

Klaus Segbers / Alexander Sergunin (eds.)

**The Ukrainian crisis and its
implications for Western-Russian relations
Contrasting views on the reasons for the
confrontation**

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Contents

List of abbreviations	2
1. Introduction	3
2. What are the core reason of the current differences between Russia and Germany?	5
3. Can we analyze Russia, the EU and Germany from an unitary actor perspective?	8
4. What are the domestic and international factors, which influence the current crises between Russia and "the West"?	10
5. What are the conditions and prospects to solve the crises between Russia on the one hand and the EU and its member states on the other hand?	13
6. Does Russia and "the West" share the same interpretation and values concerning e.g. international rules?	15

List of abbreviations

EU	European Union
CIS	Commonwealth of Independent States
NATO	North Atlantic Treaty Organization
OSCE	Organization for Security and Co-operation in Europe
R2P	Responsibility to protect

1. Introduction¹

This document is an intermediate outcome of an one year project which started in spring 2015, jointly conducted by scholars from the St. Petersburg State University, the Department of International Relations Theory & History, and the Osteuropa-Institut at the Freie Universität Berlin. While the initial idea of the project was to focus on Russian-German relations in the time of current crisis, a first workshop in St. Petersburg made clear that a focus on EU-Russian relations would be more fruitful. Although actors within the German and French governments have obviously been quite active (at least in the public's perception) in mediating the crisis in Eastern Ukraine, the project members have decided to incorporate the EU level as the West European national governments are embedded into the EU – and vice versa.

During the workshop, it also became clear that the project partners had quite different, and occasionally opposite positions regarding the reasons for the deterioration of the Western-Russian relations as well as the conflict in Eastern Ukraine. Therefore, after the first workshop, in June 2015, the project partners decided to organize a Skype interview with the purpose of answering a set of predefined questions which were recorded and transcribed afterwards. The goal of this document is not to reach agreement between the different positions. Rather, the idea is that each project participant may present his or her position clearly in order to make the different positions as visible as possible.

In general, two major subjects of conflict can be “extracted” from the talk: firstly, there is obviously no common method regarding the interpretation of international rules, especially when it comes to the current legal status of the Crimean peninsula. While the Russian partners in the project contend that the “secession” or “taking over” of Crimea into Russian territory has been done in a legal way, Freie Universität Berlin scholars see this as an “annexation” (please note the different wording) and a clear violation of international rules. Closely connected to this is the second difference: the view of the Russian colleagues that after the resignation of the Ukrainian president in February 2014 and the emergence of the Euromaidan in Ukraine, the internal struggles have led to a misrepresentation of some Eastern areas of Ukraine and their preferences. This would eventually lead into the legitimate right of the groups there to decide on their own future and independence, the Russian colleagues contend. The German experts insist on the autonomous character of the Euromaidan and highlight that the Crimean referendum was not legal.

Besides these differences, the participants of the debate reached an agreement on the fact that neither Russia and Germany nor the EU can be analyzed from an unitary actor perspective. Due to various globalization effects and different actors trying to advance their respective positions, one has to keep in mind that an unitary actor perspective is hardly adequate. Also, the role of relevant domestic factors is broadly accepted for the explanation of the current crises and the preferences of the Russian and European leaderships.

All in all, it can be said that there is obviously not only a different way of interpreting international norms and rules; there is also a completely different use of language between the project participants. Maybe, before a fruitful discussion about future cooperation and the solving of the conflict in Eastern Ukraine can be started, the project participants should start redefining their language and reflect on what this means for the discussion on future cooperation potential.

¹ We appreciate the support of Dongping Wang for transcribing the skype talk, Reyhan Kalayci for editing and commenting on the paper and Cosima Glahn for organizing the skype talk.

Questions that were posted to the participants of the discussion, recorded on June, 25th 2015

- What are the core reason of the current differences between Russia and Germany?
- Can we analyze Russia, the EU and Germany from an unitary actor perspective?
- What are the domestic and international factors, which influence the current crises between Russia and “the West”?
- What are the conditions and prospects to solve the crises between Russia on the one hand and the EU and its member states on the other hand?
- Does Russia and “the West” share the same interpretation and values concerning e.g. international rules?

Participants

From the University of St. Petersburg:

- Dr. Nikolay Vlasov
- Prof. Dr. Valery N. Konyshv
- Prof. Dr. Alexander Kubyshkin
- Prof. Dr. Alexander Sergunin

From the Freie Universität Berlin:

- Prof. Dr. Burkhard Breig
- Prof. Dr. Klaus Segbers

2. What are the core reason of the current differences between Russia and Germany?

Dr. Nikolay Vlasov: "Touching it briefly, there are distinct political cultures, distinct political systems, and distinct concepts and understanding of the current international system and its rules."

Prof. Dr. Klaus Segbers: "Could you give us more details about the different understandings, as you said, what are the differences about?"

Prof. Dr. Valery N. Konyshov: "Just to add something about the differences, to my understanding, there is no single reason of the current differences. Rather, we have a number of complicated political reasons that have a cumulative effect with regard to current tensions between Germany and Russia. It's my point."

Prof. Dr. Klaus Segbers: "I am sorry, but can you be more specific outlining your view?"

Dr. Nikolay Vlasov: "In my opinion, it's a lack of understanding of Russian political culture and Russian attitudes to the international system in Germany. And also a lack of understanding of German political system, beliefs and vision of the international system in Russia. For example, many German analysts do not understand the extent to which the Russian political system and foreign policy decision-making are highly centralized and the civil society has limited opportunities to play a visible role in policy-making. One the other hand, many Russian international relations specialists tend to ignore the fact that Berlin has to act on the international arena as a part of the transnational organization (European Union) rather than as an individual nation-state driven by its national interests."

Prof. Dr. Valery N. Konyshov: "I think it is difficult to say about one core reason of differences between Russia and Germany. Take, for example, the security agenda in Europe. Germany and other European states don't hear Russia's concerns with regard to deployment ballistic missile defense system (or in the earlier times things like NATO expansion and the Balkan crisis). The reason is a lack of political will to deal with Russia as an equal partner. Why did it happen? Probably we still are not free from Cold War-type thinking and there is a lot of mutual mistrust between us? Perhaps for this reason the West is often so pessimistic about the prospect of Russia's democratic transformation? The lack of trust has definitely affected the German-Russian relations on the Ukrainian crisis from the very beginning. Why did not Germany and other Western countries help the peaceful transfer of power from Yanukovich to the political opposition although he was ready to do that eventually?"

Prof. Dr. Alexander Kubyshev: "I can add, that, to my mind, the core reasons can be historical differences, which we had for the last 25 years, which is connected to the changing of Germany in foreign policy and economic policy, and simultaneously which will be changing in Russia, in the European process, especially in the post-Soviet environment, so the main reason is the different opinions of the directions of the process of integration, the Western community in post-Soviet community or Soviet states, and I think Germany was just the last element in the 'campaign of misunderstanding' between the East and West which we had in last 25 years."

Prof. Dr. Alexander Sergunin: "I believe it's impossible to reduce all the causes of current tensions into one core reason. I believe they are multiple; there can be groups and categories. The first was mentioned by Nikolay, the domestic and internal factors, because we have different types of societies, we are located in different levels of development of societies, we have different economic systems and of course different economic interests in the post-Soviet region. The second are the international factors, the international dimension, which can also be seen as one causal reason. I believe that this kind of differences in the pre-crisis period was focused on the so-called Eastern Partnership, which was the most immediate cause of the Ukrainian crisis. By the way, we had different interpretations of the Eastern Partnership from the very beginning."

Prof. Dr. Klaus Segbers: "Ok, thank you. I also suggest three issues and contentions from my perspective. I do think one of the issues is that we have rather broad perceptions in Russia, those among elites and the population. First of all, it is claimed that in the last 20 years, Russian interests have not been appreciated or taken care of by the Western countries - by the EU and also by Germany. From the Russian point of view, Russia's pursuit of interests is not adequately understood and appreciated by Western partners. Here, we are talking about NATO expansion and many other issues as well. That is one difference, one point of contention.

The second difference is that among Western societies, among the Western experts, there is a broad consensus that there exists a flat and open violation of international norms by the illegal annexation of Crimea, and by Russia and the presence of Russian troops and their activities in Eastern Ukraine. According to dominant Western positions, that is a violation of all kinds of international norms, and should not be ignored. That is, of course, also the background of the sanctions.

My final point for now is, that I personally think there is a close connection between the problems of Russian modernization, which I would say was stopped about 4-5 years ago, and the then 'slipping' support for the Russian leadership on the one hand, and the external steps taken by the Russian leadership which took place in Crimea and after. They were vastly popular in Russia, and provided some kind of for the Russian leadership which was not provided by the domestic policies. I think these three fields of contention are the most dominant factors."

Prof. Dr. Burkhard Breig: "I would like to take a view from the legal and law perspective. This would be a view from the legal evaluation of what has happened in Crimea and Ukraine, Eastern Ukraine in the first instance. Unfortunately, in legal discussions, we almost do not hear any Russian voice. We have a broad legal discussion and analysis, there many articles on this question in Germany for example. However, there is no analytical 'weight' from the Russian side. I do not see any legal difference, since I cannot hear the Russian voice. As one example, I have been searching for articles regarding civil law consequences of what has happened in Crimea. I know, e.g., that there were conference and I asked acquaintances whether they can provide some articles. At first, they agreed to send the proceeding of the conference, but later, some weeks ago, the answer was: 'no...we cannot send this to you because the authors do not agree to give the text to the West'. So that's a bit about the external situation in the legal discussion."

Prof. Dr. Alexander Sergunin: "I have a very brief response to the previous point, on the international law. Actually, I did not follow the Russian publications in English on the Crimean taking over. But in

Russia, there are lots of publications on why and how it was done in a legal way. To cut it shortly, the official Russian version was just widely covered by Russian mass media, and also by Russian professional academic journals. Thus, the Russian arguments are the following: after the February *coup d'état* we had not a legitimate government in Kiev. So in this situation, the Ukrainian regions have their own view and right to decide whether they should go together with the regime or not. Since from the Crimean and Donbass' point of view, this regime was completely illegal and it was threatening to their security because, as you might remember, one of the first legislative initiatives of the new regime was a legislation to prohibit the Russian language as the second one in the regions with a significant Russian population. Fortunately, it was stopped in the Ukrainian parliament and has never been passed through. But that kind of initiative was quite frightening for the Russian community throughout Ukraine. Moreover, the new regime began to appoint the new governors and new administrations to the regions, including to Crimea and the Donbass region. They have not been accepted by the local population, because they had been seen as appointees from the illegitimate regime. Moreover, the radical forces, like the Right Sector, they sent their militants to support these new appointees and they try to install the new regional regimes by force. This again was unacceptable for the local population. That's why they started to resist. But let me remind you, that at the first stage Crimea and Donbass suggested negotiations. They just ask for more autonomy, nothing more. But when the new regime sent the army and paramilitary formations to force these regions to accept new governors - that was the beginning of the catastrophe. My impression was that the new regime in Kiev did the same mistake like it was done by Boris Yeltsin in case of Chechnya in 1994 when Chechnya wanted to negotiate with the Russian federal government but the Yeltsin regime refused and sent the troops, and then the war started. So why did they not negotiate peacefully on what Crimea and Donbass wanted? When we have this kind of situation, nobody can ignore the right for self-determination. For this reason, Crimea had the legitimate right to conduct the referendum - and they did it. The vast majority of the Crimean voters voted in favor of independence from Ukraine. The international observers were invited to go to the referendum, but only the European far right wing and separatist parties sent the observers. So from an international law point of view, the secession of Crimea was more or less legal, at least, for the Russian side it was much more legal than the Kosovo secession, for example."

3. Can we analyze Russia, the EU and Germany from an unitary actor perspective?

Dr. Nikolay Vlasov: "In general we have to take into account two levels. The first level is the decision-making process; here we can reveal many different actors – sections of political establishment, business communities, non-governmental organizations, public opinion and so on. There are actors with completely different opinions. For example, the German business sector that closely cooperated with Russia prior to the Ukrainian crisis was discontent with the EU sanctions against Russia and tried to persuade the German government not to do that. But on the second level we have something that I would call the output of the decision-making process, the official position. We can speak about the official position of the Russian Federation, the official position of Germany – reflected in statements of the high government officials, conceptual papers, and foreign policy actions. Of course, there may be differences in the statements of federal chancellor and foreign minister, but those differences are rather in detail. The country acts on the international scene like a unitary actor – for example, condemning the takeover of Crimea or imposing sanctions. We have always to keep in mind these two levels".

Prof. Dr. Valery N. Konyshov: "Generally, I agree with Nikolay, and I want to add some points. We need to emphasize the multi-dimensional nature of decision-making in both Russia and the EU. We need to look at the interests of different elites - political, business, the military and so on. And we have to take into consideration some Eastern European states, which support a hardline policy towards Russia - while other European states like Germany are interested in restoring a dialogue and cooperation."

Prof. Alexander Kubyshkin: "I agree with my colleagues and I can add that here in Russia, we clearly see the differences in some positions between, for example, some Eastern Partnership members and some Scandinavian countries. We also take into account specific of policies of the core EU countries, such as Germany, France and Italy. The European Union solidarity on various issues (such as the introduction of sanctions against Russia because of Crimea's take over and Ukrainian crisis) is also understandable although not always acceptable for Moscow. Russia has a multidimensional approach to the understanding of how the EU policies are made. For example, Moscow was quite delicate and cautious with regard to France's decision not to deliver Mistral ships to Russia and tried to solve the problem in a quiet way. This was done because we are interested in continuing deals with France, Germany, Italy and other EU member-states. We are also rather tolerant to the criticism from the Baltic States, especially from Lithuania and Estonia, because they have a very special approach to the Russian post-Soviet policies. Of course, Moscow takes into account such criticism and believes that it is often unfair and ungrounded. All in all, we think that it's not good for our mutual cooperation. But we have to admit to the reality. So, my conclusion is that now it's very difficult to imagine that Russia would have a unified political course towards European countries because there is no unified political position among the European countries themselves."

Prof. Dr. Alexander Sergunin: "Just let me briefly note that my point is that in the present globalized world, we do not have unified actors any longer at all. For example, Russia cannot be seen as a unified actor because we have different social groups, interest groups, and confessions. We have different kinds of elites, which have been mentioned by my colleagues. And also from the formal point of view, Russia is a federative state, we have 85 members of federation, their voice should be taken into

account as well. Then we also have special relations with Belarus. Since we are members of the Union State (Confederation) we also have to coordinate the most important decisions with our Belorussian colleagues. Russia is a member of the Eurasian Economic Union. Also, we are a member of several quite important security arrangements, for example, the OSCE, Collective Security Treaty Organization, Shanghai Organization for Cooperation and so on. The same is to the EU and Germany. Germany is one of the most complicated cases, and we understand this kind of complexity. On the one hand, it is one of the leaders of the EU and locomotive of the EU, but on the other hand, many European members have some kind of reservations of Germany's current and future role. We understand this kind of situation when dealing with your country."

Prof. Dr. Klaus Segbers: "I have one note from the protocol that I do not forget when we add our comments later. But that is just one sentence. I think we need to jointly look at our use of language. So, do I understand, that you call the voting at a gun-point, what has actually happened in Crimea... you call that a referendum? I think that is something that we should try to clarify later. The same goes for your analogy between the Crimean and the Kosovo case. There you are comparing an ongoing civil war, like in Kosovo, with the situation in Crimea, where there was zero civil war. In the one case, it was secession; while in the other case, it was annexation. I think we have a different usage of language here and I think that is something very useful for the readers that we try to clarify in our written texts.

Now concerning the unitary actor question, I can be very brief, because here, I follow Alexander that in general, there is not much sense in talking about any kind of unitary actor in times of globalization. Actually, I have already dropped the whole concept from my lectures and seminars completely. It is evident when we talk about the EU, where we certainly have areas of conversions and joint interests, but particularly when we talk about foreign behavior and external relations. There are many different positions in different countries. The same goes for Germany. Germany is also not a unitary actor, particularly when it comes to Russia. We have huge internal, social media based, economic and commercial debates, with huge camps - one being rather in favor of approximation to the Russian side and the other one, very much against that. We have rather camps than any kind of united position. I also agree with Alexander that, when we talk about Russia, it does not make sense to talk about the unified actor concept, because we rather have a variety of actors. Even when currently concerning the position on the crisis in Ukraine, most actors in Russia converge in their position."

4. What are the domestic and international factors, which influence the current crises between Russia and “the West”?

Dr. Nikolay Vlasov: “In my opinion, in Russia domestic factors are playing the leading role. Among them are economic troubles, which didn’t start with the Ukrainian Crisis; Russian economy became stagnating earlier. We should also consider the political tensions - oppositional demonstrations during the presidential elections campaign in 2012, tendencies of public opinion. Therefore, Russia’s political establishment needed to consolidate society to preserve power. The Ukraine crisis was also used to consolidate the public opinion. You know that the takeover of Crimea was broadly accepted in the Russian society. It led to growing popularity of Vladimir Putin and his system. The current crisis in Russian-Western relations is the price paid for this growing popularity. Thus, the main driving forces behind the Russian policy towards the Ukrainian crisis are domestic factors. This is not to say that foreign policy considerations don’t play any role in Russian conduct. The need to acquire and maintain the great-power status, to preserve a ‘sphere of influence’ in the ‘Near Abroad’ is important driving forces too. But the most important decisions lay beyond the political pragmatism usually showed by Russian leadership in international affairs. I think, in Germany and the EU, international factors play the leading role: first of all, concerns about the stability and the rules of the international system.”

Prof. Dr. Valery N. Konyshchey: “I would like to add some international factors that negatively affected the situation. First of all, it’s the erosion of international law; next, it is the growing role of Russia in the EU politics (albeit in a negative sense) while not all EU member-states appreciate this factor; next is the growing pressure of the West on post-Soviet states, for example, in the framework of the Eastern Partnership (the case of Ukraine exemplifies this). The next point is the overtly anti-Russian policy of the Baltic States which are both NATO and EU member-states. Next is the decline in Russia-EU partnership that began even before the Ukrainian crisis. In my view, and the next important factor, in my view, is the American policy, demonstrating the Cold War thinking. By the way, in the ongoing presidential election campaign both, the Democratic and Republican, candidates are unified in the position calling to punish Russia for the Ukrainian crisis.”

Prof. Dr. Alexander Kubyshkin: “I agree with Valery that the American factor is of course very important in the process of interaction between domestic and international factors. First of all, I have to add that, of course, there are economic problems in Russia, very slow structural reforms, the bureaucracy, the corruption, all these domestic problems, very strongly influence the process of democratization and modernization of current Russia. The international factors have also affected the development of the Russian society. We know very well, that every time when the society is challenged by external factors and pressures, it begins to organize itself around strong political leaders and programs, as it actually has happened in Russia. It has happened not only now, it has also happened before the Ukrainian crisis. I remind you, my colleagues, that for the first time it has happened in 2008, when the liberal president, Medvedev, who was strongly against any clash with Georgia, had to support the military action in South Ossetia and undertook measures to mobilize the Russian society around action which was explained by the need to protect Russia’s national interests and national security. I think that one of the main negative factors which influence the relations of current Russia and the West, is that, they are focusing now on the very controversial discussion about the causes and implications of the, so-called,

Colored Revolutions. In Russia, Colored Revolutions is a subject of very painful and very controversial discussion among some different schools. This theme is especially popular among the liberals, who are split and weak now in Russia because they are isolated from financial and economic resources. On the other hand, there are growing nationalistic forces which are being concentrated around some so-called *derzhavniki*, the supporters of a strong state and Russia's assertive line in foreign policy. This is a combination of international factors, before destruction of Russian national interests, and the problem of economic development inside Russia, they give us very controversial and explosive materials for future political perspectives in Russia, it's very risky, if somebody thinks for example, Western sanctions and hardline of Western community to Russia can weaken the authoritarian tendencies in Russia in terms of domestic policy, it's a great mistake, because on the contrary, all the historical experiences demonstrated that during the pressure from the West, the Russia society began to consolidate, even among the you know, not so popular ideas, special path, special way, and the other nationalistic conceptions."

Prof. Dr. Burkhard Breig: "One point that I might add here. I am aware of the arguments concerning what happened in Crimea in spring last year quoted (by Professor Sergunin). But the position pointed out, from our point of view, would be more of a journalistic character, than a real legal assessment. For me, and from a 'Western' legal point of view, they are more attempts to rectify what has happened. It is quite stunning to see how reasoning is changing over time. Especially in February, March, April, 2014. Now we seem to have an official point of view."

Prof. Dr. Klaus Segbers: "I would support what Nikolay and Valery said. I think the domestic Russian situation and the domestic Russian debates play a huge role, also for the external behavior of Russian actors. So with that I agree. But I also would say that there is broad trend inside Russia, domestically, to strengthen authoritarian tendencies. In a little bit 'sloppy' way, I would say: 'Good luck with that.' It's up to you to decide, if you want that or not. But, not for us, right? And there is not much we can do, externally, to prevent that.

My main points are the following ones on question No. 3, '*what are the factors influencing the current crisis*'? The first one is that we have obviously no bi-polarity any more for about 25 years. The bipolarity structure of the international system is gone for good. That has a huge effect, as much as 25 years, and many things are becoming uncertain, much more polarized and fragmented. I think that is one major issue which is for the West and for Russia to figure out how we fit into this new landscape. The second thing, which I personally find very interesting is that we are lacking globally any kind of integrating narrative, how to understand global community, how to understand global society, how to understand the meaning of global rules. Instead of that, we have competing or parallel narratives. We have one Western suggestion for a narrative, which is very much based on rule observance, but also we have competing Western narratives, for example, the ongoing debates between Western Europe on the one hand, and the United States on the other hand, particularly when it comes the issue of exceptionalism, which is explicitly and implicitly claimed by the US. And when it comes to data protection issues. If you look at the huge debates and conflicts between Germany and since yesterday also the French government on the one hand and American government on the other hand, there is obviously not one united Western discourse. We also have some Chinese attempts to create a discourse, for example, on global harmonious society. My feeling is that Russia, at this point of time, does not

really subscribe to any of these discourses. And has trouble to define anything alternative, right? They do not claim to be exceptional like Americans, they do not share international values and the use of rules, like Western Europeans, they are also not in sync with any harmonious kind of thing, like China. I would be curious if there is any idea from your side, if there is something to be expected from you side, like a Russian narrative of global politics. I have one or two more points, but I would leave with these two, because I think they are crucial.”

5. What are the conditions and prospects to solve the crises between Russia on the one hand and the EU and its member states on the other hand?

Dr. Nikolay Vlasov: "I think in the current situation, both sides are not interested in the conflict. But at the same time it's very hard to find a compromise, especially from the Russian side. As I said the driving forces of the Russian policy are domestic factors. And without any change in domestic situation, it will be very hard for Russian foreign policy to make some steps towards a compromise."

Prof. Dr. Valery N. Konyshchikov: "First of all, we need to avoid the over-politicization of the Ukrainian crisis and its consequences. If we look at the implementation of the Minsk II agreement, the Western mass media and political leaders blame Russia every time. But who, for example, violated the ceasefire? Were that Eastern Ukrainian rebels, or Ukrainian regular and irregular armed forces?"

Next point is whether the West can recognize Russia's special role in the post-Soviet space or not? It does not mean new Russian imperial ambitions. But that means that Russia simply tries to maintain and further develop historically substantial economical, political and cultural ties between these states and Russia. Any attempts to push Russia out from the CIS space can provoke new conflicts in this region as well as between Russia and the West."

Prof. Dr. Alexander Kubyshev: "I think that the Minsk II agreement is a good start to continue the dialogue, to discuss all the problems according to solving the Ukrainian crisis. But I am skeptical about the neo-realist perspective, because as I said the basement for discussion is very, very narrow, and it is very poorly designed. I admit the approach of our colleagues that, of course, the following to international law is very crucial for solving international problems. But when it concerns some painful, actual historical, social and economic problems, it sometimes demand long, long mutual understanding, and very quiet and calm discussions, not emotions. I think, for me, it's clear why Germany is so obsessed with the situation in Ukraine, but as a specialist on American studies. I don't understand what the USA is doing in Ukraine. Just imagine when the Russian public opinion suddenly begins to be interested in the situation, say, in Texas or something like that. So, I think the first step is not to make the problem sharper, or more controversial than it is now, and to continue the Minsk discussion."

Prof. Dr. Alexander Sergunin: "Yes, actually the question we have discussed is something we have been working on. It's true we have several crises in Russian foreign relations. I guess the Ukraine one is the most important one. Without solving it, we cannot move forward. The main attention should be given to this crisis. We have different conflict resolution methods and techniques that are well known. Why do not use the quite rich experience, which we have internationally and domestically? For example, let's start from identifying the common interests and continue with positive experiences. Let's do not spill over the crisis to other areas, like economy or trade, or cooperation in regions, such as, for example, the Baltic Sea and Arctic regions where we had really good cooperation in various spheres and established institutional network. Why should we destroy this?"

As far as the Ukraine crisis is concerned, I guess the best solution is to freeze it for the time being and then start to really implement the Minsk II agreement. I guess the main reason is the Ukrainian side, they do not really want to implement it, they look at the agreement just as a temporary one, some kind of pause, to prepare itself for the next military campaign. I agree with Alexander Kubyshev that the

USA sent quite mixed signals, mixed messages to the Ukrainian side. They promise from time to time to deliver some weapons to Kiev, and this galvanizes the 'war party' in Kiev. To my understanding, the U.S. does not really take seriously that kind of agreements like the Minsk II. My point is that there should be an united position both on the Western side and the Russian side regarding the implementation of the Minsk II agreement as well as to jointly put pressure on the conflicting parties."

Prof. Dr. Klaus Segbers: "I have two points on the first question. The first one is a short one because I agree with Nikolay completely if I understand it correctly. As long as there is no change in the Russian domestic landscape, there will be no solution to the problem. That is not going to happen soon. My second point takes some more seconds to be explained, and that's about the Minsk II agreement. The Minsk agreement was never intended to be, nor is it the solution to the problem. It's not a solution. It's a temporary procedure for freezing the conflict. And all the actors involved are aware of that. Three out of four actors converged in their agreement with freezing the conflict now. The European leaders would welcome that. And Putin will welcome that as long as he still has the opportunity to have an impact on the Kiev government - by meddling here and there in Eastern Ukraine. And most of the leadership of Ukraine, the current one in Kiev, they also agree. The one group that does not agree is the group of the separatists. And the success of the Minsk agreement - in the middle range perspective - depends very much on the question as whether the Russian leadership is a) willing and b) able to convince and control the separatists to such an extent that freezing may happen. But again, the freezing is not a solution. It's a procedure mechanism to put an answer of the crisis in the fridge for the time being and to unfreeze it later. And my final thought is this one: when we manage to keep this conflict frozen for a while, we could try something very simple, that is to let the Ukrainians living in Eastern Ukraine and on Crimea decide themselves after ten years or twelve years which of the co-existing and competing brands of modernization - one Russian, and one Western European - is more attractive for them. So let them make up their own mind, and then after a while, without any kind of violence, they can peacefully decide what path of modernization for them is more attractive. That could take out much of the explosiveness of the current conflict. These are my answers."

Prof. Dr. Burkhard Breig: "Maybe very shortly, I have no legal answers on how to overcome the current crisis. The only thing that we observed, is that we have lost a common legal language. What I call a legal discussion, you do not call a legal discussion. And what you call a legal discussion, I call a journalistic approach. I think it's very important to regain a common language on legal subjects. That will entail from a Western point of view, that the Russian side must accept to return to a common understanding and admit e.g.: 'Well, what we did violated international law'. And then we can say there were reasons for that. And I think it would be very important for Western politicians to leave a legalistic point of view and to admit that a person may have very good reasons to violate existing international rules and think about how to change them that everybody can live in such a situation. Well I think, that would be one very important thing."

6. Does Russia and “the West” share the same interpretation and values concerning e.g. international rules?

Prof. Dr. Alexander Sergunin: “Just briefly, I would say, yes, we do share the same values, but we have different interpretations of these norms and values. For example, as was mentioned, for the Western part, it’s very important that Russia should acknowledge the violation of international law in the case of Crimea. But the Russian interpretation of the Crimean case is different. Another example is former Yugoslavia. From the Russian point of view, what was done in Yugoslavia was obviously a violation of international law, but the Western society indulged it, they do not even properly discuss it. So should we come back to this point (NATO intervention of 1999) and ask ourselves whether this was a turning point that changed the international system and rules and start discussion from that point? My reading is that from this point our interpretation of international norms and values are fundamentally different. On the other hand, the real life is different from the academic debates. And coming back to our reality I believe what we need now is to fully implement the ceasefire agreement in Ukraine and to stop killing people from both sides. I disagree with Klaus that only the so-called Donbass separatists violate the ceasefire, these violations took place from both sides. The guarantors of the Minsk II agreement should put pressure on the conflicting parties to stop violence, and then we can move forward.”

Prof. Dr. Klaus Segbers: “Alexander, I ask for your understanding. I never said anything like that, that only the separatists are violating the ceasefire. I said that the separatists are not interested in freezing the conflict. That is a very different statement.”

Prof. Dr. Alexander Sergunin: “Sorry, I apologize; maybe I just misinterpret your opinion.”

Prof. Dr. Klaus Segbers: “That is no. 1, and regarding your continuous repetition of the analogy with Kosovo, I would really appreciate it if you could say, at one point, something on my denial that there are much similarities, because it was not an annexation, it was a secession, and there was a civil war. And what happened in Crimea was not a civil war. Having said that, and because we are persons sitting here, I can add again, I was skeptical about the Kosovo campaign by NATO. And I don’t have any problem to say: it was a violation of international law. That is my personal position. Now, I wonder about your opinion regarding the current situation.”

Prof. Dr. Alexander Sergunin: “My point was not a comparison of these two cases. I just mentioned that for the Russian side, what happened in Kosovo was some kind of precedent for doing the same in international relation system. If it’s allowed for the Western countries, why not do that? Actually that happened much earlier, not in Crimea, but in Abkhazia and South Ossetia. Russia acknowledged their secession in 2008. I personally disagree with that Moscow’s move. I think it was a quite serious deviation from the previous Russian position on problems of sovereignty and legitimacy in international relations. But at the same time, it is understandable why it has happened: it was some kind of emotional reaction to what the West did in Kosovo. As far as the case of Crimea is concerned, of course, there was no civil war because it was prevented by secession from Ukraine.”

Prof. Dr. Valery N. Konyshchikov: "Very briefly, if we come back to our project's goals, we can only compare two perspectives – Western and Russian - and analyze arguments from both sides."

Prof. Dr. Alexander Sergunin: "No more comments?"

Prof. Dr. Klaus Segbers: "I am not sure what did Prof. Dr. Valery N. Konyshchikov said, I didn't quite get it."

Prof. Dr. Valery N. Konyshchikov: "I was talking about our project. Because of disagreement on the interpretation of international law norms and so on, what we can only do is to compare our points of view and to give two perspectives, from Germany, and from Russia."

Prof. Dr. Klaus Segbers: "Because we do not have consensus in Germany, I cannot tell for the Russian side, but we have more than one position in Germany. So we may end up having more than two positions."

Prof. Alexander Kubyshev: "I would like to propose for the project, maybe we have to discuss a little bit about the crisis of international law, because Alexander said there are different interpretations of international law, there are many rumors around the crisis of international law right now. Maybe we should discuss very briefly about the situation in the UN, about the process of decision making according to the rules of international law. What does it mean for international law, humanitarian intervention? Which actually became the tool of Western diplomacy beginning in the early 1990s. Is it destruction, is it correction, or is it implementation? I think that we have to make a point about the current crisis in international law."

Prof. Dr. Alexander Sergunin: "Of course we cannot cover all the broad issues, but we can just briefly mention the differences. One of the problems that we had is that we have different use on the evolution of international law, which actually began around 1990s. Alexander (Kubyshev) was right. The discussion started around the question about humanitarian interventions, which then move to the discussion of the R2P, the Responsibility to Protect. That's the case when Russian side tried to interpret R2P principles, with the conflicts in Georgia in 2008. And by the way, some legal specialists in Russia, they also agree what is going on in Donbass is also part of Russian interpretation of R2P, the right and responsibility to protect."

CV – Klaus Segbers



Klaus Segbers has served as a Professor of Political Science, International Relations and East European Politics at the Free University of Berlin (FUB) since 1996. He directs the Center for Global Politics, www.global-politics.org, which offers distance learning Master's program on global politics, as well as seasonal schools in China, Vietnam, Cambodia, Syria, Jordan, Iran, Greece and Turkey, and a Graduate School for global politics with four prestigious universities in China. He currently serves as Dean of the FUB Institute for East European Studies. Prior to that, he was a professor of international relations at the University of Konstanz. In the winters of 2008/2009, and 2011/12, he was adjunct professor at Columbia University's SIPA and guest scholar at Stanford University. From 1985 to 1990, he was a research fellow at the Universities of Bremen and Frankfurt am Main, and from 1990 to 1996 Head of Department at the biggest German think tank, the Foundation for Science and Politics (SWP). He subsequently oversaw various research projects funded by the Volkswagen Foundation.

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CV – Alexander Sergunin



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Valeria Shatzkaya); *Russian Strategies in the Arctic: Avoiding a New Cold War* (Moscow, 2014) (with Lassi Heininen and Gleb Yarovoy); *Contemporary Military Strategy* (Moscow, 2014) (with Valery Konyshev); *Contemporary International Relations Theories* (Moscow, 2013) (with Valery Konyshev et al.).

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