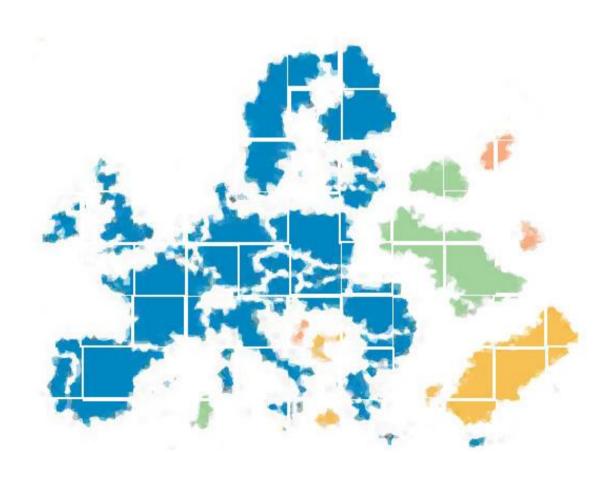
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Policy Brief No. 13

Between the Logic of Transcendence and the Strategy of Re-Entry Russia and the EU after the Ukraine imbroglio

Andrey Makarychev



December 2016

Center for European Neighborhood Studies

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This report has been produced with the kind support of the Friedrich-Ebert-Stiftung Budapest. The opinions expressed in this report are those of the author.

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Between the Logic of Transcendence and the Strategy of Re-Entry: Russia and the EU after the Ukraine imbroglio

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Introduction

This memo discusses how Russia and the EU communicate with each other under the conditions of the post-Crimea rupture of relations that includes economic sanctions, the discontinuation of summits and the de-facto freezing of many bilateral tracks of diplomatic interaction. With the EU-Russia relations at their lowest level in history, the Russian political elites seemed to send some signals of their potential willingness to tone down confrontational rhetoric towards the West and think about mutually acceptable compromises. It is in this context that I would like to explore whether Russia nowadays has a strategy of re-entry, or a return to its role as a major European power.

I start my analysis with singling out different models of Russian hegemony as applicable to the countries of common EU-Russia neighborhood and in many respects central to the Moscow-Brussels relations. I will refer to the concept of cooperative hegemony that might both be used as an academic term and hypothetically offer a policy guideline for communication and interactions between Russia and its neighbors. I will explain why at a certain point the Kremlin concluded that cooperative model does not work, and at the end of this memo will discuss what policy models might be used as platforms for overcoming the current crisis.

Russia's role games

The dominant paradigm in Europe would characterize Russian foreign policy as neo-imperial. On a high level of generalization this might be true, but in the meantime a more nuanced glance at Russia's s "near abroad" policy might be helpful in elucidating a greater variety of roles that Russia played, with different degree of commitment and success.

The Eastern Partnership (EaP) that ultimately became an apple of discord between Russia and the EU, paradoxically was not that important for

 $^{^1\!}$ Akademik Arbatov: Putin reshil nazhat' na tormoza, Fontanka, October 29, 2016, available at http://www.fontanka.ru/2016/10/28/140/

Russian foreign policy agenda for years, and Association Agreements (AA) were not ranked that high on the list of Russian priorities. It was only in 2013 that Russia started paying serious attention to consequences of EaP, which basically attests to a lack of overall strategic planning in Russian foreign policy making. For years Russia remained passive and inattentive to its neighbors' relations with the EU, but this is not to say that Moscow had neither policies nor roles to play in the area covered by EaP.

Three of these roles can be singled out. The first is the role of non-cooperative hegemon, with the recognition of independence of Abkhazia and South Ossetia, the annexation of Crimea, and the de-facto refusal to withdraw troops from Transnistria as the most visible examples of this model. From a practical viewpoint, the basic problem with this role is that its costs in most cases overweight benefits. By costs one should understand the financial burden of funding economically weak or insolvent territories, Western economic sanctions against Russia, and Moscow's loss of leverages over neighbors (Georgia, Ukraine) that were victims of annexation and recognition of separatist territories.

The second role is a *partly cooperative* hegemon, as exemplified by the Meseberg memorandum on Transnistria signed by Russia and Germany, the Normandy format and the Minsk agreements, and the EU-Russia-Ukraine trilateral talks. In all of these cases Russia stayed in touch with its EU partners over coordinating their policies in Eastern Europe, yet this cooperation had clear limits, mostly set by the Russian side.

The EU-Russia-Ukraine talks that started in 2014 are a particularly interesting case illustrating the constraints and limitations of Russia's cooperative hegemony. This trilateral format has shown its efficacy in the domain of energy diplomacy, yet when it came to a more comprehensive negotiating terrain involving Deep and Comprehensive Free Trade Agreement (DCFTA), things turned much more complicated. Despite more than 20 rounds of well-structured negotiations between the EU Trade Commissioner, Russian Ministry for Economic Development and Ukraine's Foreign Ministry, the compromise was not found, and the talks were ultimately abrogated; consequently Russia suspended trade preferences for Ukraine within CIS framework and introduced food embargo.

The EU negotiating strategy consisted of a number of points: to leave DCFTA beyond bargaining with Moscow, yet in the meantime to induce Russia to remain cooperative, and prevent it from introducing sanctions against Ukraine. In particular, the EU proposed to accept veterinary certificates, to mutually evaluate systems of technical standards, and to deepen customs service cooperation to fight fraud. By Russia's request, the free trade agreement between the EU and Ukraine was delayed for one year.

Russian approaches were different. According to Igor Shuvalov, the head of the Russian delegation, it "offered four variants of legally binding documents. We have never proposed to amend the main treaty between Ukraine and the

EU. We proposed to sign additional agreements that would address the matters of concern for us and would protect our interests, but in the meantime would make possible the implementation of AA".² But in practice, Russia de-facto torpedoed the trilateral negotiations.

Moscow insisted on a legally binding agreement that would take into account Russian concerns ("we need to protect our producers and to prevent imports from other countries under the guise of Ukrainian goods", prime minister Dmitry Medvedev said), and also wanted compensation for losses the AA might incur for Russian producers in Ukrainian market. Russia wanted Ukraine to maintain acceptance of Russian industrial standards for 10 more years, even in sectors where Russia has no exports to Ukraine. Russia insisted that Ukraine recognizes Russia's rules for Russia's food exports, which would prevent Ukraine to apply the DCFTA in this regard. Russia requested that the EU provide extensive data on prices and customs valuation information to Russia for each transaction on goods exported to Ukraine, which contradicts the EU privacy legislation protecting the confidentiality of business information. Russia alleged that by separating its energy system from Russia. Ukraine threatens the functioning of the entire system, which, as seen from the EU perspective, is unfounded and has no connection with the DCFTA. Moscow's requests for higher investment protection for Russian companies in Ukraine were equally considered outside the scope of DCFTA.3

And finally, in some cases Russian policy could be regarded as *cooperative hegemony*. Thomas Pedersen defined this model as a strategy of power consolidation / aggregation, basically at regional level, which also includes power sharing with partners. It implies stimulation of bandwagoning through various side payments, and preventing defection, or exit from the zone of influence.⁴

Two examples of cooperative hegemony appear most illustrative of this model, although they might be considered exceptional. Both represented windows of opportunity that have been ultimately closed. The first case dates back to 2004: when Mikhail Saakashvili came to power in Georgia, the Kremlin received indications that Tbilisi would be interested in assistance with negotiating with Aslan Abashidze, the pro-Moscow leader of half-independent region of Adjara. Secretary of Russia's Security Council Igor Ivanov went as an envoy to Batumi to broker the deal; as a result of his mission, Abashidze resigned and 'voluntarily' left Adjara; immediately after that Saakashvili moved into Adjara and proclaimed the first step towards the

² Lzhivo i tsinichno: Rossiya oprovergaet utverzhdeniya ES o nedostatochnoi gibkosti na peregovorakh po Ukraine. *Vesti*, December 22, 2015, available at http://www.vesti.ru/doc.html?id=2701203

³ The trilateral talks on DCFTA implementation, 21 December 2015, available at http://trade.ec.europa.eu/doclib/docs/2015/december/tradoc_154126.pdf

⁴ Thomas Pedersen. Cooperative Hegemony: Power, Ideas and Institutions of Regional Integration. *Review of International Studies*, vol. 28, N 4, 2002, available at

https://www.scribd.com/document/295725591/Cooperative-hegemony-power-ideas-and-institutions-in-regional-integration

reunification of Georgia. Some time later Russia has withdrawn its military base from Adjara, which became a matter of controversy in Russian security debates.

A second case dates back to 2007 when at G8 summit President Putin proposed joint operation of the Qabala/Gabala radar station in Azerbaijan by Russia and US / NATO. At the NATO-Russia Council meeting this idea was presented as an alternative to US plans of deploying its anti-missile systems in Poland and Czech Republic, vet the proposition failed, and ultimately in 2012 Russia had to leave Qabala when the government of Azerbaijan drastically raised the rent.

The question looming large at this point is why was Russia cooperative in these two – and some other - instances? One of the answers that can be found in the literature is Russia's relative weakness at that time, which implies that a stronger Russia is destined to act in a less cooperative way. My explanation would be different: Russia's cooperative – yet still hegemonic behavior can be explained by rational calculus, namely by the Kremlin's intentions of making political investments not only into a system of Russian influence in neighboring countries, but also eventually into a great power management system in Europe. In other words, at certain points Russia was eager to develop its role identity in post-Soviet space as an approachable and open-minded partner both to its neighbors and to the West.

However, lessons that Russia has learned from these - however limited experiences of cooperative policies were far from optimistic. Moscow concluded that cooperative behavior doesn't work, and equal partnership with the West in post-Soviet countries is impossible. From here Russia made another step forward to claim that the problems related to Russia's policies toward Georgia in 2008 and Ukraine since 2014 are systemic (an overall crisis of security institutions), an argument that is meant to exempt Russia from responsibility for its individual policies of force projection and stimulating secession.

What stands behind the "logic of transcendence"?

Apparently, the search for structural solutions is what the "logic of positive transcendence" of the current systemic conflict is supposed to mean for Richard Sakwa and his Valdai Club colleagues.⁵ This implies a return to a "new continental vision" dating back to the "1989 narrative" of a united Europe with Russia as its fully-fledged member. This vision can be fully compatible with focusing on global issues (terrorism, radicalism, etc.) instead

⁵ Richard Sakwa. We Need New Continental Vision. Valdai Discussion Club, 2016, available at http://valdaiclub.com/multimedia/video/richard-sakwa-we-need-new-continental-vision/

of bickering over post-Soviet countries, as proposed by Russian Deputy Foreign Minister Alexei Meshkov .6

Yet this logic might – hypothetically - become operational only on the basis of accepting a number of controversial suppositions. Sakwa's transcendence is tantamount to believing that it is basically ambitions of Central and Eastern European countries that provoked the current conflict between Russia and the West. This logic consequently implies the rejection of treating Ukraine as a normal state with full-fledged international subjectivity, and approaching it instead as a country whose mainstream discourse is "monist", "primordialist", and ultimately "Russophobic". Sakwa also proposed to acknowledge that "it was Soviet imperialism that made the modern Ukrainian statehood, endowed it with its extensive territory, and urbanized, educated and industrialized the society and economy"7. Moreover, the narrative of transcendence continues, Ukraine's escape from an allegedly Europeanized Russia "reproduces a new state of subaltern dependence" on the EU.8 This understanding of the idea of transcendence looks harmonious with the 2016 Valdai Club Report that suggested that the resumption of cooperation would be possible under the condition of lifting EU visa ban against Crimean residents a condition that envisions a profound reconsideration of EU's attitude towards Ukraine's conflict with Russia. 9

The basic problem with this "logic of transcendence" is that it is grounded in a dubious presumption of the Western humiliation and marginalization of Russia, which might be easily discarded empirically by referring to Russia's incorporation into G8, multiple EU overtures, Russia's successful bids for global mega-events, etc. Against this background it is obvious that the problem is not with intentionally ostracizing Russia in the West, but with Western unwillingness to exceptionalize Russia and treat it qualitatively differently, as compared to other EU's or NATO's partners.

Another drawback is that the transcendence proposition can be easily applied to many other post-Soviet and post-socialist countries, including the Baltic states and EU's eastern European neighbors. In this respect it will be coterminous with discarding the Russia-wary attitudes among countries the most vulnerable to Russian pressure, and ultimately with a deep reversal of the whole post-1991 normative narrative that invalidates spheres of influence and "concerts" of great powers in favor of promoting values of democracy, human rights and the rule of law. This type of transcendence would require a drastic transformation of the EU identity away from the ideas of "normative power", which in fact means a strong blow to the EU project.

⁹ Russia and the European Union: Three Questions Concerning New Principles in Bilateral Relations. Moscow: Valdai Discussion Club Report, 2016, available at http://valdaiclub.com/files/10754/



⁶ A.Meshkov. Rossiya – Evropa: chto dal'she? Mezhdunarodnaya Zhizn'. September 2015, available at https://interaffairs.ru/virtualread/ia_rus/92015/index.html#/52/zoomed

⁷ Richard Sakwa. Ukraine and the postcolonial condition. *Open Democracy*, September 18, 2015, available at https://www.opendemocracy.net/author/richard-sakwa

Apparently, there are many forces within the EU to favor this U-turn. However, so far it seems unlikely that discussions on transcending fundamental gaps and ruptures of normative character would reach beyond the sphere of rhetorical speech acts and gain a more practical currency. What is much more likely is Russia's resolve to pursue a strategy of re-entry to the European political scene from which it was suspended after the annexation of Crimea. In this policy track the prospects of Russian behavior look less conciliatory and cooperative. Two strategies of re-entry might be singled out. One is about bolstering contacts with far right parties all across Europe, using their pro-Kremlin sympathies for legitimizing Russia's policy towards Ukraine. The second strategy boils down to direct appeals to Russophone communities beyond Russia's borders (in Estonia, Latvia, Germany), again with an intention to give some legitimacy to the annexation of Crimea. In particular, Russian media propagated the idea of relocation of Russian Germans to the peninsula as a measure of escaping the alleged sense of societal insecurity in Germany due to the refugee crisis. In both cases Russia seems to be more interested in "normalizing" its interference in Ukraine rather than in transcending normative gaps with the EU.

Conclusions

As this analysis elucidates, Russia appears to be primordially interested in forcing the West to accept the annexation of Crimea, and delegate to the West the change of its narratives that the Kremlin deems detrimental for its interests. Russia will keep playing a trans-ideological game of supporting both right- and left-wing parties in Europe, which might give some practical effects both in largest EU member states (France, Germany) and in EaP countries (Moldova). However, the centrality of Ukraine for Russia's international agenda might add new constraints and challenges to Moscow's foreign policy. Further fragmentation within the EU, to which Russia is keen to contribute, might result in a growing demand for NATO's security roles, which can hardly be in Russia's interests. Kremlin's political and symbolic investments into the Brexit debate did not make Russian-British relations more cooperative afterwards; by the same token the Putin-Orbán tandem did not smooth out contradiction between the two parties over interpretations of the 1956 events. Of course, the Kremlin can count on pro-Russian politicians in countries like Georgia or Moldova, but their sympathies towards Russia are to a large extent grounded in expectations that it is through fostering relations with Moscow that the prospects of reintegration their break-away territories should be discussed. These anticipations reactualize the concept of cooperative hegemony, raising a still unanswered question of how much Russia is ready to politically invest – again, in spite of the controversies of the past experiences – in remaining an important actor for countries of EaP.

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Published by the Center for European Neighborhood Studies Central European University

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Responsible publisher / Series editor: Péter Balázs

ISSN 2498-7875

