's identity, which has always fluctuated between the poles of cultural and political western orientation and their opposite. The names Dostoevsky and Solzhenitsyn represent the critical-rejectionary position towards the West, which has become an integral part of today's Russian state philosophy. The positive side appears in different variations, which are due to the ambiguity of the expression "Russkij Mir", which here always has to be translated as "Russian World" not as "Russian Peace". This expression was used by a Ukrainian author in the 19th century and was recently first taken up by former NATO ambassador Dmitry Rogozin and then used by Putin in 2007 as the name of a cultural foundation. It is connected with the term "Novorossija", which was already used by A. Scholzenyzin to denote the Crimea and the Donbass. Actually, much older, the expression originally described the areas conquered by the Ottomans in the 18th century in what is now Ukraine. The political or geopolitical point of "Russkij Mir" (already in the 19th century) is to postulate an inseparable unity of the peoples of Russia, Belarus and Ukraine (the "triune Russian people"), whose inhabitants are still called "compatriots" in the official language of Russian authorities. Putin uses the term in an even broader sense because, according to a 2006 statement by the president, "Russky Mir" unites all those "who value the Russian word and culture wherever they live, in or outside Rus-

sia". In the preamble of the draft constitution for the 'Republic Donetsk' it appears several times. These different versions have two things in common: on the one hand, they all to a certain extent restrict the right to state independence of the peoples concerned; on the other hand, they give the territorial dimension of the "Russian world" a sacred consecration. Two days after the referendum, President Putin announced in the Kremlin that Crimea and Sevastopol belonged to the Russian Federation, referring to the baptism of Prince Vladimir in Kiev, which is usually regarded as the founding act of Kievan Rus. He had already presented this motif in 2013 at the anniversary celebrations on this date. During a visit to Crimea itself, the president ascribed to it the same importance to the Russian world as the Temple Mount in Jerusalem has to Judaism. And he varied the motif of the comprehensive meaning of the Kievan Rus through the image of the "common baptismal font" of those tribes that were Christianized in the 10th century and developed into the Russians, Belarusians and Ukrainians.

Putin's Kremlin speech after the integration of the Crimea clearly reveals the foreign policy explosiveness of this world of ideas. There he emphatically affirms that Russia feels obliged and entitled to intervene wherever "Russians and Russianspeaking people" live, a view that is unmistakably reminiscent of the Greater Serbian demands of former Serbian President Milosevic. It is also claimed that Russia must see itself as the protective power of persecuted Christians, allegedly a reason for Russia's intervention in Syria. The President of the Federation Council, Valentina Matvienko, estimated the number of these people at tens of millions in over 100 countries and consistently postulated a global role for the "Russian world". If we add together the Russians living in the non-Russian former Soviet people's republics, the figure is 25 million people. All of this is by no means an inconsequential political rhetoric: As early as 2009, the Russian parliament amended the law to pave the way for Russian military deployment abroad if it was necessary to protect Russian citizens from armed attacks. This expansion of the projection space of Russian power corresponds to an ecclesiastical institution that is almost unknown in the West: the "World Council of the Russian People" under the leadership of the (respective) Moscow Patriarch, which met for the eighteenth time in November 2014. The name of this institution, which also includes government representatives, signals that it claims to speak for the global Russian diaspora as well as for the faithful in the Russian Federation. At the same time, it contains a religiouspolitical ambiguity in that it does not refer to all orthodox believers in the world, but to the Russian people. From an American or French perspective such nuances of meaning may be irrelevant, but with Russia's immediate neighbours they rightly raise the worried question of their political meaning.

It is not easy to assess whether the Russian state leadership is ultimately really guided by the religious-cultural world of ideas outlined above or whether it is not simply pursuing a pragmatic interest policy that legitimizes it in this way. What is indisputable is that the two are a perfect match. Perhaps the most worrying aspect of this convergence is that a constellation of this kind is by no means limited to Russia, but is spreading worldwide, including in Europe. First of all, it resembles the equally religiously underpinned sense of mission that periodically replaces the tendency towards isolationism in American foreign policy. Through the new President of the United States, it is linked to a personal authoritarianism that is tamed only by systemic restrictions to which President Putin only has to pay little attention.

The European answer: Selfcritical reflectiveness as an identity forming characteristic

The mixture of national or even ethnic and religious pathos, which is perfectly compatible with a moral free interest policy, is contrary to the fundamental values and principles of the EU, and still creates difficulties even when "Europe" is understood as a historical cultural construct that is broader and more open than the EU. Some of its ingredients are also effective in the West, where they threaten social coexistence. These include forms of religious extremism and nationalist identity politics. The danger they pose is still underestimated. For, despite all appearances, it is not in the murderous violence that is increasingly being exercised, but in the attitude and conviction from which the violence arises. They challenge society as a whole, not just the state, the police, the intelligence services and the courts. It seems highly doubtful whether this challenge can be met by an overly selfconfident and complacent liberalism and secularism. The secular nature of most Western countries, which is worth defending, easily leads to an underestimation of the importance of cultural and religious traditions. But it must be distinguished from secularism, which ultimately is hostile to religion. It does not help to denounce any criticism of Western models of shaping relations between religion, state and society as fundamentalism. It is not Western dogmatism that protects the achievements of European civilization, but inner strength that allows questions and doubts and overcomes them through selfcritical examination. Europe has never existed as a fixed entity, but always as an entity that has continually redefined itself in a constant process of critical selfdiscovery. Europe's identity is the always precarious, because provisional and fragile result of a confrontation with the other aspect of Europe, which has never contained only demarcation,

exclusion and contempt, but always also curiosity, respect, even enthusiasm and fascination. Purist identity politics wants to make this side of history to be forgotten everywhere.

For decades the churches have tirelessly warned with good reasons that Europe must not simply be equated with the EU and that the EU must not be reduced to the project of an economic and monetary community. Nevertheless, the economic aspect has often overshadowed the importance of a community of values, rights and solidarity, an imbalance that to some extent also characterizes the process of eastward enlargement. In Russia and Eastern Europe, too, this included not only the one-sided dominance of economic thinking, but also a neoliberal way of thinking that dispenses with all ethical guidelines and rejects any political and social responsibility and understands human progress as a kind of byproduct or waste product of economic success. One of the damages of this unbridled economic policy is the erosion of the confidence of large sections of the population in the political and economy elites, which at the same time favours susceptibility to nationalist and populist slogans and promises of salvation. The conflict with Russia and the war in Ukraine give no reason and cause for Western arrogance in this respect. Rather, in the West too, they require a reconsideration of oneself that separates the chaff of harmful ideology from the wheat of indispensable values in the sense of the discernment of spirits.

In the face of the crisis in the EU, it is first and foremost a matter of political common sense to resolutely tackle the necessary reorientation of policy. The churches have the task of accompanying this process by encouraging, admonishing and demanding. Above all, however, they themselves must bear powerful witness to a Europe that is more than just the euro. For the Roman Catholic Church, thinking about Europe always meant thinking beyond the borders of the EU. In this spirit, in October 2017 the COMECE and the Holy See jointly held an international dialogue conference on "Rethinking Europe". Today the churches must lead a dialogue in which the alternative world view that prevails in Russia today is raised and discussed with mutual openness and willingness to learn. The Roman Catholic Church in Europe cannot and must not leave this field to the Vatican and to papal diplomacy alone. It has its own forums for European understanding, which it should use and develop, such as COMECE or *Justitia et Pax* and a number of other organizations. Due to its history and its central position, the Catholic Church in Germany bears a special responsibility, which it fulfils in many ways. The church relief organization RENOVABIS should be mentioned here in particular. A Catholic version of the internal renewal of the EU against the background of Catholic European thinking, whose relationship to the European concepts

of other Christian denominations and other religions should become a topic of its own more than in the past and should be introduced into intercultural dialogue.

Regardless of any problems of this kind, more and more practical help must continue to be provided both to Ukraine and to other Eastern European countries. For this purpose, there are proven principles and a wealth of practical experience from partnership work. The most important aspect is to arrange meetings and relationships at eye level and showing sincere interest in the history and life of the partners.

IV. Perspectives

Finally, we would like to present some of the results and insights we have gained in the course of our detailed examination of the RussianUkrainian crisis. First and foremost and in line with the subject, we must look at the assessment of European foreign and security policy.

Continue and extend joint action

One reason for the crisis of the European Union lies in the impression some states have received that retreating to national positions strengthens their respective state sovereignty and makes it easier for governments to defend and enforce their own country's interests. They think that membership of the EU restricts their own ability to act, requires lengthy coordination and decisionmaking processes and constantly forces them to compromise at a disadvantage. To a certain extent this is unavoidably and undeniably true, because a community without mutual consideration and the willingness to give up a certain amount of its own advantages for the common good is impossible. In the area of foreign and security policy, however, the Ukrainian conflict has also shown that the difficulties of reaching rapid consensual action also have the merit of making premature and unilateral reactions more difficult. In any case, faster decisions could certainly not have prevented the annexation of the Crimea or the unrest in eastern Ukraine. Through its covert operations, the Russian Government has not only largely achieved its objectives, but also, as must be acknowledged, reduced the risk of a military expansion of the conflict. NATO has also acted appropriately and prudently to avoid any military escalation. The more than twenty member states of the EU and NATO have shown a remarkable degree of consensus and made their decisions in a comparatively short time. There was no greater resistance, the leading role of individual states was generally accepted, and the sanctions policy was largely implemented. Russian propaganda has certainly had an opinionforming effect, but it

has not been able to win majorities in any country and to break up European common ground.

This predominantly positive balance is clouded by the weak role of the two EU external envoys, which is not in line with their mandate but seems to have its roots in national blockades. Meanwhile, a basic concept for a forwardlooking European foreign and security policy has been published which would deserve a broader discussion in the member states. The aim must be to make better use of the External Action Service as an instrument of this policy.

It could well be that the Russia-Ukraine conflict helps to overcome existing obstacles on the way to a common policy. This is all the more true as BREXIT will significantly reduce Britain's inhibitory influence in some policy areas. The focus of the upcoming security policy efforts should be on further integrating the national armed forces, strengthening the division of labour of the defence industries and better coordinating arms procurement measures. A prerequisite for this, however, is the strengthening of arms export control at European level, because there is a danger that the Europeanisation of the arms industry will make national arms export controls more difficult, as it will enable arms companies to undermine them. It is conceivable, for example, that the finishing of weapon systems could be moved above all to where the lowest national standards apply. In the medium term, arms expenditure could be reduced in this way. The key to these changes lies in a modification of the selfimage of the EU member states. Military strength is still seen as a sign of national power, but this outdated mentality weakens Europe and with it any European country. No state in Europe alone is stronger than the community of European states, neither militarily, politically, economically nor socially. The slogan that national interests must always take precedence over international obligations is based on a shortsighted fallacy that ignores the fact that every state that relies solely on its own interests and takes account of them stands alone in the end and goes down alone. Europe's future, on the other hand, lies in a community of states and peoples in a regulated competition that seeks to reconcile the common good with the wellbeing of each individual member state.

Refrain from nuclear armament

In the wake of Russian action in Crimea, eastern Ukraine and other parts of the world (especially North Korea), more and more voices are being raised in many Western countries, not least within NATO, calling for a return to the former policy of deter-

rence, including its nuclear component. In view of the disconcerting attitude of the US President in Office, some doubt the reliability of the US nuclear umbrella and call for the establishment of an adequate European nuclear power independent of the United States. It is doubtful whether such a project could be realized; in any case, it is going down the wrong path. The end of the Cold War due to the dissolution of the Soviet Union and the Warsaw Pact has made considerable disarmament measures possible on both sides of the former blocs, both in the conventional and nuclear fields. It would be fatal to want to compensate for this reduction with a new wave of rearmament. Without prejudice to the need to respond appropriately to Russian policy, it is crucial to realize that it is fundamentally different from Soviet foreign and security policy. The quest for world power and the safeguarding of its own spheres of influence, as is characteristic of Russia's current politics, lacks the revolutionary element that was characteristic of communist ideology and constituted its dangerousness in global politics. Although the concerns of the Baltic and Eastern European states are justified, there are no signs of a military threat to the rest of Europe. The main danger at the moment is not military imbalances, but growing mistrust on all sides and Russia's policy of disinformation to influence public opinion and elections in the West.

The EU must undoubtedly be militarily defensible and ready, but its real strength is not based on its armies and weapons, but on its common values and principles, as reflected in the Global Strategy for the Common Foreign and Security Policy. This internal quality of the European states should also shape European foreign and security policy, to which the EU repeatedly commits itself. Therefore, it does not need to be reinvented at all; it is more important to reassure oneself of some experiences of the past in view of the present.

Strengthen the idea of joint security

Security policy thinking, which regards security only or first and foremost in military terms, looks like a fossil testifying to a dark past. Neither the cyber warriors nor those weapons technicians who are tinkering with ultramodern war equipment are able to change this. A state that invests huge sums in armaments, while at the same time its infrastructure is eroding, its education system is deteriorating, prosperity is being distributed more and more unfairly and social peace within is crumbling, such a state has no future, even if nobody dares to attack it. Moreover, the early insight of the

Church's newer social doctrine that every arms race is unbearably damaging to the poor remains unalterable.

It is therefore to be warmly welcomed that NATO, despite the tightened security situation it has diagnosed, does not yet intend to carry out nuclear rearmament, especially as the modernization measures already decided upon will incur immense costs. Europe has a right to military security, but in view of the internal upheavals in a whole series of European states, economic, social, legal and environmental security in short, human security is equally and even more urgent. This does not have to be a contradiction, but it can easily become one. A first step to prevent this is to avoid security hysteria. A second is to take into account the justified security needs of potential opponents in one's own security thinking. The idea of common security developed at the height of the Cold War must be revived. It does not solve the security problem, but helps to reduce it to the level of a necessary evil. From a certain point on, more armaments do not provide more security, but increase the security problem in every respect, not only militarily.

European security policy must, as it were, be holistic, and this also includes a new security policy dialogue, as decided by Germany together with other states at a meeting of the OSCE Ministerial Council in Hamburg in 2016. Thinking national security today means thinking about common security and working together to ensure security. This is not an unrealistic utopia, but a militarypolitical task that can be solved if the political will is there. The OSCE already has a structure that has proved its worth despite some shortcomings and weaknesses during the conflict in Ukraine. It costs less than an extensive armament program to expand and improve this instrument. To this end, the problem of the legal personality of the OSCE, which would increase its capacity to act, must be resolved urgently. In addition, a new forum and format of diplomatic understanding between the West and Russia is needed. The reactivation of the NATORussia Council would offer a first starting point for this. As a first topic of discussion, a new agreement would be desirable, which would regulate the mutual transparency of military actions and the reduction of the military presence as a confidencebuilding measure. At the very least, however, the existing disarmament agreements must remain in force, be extended or updated. Special attention should be paid to mediumrange guided missile systems that can be equipped with nuclear warheads because they create new uncertainties.

Perhaps a second step would contribute to relaxation and confidencebuilding: The prospect of loosening sanctions through facesaving concessions could be comple-

mented by offers and incentives designed to restore Russia to a leading role in international politics. This is already happening in many cases, for example in Syria or in relation to North Korea, but it should not remain a purely pragmatic practice that is decided on a casebycase basis, but rather a fundamental line. Because not only individual countries need peace and cooperation, mankind needs them in order to be able to face the enormous challenges of the future. In space, for many years, this has been achieved silently and despite all political adversity. There is no rational reason why this should be impossible on planet Earth.

Injustice does not justify injustice

In Western European public opinion, events in Ukraine are continuously accompanied by a fierce dispute about the right response from Europe and the West. Of course, any answer depends not only on a particular view of the conflict, its causes and its course, but also on a judgement of Russia's role and the motives for its action. Observers, who are rather sympathetic towards Russia, often claim as already mentioned that Russia's behaviour in the Ukrainian crisis was essentially provoked by the West. In addition, it is repeatedly claimed especially on the Russian side that the West itself broke international law in the case of the Kosovo war and is therefore playing a double game with its accusations against the annexation of the Crimea. All of this may be true, but it does not change the crucial point: no mistake or misconduct on the part of either side justifies a policy that is contrary to international law. Even injured feelings do not provide a legal basis for unlawful action. For injustice cannot be remedied by new injustice, and mistakes cannot compensate for mistakes. The lasting pacification and civilization of international relations is impossible without firm principles, rulemaking and compliance with the law. This applies in principle and therefore without exception to all parties in the Russia-Ukraine conflict. There must be no double standards. Breaches of law may bring shortterm benefits, but they promote the return of the state world to a stage of international anarchy. Therefore, the growing indifference towards international law and the UN, which is more and more displayed selfconfidently, must be firmly contradicted and opposed. Breaches of international law are not trivial.

It should also be emphasized that, even if national interests are legitimate, they do not per se legitimize all means of enforcing them. From a Christian point of view, it is even less permissible to declare a nation the highest value to which all other values must be subordinated. In the JudeoChristian tradition this form of overestimation was called "idolatry", through which the ruling order mutates into a maneating moloch.

No people, nation or state can claim a superiority that seems to allow it to ignore law and morality when it comes to its own good and interests.

However, the claim to credibility also calls for honest and serious selfcriticism on the part of the West. One of his most serious mistakes may have been to ignore or reject President Medvedev's initiatives at the end of November 2008 in Berlin and President Putin's in 2010 for a dialogue on a new security system in Europe. From Russia's point of view, the NATORussia Council did not offer an equivalent alternative to an equal security partnership that the West was not prepared to enter into or seriously consider. Apparently the West did not trust the Russian government and saw itself fully confirmed by the events that followed. There were indeed good reasons for this scepticism, but a more constructive attitude would have been wise and right. Thus a historically rare opportunity for a new beginning in relations with Russia was wasted, and this failure explains in part why, after the end of the Cold War, a Manichaeian world view increasingly took hold on both sides, distributing a mirror image of good and evil. Such a constellation, however, is very rarely or never to be found in real history. Manichaeism is certainly not a good basis for a peaceoriented foreign and security policy, neither in the West nor in Russia. In other words, clearly condemning a certain policy morally and legally does not mean demonizing the opponent and stylizing oneself into an angel. The order of the day is to return to a policy that, with all due caution, still believes that even the political opponent can do good and is looking impartially for common ground be it values or interests.

Enhancing the cultural dimension of relations

The end of the Cold War has literally opened up new ways of meeting the countries and peoples of Eastern Europe. The EU facilitates travel, freight transport, joint economic projects, the exchange of labour and experts and much more to a degree that no one would have dared to dream of before 1989. But there are also setbacks. For example, Russia, like a number of other states, has recently significantly limited the activities of nongovernmental organizations through restrictive conditions and placed them under special state supervision. This is precisely why it is important to make use of all available opportunities for personal and cultural encounters and to look creatively for further possibilities. All forms of scientific exchange, economic, technical or even artistic cooperation should be encouraged, insofar as they do not fall under the sanctions regime. Local partnerships and contacts between parishes, pupil and youth exchanges, where available, must not suffer as a result of political tensions. The aim

must be to interlink the various societies beyond the contacts of governments and diplomats and to create a network of relationships that is strong and flexible enough to survive political crises. This is precisely what the ecumenical movement, as a central lesson from the catastrophe of the First World War has achieved to a great extent during the Second World War, thus laying an important, albeit little-noticed foundation for the subsequent reconciliation of peoples. Even during the Cold War, it was above all the churches that made the Iron Curtain more permeable. Establishing and maintaining connections is still essential. For although the peoples of Europe share such a close, often fateful history, the knowledge of each other is very incomplete, often narrowed down to certain aspects or marked by prejudice. This is true throughout Europe, as the recent crises have taught us. This means that people in Europe and the EU need education that goes beyond vocational training that qualifies them for the labour market. European education must qualify for peaceful coexistence. This ability is not self-evident; it must be practiced and tested as an 'art'. In any case, government contacts and tourism are not enough.

Revive the vision of the Charter of Paris

The Russia-Ukraine conflict and the war in eastern Ukraine must be seen soberly as a deep break and a deplorable step backwards in relations between the West, the EU and Germany with Russia. Anyone who sees this situation as a return of the Cold War should not forget that people were also looking for détente at that time and that this search was ultimately more successful than all armament. In this respect, the current situation is more favourable, because the Charter of Paris is a document describing a common vision of peaceful coexistence. Western policy should not allow the principle of its actions to be imposed on it by the Russian Government, but should unswervingly keep in mind the objective set out in the Charter of Paris for Europe. Realistic policy is not limited to adhering to the so-called hard facts; it must also count on those forces that persistently expand the scope of what is possible. If the decline of the communist world has shown anything, it is the fact that such forces sometimes even work in the heart of a system that has sealed off itself. It is precisely this insight that worries and unsettles all authoritarian and autocratic individuals and governments in the world. That is why they usually oppose change with all means and often with all force and do everything in their power to avoid what is inevitable in the end. In contrast to a policy of preprogrammed failure, realistic politics must say yes to change and reflect on what is to come and on how a peaceful transition can be achieved. Despite all the necessary distance from the decisions of the Russian Gov-

ernment and its motives, its guiding and overarching maxim in its relations with Russia must once again be: Easing of tension through building of trust and change through mutual understanding and communication through common interests. This is the most promising way towards a common future, as outlined in the Charter of Paris.

V. Statement of the German Commission for Justice and Peace

The Russia-Ukraine conflict presents a European challenge

The annexation of the Crimea by the Russian Federation, followed by the war in Eastern Ukraine, marks a deep turning point in the development of the peace and security order in Europe (EU, OSCE and the Council of Europe). It is therefore not only, but also a serious challenge for the common foreign and security policy of the European Union. In this context, the main emphasis is on the validity of international law and its fundamental principles of sovereignty and territorial integrity of states as well as the principles of the political order in the state, especially freedom and the rule of law. This is a serious challenge, because the violation of international law is not trivial. The European project of a coexistence based on rights, freedom and solidarity is under considerable pressure - both from within and outside.

Avoiding simplification, defending Ukraine's integrity, supporting democracy and the rule of law

The complex nature of the Russian-Ukraine conflict exemplifies the peace and security policy requirements European and German politics have to face. However, this complexity is rarely adequately reflected in the political debate. Individual aspects are often singled out and overemphasized and associated with onesided accusations. One side blames NATO alone the other side makes Russia or the Russian Government solely responsible. Such constrictions hinder an adequate understanding of the conflict and its dynamics. It is important to make people aware of the different historical influences and largely unprocessed experiences from the period of block confrontation, which play a role which is hard to overestimate in European perceptions of the Russian-Ukraine conflict, and to bring them into discussion. In addition, the cultural and religious dimensions of the conflict are all too often underestimated, especially in the West.

This misjudgement strengthens the illusion of being able to adopt an equidistant attitude towards the conflicting parties, thanks to which one is not involved in the conflict itself. This political temptation to deceptively avoid conflict must be countered. We therefore clearly emphasise the need for a policy of solidarity with the Ukrainian people, insofar as it advocates Ukraine's integrity - including the control of the Russian-Ukrainian border by Ukraine - and its peaceful transition to a democratic and liberal state governed by the rule of law. Emergency humanitarian aid measures are urgently needed to alleviate the effects of refugee flows in the country. European policy for Ukraine also includes the requirement not to allow discrimination against the part of the population with Russian origin. The European Union is also called upon to strongly support the fight against widespread corruption, not least because it jeopardises both the economic and constitutional development of Ukraine. A European Community that fails to take sides with those who are fighting for the European idea gives itself up and loses its credibility. A joint action against the "shrinking space" for civil society actors in Russia and parts of Ukraine is therefore advisable. In its efforts to curb violence in Eastern Ukraine and to initiate a political solution, the OSCE whose activities should be backed up by a bluehelmet mission is of increased importance.

Strengthen the European dialogue, build trust, and promote encounters

In the decades of the Cold War, churches have persistently tried to make use of gaps in the Iron Curtain and to build bridges between West and East. Their experiences and abilities, their initiative and patience are in demand again in the changed constellation of the present time. Although the Russian-Ukraine conflict seems to be frozen at the moment and the war in Eastern Ukraine is barely attracting public attention, it would be a mistake to consider the danger to be overcome. This requires a longterm commitment at many levels, the main objective of which must be to renew the lastingly destroyed trust between Russia and the West without denying the existing differences. Trustbuilding is indispensable and it takes a lot of patience. A short- or mediumterm solution to the Russian-Ukraine conflict is not to be expected.

For the German Commission for Justice and Peace the following points are of particular importance:

a) We strongly urge to intensify exchanges within the EU on the multifaceted dimensions of the conflict and the differences in its interpretation. In addition to shared interests and values, its ability to act is essentially based on a common understanding of the specific nature of the challenges. The plurality that characterises Europe de-

mands a consciously practised multiperspectivity that cannot simply be dissolved from a superordinate point of view, but only in a consensus that takes account of different experiences. However, this does not in any way mean to renounce one's own point of view and to give up the understanding that an agreement on fundamental principles and rules of coexistence is necessary. With a view to creating robust bases for dialogue, to curb the information war and to deal with intra-European authoritarianism, it is necessary to safeguard the contemporary historical facts concerning the Russia-Ukraine conflict.

b) We consider it questionable in principle to delegate the EU's debate on the Russian-Ukraine conflict mainly to a number of member states, as has largely been the case so far. The EU's policy needs a broad support by society and must be backed by the main European institutions, in particular the European Commission and, on behalf of European societies, the European Parliament. The consequences of the Russia-Ukraine conflict affect the EU as a whole. In this conflict not only Ukraine's future path is being negotiated, but also the future of the European project.

c) The Commission for Justice and Peace as a church actor is convinced that persistent encounters and exchanges have considerable potential for long-term understanding and reconciliation. These must be used systematically and patiently. The more fragile political relations become, the more strong and crisisproof ties are needed. The common faith and the various connections and relationships of trust between the churches have a lot to contribute here. The reliable strengthening and the development of church and civil society networks must be promoted with a view to overcoming the Russian-Ukraine conflict.

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