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LEGAL, ECONOMIC, AND REGIONAL SECURITY IMPLICATIONS OF THE RUSSIA-UKRAINE WAR

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Legal, Economic, and Regional Security Implications of the Russia-Ukraine War

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Abstract: At the threshold of its third year, Russia's large-scale and brutal war against Ukraine continues to kill thousands, terrorize millions of Ukrainians, and disrupt international supply chains, affecting global energy and food markets. This is the second journal issue dedicated to the ongoing war. It dwells on the issue of lustration – a problem Ukraine did not effectively address during its post-communist transition, which in turn led to the perpetuation of the Kremlin's ideology and, thus, its continuous influence on Ukrainian politics and society. Two articles explore the rationale for including Russia in the U.S. Department of State's list of state sponsors of terrorism. While some European countries and the European Parliament have already declared Russia a terrorist state, the debate in the United States is influenced by numerous additional considerations, and the decision is still pending. The link between military expenditures, defense industrial investments, and the general economic development and stability in wartime is also examined in detail. The final two articles analyze Moscow's interests and strategy towards the post-Soviet states and the strategically important Black Sea region.

Keywords: human rights, sanctions, terrorist state, state sponsor of terrorism, lustration, defense industrial complex, war economy, Central Asia, Black Sea.

Russia's so-called "Special Military Operation," initially projected to last about three weeks, has now entered its third brutal year. With no end in sight, the Kremlin's war of aggression against Ukraine continues to kill and terrorize tens of millions of Ukrainians, destroy energy, health,¹ and food export infrastructure, and pollute the environment.² Its impact goes beyond the states in war and aggravates global supply chains, trade,³ energy markets,^{4,5} and food security.⁶

Meanwhile, autocratic and dictatorial regimes, including North Korea, China, Iran, Syria, and several corrupt African states, are strategically aligning, targeting democratic nations with unprecedented hybrid tactics and speed.

Given these developments, it is crucial to examine the realities enabling the Kremlin's imperial revivalism, explore potential mechanisms for holding the Russian Federation and its policymakers accountable, and understand the geopolitical dangers associated with inaction.

This is the second special issue of *Connections: The Quarterly Journal* dedicated to Russia's aggression against Ukraine. Our aim is to provide insights into the new geopolitical realities shaped by Russia's actions and to explore potential foundations for achieving justice, preventing terrorism, and averting future genocidal wars.

Ironically, protecting democratic values and principles—despite national security threats—can sometimes undermine them. Lustration is an instrument designed to free states from individuals who served evil regimes. Its aim is to pro-

¹ Dennis G. Barten, Derrick Tin, Fredrik Granholm, Diana Rusnak, Frits van Osch, and Gregory Ciottone, "Attacks on Ukrainian Healthcare Facilities during the First Year of the Full-scale Russian Invasion of Ukraine," *Conflict and Health* 17, no. 1 (2023), 57, <https://doi.org/10.1186/s13031-023-00557-2>.

² Viktor Vyshnevskiy, Serhii Shevchuk, Viktor Komorin, Yurii Oleynik, and Peter Gleick, "The Destruction of the Kakhovka Dam and Its Consequences," *Water International* 48, no. 5 (2023): 631-647, <https://doi.org/10.1080/02508060.2023.2247679>.

³ Soojung Ahn, Dongin Kim, and Sandro Steinbach, "The Impact of the Russian Invasion of Ukraine on Grain and Oilseed Trade," *Agribusiness* 39, no. 1 (2023): 291-299, <https://doi.org/10.1002/agr.21794>.

⁴ Qi Zhang, Kun Yang, Yi Hu, Jianbin Jiao, and Shouyang Wang, "Unveiling the Impact of Geopolitical Conflict on Oil Prices: A Case Study of the Russia-Ukraine War and its Channels," *Energy Economics* 126 (2023), 106956, <https://doi.org/10.1016/j.eneco.2023.106956>.

⁵ Shengming Chen, Ahmed Bouteska, Taimur Sharif, and 'Mohammad Zoynul Abedin, "The Russia-Ukraine War and Energy Market Volatility: A Novel Application of the Volatility Ratio in the Context of Natural Gas," *Resources Policy* 85 (2023), 103792, <https://doi.org/10.1016/j.resourpol.2023.103792>.

⁶ Marta Marson and Donatella Saccone, "Fed with Import and Starved by War: Estimating the Consequences of the Russia-Ukraine Conflict on Cereals Trade and Global Hunger," *International Economics and Economic Policy* 20, no. 3 (2023): 413-442, <https://doi.org/10.1007/s10368-023-00564-x>.

tect democratic institutions from unlawful encroachments, not to punish politicians and officials who have failed to justify citizens' trust.⁷ Beginning with the denazification of Germany, lustration was implemented to prevent individuals associated with Hitler's genocidal regime from holding office. Most former communist states in Central and Eastern Europe, such as Poland and the German Democratic Republic, passed legislation and received substantial support to cleanse their governments of leaders tied to the communist party or its intelligence and security services. In contrast, Ukraine never had adequate popular support to clean its house. Its first presidents and many so-called civil servants were high-ranking members of the communist party, with many of their networks still subservient to the Kremlin-centered post-Soviet political criminal nexus.

Even modest attempts in that regard have been hindered by existing international norms and rulings. Polivanova and coauthors provide an in-depth review of a ruling by the European Court of Human Rights and its approach to balancing the guarantee of the "right to respect for private life" with a state's right to protect itself from being governed by individuals who pose a threat to the state and its population. They present Ukraine's lustration law as pursuing two different aims: protecting society from individuals who, due to their past behavior, pose a threat to democracy in the country and cleansing public administration of individuals who engaged in large-scale corruption. Democratic support for lustration in Ukraine has always been unsubstantial. Meanwhile, Russia's so-called "denazification of Ukraine" is effectively purging pro-democratic forces, both institutional and human, from the country. Many of those who supported Ukraine's independence from Moscow's rule have become casualties of war. Conversely, many of those who should have been lustrated are now aligning with Russia's anti-Western foreign policy.

As the consequences of Russia's ongoing large-scale war against Ukraine clearly demonstrate, legal mechanisms must be established to punish perpetrators and prevent further atrocities. In the following two articles, Olena Davlikanova focuses on the case of designating the Russian Federation as a terrorist state or a state sponsor of terrorism. The author begins with a review of the criteria the U.S. State Department has used in the past for such a designation in the cases of Iran, Cuba, North Korea, and Syria. The examination suggests that Moscow is increasingly aligning with these states and exerting its influence on a global scale. This alignment involves providing support to terrorist groups, which has resulted in numerous deadly attacks or terrorist acts both domestically and internationally, as well as human rights abuses that extend beyond the borders of Ukraine. Hence, the author posits that, based on its actions prior to and during

⁷ Olena Polivanova, Kateryna Nykolyna, Kyrylo Stepanenko, Serhii Myroslavskiy, and Alla Puktetska, "Polyakh and Others v. Ukraine: The Latest Standards of Applicability of Article 8 of the European Convention of Human Rights in Lustration Cases," *Connections: The Quarterly Journal* 21, no. 4 (Fall 2022): 11-27, <https://doi.org/10.11610/Connections.21.4.42>.

its large-scale aggression, the Russian Federation fully deserves to join the “Club of Villains.”

Already in 2022, some EU member states and the European Parliament declared Russia to be a state sponsor of terrorism.⁸ Yet, the impact on Russia’s capacity to achieve its geopolitical objectives through violence would be much higher if the U.S. State Department designates it as a state sponsor of terrorism. Therefore, Davlikanova dedicated another study to the broader policy rationale for designating, or not, the Russian Federation as a state sponsor of terrorism.⁹ Enhanced deterrence, heightened international pressure, further loss of reputation, discouraging further aggression, disrupting Russia’s strategies, constraining Russia’s economic capacity for military investments, and warning of rising autocracies are among the anticipated positive impacts of such a designation. Among the adverse effects, Davlikanova lists the potential escalation of tensions, repercussions on U.S. allies, unpredictability in severing diplomatic relations with a major nuclear power, complications in nuclear non-proliferation efforts, and impacts on global food and energy security. Nevertheless, the author remains hopeful that Russia will be included in the “Club of Villains.”

As the war experience demonstrates once again, having a solid defense industrial and technological base is crucial for preparing for the outcome of a conflict. In the article “Military-Economic Capabilities of Ukraine During the Transformation,” Koval and coauthors analyze the defense industrial policies of Ukraine and the links to the national economic potential and cooperation since 1991. After gaining independence, Ukraine has been significantly disarmed, whether through immense arms trafficking post-USSR collapse, the Budapest Memorandum, NATO-mandated munitions destruction, or Russia’s strategic dismantling of Ukraine’s state-owned military enterprises, exemplified by the creation of UKROBORONPROM under Russian agents Yanukovich and Salamatin. However, amidst the current dire conditions, particularly on the front lines, Ukraine is witnessing remarkable innovations within its defense industry. The military-economic potential in Ukraine, especially in collaboration with allied states, could transform the country into a keystone of security and defense technology innovation.

The evolution of weapon systems and warfare has increased the demand for advanced armaments, innovation, and military spending. According to Koval and colleagues, the influx of allied-state business and investment in Ukraine’s defense industry could provide stronger protection guarantees for cooperating states. On the background of massive financial expenditures, military equipment losses, and irretrievable human casualties, the authors argue that developing a

⁸ Daniel Byman, “How to Think About State Sponsorship of Terrorism,” *Survival: Global Politics and Strategy* 65, no. 4 (2023): 101-121, <https://doi.org/10.1080/00396338.2023.2239060>.

⁹ Olena Davlikanova, “Declaration of the Russian State as a State Sponsor of Terrorism: Pros, Cons, and Realities,” *Connections: The Quarterly Journal* 21, no. 4 (Fall 2022): 47-66, <https://doi.org/10.11610/Connections.21.4.40>.

sophisticated international security system requires a clear understanding of the military power of Ukraine, its allies, and its adversaries.

In its bid to empower itself and strengthen its fight, the Kremlin is not only tightening its power vertical but also leveraging information warfare to attract naïve followers and actively engaging those who remain loyal to Communist and Soviet ideologies. In the article “Growing Apart: The Impact of the Russian War in Ukraine on the Former Soviet Space,” Dr. Pal Dunay assesses the impact as significant. As the West has largely turned a blind eye to Moscow’s strategic separatism, especially in the Black Sea region (i.e., Georgia, Ukraine, and Moldova), Russia continues to enhance its geographical and political influence by forming and financing global pro-Kremlin networks.

When any state takes a (semi-)democratic turn, Russia perceives it as a loss of control because corruption, rather than the rule of law, is the hallmark of Moscow’s statecraft. Dunay emphasizes that it is essential to understand Russia’s strong preference for regime similarity in the former Soviet space. As Moscow seeks to gain support from CIS and CSTO states, it is also sending citizens from Central Asian countries to populate the Ukrainian territories it has illegally occupied. However, despite numerous international law violations, the fear of Russia leads to its relative impunity. Consequently, we witness the return of the need for 1960s-style Kremlinology and the onset of a new, Twenty-first-century arms race.

The Black Sea Region serves as a critical zone through which the Russian Federation continues to assert its corrupt and authoritarian power on a global scale, particularly by manipulating military, energy, and food security dynamics. In his article “The Critical Black Sea Zone,” Dr. Stephen Blank argues that the annexation of Ukraine and the domination of the Black Sea have been key priorities for Russia since Putin came to power in 1999-2000, remaining central to its aggressive expansionism. However, there is no guarantee that the Kremlin’s policies will change even after Putin’s departure. Characterized by its complexity, the Black Sea region, serves as a focal point for Moscow’s imperial foreign policies. It may also serve as the battleground where a well-conceived, courageous, and comprehensive international strategy could signal the beginning of the end for the Kremlin’s atrocities. These include the arguably genocidal mistreatment of its own population, the systematic dismantling of Ukraine, and the erosion of the rule of law – challenges that, if left unaddressed, threaten to plunge us all into chaos.

* * *

As the war enters its third year, *Connections* remains committed to providing its wide audience of defense and security scholars and professionals with insightful studies on the complexities of the Russia-Ukraine war and its broader implications for global and regional security. We are particularly interested in lessons drawn from organizing, fighting, and supporting the war efforts while preserving

the rule of law, maintaining societal cohesion, and enhancing the resilience of the Ukrainian economy and society.

The journal will dedicate further issues to the Russia-Ukraine war. We welcome original contributions on the war's impact on the European and global security environment, international relations, defense posture, technological advances, and military innovation.

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Garmisch-Partenkirchen, Germany

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Polivanova, Nykolyna, Stepanenko, Myroslavskiy & Puktetska,
Connections QJ 21, no. 4 (2022): 11-27
<https://doi.org/10.11610/Connections.21.4.03>

Research Article

Polyakh and Others v. Ukraine: The Latest Standards of Applicability of Article 8 of the European Convention of Human Rights in Lustration Cases

Olena Polivanova, Kateryna Nykolyna, Kyrilo Stepanenko, Serhii Myroslavskiy, and Alla Puktetska

Abstract: The article analyzes the 2019 case “Polyakh and Others v. Ukraine” and the European Court of Human Rights’ latest standards regarding the applicability of Article 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 in lustration cases. In its judgment on the Polyakh case, the Court found a violation of all applicants’ right to respect for private life due to the application of lustration measures by Ukraine. Based on the Court’s previous practice regarding lustration in Central and Eastern European states and the Council of Europe’s practice, it was concluded that the application of lustration measures, such as dismissal coupled with a ban on holding public office for ten years, along with the premature inclusion of the lustrated person’s name into a publicly available lustration list, significantly impacts the person’s private life. Consequently, Article 8 of the Convention is deemed applicable. If, instead of dismissal, the applicants had been offered a transfer to other less responsible positions or afforded the possibility of employment in the civil service, the Court, due to the reduced impact of the applied lustration measures on the applicants’ privacy, would not have invoked Article 8 of the Convention.

Keywords: right to respect for private life, European Court of Human Rights, lustration measures, Polyakh.

Introduction

When political events lead to changes in regimes and structures, it is often deemed necessary to prevent specific individuals from the previous state administration from assuming top positions in order to facilitate the transformation of the country's political landscape. This process is known as lustration in world politics. Lustration aims to remove individuals who supported, organized, and held managerial or state positions under the overthrown regime from participating in state activities. These measures, both political and legal, seek to mitigate the consequences of acts of previous authorities that were perceived as hostile to the people. These authorities often exerted control over all branches of power, engaged in illegal actions, and disregarded the rule of law and human rights.

In the modern history of mankind, the process of lustration commenced with denazification in Germany following the decision of the Potsdam Conference.¹ After the collapse of the USSR, several countries, including the Czech Republic, Hungary, Estonia, Latvia, Romania, and Poland, initiated lustration processes. However, in Ukraine, the concept of lustration was not publicly discussed or considered relevant because the new political class largely consisted of former members of the Soviet Communist Party. L.L. Kravchuk, the first President of Ukraine, had previously served as the Chairman of the Verkhovna Rada of the Ukrainian SSR. Despite changes in rhetoric, Soviet ideals persisted in government discourses at all levels.

Although conflict was avoided, the issue of lustration gained prominence in 2014 following the overthrow of the "Yanukovych regime." It should be noted that despite the usurpation of power and violations of freedom of speech, the "Yanukovych regime" governed similarly to its predecessors: corruption was not unique to his administration, nor was the inefficiency of state institutions solely attributable to his actions. The regime lacked any ideology beyond strengthening ties with Russia and the CIS countries (Ukraine has never been a member of the CIS), which can be seen as a "democratic" equivalent of the Soviet Union (upon detailed analysis of internal political events in each CIS member state).

In 2014, the issue of lustration emerged as a response to the legacy of secret Communist rule that had persisted for three decades. Society sought not just pseudo-democracy, but a constructive dialogue with elected authorities, adherence to the rule of law, and improved democratic relations on the global stage. Ukrainians repeatedly expressed their desire for the rule of law through rallies, protests, and revolutions. The society reacted strongly to human rights violations. Therefore, lustration in Ukraine serves not only a psychological function but has also become a significant aspect of political life. Consequently, in 2015, the Law on Government Cleansing was enacted.

¹ O.V. Stogova, "Lustration as the Precondition of Effective Fight against Corruption," *Modern Society* 1, no. 11 (2016): 167-177, 170, <http://dx.doi.org/10.5281/zenodo.51248>.

During the discussion on the draft law, concerns were raised that it lacked individual procedures, failed to consider criteria for malicious activity or inactivity, violated personal data protection, promoted interference in private life, and did not ensure a fair trial.² In the post-revolutionary rush, the new government hastily adopted the Law on Government Cleansing, perhaps to avoid losing credibility or due to populist aims, without giving it due attention. While the law aimed to uphold the rule of law and purge the government of officials, law enforcement officers, and judges who abused their positions and contributed to exerting pressure on political opponents and activists, it lacked legal coherence and appeared driven by political expediency, as noted by lawyers, political experts, and Ukraine's international partners. Suggestions were made to amend the law to extend lustration to officials and law enforcement officers who facilitated human rights violations during the Euromaidan and the Revolution of Dignity. Such amendments would enhance the law, demonstrating a commitment to human rights while preserving its essence with minor adjustments.

On February 24, 2020, the European Court of Human Rights (ECtHR) declined to transfer the case "Polyakh and Others v. Ukraine" to the ECtHR Grand Chamber.³ As is required under Article 44 § 2 of the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950,⁴ the judgment in the case of Polyakh and others v. Ukraine (Polyakh) unequivocally confirmed Ukraine's violation of the right to respect for private life for all applicants and the right to a fair trial within a reasonable time for the first three applicants.⁵ The Polyakh case is the latest in the list of ECtHR cases on the violation of the right to respect for private life by the application of lustration measures, and it may be considered the case setting the Court's latest standards for the possibility of applying Article 8 of the Convention in such cases. The main drawback of the Law on Government Cleansing is that it is impossible to prove the personal role of officials in any undemocratic activity that took place during the presidency of former President Viktor Yanukovich.⁶ It would be even more difficult to prove whether their actions were intentional. If so, it is necessary to determine how their responsibility in the events of 2013-2014 can be measured.

² Larysa Denisenko, "Lustration Should Not Turn into Political Revenge," *Deutsche Welle*, October 18, 2019, <https://www.dw.com/uk/коментар-люстрація-не-має-перетворюватися-на-політичну-помсту/a-50891070>.

³ "Grand Chamber Panel's Decisions" (European Court of Human Rights, September 9, 2019), <https://hudoc.echr.coe.int/?i=003-6499586-8573502>.

⁴ "European Convention for the Protection of Human Rights and Fundamental Freedoms," as amended by Protocols nos. 11 and 14, ETS 5 (European Court of Human Rights, 1950), <https://www.echr.coe.int/Pages/home.aspx?p=basictexts&c>.

⁵ "Case of Polyakh and Others v. Ukraine" (Strasbourg: European Court of Human Rights, October 17, 2019), <https://hudoc.echr.coe.int/fre?i=001-196607>.

⁶ Oleksandr Radchuk, "Instead of Lustration: Is There an Alternative to the Law on the Cleansing of Power," *Slovo i Dilo*, October 22, 2019, <https://www.slovoidilo.ua/2019/10/22/kolonka/aleksandr-radchuk/polityka/lyustraciyi-chy-isnuye-alternatyva-zakonu-pro-ochyshhennya-vlady>.

Therefore, this article examines the case of Polyakh and the Court's previous practice on lustration to define and analyze the latest standards of the applicability of Article 8 of the Convention. The study confirms that lustration measures, such as a person's dismissal combined with a ban on holding public office for ten years, along with premature inclusion in a publicly available lustration list, constitute sufficient grounds for the ECtHR to recognize the impact of the lustration measure on the person's private life, warranting the application of Article 8 of the Convention. However, a lower level of significance could have led to a different conclusion.

The study primarily focused on analyzing the judgment in Polyakh and the Court's previous practice in addressing the application of lustration measures that infringe upon the right to protection and respect for private life as outlined in Article 8 of the Convention in the CIS countries undergoing transition from a totalitarian communist regime to democracy.⁷ However, the scientific foundation for this article draws upon the works of Arai-Takahashi,⁸ Cameron,⁹ Gomez-Arostegui,¹⁰ Feldman,¹¹ Kilkelly,¹² Loucaides,¹³ Merrills,¹⁴ Ost,¹⁵ Roagna,¹⁶ and van Dijk and van Hoof.¹⁷ These works delve into specific aspects of the Court's practice related to Article 8 of the Convention. Additionally, it is imperative to

⁷ "Case of Polyakh and Others v. Ukraine."

⁸ Yutaka Arai-Takahashi, *The Margin of Appreciation Doctrine and the Principle of Proportionality in Jurisprudence of the ECHR* (Antwerp: Intersentia, 2002), 320 p.

⁹ Iain Cameron, *An Introduction to the European Convention on Human Rights* (Uppsala: Iustus Förlag, 2002), 200 p.

¹⁰ H. Tomás Gómez-Arostegui, "Defining Private Life Under the European Convention on Human Rights by Referring to Reasonable Expectations," *California Western International Law Journal* 35, no. 2 (2005): 153-202, <https://scholarlycommons.law.cwsl.edu/cwilj/vol35/iss2/2/>.

¹¹ David Feldman, "The Developing Scope of Article 8 of the European Convention on Human Rights," *European Human Rights Law Review* 3 (June 1997): 265-274.

¹² Ursula Kilkelly, "The Right to Respect for Private and Family Life. A Guide to the Implementation of Article 8 of the European Convention on Human Rights," *Human Rights Handbooks*, No. 1 (Strasbourg: Council of Europe, August 2003), <https://rm.coe.int/168007ff47>.

¹³ Loukis G. Loucaides, *Essays on the Developing Law of Human Rights* (International Studies in Human Rights) (Brill-Nijhoff, 1995), 240 p.

¹⁴ John G. Merrills, *The Development of International Law by the European Court of Human Rights* (New York, NY: Manchester University Press, 1993), 265 p.

¹⁵ F. Ost, "The Original Canons of Interpretation of the European Court of Human Rights," in *The European Convention for the Protection of Human Rights: International Protection Versus National Restrictions*, ed. Mireille Delmas-Marty and Christine Chodkiewicz (Dordrecht: Martinus Nijhoff Publishers, 1992), 238-318.

¹⁶ Ivana Roagna, *Protecting the Right to Respect for Private and Family Life under the European Convention on Human Rights*, Council of Europe Human Rights Handbooks (Strasbourg: Council of Europe, 2012), 1-96, <https://rm.coe.int/16806f1554>.

¹⁷ Pieter van Dijk and G.J.H. van Hoof, *Theory and Practice of the European Convention on Human Rights* (The Hague: Kluwer Law International, 1998).

consider the contributions of Crossley-Frolick,¹⁸ David,¹⁹ Dosti,²⁰ Finci,²¹ Grosecu,²² Halmai,²³ Horne,²⁴ Killingsworth,²⁵ Letki,²⁶ Markešić,²⁷ Milardović,²⁸

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- ¹⁸ Katy Crossley-Frolick, "Sifting through the Past: Lustration in Reunified Germany," in *Lustration and Consolidation of Democracy and the Rule of Law in Central and Eastern Europe*, ed. Vladimira Dvořáková and Anđelko Milardović (Zagreb: Political Science Research Centre, 2007), 197-213.
- ¹⁹ Roman David, *Lustration and Transitional Justice: Personnel Systems in the Czech Republic, Hungary, and Poland* (Philadelphia: University of Pennsylvania Press, 2011).
- ²⁰ Neviana Dosti, "Dealing with the Past: The Limited Opening of the Files in Albania," in *Lustration and Consolidation of Democracy and the Rule of Law in Central and Eastern Europe*, 223-224.
- ²¹ Jakob Finci, "Lustration and Vetting Process in Bosnia and Herzegovina," in *Lustration and Consolidation of Democracy and the Rule of Law in Central and Eastern Europe*, 217-221.
- ²² Raluca Grosecu, "The Role of Civil Society in the Romanian Transitional Justice Failure," in *Lustration and Consolidation of Democracy and the Rule of Law in Central and Eastern Europe*, 183-195.
- ²³ Gábor Halmai, "Lustration and Access to the Files of the Secret Police in Central Europe," in *Lustration and Consolidation of Democracy and the Rule of Law in Central and Eastern Europe*, 19-46.
- ²⁴ Cynthia M. Horne, "International Legal Rulings on Lustration Policies in Central and Eastern Europe: Rule of Law in Historical Context," *Law & Social Inquiry* 34, no. 3 (Summer 2009): 713-744, https://cynthiamhorne.weebly.com/uploads/8/9/9/8/8998042/lsi-horne_legal_rulings.pdf.
- ²⁵ Matt Killingsworth, "Lustration after Totalitarianism: Poland's Attempt to Reconcile with Its Communist Past," *Communist and Post-Communist Studies* 43, no. 3 (September 2010): 275-284, <https://www.jstor.org/stable/48609722>.
- ²⁶ Natalia Letki, "Lustration and Democratisation in East-Central Europe," *Europe-Asia Studies* 54, no. 4 (2002): 529-552, <https://doi.org/10.1080/09668130220139154>.
- ²⁷ Ivan Markešić, "The Catholic Church in Croatia: From Tending to Lustration to Lustration Crisis," in *Lustration and Consolidation of Democracy and the Rule of Law in Central and Eastern Europe*, 111-126.
- ²⁸ Anđelko Milardović, "Elite Groups in the Waves of Democratization and Lustrations," in *Lustration and Consolidation of Democracy and the Rule of Law in Central and Eastern Europe*, 85-110.

Misztal,²⁹ Petrescu,³⁰ Rakić-Vodinelić,³¹ Ravaitytė,³² Ray,³³ Ursachi,³⁴ Vuks,³⁵ and Williams.³⁶ These works primarily explore theoretical and conceptual approaches to lustration and the establishment of the rule of law and democracy in Central and Eastern Europe, particularly in Ukraine. They also address problematic aspects of the post-communist application of lustration legislation in the region. However, the latest standards regarding the application of Article 8 of the Convention in lustration cases have not yet been analyzed comprehensively, as these standards were established by the Court toward the end of 2019. The article aims to elucidate these standards, as delineated in Polyakh, and to offer rules, recommendations, and insights to prevent lustration practices that infringe upon the right to respect for private and family life, as stipulated in the Convention, in future cases.

Materials and Methods

This article utilizes descriptive qualitative research methodology to examine the case law of the ECtHR concerning the application of lustration measures, along with documents from the Council of Europe on lustration. The focus is primarily on commentary related to the application of lustration measures based on the Law on Government Cleansing (LGC) in Ukraine. The research approach involves comparative contextual analysis of Court judgments pertaining to the applicability of Article 8 of the Convention, which safeguards the right to respect for private life.

²⁹ Barbara A. Misztal, "How Not to Deal with the Past: Lustration in Poland," *European Journal of Sociology/Archives Européennes de Sociologie* 40, no. 1 (1999): 31-55, <https://doi.org/10.1017/S0003975600007268>.

³⁰ Dragoş Petrescu, "Dilemmas of Transitional Justice in Post-1989 Romania," in *Lustration and Consolidation of Democracy and the Rule of Law in Central and Eastern Europe*, 127-151.

³¹ Vesna Rakić-Vodinelić, "An Unsuccessful Attempt of Lustration in Serbia," in *Lustration and Consolidation of Democracy and the Rule of Law in Central and Eastern Europe*, 169-182.

³² Julija Ravaitytė, "Evaluation of the Lustration Policy in Lithuania," *Politologija* 77, no. 1 (2015): 49-100, <https://doi.org/10.15388/Polit.2015.77.7374>.

³³ Larry Ray, "At the End of the Post-Communist Transformation? Normalization or Imagining Utopia?" *European Journal of Social Theory* 12, no. 3 (2009): 321-336, <https://doi.org/10.1177/1368431009337>.

³⁴ Raluca Ursachi, "In Search of a Theoretical Framework of Transitional Justice Toward a Dynamic Model," in *Lustration and Consolidation of Democracy and the Rule of Law in Central and Eastern Europe*, 65-83.

³⁵ Ya.V. Vuks, "Lustration Legislation in Eastern Europe and Its Meaning for the Western World," Master's Thesis (Texas: The University of Texas at Arlington, 2014).

³⁶ Kieran Williams, Brigid Fowler, and Aleks Szczerbiak, "Explaining Lustration in Central Europe: A 'Post-communist Politics' Approach," *Democratization* 12, no. 1 (2005): 22-43, <https://doi.org/10.1080/1351034042000317943>.

The research methodology employed in this study encompasses general scientific, group, and special scientific research approaches, methods, and techniques. At its core, the study adopts a dialectical general scientific approach, which facilitates the understanding of the genesis of human rights in lustration cases, the examination of legal positions taken by the Court in such cases, and the application of Article 8 of the European Convention on Human Rights. A systemic method is also utilized extensively, allowing for the analysis of ECHR provisions and Court decisions, exploration of the right to respect for private life within the human rights framework, and elucidation of the interplay between human needs and interests in the context of lustration.

The method of convergence from the concrete to the abstract was employed to identify the fundamental objects of legal protection within the realms of private life under Article 8 of the Convention. Conversely, the method of convergence from the abstract to the concrete was utilized to elucidate the provisions of the ECHR and to apply the Court's legal stance in its judgments. Additionally, the socio-legal group research method was instrumental in uncovering the social context influencing the manifestation of inherent human rights in public life and in identifying the core values of private life that are subject to legal protection under Article 8 of the Convention. In this study, special scientific methods played a crucial role, including the method of interpreting legal norms to analyze the content of the Convention and the case law of the Court. The comparative law method was also employed to identify similarities and differences in the treatment of private life in lustration cases, while the method of generalization of judicial practice helped draw conclusions from the accumulated case law. Moreover, formal-logical general scientific techniques such as induction, deduction, analysis, synthesis, comparison, abstraction, extrapolation, and typification were utilized to clarify terminology and construct relevant classifications. Content analysis and interpretation of statistics were additional techniques employed in the study. The empirical foundation of the research comprised the Convention and other international legal acts concerning human rights and fundamental freedoms, as well as the Court's case law.

Article 8 of the Convention enshrines the right to respect for and protection of an individual's private and family life, home, and correspondence. To invoke this article, the applicant must demonstrate that their complaint pertains to at least one aspect covered by Article 8, such as personal life, family life, home, or correspondence. Consequently, the Court initially assesses whether the applicant's claim aligns with the provisions of Article 8 and fully respects its principles. Subsequently, the Court initiates an examination to determine whether there has been a breach of the law or whether the state has fulfilled its obligations to safeguard the infringed right. Paragraph 2 of Article 8 of the Convention delineates instances where the state and its authorities are entitled to restrict the exercise of the rights safeguarded by the Convention. These include scenarios pertaining to public, national, and economic security, the prevention of and com-

batting crime, as well as the protection of life, health, and the rights and freedoms of others. State intervention in the rights outlined in Article 8 is permissible if it aligns with the principles of legality and necessity in a democratic society, aimed at upholding the objectives of the Convention.³⁷

In Polyakh, the applicants raised concerns about violations of their right to protection and respect for private and family life.³⁸ The first applicant contended that the State had infringed upon his rights by dismissing him from his post, imposing a ten-year ban on holding public office, and publicly disclosing his identity solely based on his tenure during the period specified by the Law on Government Cleansing (LGC). The applicant experienced uncertainty regarding both his personal and professional life due to the inability to challenge the constitutionality of the LGC at the Constitutional Court. The inclusion of his name in the Lustration Register tarnished his reputation, as he was unable to have the entry removed until the case was heard in court. The second, third, fourth, and fifth applicants cited repercussions on their personal and professional relationships due to their dismissals. Losing their jobs had adverse financial implications for them and their families. Moreover, the reasons given for their dismissals, namely their alleged involvement in the “usurpation of power” by the former President and their supposed undermining of national security, defense, and human rights, negatively impacted their professional standing. The Government of Ukraine acknowledged the violation of Article 8 of the Convention and the interference with citizens’ rights and freedoms.³⁹

Results and Discussion

The conformity of the measures applied to the applicants by the authorities of the signatory states in accordance with the legislation on lustration adopted by them is violated not only in the case of Polyakh. The case law of the Court confirms that the application of lustration measures provided for in the lustration laws of Slovakia (*Turek v. Slovakia*, 2006),⁴⁰ Estonia (*Sõro v. Estonia*, 2015),⁴¹ Northern Macedonia (*Karajanov v. the former Yugoslav Republic of Macedonia*,

³⁷ *Guide on Article 8 of the European Convention on Human Rights: Right to Respect for Private and Family Life, Home and Correspondence* (Council of Europe/European Court of Human Rights, 2022), www.echr.coe.int/Documents/Guide_Art_8_ENG.pdf.

³⁸ “Case of Polyakh and Others v. Ukraine.”

³⁹ “Case of Polyakh and Others v. Ukraine.”

⁴⁰ “Case of Turek v. Slovakia,” Case No. 57986/00 (Strasbourg: European Court of Human Rights (ECtHR), 2006), <https://hudoc.echr.coe.int/fre?i=001-72354>, <https://globalfreedomofexpression.columbia.edu/cases/turek-v-slovakia/>.

⁴¹ “Sõro v. Estonia,” Case No. 22588/08 (Strasbourg: European Court of Human Rights (ECtHR), 2015), <https://hudoc.echr.coe.int/eng?i=002-10689>, <http://melaproject.org/node/526>.

2017),⁴² Romania (Naidin v. Romania, 2014),⁴³ Lithuania (Sidabras and Džiautas v. Lithuania, 2004),⁴⁴ Latvia (Ždanoka v. Latvia, 2006),⁴⁵ and Poland (Matyjek v. Poland, 2007)⁴⁶ has already been challenged in the Court. In several cases, the Court held that lustration measures involved respect for the applicants' privacy as enshrined in law (Rotaru v. Romania, 2000),⁴⁷ as they affected their reputation and/or professional prospects. In the Turek case, the European Court of Human Rights stated that the initial registration of the applicant by the State Security Agency (StB) as a collaborator had various consequences. This included the continued existence of a file in which the applicant was registered as an agent of the former StB. This registration led to the issuance of a negative security clearance, which the applicant unsuccessfully challenged in court. The Court found that this registration arguably affected the applicant's private life. In the Soro case, the publication of information about the applicant's past service in the KGB impacted his reputation. This publication violated the Court's interpretation of the right to respect for private and family life. Regarding the Sidabras case, the Court observed that the application of section 2 of the KGB Act resulted in a ban on professional activity in the private sector for the applicants, lasting up to 19 years due to their status as "former KGB officers." This restriction hindered their ability to communicate with the outside world and posed significant challenges to their livelihoods, thus impacting their private lives. The prolonged status of being labeled as "former KGB officers" further exacerbated the difficulty in establishing communication with the public and affected their reputation and societal standing. The ban imposed significant limitations on the applicants' capacity to engage in various professional activities and to exercise their right to privacy and private life as guaranteed by Article 8 of the Convention.

A similar conclusion was reached by the Court in the Ivanovski case, where the applicant complained about the impact of the domestic authorities' decisions in lustration proceedings on his reputation, dignity, and moral integrity. The European Court of Human Rights emphasized that the broad employment

⁴² "Case of Karajanov v. The Former Yugoslav Republic of Macedonia," No. 2229/15 (Strasbourg: European Court of Human Rights, 2017), <https://hudoc.echr.coe.int/eng?i=001-186294>, <http://biroescp.gov.mk/wp-content/uploads/2017/04/CASE-OF-KARAJANOV-v.-THE-FORMER-YUGOSLAV-REPUBLIC-OF-MACEDONIA-.pdf>.

⁴³ "Naidin v. Romania," Case No. 38162/07 (Strasbourg: European Court of Human Rights, 2014), <https://hudoc.echr.coe.int/app/conversion/pdf/?library=ECHR&id=003-4910840-6007274&filename=003-4910840-6007274.pdf>.

⁴⁴ "Sidabras and Džiautas v. Lithuania," Cases No. 55480/00 and 59330/00 (Strasbourg: European Court of Human Rights, 2004), <https://hudoc.echr.coe.int/eng?i=001-173086>.

⁴⁵ "Case of Ždanoka v. Latvia," Case No. 58278/00 (Strasbourg: European Court of Human Rights, 2006), <https://hudoc.echr.coe.int/eng?i=001-61827>.

⁴⁶ "Case of Matyjek v. Poland," Case No. 38184/03 (Strasbourg: European Court of Human Rights, 2007), <https://hudoc.echr.coe.int/fre?i=001-80219>.

⁴⁷ "Case of Rotaru v. Romania," Case No. 28341/95 (Strasbourg: European Court of Human Rights, 2000), <https://hudoc.echr.coe.int/eng?i=001-58586>.

restrictions imposed on the applicant, including a five-year ban on public service employment and severe limitations on opportunities for private-sector employment corresponding to his professional qualifications and experience as a lawyer, had a profound impact on his ability to practice his profession. Furthermore, the stigmatization of the applicant in society as an informer of the former oppressive regime's secret police (thus inherently unworthy of performing any public function in a democratic State based on the rule of law) significantly hindered his ability to establish relationships within society. This not only affected his reputation but also severely hampered his ability to lead a normal personal life and earn a livelihood. Therefore, the Court concluded that the decision in question had far-reaching implications beyond mere reputation damage; it fundamentally infringed upon his right to a private life.

In the Karajanov case, the applicant lodged a complaint alleging that the publication of the Commission's decision of May 27, 2013, on its website before it became final had significantly harmed his reputation, dignity, and moral integrity, thus violating his rights under Article 8 of the Convention. The European Court of Human Rights acknowledged that the publicity surrounding the Commission's decision exacerbated its impact on the applicant's enjoyment of his right to respect for his private life.

However, the Polyakh case differs from the other cases on lustration in the Court's practice. As formulated by the Venice Commission in its final opinion, the LGC, the lustration law, the application of lustration measures, which the Court deemed as interfering with the right to respect for private life incompatible with Article 8 of the Convention in the Polyakh case, had a broader scope than lustration laws adopted in other countries of Central and Eastern Europe. Explaining the difference between them, it should be emphasized that after the fall of Communism (1989-1991),⁴⁸ lustration evolved into an instrument for de-communization and the transformation of regimes from non-democratic ones (scholars define four types of non-democratic regimes in Eastern and Central Europe—authoritarianism, totalitarianism, post-totalitarianism, and sultanism)⁴⁹ to democratic ones. In Resolution 1096 of 1996, the Parliamentary Assembly of the Council of Europe outlined that the legacy of former communist totalitarian systems, characterized by traits such as (over)centralization, the militarization of civilian institutions, bureaucratization, monopolization, over-regulation, and collectivism, among others, needed to be dismantled and overcome.⁵⁰ It should have been

⁴⁸ Mark S. Ellis, "Purging the Past: The Current State of Lustration Laws in the Former Communist Bloc," *Law and Contemporary Problems* 59, no. 4 (Fall 1996): 181-196, <https://scholarship.law.duke.edu/lcp/vol59/iss4/14>.

⁴⁹ Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe* (London: Johns Hopkins University Press, 1996), 3-6.

⁵⁰ PACE Resolution 1096 "Measures to Dismantle the Heritage of Former Communist Totalitarian Systems" (Council of Europe, Parliamentary Assembly, June 27, 1996), <https://assembly.coe.int/nw/xml/xref/x2h-xref-viewhtml.asp?fileid=7506&lang=en>.

done, inter alia, by opening secret service files for public examination in some former communist totalitarian countries and introducing lustration or de-communization laws. These administrative measures targeted individuals who did not commit any crimes under the standard code, as per the Resolution, but who supported the totalitarian regime and held leadership positions. Such laws were intended to prohibit individuals from exercising governmental power, as they had previously acted against the democratic principles of state governance.

Along with this, in the same resolution, the Parliamentary Assembly set the criteria for the compatibility of measures applied under lustration laws with a democratic state under the rule of law. Compliance with these criteria would have helped avoid complaints about these procedures being lodged with the control mechanisms of the Council of Europe, including the ECtHR, the Committee of Ministers' monitoring procedure, and the Assembly's monitoring procedure under Order No. 508 (1995) on the honoring of obligations and commitments by member states. One of the criteria is that guilt must be individually established in court for each person, and there can be no collective application of this punishment. Another criterion is that the State, in applying lustration measures, must ensure the right of defense; a person's guilt cannot be recognized before the entry into force of a conviction against them, and the right to appeal to the court must be ensured. This prevents and avoids situations where lustration might be used as a means of revenge, political or social misuse, or punishment for people presumed guilty, which is the task of prosecutors using criminal law. The Parliamentary Assembly stressed that the aim of lustration is to protect the newly emerged democracy.⁵¹ Furthermore, to clarify the content of all the criteria of compliance with the rule of law regarding the application of lustration measures, the Resolution included references to special guidelines.⁵²

Considering all the above-mentioned aspects, the aim of lustration laws, which were already applicable in some of the Eastern European states (in Czechoslovakia (in Czech Republic and Slovakia since January 1, 1993), the Great Lustration Act (Act No. 451/1991 Coll) of 1991 (application of which in Slovakia expired in 1996 and is still in force in the Czech Republic)⁵³ and the Small Lustration Law (Act No. 279/1992 Coll.) of 1992 (still applicable and enacted only in the Czech part of Czechoslovakia),⁵⁴ the Law on Banks and Credit Activity of 1992

⁵¹ PACE Resolution 1096 "Measures to Dismantle the Heritage of Former Communist Totalitarian Systems."

⁵² "Guidelines to Ensure that Lustration Laws and Similar Administrative Measures Comply with the Requirements of a State Based on the Rule of Law" (Council of Europe, 1996), <http://assembly.coe.int/nw/xml/xref/x2h-xref-viewhtml.asp?fileid=7506&lang=en>.

⁵³ Veronika Bílková, "Lustration: The Experience of Czechoslovakia/ the Czech Republic," report presented at the Conference on "Past and Present-day Lustration: Similarities, Differences, Applicable Standards" (Strasbourg: European Commission for Democracy through Law, 2015), [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-PI\(2015\)028-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-PI(2015)028-e).

⁵⁴ Bílková, "Lustration: The Experience of Czechoslovakia/ the Czech Republic."

(abolished in 1997), the Law on the Temporary Introduction of Additional Requirements for Members of Executive Bodies of Scientific Organizations and the Higher Certifying Commission of 1992 (the “Panev bill,” which was abolished in 1995) in Bulgaria,⁵⁵ and the Procedure for Registration and Disclosure of Persons who Have Served in or Co-operated with Security Organizations or Intelligence or Counterintelligence Organizations of Armed Forces of States which Have Occupied Estonia Act of 1995 in Estonia) should have been the following: lawfully restrict the former communist regime’s representatives’ access to governmental structures in those states, thus limiting their influence on the democratization processes that emerged in the aftermath of Communism’s fall. Simultaneously, scholars note that de-communization (“the extraction of Communist influence from society”), as the aim of lustration laws, corresponds to the narrower meaning of lustration. Conversely, a wider meaning is where lustration becomes the synonym of a political purge⁵⁶ (for instance, the denazification process in Germany after 1945 and proceedings in the case of former GDR head of state Erich Honecker, because of his criminal order to shoot people for crossing the Berlin Wall, or in the Nazi proceedings in Belgium, France and the Netherlands after World War II are called lustration).⁵⁷ Moreover, the restricted meaning of lustration lies in its covering just a part of the de-communization process in Eastern Europe. The process of raising the issue of a candidate’s or employee’s cooperation with the communist regime may also limit this.⁵⁸

Concurrently, the LGC, as indicated by the Venice Commission or cited by the Court in its judgment in the Polyakh case,⁵⁹ pursues two different aims of lustration. The first one is protecting society from individuals who, due to their past behavior, pose a threat to democracy in the country, according to the traditional meaning of lustration. The second, non-traditional aim, is fulfilled by the kind of lustration that cleanses public administration from individuals who engaged in large-scale corruption. Nevertheless, both the first and second aims of lustration are considered legitimate; this idea was confirmed by the ECtHR in the Polyakh case.

It is noteworthy that the term “private life” cannot be exhaustively defined: it protects the privacy and inviolability of the person and shields his/her life from undue attention. The growth of the individual is also ensured by this right, secur-

⁵⁵ Momchil Metodiev, “Bulgaria,” in *Transitional Justice in Eastern Europe and the Former Soviet Union: Reckoning with the Communist Past*, ed. Lavinia Stan (Abingdon: Routledge, 2009), 166.

⁵⁶ Vuks, “Lustration Legislation in Eastern Europe and Its Meaning for the Western World.”

⁵⁷ Luc Huyse, “Justice after Transition: On the Choices Successor Elites Make in Dealing with the Past,” *Law & Social Inquiry* 20, no. 1 (1995): 51-78, <https://doi.org/10.1111/j.1747-4469.1995.tb00682.x>.

⁵⁸ Williams, Fowler, and Szczerbiak, “Explaining Lustration in Central Europe.”

⁵⁹ “Case of Polyakh and Others v. Ukraine.”

ing for the individual a sphere within which they can freely pursue the development and fulfillment of their personality.⁶⁰ In the Niemietz case, the Court stated that the notion of “private life” : “... should not be limited in this sense to the internal aspect,” where a person excludes from this internal spectrum communication with society and interaction with the outside world. The opportunity to communicate with society and to develop must also be part of the right to respect for private life.

The ability to develop relationships with the outside world is intertwined with the sphere of professional and business life, and there is no inherent reason to separate these spheres. However, it is not always possible to fully distinguish which activities belong to the professional realm and which do not. Consequently, when a person’s profession becomes an integral part of their life, it becomes increasingly challenging to delineate how it operates at any given moment.⁶¹

In the Polyakh case, the Court outlined several typical aspects of private life that could be affected by adverse lustration measures such as dismissal, demotion, or non-admission to a profession. These aspects include the applicant’s “inner circle,” their business reputation, and the development of relations with society. In Denisov v. Ukraine, the Court of Human Rights stated that there are usually two factors for initiating a dispute because of the interference with a person’s privacy: the application of impugned measures (which comprise the platform for the Court’s use of the cause-based approach), or, in some cases, the consequences for the person’s private life (which may become the basis for the Court’s consequence-based approach).⁶² When applying the consequence-based approach, the threshold of severity of the applied measures in all the above-mentioned aspects becomes crucial. The applicant must clearly demonstrate that the threshold was reached in their case and provide evidence supporting the effects of the contested measure. The Court may recognize the possibility of applying Article 8 of the Convention only when these consequences are extremely serious and have a substantial impact on the person’s private life.

The Court of Human Rights employed the consequence-based approach to justify the applicability of Article 8 of the Convention in the Polyakh case. It asserted that the law affected the applicants’ private lives in three key ways: their dismissal from public service, the prohibition from holding public office for ten years, and the inclusion of their names in the publicly accessible online lustration

⁶⁰ “Bruggemann and Scheuten v. Federal Republic of Germany,” Case No. 6959/75, Report of the Commission (European Commission of Human Rights, Council of Europe, July 12, 1977), <https://www.globalhealthrights.org/wp-content/uploads/2013/10/Bruggemann-v.-Germany.pdf>.

⁶¹ “Case of Niemietz v. Germany,” Case No. 13710/88 (Strasbourg: European Court of Human Rights, 1992), <https://hudoc.echr.coe.int/rus?i=001-57887>.

⁶² “Case of Denisov v. Ukraine,” Case No. 76639/11 (Strasbourg: European Court of Human Rights, 2018), <https://hudoc.echr.coe.int/eng?i=001-186216>, <https://laweuro.com/?p=5288>.

register. The cumulative impact of these measures substantially impacted the applicants' reputation and their ability to establish relationships with society.

They were not merely dismissed, demoted, or transferred to other less significant positions. Rather, they were dismissed and barred from civil service, immediately losing all remuneration. The applicants were prohibited from any employment in civil services, an area where they had worked as career civil servants for many years. Additionally, the imposition of the restrictive measures under the LGC was made public before their appeal could be examined.⁶³

Although the LGC did establish criteria for individual culpability, its primary objective was to "cleanse" the civil services of individuals associated with violations of human rights and freedoms and encroachments on national security.⁶⁴ In such circumstances, the implementation of measures outlined in the Act is likely to lead to social and professional stigma, as claimed by the applicants. Furthermore, unlike the Bulgarian Government in the case of *Anchev v. Bulgaria*, the Ukrainian Government failed to demonstrate that, in practice, the LGC had no such influence.

The reference to the *Anchev* case is relevant in this context because it involved a complaint by a lawyer, who happened to be the Minister of Justice and Deputy Prime Minister in a caretaker government for a brief period in 1997. Under section 3(1) of the Access to and Disclosure of Documents and Exposure of the Affiliation of Bulgarian Citizens to the State Security and the Intelligence Services of the Bulgarian People's Army Act (2006 Act),⁶⁵ government ministers are subject to scrutiny for any ties to the security services of the communist regime. On February 12, 2008, the Commission administering the 2006 Act issued a decision publicly exposing the applicant as having been affiliated with the seventh department of the sixth directorate of State Security between 1982 and 1990. This decision was posted on the commission's website, thereby making the information about the applicant's affiliation with the State Security publicly available. In both the *Anchev* case and the *Polyakh* case, the measures applied to the applicants were not challenged in court, despite constituting interferences with the rights guaranteed by Article 8 of the Convention. In the *Anchev* case, the measure involved publicly exposing the applicant's affiliation with the State Security on the commission's website, while in the *Polyakh* case, it pertained to the lustration measures under the Law on Government Cleansing (LGC). However, the Bulgarian Government argued that the interference with the applicant's

⁶³ "Interim Opinion on the Law on Government Cleansing (Lustration Law) of Ukraine Adopted by the Venice Commission at Its 101st Plenary Session" (Venice, 12-13 December 2014), [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2014\)044-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2014)044-e).

⁶⁴ "Law of Ukraine on Government Cleansing," No. 1682-VII (2014), <https://zakon.rada.gov.ua/laws/main/1682-18>.

⁶⁵ "Access to and Disclosure of Documents and Exposure of the Affiliation of Bulgarian Citizens to the State Security and the Intelligence Services of the Bulgarian People's Army Act," <https://lex.bg/bg/laws/ldoc/2135540283>.

rights under Article 8 of the Convention in the Anchev case did not result in serious negative consequences or affect his social standing significantly. They further emphasized that society had the right to be informed about aspects of the public and private lives of individuals holding high-ranking positions. In contrast to the Anchev case, in the Polyakh case, the Ukrainian Government framed the applicants' appeals to the administrative courts as challenges to the constitutionality of the Law on Government Cleansing (LGC), rather than direct challenges to the lustration measures themselves under Article 8 of the Convention. According to the Ukrainian Government, the applicants resorted to the European Court of Human Rights because they were unable to assert their rights before the Constitutional Court of Ukraine.

The conclusions reached by the Court in the Polyakh case affirmed that the implementation of lustration measures, such as dismissal, demotion, or denial of entry into a profession, could indeed trigger the applicability of Article 8 of the Convention. Furthermore, for Article 8 to be applicable, the applicant must demonstrate that the applied measure substantially impacted their private life, including aspects such as their "inner circle," ability to establish and nurture relationships with others, and social and professional reputation. The dismissal, coupled with the 10-year prohibition on holding public office mandated by the LGC, along with the premature listing of the lustrated individual's name in a publicly accessible lustration register, provides a basis for the ECtHR to determine that the extent of the application of the lustration measure significantly impacted the individual's private life. Consequently, this renders Article 8 of the Convention applicable.

Indeed, if the applicants had been offered alternative options such as transfer to less significant positions or opportunities for continued employment within the civil services, the impact of the lustration measures on their privacy would likely have been diminished. In such a scenario, the ECtHR might not have found sufficient grounds to invoke Article 8 of the Convention.

Commenting on the decision of the Grand Chamber of the ECHR, the Minister of Justice of Ukraine, Denis Malyuska noted that the ECHR "did not recognize the lustration to be unlawful as a whole, but only its excessive volume."⁶⁶ It appears that there is a growing consensus within the legal community and the Prosecutor General's Office to amend the current Law on Government Cleansing,⁶⁷ taking into account the recommendations of the Venice Commission. These recommendations emphasize the importance of ensuring that lustration measures do not target elective positions and do not infringe upon human rights and the rule of law. Additionally, there is a suggestion to consider the level of responsibility of officials in their positions and to incorporate the findings of special inspections into the lustration process. It is possible that the National Agency for Prevention

⁶⁶ Denis Malyuska, "Decision of the ECtHR on Lustration," <https://www.facebook.com/people/Denis-Malyuska/100011121947008/>.

⁶⁷ Radchuk, "Instead of Lustration: Is There an Alternative to the Law on the Purification of Power."

of Corruption may play a role in this regard. These proposed changes aim to strike a balance between accountability and the protection of individual rights within the framework of lustration measures.

Indeed, the primary objective of the lustration process should be to safeguard the democratic development of the state rather than to target political opponents or dissenting voices. By focusing on ensuring the security and integrity of democratic institutions, lustration measures can contribute to fostering transparency, accountability, and the rule of law. It is essential that any lustration measures are applied fairly, transparently, and in accordance with the principles of justice and human rights, thereby promoting trust and confidence in the democratic system.

Conclusion

Indeed, the primary aim of lustration should be to safeguard democratic institutions from any unlawful encroachment, rather than to serve as a punitive measure against politicians or officials who may have lost public trust. The violation of Article 8 of the Convention in the Polyakh case highlights the importance of ensuring that lustration measures are necessary and proportionate in a democratic society. Despite this ruling, the Law on Government Cleansing (LGC), which formed the basis for the lustration measures in the Polyakh case, remains in effect in Ukraine. This underscores the need for ongoing scrutiny and potential reforms to ensure that lustration practices align with democratic principles and respect for human rights. Given that the Court's acknowledgment of the potential application of Article 8 of the Convention provides the sole framework for assessing purported infringements on an individual's right to protection and respect for personal and private life, these standards could serve as guiding principles for the authorities of Ukraine and other member states of the Council of Europe. This would help ensure that any lustration measures, if implemented, are designed to avoid triggering Article 8 of the Convention and are applied in a manner that respects the right to respect for private life as enshrined in the Convention.

The scope of lustration extends beyond political considerations and relevance and should encompass those who undermine democratic institutions and values, including the right to protest.

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Designation of the Russian Federation as a State Sponsor of Terrorism: Meeting the “Club of Villains” Criteria

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Abstract: The article analyzes the primary reasons for designating the Russian Federation as a state sponsor of terrorism. The issue gained prominence with the full-scale invasion of Ukraine on February 24, 2022—the largest and deadliest armed conflict in Europe since World War II—challenging the unity of the Collective West and the global security system. The vision of a peaceful and prosperous European space from Lisbon to Vladivostok has been permanently shattered.

To achieve its geopolitical objectives, Russia has been involved in numerous armed conflicts since 1991, such as in Georgia, Tajikistan, Chechnya, and now Ukraine, orchestrated operations on the soil of other states, and supported terrorist organizations. Aspiring to be a superpower in the aftermath of the USSR, Russia has utilized hybrid warfare instruments for decades to undermine democracies globally and maintain influence over former Soviet republics. Some of its actions can be classified as terrorism, support for terrorism, ethnocide, or genocide.

This article explores the criteria for including countries in the US list of state sponsors of terrorism and compares them with the activities of the Russian Federation. It provides evidence that Russia qualifies for inclusion in the list, although the US still hesitates to designate it as a state sponsor of terrorism or a terrorist state/regime.

Keywords: war, conflict, aggression, full-scale invasion, state sponsor of terrorism, terrorist state, terrorism, Russia, Russian Federation, Ukraine.

Introduction

The full-scale invasion of Ukraine launched by the Russian Federation (RF) on February 24, 2022, is a rude violation of the post-WWII global order, resulting in a vast spectrum of war crimes committed by the Russian military¹ and sparking discussions regarding the recognition of the Russian Federation as a state sponsor of terrorism.

What does the term imply? The US Department of State provides the following definition: “Countries determined by the Secretary of State to have repeatedly provided support for acts of international terrorism,”² implicated, first and foremost, in assassinations on foreign soil.³

The United States first established its list of state sponsors of terrorism in 1979. Currently, there are four countries on the list: Syria (added on December 29, 1979), Iran (added on January 19, 1984), the Democratic People’s Republic of Korea (North Korea) (added on November 20, 2017), and Cuba (added on January 12, 2021). However, the list is subject to periodic review, and countries may be removed from it if there is evidence to suggest that they no longer meet the criteria for designation as state sponsors of terrorism. This has been the case with countries like Iraq, Libya, South Yemen, and Sudan.

This article briefly examines the actions of countries that led to their inclusion in the list of state sponsors of terrorism and compares them to certain actions of the Russian Federation since 1991 that might make it eligible for designation as a state sponsor of terrorism. The emphasis is on the ongoing discussion about whether to include Russia in the U.S. Department of State’s list of state sponsors of terrorism. While Ukraine, many EU countries, and institutions have already taken relevant measures, the US has yet to make a decision on this matter. Given the prolonged and impactful war in Ukraine, any decision to include Russia in this list should be thoroughly studied, considering the potential consequences for the democratic world if the Russian Federation continues its actions unabated.

What Actions Led to Qualifying Some Countries as State Sponsors of Terrorism?

State Department officials refer to labeling any country as a state sponsor of terrorism as the “nuclear option.”⁴ The US Department of State publishes annual

¹ Amanda Macias, “Russia Has Committed More Than 65,000 War Crimes in Ukraine, Prosecutor General Says,” *CNBC*, February 1, 2023, <https://www.cnn.com/2023/02/01/ukraine-russia-war-65000-war-crimes-committed-prosecutor-general-says.html>.

² “State Sponsors of Terrorism,” Bureau of Counterterrorism, U.S. Department of State, <https://www.state.gov/state-sponsors-of-terrorism/>.

³ “Country Reports on Terrorism 2020: Democratic People’s Republic of Korea,” Bureau of Counterterrorism, U.S. Department of State, <https://www.state.gov/reports/country-reports-on-terrorism-2020/democratic-peoples-republic-of-korea/>.

⁴ Michael Crowley and Edward Wong, “Blinken Resists Push to Label Russia a Terrorist State,” *New York Times*, July 29, 2022, <https://www.nytimes.com/2022/07/29/us/politics/russia-terrorism-blinken.html>.

reports that offer evidence of a state's involvement in assassinations on foreign soil and other atrocities, which serve as grounds for their inclusion in the list of state sponsors of terrorism. We will examine this evidence for the countries currently on the list to establish a reference for comparing the actions of the Russian Federation.

Syria. The country was added to the list in 1979. Among other deeds, it provided weapons and political support to Hizballah, its policies contributed to the strengthening of Al-Qaeda and ISIS, and it continued to design and implement external terrorist operations. By releasing extremists from prisons in 2011-2012, the Assad regime created favorable conditions for a rise in terrorism within the country, which led to the brutalization of the Syrian and Iraqi populations eight years later. The country's leadership also prosecutes and imprisons opposition members, human rights defenders, and protestors under the pretext of fighting terrorism while portraying itself as a victim of domestic terrorists.⁵

Therefore, the indicators suggesting that a country is a state sponsor of terrorism include providing support to terrorist groups (financial aid, weapons, facilitating terrorists' activities), often resulting in numerous deadly attacks or terrorist acts both domestically and internationally, as well as human rights abuses. This also encompasses providing shelter for terrorists and refusing to extradite such individuals upon request; facilitating plots and targeting dissidents on the territory of other countries; utilizing local terrorist organizations and proxy groups to evade accountability; implementing/ sponsoring offensive cyber attacks against foreign governments and private sector entities; and maintaining close collaboration with designated state sponsors of terror.

Iran. The 2019 report of the U.S. Department of State called Iran "the world's worst state sponsor of terrorism."⁶ The country was designated as a state sponsor of terrorism in 1984. The grounds for such a decision included Iran's support to Hizballah, Palestinian terrorist groups in Gaza, and various terrorist and militant groups in Iraq, Syria, and elsewhere throughout the Middle East (Kata'ib Hizballah (KH), Harakat al-Nujaba, and Asa'ib Ahl al-Haq), which led to instability in the region. The provision of financial support and facilitation to Shia fighters from Afghanistan and Pakistan enabled them to take part in the Assad regime's brutal suppression in Syria. Iran also backed Syrian militia operations with weapons. It supplied weapons to Hizballah in Lebanon, Shia militant groups in Bahrain, and Houthi militants in Yemen. Weaponing Hamas and other Palestinian terrorist

⁵ "Country Reports on Terrorism 2020: Syria," Bureau of Counterterrorism, U.S. Department of State, <https://www.state.gov/reports/country-reports-on-terrorism-2020/syria/>.

⁶ "Country Reports on Terrorism 2020: Iran," Bureau of Counterterrorism, U.S. Department of State, <https://www.state.gov/reports/country-reports-on-terrorism-2020/iran/>.

groups in 2020 led to numerous deadly attacks in Gaza and the West Bank. Regional militant and proxy groups have been used to shield the country from accountability for its aggressive policies.

Iran also supported human rights abuses committed against civilians in Iraq and has provided shelter for individuals considered terrorists or subjects to extradition, such as senior al-Qa'ida members. Additionally, Iran targets Iranian dissidents in European countries such as Albania, Belgium, Denmark, and The Netherlands. The Iranian government also implements a robust offensive cyber program, enabling sponsored cyber attacks against foreign governments and private companies.⁷

The Democratic People's Republic of Korea (North Korea) was designated as a state sponsor of terrorism in 1988 (rescinded in 2008 after agreeing to freeze and inactivate its nuclear program) and again on November 20, 2017. This decision was grounded on North Korea's involvement in the 1987 bombing of a Korean Airlines passenger flight, its sheltering of Japanese Red Army members wanted by their government for their participation in a 1970 Japan Airlines hijacking, and the abduction of several Japanese nationals in the 1970s and 1980s.⁸

Since 2008, breaching the agreements, North Korea has achieved a lot in its nuclear program by conducting two nuclear weapons tests – in 2009 and 2013. The country sells equipment and weapons to Hezbollah and Hamas. In 2014 anti-tank guided missiles from North Korea were reportedly used against Israel. The North Korean government has been accused of engaging in the harassment, abduction, and murder of refugees, dissidents, and foreigners who attempt to aid the people of North Korea, such as Reverend Kim Dong-sik. Cyber attacks have reportedly targeted U.S. government agencies.⁹

Cuba was added to the list in 1982 for providing safe haven, training, facilitation, and financial support to guerrilla groups and individual terrorists. In 2015, it was taken down from the list during an attempt to relaunch US-Cuba relationships. However, it was reinstated as a state sponsor of terrorism by the Trump Administration shortly thereafter for continuing to shelter individuals who had committed or supported acts of terrorism in the United States. The primary goal was to deprive the Castro regime of resources used to oppress the Cuban people

⁷ "Country Reports on Terrorism 2020: Iran."

⁸ "Country Reports on Terrorism 2020: Democratic People's Republic of Korea," Bureau of Counterterrorism, U.S. Department of State, <https://www.state.gov/reports/country-reports-on-terrorism-2020/democratic-peoples-republic-of-korea/>.

⁹ "North Korea: Back on the State Sponsor of Terrorism List?" Hearing before the Subcommittee on Terrorism, Nonproliferation, and Trade of the Committee on Foreign Affairs House of Representatives, Serial No. 114-118, October 22, 2015 (Washington: U.S. Government Publishing Office, 2015), <https://www.govinfo.gov/content/pkg/CHRG-114hrg97268/html/CHRG-114hrg97268.htm>.

and to counter its negative influence in Venezuela and the wider Western Hemisphere. As an example, in 2019, Cuba refused to extradite to Colombia leaders of the group responsible for the bombing in Bogota that resulted in 22 deaths. Additionally, it declined a request from the US to return an assassin included in the FBI's Most Wanted Terrorists List, who was involved in the killing of New Jersey State Trooper Werner Foerster in 1973, as well as William "Guillermo" Morales, who attempted to assassinate members of the Armed Forces for National Liberation and others by a bomb.¹⁰ The Cuban government supports FARC and enables the ELN to continue its activities abroad. It also contributes to creating favorable conditions in Venezuela for international terrorists by supporting Maduro. Furthermore, Cuba maintains close cooperation with Iran and North Korea, both designated as state sponsors of terrorism.

Thus, sanctions imposed on Cuba as a state sponsor of terrorism also extend to persons and countries engaging in trade with Cuba. These sanctions include restrictions on U.S. foreign assistance, a ban on defense exports and sales, and controls on exports of dual-use items.

Actions of the Russian Federation that Might Qualify It as a State Sponsor of Terrorism

The Russian Federation has never been designated as a state sponsor of terrorism. However, in April 2020, the U.S. government designated the Russian Imperial Movement (RIM) and members of its leadership as Specially Designated Global Terrorists. This marked the first time that the State Department designated a white identity terrorism (WIT) group. RIM has provided paramilitary-style training to white supremacists and neo-Nazis in Europe. In 2016, two Swedish individuals attended RIM's training course, after which they committed a series of bombings in Gothenburg, Sweden, targeting a refugee shelter, a shelter for asylum seekers, and a café. These individuals were subsequently convicted in Sweden for these crimes.

Before its disbandment, the Wagner Group had been designated as a terrorist organization by UK officials,¹¹ and the US Department of the Treasury had sanctioned it as a Transnational Criminal Organization.¹² Later, in 2023, U.S. senators Ben Cardin, Roger Wicker, and others reintroduced the Holding Accountable Russian Mercenaries (HARM) Act, bipartisan legislation requiring the Secretary

¹⁰ "Country Reports on Terrorism 2020: Cuba," Bureau of Counterterrorism, U.S. Department of State, <https://www.state.gov/reports/country-reports-on-terrorism-2020/cuba/>.

¹¹ Ivan Pereira, "Russian-backed Mercenary Squad Wagner Group Designated as Terrorist Organization by UK Officials," *ABCNews*, September 15, 2023, <https://abcnews.go.com/International/wagner-group-designated-terrorist-organization-uk-officials/story?id=103226543>.

¹² "Treasury Sanctions Russian Proxy Wagner Group as a Transnational Criminal Organization," *U.S. Department of the Treasury*, January 26, 2023, <https://home.treasury.gov/news/press-releases/jy1220>.

of State to designate the Wagner Group as a foreign terrorist organization.¹³ Wagner was funded by and operated under the auspices of the Russian Government.¹⁴ The group committed numerous war crimes in Ukraine, Syria, Libya, Venezuela, and across the African continent, including mass executions, rape, child abductions, and physical abuse.¹⁵

This article aims to analyze whether the Russian Federation qualifies as a state sponsor of terrorism. It will examine its operations in other countries, both those not in a state of conflict with Russia and those where Russia has been a party to conflicts since 1991. While providing a comprehensive overview of the Russian Federation's actions would require extensive research, this analysis will focus on a few examples of actions similar to those used by the U.S. Department of State to justify the designation of other countries as state sponsors of terrorism. Special attention will be given to Ukraine, a country actively advocating for this designation.

Provision of support (financial aid, weapons, facilitation of terrorists' activities) to terrorist groups, which often leads to numerous deadly attacks or terrorist acts inland and overseas, as well as human rights abuses:

- Support of the Wagner Group, which operates in alignment with the Russian Federation's foreign policy objectives, spreads terror and commits war crimes. This includes actions in Syria, Libya, the Central African Republic, Mali, Sudan, Madagascar, Venezuela, Mozambique, and Ukraine;
- Support for Hezbollah, the Iranian Islamic Revolutionary Guard Corps, and the Taliban, including the provision of chemical and other weapons;¹⁶
- Political, financial, and military support provided to the unrecognized Pridnestrovian Moldavian Republic;
- Support for separatists engaged in acts of violence against Ukrainian civilians in eastern and southern regions of Ukraine in 2014 during attempts to establish quasi-republics;
- Systematic supply of heavy weaponry, money, personnel, training, and facilitation to illegal armed groups, resulting not only in terror among the

¹³ "Cardin, Wicker, Colleagues Lead Legislation to Designate Wagner Group As a Foreign Terrorist Organization," *Sen. Ben Cardin site*, February 15, 2023, www.cardin.senate.gov/press-releases/cardin-wicker-colleagues-lead-legislation-to-designate-wagner-group-as-a-foreign-terrorist-organization/.

¹⁴ Jennifer Maddocks, "Putin Admits to Funding the Wagner Group: Implications for Russia's State Responsibility," *Lieber Institute*, West Point, June 30, 2023, <https://lieber.westpoint.edu/putin-admits-funding-wagner-group-implications-russias-state-responsibility/>.

¹⁵ "Treasury Sanctions Russian Proxy Wagner Group as a Transnational Criminal Organization."

¹⁶ "Four Reasons Why the US Should Designate Russia as a State Sponsor of Terrorism," *Euromaidan Press*, August 31, 2022, <https://euromaidanpress.com/2022/08/31/why-russia-should-be-designated-a-state-sponsor-of-terrorism-2/>.

Ukrainian population in Donetsk and Luhansk People's quasi-Republics (DLPR), but also numerous terrorist attacks, including the shooting down of Malaysia Airlines Flight MH17, which resulted in the death of 298 civilians; etc.

Provision of shelter for terrorists and refusal to extradite such persons on demand:

- Sheltering former President of Ukraine Yanukovich, who has been found guilty of treason and has not been extradited from the Russian Federation, along with several other political figures who fled as a result of the Revolution of Dignity;
- No reaction to demands for the extradition of three individuals found guilty of downing a Malaysia Airlines plane, who have been sentenced to life by a Dutch court.¹⁷ These individuals include Igor Girkin, a former Federal Security Service member who played a key role in the annexation of Crimea by the Russian Federation and later organized militant groups in the so-called Donetsk People's Republic.

Facilitation of plots and targeting dissidents on the territory of other countries:

- Poisoning Ukraine's presidential candidate Viktor Yushchenko with dioxin in 2004;
- Poisoning the former intelligence officer Litvinenko with polonium-210 on the territory of the United Kingdom in 2006.
- Poisoning the former intelligence officer Skripal and his family with the Novichok nerve agent on the territory of the United Kingdom in 2018;
- Facilitating kidnappings and assassinations of pro-Ukrainian activists during the Revolution of Dignity;
- Planning the assassination of the Ukrainian leadership and the substitution of the President with Victor Yanukovich, former President of Ukraine accused of state treason, in 2022;¹⁸
- Engineering the illegal "referendum" in annexed Crimea, accompanied by intimidation against non-Russian ethnic groups. This marked the beginning of a systemic policy of harassment and suppression aimed at erasing the distinct cultures of ethnic Ukrainian and Tatar people in Crimea. These communities suffered abductions, murders, arbitrary searches and detentions, oppression of their leaders, elimination of institutions, forced exile, etc.;
- Mass torture, rape, and executions of civilians in the occupied Donetsk and Luhansk oblasts of Ukraine, as well as other regions that had been under

¹⁷ Paul Kirby, "MH17: Australia Asks Russia to Hand over Three Who Downed Airliner," *BBC News*, November 18, 2022, www.bbc.com/news/world-europe-63673919.

¹⁸ Mikhail Zygar, *War and Punishment. Putin, Zelensky, and the Path to Russia's Invasion of Ukraine* (Scribner, 2023).

occupation since February 24, 2022 – actions already classified as genocide by most democratic countries.¹⁹ Russia’s leadership was planning to send captured Ukrainians to concentration camps in Western Siberia.²⁰ In 2023, Russian Prime Minister Mikhail Mishustin signed a government order²¹ instructing the Russian Federal Penitentiary Service to set up 28 penal colonies in the four Russian-annexed regions of Ukraine – in Donetsk, Luhansk, Kherson, and Zaporizhzhia regions.

Utilization of local terrorist organizations and proxy groups to shield from accountability:

- Utilization of local terrorist organizations to destabilize Ukraine and violate its sovereignty by establishing Donetsk and Luhansk Peoples’ quasi-republics;²²
- Sponsoring right-wing organizations and movements across Europe used for anti-government demonstrations and destabilization of domestic situations.

Implementation or sponsorship of offensive cyber attacks against foreign governments and private sector entities:

- Multiple instances of malicious cyber activities targeting government bodies, election organizations, healthcare and pharmaceutical sectors, defense industry, energy infrastructure, nuclear facilities, commercial facilities, water systems, aviation, and critical manufacturing. Notable incidents include the 2020 compromise of the SolarWinds software supply chain, the 2020 targeting of U.S. companies developing COVID-19 vaccines, and the 2018 targeting of U.S. industrial control system infrastructure, among others.²³

Close collaboration with designated state sponsors of terror:

- Providing material support to Syria, which is currently designated as a state sponsor of terrorism;
- Turning to Iran and North Korea for military support;

¹⁹ “Seven Countries Have Already Recognised Russia’s War Against Ukraine as Genocide,” *Promote Ukraine Media*, May 29, 2022, <https://www.promoteukraine.org/seven-countries-have-already-recognised-russias-war-against-ukraine-as-genocide/>.

²⁰ Igor Berezhanskiy, “Putin and Shoigu planned to set up concentration camps for Ukrainians in Western Siberia – Danilov,” *TSN*, April 22, 2022, <https://tsn.ua/en/ato/putin-and-shoigu-planned-to-set-up-concentration-camps-for-ukrainians-in-western-siberia-danilov-2043616.html>.

²¹ “The Order of the Government of the Russian Federation #97-p as of 23 January 2023,” <http://publication.pravo.gov.ru/Document/View/0001202301240007>.

²² S.Res.623 – A Resolution Calling on the Secretary of State to Designate the Russian Federation as a State Sponsor of Terrorism,” *Congress.gov*, June 23, 2022, <https://www.congress.gov/bill/117th-congress/senate-resolution/623/text>.

²³ Russia Cyber Threat Overview and Advisories / Cybersecurity and Infrastructure Security Agency, <https://www.cisa.gov/uscert/russia>.

- Violating U.S. sanctions by selling oil to North Korea.²⁴

In addition to the examples given above, the Russian Federation:

- Pursued its geopolitical goals, becoming a party to various conflicts such as the Georgian civil war (1991-1993), the war in Abkhazia (1991-1993), the Transnistria war (1992), the civil war in Tajikistan (1992-1997), the first Chechen war (1994-1996), the war of Dagestan (1999), the second Chechen war (1999-2009), the war on Georgia (2008), the insurgency in the North Caucasus (2009-2017), and the ongoing Russian-Ukrainian War (2014-present). Many of these conflicts have been characterized by campaigns of terror targeting civilians, including attacks on markets, cultural, educational, and medical facilities, residential areas, and critical infrastructure (even nuclear power plants such as the Chernobyl and the Zaporizhstal Nuclear Power Plant in Ukraine);
- Directed the St. Petersburg-based Internet Research Agency (IRA) information warfare campaign aimed at spreading disinformation and sowing societal division in the European Union and the United States;²⁵
- Spread propaganda and populism and provided support to right-wing and pro-Russian political parties in European countries;²⁶
- Supported the Assad regime, Nicolás Maduro, and General Khalifa;
- Prosecuted, imprisoned, or assassinated opposition members, human rights defenders, and protestors (such as Politkovskaya, Magnitsky, Nemtsov, Navalny, Kara-Murza, and others) on the pretext of fighting terrorism, portraying itself as a victim of domestic terrorists.

Indeed, the recent “special military operation” launched by Russia on February 24, 2022, against Ukraine has had a profound impact on the world security architecture. Additionally, the threat to world food security posed by Russia’s actions, particularly the sabotage of the Grain Deal, is a cause for concern. This has sparked discussions regarding the classification of the actions of the Russian Federation not only in the current context but also dating back to the fall of the Soviet Union. The consideration of recognizing Russia as a state sponsor of terrorism raises numerous questions and could have significant implications for global policies if implemented.

²⁴ The Republican Study Committee’s Task Force on National Security and Foreign Affairs, *The RSC National Security Strategy: Strengthening America & Countering Global Threats*, https://mikejohnson.house.gov/uploadedfiles/nstf_report.pdf.

²⁵ Select Committee on Intelligence, United States Senate, *Report on Russian Active Measures, Campaigns and Interference in the 2016 U.S. Election*, Volume 2: Russia’s Use of Social Media with Additional Views, https://www.intelligence.senate.gov/sites/default/files/documents/Report_Volume2.pdf.

²⁶ Rosa Balfour et al., *Europe’s Troublemakers – The Populist Challenge to Foreign Policy* (European Policy Center, 2016), <https://www.epc.eu/en/Publications/EUROPES-TROUBLEMAKERS--The-p~257da8>.

To be designated as a state sponsor of terrorism, a country has to provide support for acts of international terrorism repeatedly.²⁷ The comparison of the criteria used by the U.S. Department of State to designate countries as state sponsors of terrorism with the actions of the Russian Federation clearly indicates that the RF meets the requirements for such a designation. However, the complexities of *realpolitik* mean that the question of whether Russia should be officially recognized as a state sponsor of terrorism does not have a straightforward answer.

Possible Implications of the Decision

The Russian Federation currently faces the highest number of sanctions worldwide, totaling about 2,700 from 2014 to 2022.²⁸ By the end of the first year of the full-scale invasion, the number of sanctions skyrocketed – 10,608 were imposed on individuals, 3,431 – on companies, and 492 – on institutions.²⁹ And yet, they do not seem to be enough to stop the aggression. Moreover, the unprecedented sanctions have not yet caused significant damage to the Russian economy. Its GDP is forecast to decline by 2.5 % in the worst-case scenario according to OECD or by 0.2 % according to the World Bank, while the IMF expects 0.7 % growth in 2023.³⁰ Some predictions even indicate that Russia may have the resources to restore its military potential within two to four years.³¹

When the discussion refueled in April 2022, State Department spokesman Ned Price commented, “The sanctions we have in place and have taken are the same steps that would be entailed by the designation of a state sponsor of terrorism.”³² To understand if that statement reflects the state of affairs, in this final part of the article, we will explore the categories of sanctions that result from the designation of a country as a state sponsor of terrorism: restrictions on

²⁷ Ingrid (Wuerth) Brunk, “How Congress Should Designate Russia a State Sponsor of Terrorism,” *Just Security*, September 27, 2022, <https://www.justsecurity.org/83263/how-congress-should-designate-russia-a-state-sponsor-of-terrorism/>.

²⁸ Nick Wadhams, “Russia Is Now the World’s Most-Sanctioned Nation,” *Bloomberg*, March 7, 2022, <https://www.bloomberg.com/news/articles/2022-03-07/russia-surges-past-iran-to-become-world-s-most-sanctioned-nation>.

²⁹ “Total Number of List-based Sanctions Imposed on Russia by Territories and Organizations Worldwide from February 22, 2022 to February 10, 2023, by Target,” *Statista*, 2023, <https://www.statista.com/statistics/1293531/western-sanctions-imposed-on-russia-by-target/>.

³⁰ “Impact of Sanctions on the Russian Economy,” *European Council*, Infographics, <https://www.consilium.europa.eu/en/infographics/impact-sanctions-russian-economy/>.

³¹ “Russia Can Rebuild Military in 2-4 Years: Estonia,” *The Defense Post*, October 19, 2022, <https://www.thedefensepost.com/2022/10/19/russia-rebuild-military>.

³² Christina Wilkie, “U.S. Is Taking ‘a Close Look’ at Whether to Label Russia a State Sponsor of Terrorism. Here’s What That Means,” *CNBC*, April 19, 2021, www.cnn.com/2022/04/19/us-is-taking-a-close-look-at-whether-to-label-russia-a-state-sponsor-of-terrorism-heres-what-that-means.html.

U.S. foreign assistance, a ban on defense exports and sales, certain controls over exports of dual-use items; and various financial and other restrictions. In this context, sanctions targeting both countries and individuals involved in certain trade activities with the designated states are particularly relevant.

Ban on Defense Exports and Sales and Controls over Exports of Dual-use Items

Since 2014, both the USA and the EU have tightened controls on items that could potentially be utilized by Russia's military sector. These items encompass a wide range of categories outlined in the Commerce Control List, including integrated circuits and semiconductors, telecommunications devices, parts and components used for avionics and maritime technology, lasers, and more.³³ However, this measure was somewhat formal, as dual-use items could still be permitted if claimed to be intended for civilian applications or users. Additionally, contracts signed before 2014 were allowed to be implemented, enabling Russian companies to effectively circumvent sanctions by amending existing contracts. The European Conventional Arms Export Council estimated that between 2015 and 2020, ten EU countries exported arms worth 346 million Euros to Russia.³⁴ After the liberation of Ukrainian territories, evidence has emerged indicating that items imported between the annexation of Crimea and the full-scale invasion were used for military purposes. The High Representative of the European Union for Foreign Affairs and Security Policy, Josep Borrell, highlighted that 45 percent of Russian technology relies on parts supplied from Europe. He further admitted that "a huge number of electronic components from European high-tech companies are found inside the Russian tanks hit in Ukraine."³⁵ Russian small warships are equipped with American thermal imaging cameras. Therefore, more restrictions were imposed in 2022. But they seem to be insufficient. A recent investigation revealed that Shaheds-136, produced after the

³³ Cortney O'Toole Morgan and Grant D. Leach, "New U.S. Sanctions and Export Controls Aim to Impose 'Devastating Costs' on Russia," *Husch Blackwell*, February 25, 2022, <https://www.huschblackwell.com/newsandinsights/new-us-sanctions-and-export-controls-aim-to-impose-devastating-costs-on-russia>.

³⁴ "About Reputational Losses for Companies that Followed Anti-Russian Sanctions 'with Eyes Wide Shut'," *RBK-Ukraine*, August 10, 2022, <https://daily.rbc.ua/ukr/show/reputatsionnyh-poteryah-kompaniy-kotorye-1660016641.html>.

³⁵ Viktoriya Vlasenko, "Borrell: EU Sanctions Weaken the Combat Capability of the Russian Army," *Deutsche Welle*, August 13, 2022, <https://www.dw.com/uk/borrel-uevroparlamenti-sankcii-es-poslabluut-boezdatnist-rosijskoi-armii/a-63109588>.

launch of the full-scale invasion, contain more than 30 Western-made components.³⁶ This situation “calls into question the effectiveness of sovereign export controls and corporate due diligence processes.”³⁷

It is worth noting that the current sanctions are not entirely ineffective. According to US officials, Uralvagonzavod Corporation and the Chelyabinsk Tractor Plant, Russia’s two major tank plants, have ceased production due to a shortage of foreign components. Additionally, almost 1,000 private sector companies and 200,000 Russians, many of whom possess high-level skills, have departed the country.³⁸

U.S. Foreign Assistance

Among the five categories of foreign aid—economic assistance, humanitarian aid, multilateral economic contributions, bilateral development aid, and military aid—military aid has not been provided to Russia since 2014. The scope of aid given to Russia in 2022 amounted to \$ 159.42 million, ranking it 32nd out of 172 countries in terms of recipients of U.S. assistance.³⁹ Health, energy, environment, business, government, and civil society were the main sectors receiving aid.

Since the collapse of the Soviet Union in 1991, the provision of foreign aid was perceived as an instrument to promote reforms and bolster democracy. However, as early as 1998, the Institute of Policy Studies evaluated the provision of such aid as ineffective, stating: “The privatization drive that was supposed to reap the fruits of the free market instead helped to create a system of tycoon capitalism run for the benefit of a corrupt political oligarchy that has appropriated hundreds of millions of dollars of Western aid and plundered Russia’s wealth.”⁴⁰ Moreover, with the adoption of the law on agents of foreign influence by the Russian Duma in 2022, the activities of organizations that advocate for democracy development and human rights protection have been significantly limited. During the deliberations on the law, Vyacheslav Volodin, Chairman of the State Duma, elucidated its purpose: “There was interference throughout the

³⁶ Olena Tregub, “Western Components Have no Place in Russia’s Arsenal,” *Financial Times*, February 8, 2023, <https://www.ft.com/content/18552d71-ab14-4b79-8721-c63ac30f1e1a>.

³⁷ “Terror in the Details: Western-made Components in Russia’s Shahed-136 Attacks,” International Partnership for Human Rights, Independent Anti-Corruption Commission, Truth Hounds, & Global Diligence, 2023, <https://stories.iphronline.org/terror-in-the-details/index.html>.

³⁸ “Fact Sheet: United States and G7 Partners Impose Severe Costs for Putin’s War against Ukraine,” *The White House*, May 8, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/05/08/fact-sheet-united-states-and-g7-partners-impose-severe-costs-for-putins-war-against-ukraine/>.

³⁹ “US Foreign Aid by Country 2022,” <https://worldpopulationreview.com/country-rankings/us-foreign-aid-by-country>.

⁴⁰ Janine R. Wedel, “Aid to Russia,” *Institute of Policy Studies*, September 1, 1998, https://ips-dc.org/aid_to_russia/.

entire existence of the Russian Empire, the Soviet Union and the Russian Federation. We feel this interference of the US, England and other European states even today. Every country must defend itself if it is thinking about its future.”⁴¹

Though it is hard to argue that supporting pro-democratic and pro-human rights organizations on the territory of Russia is important, the results of the last three decades of providing aid gave almost no results, especially in comparison to the democratic developments in Ukraine. RF turned into a totalitarian country; it seems that the societal demand for democratization is not sufficient for changes that will turn Russia into a part of the civilized world.⁴² The level of support for Crimea annexation⁴³ and the lack of significant Russian anti-war movement on the territory of Russia and abroad signal deep societal problems.⁴⁴ Western hopes that problems will vanish with the demise of the current leader may prove unfounded. Therefore, providing aid primarily strengthens the dictatorship rather than serving any other purpose, and it certainly does not align with the interests of the US and American taxpayers.

Miscellaneous Financial and Other Restrictions

It is worth noting that the questionable use of provided aid extends to international support, including IMF aid packages. When Russia announced a technical default in 1998 and expected an \$ 11.2 billion aid package from the IMF, Veniamin Sokolov, head of the Chamber of Accounts of the Russian Federation, who had investigated the use of previous financial assistance from international lending institutions and aid organizations, emphasized: “All loans made to Russia go to speculative financial markets and have no effect whatsoever on the national economy.”⁴⁵

The US has already prohibited its citizens from providing management consulting services to any person or corporate entity in Russia. These services are seen as tools for enriching Russian elites and fueling the Kremlin’s war machine, as well as evading sanctions. Banning several Russian banks from SWIFT while allowing major players like Sberbank and Gazprombank to continue operations due to their role in handling gas and oil exports, sends a powerful message. If

⁴¹ “How Will the New Law on Foreign Agents Work,” *State Duma*, June 29, 2022, <http://duma.gov.ru/news/54760/>.

⁴² Elena Davlikanova and Lyubov Sobol, “The Democratization of Russia: A Fantasy?” *Center for European Policy Analysis*, September 9, 2023, <https://cepa.org/article/the-democratization-of-russia-a-fantasy/>.

⁴³ Denis Volkov and Andrei Kolesnikov, “My Country, Right or Wrong: Russian Public Opinion on Ukraine,” *Carnegie Endowment for International Peace*, September 7, 2022, <https://carnegieendowment.org/2022/09/07/my-country-right-or-wrong-russian-public-opinion-on-ukraine-pub-87803>.

⁴⁴ Marika Semenenko, “Why Aren’t Russians Abroad Doing More to Protest the War?” *The Moscow Times*, May 31, 2023, <https://www.themoscowtimes.com/2023/01/12/why-arent-russians-abroad-doing-more-to-protest-the-war-2-a79899>.

⁴⁵ “Fact Sheet: United States and G7 Partners Impose Severe Costs for Putin’s War Against Ukraine.”

Russia is designated as a state sponsor of terrorism, it will be included in the blacklist of the Financial Action Task Force, potentially leading to undermining and isolating the entire Russian banking system.

The US has imposed new restrictions on a broad range of inputs and products from Russia, including wood products, industrial engines, and various other items with industrial and commercial applications. Companies producing weapons in Russia and shipping companies have also faced sanctions. Individual sanctions have targeted representatives of Russian elites and their families, military officials, propagandists, and those known for human rights violations.⁴⁶

In addition, as reported by the Minister of Justice of Ukraine, Denys Maliuska, a political agreement with Western partners has been reached to transfer \$ 300 billion of Russia's gold and foreign exchange reserves, which were sanctioned and frozen in the West, to Ukraine. Furthermore, the EU has frozen around € 20 billion of assets belonging to more than 1,500 sanctioned persons and entities, which is believed to provide significant leverage in future negotiations with Russia. An unprecedented legal mechanism should be developed to allocate them to the needs of Ukraine.⁴⁷ However, the recognition of Russia as a state sponsor of terrorism may create obstacles to transferring frozen funds and assets to Ukraine, as discussed below.

Sanctions against Countries and Individuals for Engaging in Certain Trade with the Designated States

Some argue that Russia is "by no means an economic superpower and brings nothing to the global economy."⁴⁸ Still, in 2023, Russia remains the 11th largest economy globally, with a GDP of 2.06 trillion USD.⁴⁹ Russia's monthly exports averaged \$ 24.43 billion from 1994 until 2023, reaching an all-time record of \$ 57.9 billion in December 2021.⁵⁰ The Russian economy is heavily reliant on exports of commodities, with revenues from sales of crude oil, petroleum products, and natural gas accounting for about half of Russia's federal budget. Russia's main exports include fuels and energy products (over 50%), metals (10%), machinery and equipment (7.4%), chemical products (7.4%), and foodstuffs and

⁴⁶ "Fact Sheet: United States and G7 Partners Impose Severe Costs for Putin's War Against Ukraine."

⁴⁷ "Denys Maliuska: West Is Ready to Give Russia's Gold and Foreign Exchange Reserves to Ukraine, but There Are Nuances," *The Odessa Journal*, September 12, 2022, <https://odessa-journal.com/denys-maliuska-west-is-ready-to-give-russias-gold-and-foreign-exchange-reserves-to-ukraine-but-there-are-nuances/>.

⁴⁸ Jeffrey Sonnenfeld and Steven Tian, "Why Is the IMF Pushing Putin's Economic Propaganda?" *Time*, April 11, 2023, <https://time.com/6270540/imf-pushing-putins-economic-propaganda/>.

⁴⁹ Sophie Ireland, "Economy Rankings: Largest Countries by GDP, 2023," *CEO World Magazine*, 2023, <https://ceoworld.biz/2023/08/25/economy-rankings-largest-countries-by-gdp-2023/>.

⁵⁰ "Russia Exports," *Trading Economics*, 2023, <https://tradingeconomics.com/russia/exports>.

agricultural products (5 %).⁵¹ Russia's main export partners are China, Germany, the Netherlands, Italy, Turkey, and Japan. Since 2022, several countries have increased their trade with Russia, including India, Greece, Turkey, Slovenia, Bulgaria, Brazil, China, Austria, and Belgium.⁵²

Fossil fuel exports are considered a major enabler of the military buildup and aggressive actions of the Russian Federation against Ukraine. This is why an embargo on energy resources, among other sanctions, is being actively promoted by Ukrainian leadership and diplomats.⁵³ The growth of the Russian economy in the 2000s did not result from successful political and economic reforms but rather from the rapid rise in oil prices from \$ 12/barrel in 1998 to \$ 27.3 in 2003, and nearly \$ 150 by mid-2008. According to EBRD Chief Economist Sergey Guryev, this surge in oil prices accounted for one-third to one-half of Russia's growth rates. Every crisis that the Russian economy has faced—1998, 2008, 2014, 2020—has led to an increased reliance on the raw material sector.⁵⁴ Even now, as the volume of oil exports shrinks, rising prices allow Russia to mitigate the impact of pressure. According to Russian economist Sergey Aleksashenko, the Russian economy is structured in such a way that it critically depends on the export of oil and oil products, with less reliance on gas. Therefore, if the export of oil and oil products from Russia is not limited, the Russian economy will not be seriously harmed,⁵⁵ even with a price cap mechanism in place.⁵⁶ As the US is not dependent on Russian energy resources, it has already banned the import of Russian oil, gas, and coal.

Overall, any sanctions imposed by the West are expected to cause less harm to the countries imposing them than to the country being sanctioned. In the case of the current energy war, the outcome of the confrontation is still unclear, as

⁵¹ "Russia Exports."

⁵² Josh Lipsky and Niels Graham, "China Is Trading More with Russia – but so Are Many US Allies and Partners," *Atlantic Council*, May 30, 2023, www.atlanticcouncil.org/blogs/new-atlanticist/china-is-trading-more-with-russia-but-so-are-many-us-allies-and-partners/.

⁵³ "Press Briefing by Press Secretary Karine Jean-Pierre and Commerce Secretary Gina Raimondo," *The White House*, September 6, 2022, <https://www.whitehouse.gov/briefing-room/press-briefings/2022/09/06/press-briefing-by-press-secretary-karine-jean-pierre-and-commerce-secretary-gina-raimondo/>.

⁵⁴ Elizaveta Bazanova, "Why Has Russia Not Moved from Stagnation to Development in 20 Years?" *Vedomosti*, October 8, 2019, <https://www.vedomosti.ru/economics/articles/2019/10/08/813068-20-let-stagnatsii>.

⁵⁵ Dmitriy Kozhurin, "'Putin Tactically Solves a Small Problem, but Strategically Creates a Huge Catastrophe.' Economist Aleksashenko on the Future of the Russian Economy," *Nastoyashcheye Vremia*, September 12, 2022, <https://www.currenttime.tv/a/putin-takticheski-reshaet-malenkuyu-zadachu-no-strategicheski-sozdayut-ogromnyu-katastrofu-ekonomist-aleksashenko/32027675.html>.

⁵⁶ "The Price Cap on Russian Oil: A Progress Report," *US Department of the Treasury*, May 18, 2023, <https://home.treasury.gov/news/featured-stories/the-price-cap-on-russian-oil-a-progress-report>.

the world is not yet prepared to completely reject oil exports from Russia, especially within the next 15 years, given the current pace of green energy transformation. Currently, Russia satisfies one-sixth of the global demand for oil. In just the first six months after the launch of the full-scale invasion, the EU alone paid Russia more than 90 billion Euro for energy resources, which included 51 billion for oil, 37 billion for gas, and around 3 billion for coal.⁵⁷ Economists are already indicating that sanctions may trigger a recession in the EU, exacerbating its own economic challenges while it provides financial, military, and humanitarian aid to Ukraine and supports over seven million Ukrainian refugees.⁵⁸ Reports of evasion of the introduced Russian oil price cap⁵⁹ and other sanctions have already emerged.⁶⁰

On top of that, the presence of international companies in Russia is viewed by Ukrainians as latent support for Russia's terrorism, as these companies pay taxes to the Russian budget, provide salaries to employees, and stimulate the economy overall. In 2022, foreign businesses paid taxes to the Russian budget totaling \$ 24.37 billion. While some global companies have exited the Russian market since early 2022, often incurring significant losses, more than 1,000 foreign companies continue their operations and contribute to Russia's federal budget, prolonging the war in Ukraine and increasing the number of its victims.⁶¹ Moreover, some experts note that the current significant military losses in Ukraine may not deter Russia's ambitions regarding the restoration of the Soviet Union's sphere of influence, posing a continued threat to NATO countries.⁶²

⁵⁷ "Financing Putin's War: Fossil Fuel Imports from Russia During the Invasion of Ukraine," *Centre for Research on Energy and Clean Air (CREA)*, <https://energyandcleanair.org/financing-putins-war/>.

⁵⁸ "The UN Refugee Agency: Ukraine," September 7, 2022, <https://data.unhcr.org/en/situations/ukraine>.

⁵⁹ The Department of the Treasury's Office of Foreign Assets Control (OFAC) has published an alert, "Possible Evasion of the Russian Oil Price Cap," *US Department of the Treasury*, April 17, 2023, <https://ofac.treasury.gov/recent-actions/20230417>.

⁶⁰ "Global Advisory on Russian Sanctions Evasion Issued Jointly by the Multilateral REPO Task Force," *US Department of the Treasury*, March 9, 2023, https://home.treasury.gov/system/files/136/REPO_Joint_Advisory.pdf.

⁶¹ Olena Davlikanova, Iryna Lylyk, and N. Savytska, "Civil Society Influence on the Behavior with Regards to Russia's Full-Scale Invasion in Ukraine" (Kyiv: Friedrich Ebert Foundation, 2023), https://www.researchgate.net/publication/374166337_civil_society_influence_on_the_companies_behavior_with_regards_to_russia_s_full-scale_invasion_in_ukraine.

⁶² Robbie Gramer and Jack Detsch, "Russia Is Already Looking Beyond Ukraine: Moscow's Massive Losses May Not Neutralize Its Threat to NATO Countries," *Foreign Policy*, May 22, 2023, <https://foreignpolicy.com/2023/05/22/russia-nato-beyond-ukraine-estonia-baltic-eastern-flank-military-threat/>.

Instead of Conclusions

Our analysis demonstrates that the Russian Federation formally meets the criteria to join the “club of villains.” The presented analysis of the actions of the Russian Federation since the fall of the Soviet Union makes a compelling case for its designation as a state sponsor of terrorism. It outlines specific criteria such as provision of support to terrorist groups, sheltering terrorists, facilitation of plots, offensive cyber attacks, collaboration with designated state sponsors of terror, and use of proxy groups. The evidence presented includes support for groups like the Wagner Group, Hezbollah, Iranian Islamic Revolutionary Guard Corps, and the Taliban, as well as involvement in numerous conflicts and acts of terror, including those in Ukraine. This support involves the provision of financial aid and weapons and facilitation of terrorist activities, extending to various conflict zones such as Syria, Libya, the Central African Republic, Mali, Sudan, Madagascar, Venezuela, Mozambique, and, notably, Ukraine. The Russian Federation has been implicated in backing separatists involved in violence against Ukrainian civilians and supplying illegal armed groups with heavy weaponry. Additionally, it has been involved in cyberattacks and offensive activities against foreign governments, as well as assassinations and murder attempts on foreign soil.

However, political considerations currently prevent the US from including the Russian Federation on the list of the US Department of State. We will present the analysis of the pros and cons arguments in a separate article. In short, designating Russia as a state sponsor of terrorism carries several potential benefits, including acting as a deterrent, increasing international pressure, and making a symbolic statement against authoritarian regimes. This move could discourage further aggression and disrupt Russia’s strategies for reshaping the global order. It may also impede Russia’s economic capacity for military investments, serving as a symbolic stance against rising autocracies worldwide.

However, there are downsides to such a designation. It could escalate tensions, harm relationships with U.S. allies, and have adverse effects on the global economy. Terminating diplomatic relations with a major nuclear power might result in unpredictable consequences, impacting nuclear non-proliferation efforts and global food and energy security. Additionally, there’s a risk of eroding frozen assets intended for Ukraine’s reconstruction. Critics argue that while designation might pose a significant hurdle, it might not compel Russia to halt the ongoing war. Moreover, the delisting process in the future would demand evidence of changed behavior and public support.

Overall, Russia’s heightened diplomatic and economic isolation can be seen as an investment not only in Ukraine’s long-term security but also in American and global security for generations to come.⁶³

⁶³ Michael D. Shear and Karoun Demirjian, “Biden Requests \$105 Billion Aid Package for Israel, Ukraine and Other Crises,” *The New York Times*, October 20, 2023, <https://www.nytimes.com/2023/10/20/us/politics/biden-aid-israel-ukraine-taiwan-border.html>.

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Declaration of the Russian State as a State Sponsor of Terrorism: Pros, Cons, and Realities

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Abstract: The full-scale invasion of Ukraine on February 24, 2022, ignited discussions about ways to curb Russia's ambitions in reshaping the post-WWII world order. This article critically examines the ongoing dialogue surrounding the potential designation of the Russian Federation as a state sponsor of terrorism. We will delve into both the arguments in favor and against this move while also exploring the current political outcomes of this contentious debate. Previously, we conducted a comparative analysis of the criteria for including countries in the U.S. list of state sponsors of terrorism and the activities of the Russian Federation. This article outlines the potential repercussions of such a designation, including restrictions on U.S. foreign assistance, a ban on defense exports and sales, controls over exports of dual-use items, and various financial and other restrictions. Sanctions penalizing countries and individuals for engaging in trade with designated states are of particular significance. The Russian Federation has already been recognized as a state sponsor of terrorism or a terrorist state/regime in Ukraine and the EU; hence, the main emphasis will be on the United States. This is due to the fact that resolutions from other states are often symbolic gestures with limited consequences, whereas inclusion in the U.S. Department of State's list can have a profound impact on Russia.

Keywords: war, conflict, aggression, full-scale invasion, state sponsor of terrorism, terrorist state, terrorism, genocide, Russia, Russian Federation, Ukraine.

Introduction

Since the launch of the full-scale invasion of Ukraine by the Russian Federation on February 24, 2022, Ukrainian officials and opinion leaders have been fervently

advocating for Russia to be recognized as a state sponsor of terrorism. This designation, as defined by the U.S. Department of State, pertains to “countries determined by the Secretary of State to have repeatedly provided support for acts of international terrorism,”¹ with a particular focus on their involvement in assassinations on foreign soil.²

Initially compiled in 1979, now the list includes countries such as Cuba, the Democratic People’s Republic of Korea (North Korea), Iran, and Syria. Several nations, including Iraq, Libya, South Yemen, and Sudan, have been added and later removed from the list.

In this article, our objective is to provide a comprehensive summary of the ongoing discussions regarding the designation of the Russian Federation as a state sponsor of terrorism in Ukraine, the European Union, and the United States. Subsequently, we will explore the potential pros and cons of such a decision, especially if made by the U.S. Government. It is crucial to recognize that such a determination could have far-reaching consequences for Russia and its trade partners in their bilateral relationships with the United States. While Ukraine and many EU countries and institutions have already taken a stance on this matter, the United States has, as of now, deferred making a definitive decision.

Given that the conflict in Ukraine is not confined to a local or regional scale but holds implications for the future global “rules of the geopolitical game,” any decision regarding the designation of the Russian Federation demands meticulous study. Such scrutiny is essential for formulating effective strategies to curb autocratic tendencies and uphold democratic values worldwide.

The Debate around the Designation of the Russian Federation as a State Sponsor of Terrorism

This day has once again underscored the urgent need for Russia to be officially recognized as a terrorist state. No other nation in the world poses as grave a terrorist threat as Russia. No state allows itself the horrifying liberty of daily decimating peaceful cities and jeopardizing ordinary human lives using cruise missiles and rocket artillery.³

With these resolute words, Ukrainian President Volodymyr Zelensky addressed the democratic world on July 14, 2022, the 141st day of the war, following a rocket attack on the city of Vinnytsia. This address was one of many impassioned pleas from Ukrainian leaders to the global community since February 24,

¹ “State Sponsors of Terrorism,” Bureau of Counterterrorism, U.S. Department of State, <https://www.state.gov/state-sponsors-of-terrorism/>.

² “Country Reports on Terrorism 2020: Democratic People’s Republic of Korea,” Bureau of Counterterrorism, U.S. Department of State, <https://www.state.gov/reports/country-reports-on-terrorism-2020/democratic-peoples-republic-of-korea/>.

³ “Address of the President of Ukraine, Volodymyr Zelensky, as of July 14, 2022,” Office of the President of Ukraine, <https://www.youtube.com/watch?v=audu13gxRcc>.

2022. Throughout this period, Ukrainian diplomats, politicians, public opinion leaders, and activists tirelessly campaigned for the maximal isolation of Russia, aiming to undermine its economic and military capabilities and thus halt the on-going aggression.

How has this discussion unfolded? The assault on Vinnytsia was neither the first nor the last deliberate attack on Ukrainian civilians since 2014.⁴ According to Oleksandr Motyl, an American professor of political science at Rutgers University, such actions qualify Russia as a state sponsor of terrorism.⁵ Efforts to propel the issue of Russia's designation into the global political arena have been ongoing since the annexation of Crimea and the establishment of pseudo-republics in the Donetsk and Luhansk regions of Ukraine. Notably, Deputy Prosecutor General Viktor Shokin submitted a report to the head of the General Prosecutor's Office of Ukraine during that period. This report was subsequently forwarded to the Cabinet of Ministers and the Presidential Administration. Based on this document, the President's Administration crafted a corresponding decision and later presented it for voting in the Verkhovna Rada of Ukraine. However, only in May 2022 the Ukrainian Parliament formally passed the relevant legislation on this matter.⁶

Nonetheless, on January 16, 2017, Ukraine initiated legal action by submitting an appeal to the International Court of Justice, focusing on the application of the International Convention for the Suppression of the Financing of Terrorism and the International Convention on the Elimination of All Forms of Racial Discrimination (*Ukraine v. Russian Federation*). In this application, Ukraine sought to "hold the Russian Federation accountable for its unlawful actions under the Terrorism Financing Convention and the International Convention on the Elimination of All Forms of Racial Discrimination, and to redress the harm caused to Ukraine and its people by Russia's illegal violations of their rights."⁷ Notably, unlike Georgia's case arising from the 2008 Russia-Georgia war, which was dismissed on jurisdictional grounds, the Court accepted the *Ukraine v. Russia* case in 2019. However, the Court observed that Ukraine "did not provide a sufficient

⁴ Olena Buchynska et al., *100+ Stories of Women and Girls from Russia's War Against Ukraine* (Friedrich Ebert Foundation Office in Ukraine, May 2022), <https://tinyurl.com/100StoriesGirlsUkraine> (Volume I), <https://tinyurl.com/100storiesWomenUkraine> (Volume II).

⁵ "Russia Has Become a Sponsor of Terrorism – a Review of the Media," *VoA News*, April 15, 2014, <https://ukrainian.voanews.com/a/1894108.html>.

⁶ The Law of Ukraine "On the prohibition of propaganda of the Russian Nazi totalitarian regime, the armed aggression of the Russian Federation as a terrorist state against Ukraine, symbols of the military invasion of the Russian Nazi totalitarian regime in Ukraine," May 22, 2022, <https://zakon.rada.gov.ua/laws/show/2265-IX#Text>.

⁷ International Court of Justice, "Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of all Forms of Racial Discrimination," January 16, 2017, <https://www.icj-cij.org/public/files/case-related/166/166-20170116-APP-01-00-EN.pdf>.

basis to find it plausible that the required *mens rea* elements with respect to the terrorism financing offenses, as well as underlying offenses, were present.”⁸

The political discourse intensified with the revelations of mass graves and testimonies of tortured civilians in places like Bucha, Motyzhyn, and other liberated territories across Ukraine. These distressing findings made it increasingly challenging to sustain the status quo in political discussions. In April 2022, Ukraine’s leadership initiated a systematic campaign to address these atrocities.

Simultaneously, most European countries initially exhibited reluctance to broach the matter, with exceptions among ex-Soviet republics or those historically under the influence of the USSR. These nations were the first to recognize the imminent threat to their existence, being considered part of Russia’s so-called “legitimate zones of interest.”⁹ Consequently, discussions at the highest European levels took on a new urgency.

On May 10, 2022, Lithuania made history as the first country, apart from Ukraine, to officially designate the Russian Federation as a sponsor of terrorism while also recognizing the genocide of Ukrainians.¹⁰ Paulius Saudargas, Deputy Speaker of the Seimas of the Republic of Lithuania, emphasized that “if more states recognize Russia’s actions as genocide and Russia as a terrorist state, more political will might emerge to expel Russia from all international formats, political, cultural, sports, etc. The countries that still doubt would be encouraged to adopt tougher sanctions, supply more weapons to Ukraine, etc.”¹¹ Following Lithuania’s lead, Latvia made a similar designation in August.¹²

In June, President Zelensky emphasized that since 2014, Russia had violated 400 international treaties and fundamental European documents.¹³ These included crucial agreements such as the UN Charter, the UN Convention for the Suppression of the Financing of Terrorism, the Convention on the Prevention and

⁸ “Order of the Court of Justice, par.75,” <https://www.icj-cij.org/files/case-related/166/166-20170419-ORD-01-00-EN.pdf>.

⁹ “Vladimir Putin, Address to the Russian Federation State Duma, August 16, 1999,” excerpted from BBC News Magazine; “Vladimir Putin: The Rebuilding of ‘Soviet’ Russia,” March 28, 2014.

¹⁰ “Lithuania Adopts Resolution Calling Russia ‘Terrorist State,’ Accuses Moscow of ‘Genocide,’” *RadioFreeEurope/RadioLiberty*, May 10, 2022, accessed August 8, 2022, <https://www.rferl.org/a/lithuania-resolution-russia-genocide/31842970.html>.

¹¹ Tatiana Vorozhko, “US Lawmakers Push Biden to Designate Russia a State Terror Sponsor,” *The Voice of America*, May 19, 2022, <https://www.voanews.com/a/us-lawmakers-push-biden-to-designate-russia-a-state-terror-sponsor/6580968.html>.

¹² “Latvia Designates Russia a ‘State Sponsor of Terrorism’ over Ukraine War,” *Reuters*, August 11, 2022, <https://www.reuters.com/world/europe/latvia-designates-russia-state-sponsor-terrorism-over-ukraine-war-2022-08-11/>.

¹³ Nadia Sobenko, “Russia Has Violated about 400 International Treaties, of Which Ukraine Is a Party” – Zelensky,” *Suspilne News*, June 10, 2022, <https://suspilne.media/248787-rosia-porusila-blizko-400-miznarodnih-dogovoriv-ucasniceu-akih-e-ukraina-zelenskij/>. – in Ukrainian.

Punishment of the Crime of Genocide, conventions regulating the laws and customs of war, the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the Protection of Cultural Property in the Event of Armed Conflict, the UN Convention on the Elimination of All Forms of Racial Discrimination, the UN Convention on the Law of the Sea, the Helsinki Declaration, the European Convention for the Protection of Human Rights and Fundamental Freedoms, and the Statute of the Council of Europe. President Zelensky's remarks were framed within the context of advocating for the maximal exclusion of Russia on the global stage.

During this period, Estonia, Latvia, Canada, Poland, the Czech Republic, and Ireland followed Lithuania's example by recognizing the genocide against Ukrainians through their national parliaments. Furthermore, on July 13, 2022, the European Commission issued a joint statement expressing support for Ukraine's proceedings at the International Court of Justice against the Russian Federation under the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.¹⁴

However, despite these strong stances, achieving a visible consensus on designating Russia as a state sponsor of terrorism remained elusive. Piatras Aushriavičius, a Member of the European Parliament from Lithuania, described the Vinnytsia attack as an act of state terrorism but acknowledged the difficulty of attaining widespread recognition for Russia as a terrorist state:

There is a risk that must be understood. In Europe, they think that the window for negotiations or for contacts must be kept open despite everything that is happening. This means that after recognizing a country as a terrorist, it will be difficult to negotiate with it. Therefore, it is hard to imagine that support on the part of some states will be enough to grant the status to the Russian Federation... I can't imagine it.¹⁵

The incident in Olenivka on July 29, where a separatist-controlled prison housing hundreds of Ukrainian detainees, including fighters who had surrendered to Russia in May at the Azovstal steel plant in Mariupol, was blown up, resulting in the tragic loss of at least 50 lives. This prompted President Zelensky to address the matter again on July 30, 2022. In his speech, he underscored that the formal legal recognition of Russia as a terrorist state, particularly by the U.S. Department of State, was not merely a political gesture but a crucial step for the effective defense of the free world. Zelensky argued that such recognition would complicate the existence of the terrorist state, disrupting numerous political and business ties that currently sustain it. He emphasized, "It will have to be done –

¹⁴ European Commission, "Joint Statement on Supporting Ukraine in Its Proceeding at the International Court of Justice," July 13, 2022, https://ec.europa.eu/commission/presscorner/detail/e%20n/statement_22_4509.

¹⁵ "Russia's Attack on Vinnytsia Was Named an Act of Terrorism in the European Parliament," *European Pravda (Truth)*, July 14, 2022, <https://www.euointegration.com.ua/news/2022/07/14/7143223/>. – in Ukrainian.

it's only a matter of time and the way of making this decision. And the sooner it happens, the less evil Russia will be able to do.”¹⁶

To demonstrate the seriousness of its intentions, the Ukrainian Parliament initiated the review of a draft law on the status of a terrorist state and a state sponsor of terrorism in September 2022. This legislation provides clear definitions for these terms:

- “A terrorist state is a state whose power is based on the systematic violation of the rights and freedoms of its citizens and citizens of other states on its territory, terror and intimidation, and the use of force against the civilian population of other states in violation of international law;”
- “A state sponsor of terrorism is a state that provides material and other assistance to a terrorist group that poses a threat to the national security of Ukraine or another terrorist state.”¹⁷

This legislative initiative reflects Ukraine’s commitment to formalize its stance on state-sponsored terrorism and establishes a legal framework to address these critical issues.

The events in Olenivka prompted Latvian Minister of External Affairs Edgars Rinkevičs to urge the European Union to recognize Russia as a state sponsor of terrorism, drawing a comparison between Russia and ISIS.¹⁸ On August 11, the Latvian parliament officially recognized Russia as a terrorist state.¹⁹ Finally, in October 2022, the Council of Europe’s Parliamentary Assembly adopted Resolution 2463 (2022), which calls for the Council Member States to “declare the current Russian regime as a terrorist one.”²⁰ The snowball started an avalanche.

¹⁶ “Recognition of Russia as Terrorist State Needed Not as Political Gesture, but as Effective Defense of Free World – Address of President of Ukraine,” *President of Ukraine Official Site*, July 30, 2022, <https://www.president.gov.ua/news/viznannya-rosiyid-erzhavoyu-terroristom-potribne-ne-yak-polit-76797>.

¹⁷ Parliament of Ukraine, “Draft Law on the Status of a Terrorist State and a State Sponsor of Terrorism,” September 6, 2022, <https://itd.rada.gov.ua/billInfo/Bills/Card/40380>.

¹⁸ Lili Bayer, “‘Call a Spade a Spade’ – Latvia Urges Terror Sponsor Label for Russia,” *Politico*, July 31, 2022, <https://www.politico.eu/article/latvia-russia-ukraine-war-state-sponsor-of-terror-edgars-rinkevics/>.

¹⁹ “Saeima Krieviju atzīst par terorismu atbalstošu valsti [The Saeima Recognizes Russia as a Country Supporting Terrorism],” *Diena*, August 11, 2022, <https://www.diena.lv/raksts/latvija/zinas/saeima-krieviju-atzist-par-terorismu-atbalstosu-valsti-14284320>. – in Latvian

²⁰ Council of Europe’s Parliamentary Assembly, Resolution 2463 (2022) “Further Escalation in the Russian Federation’s Aggression Against Ukraine,” October 13, 2022, <https://pace.coe.int/en/files/31390/html>.

In October 2022, the Estonian parliament declared the Russian Federation a terrorist state,²¹ and the Polish Senate recognized the Russian regime as a terrorist.²² In November, the Chamber of Deputies of the Parliament of the Czech Republic²³ followed Poland's example; the NATO Parliamentary Assembly unanimously adopted a resolution declaring Russia a terrorist state and calling for a Special International Tribunal to investigate its crimes;²⁴ the European Parliament declared Russia a state sponsor of terrorism;²⁵ and the parliament of the Netherlands²⁶ did the same, followed by the Sejm of the Republic of Poland in December.²⁷ In February 2023, Slovakia's National Council also declared Russia a terrorist state.²⁸ Finally, on July 4, the OSCE Parliamentary Assembly adopted a resolution recognizing the terroristic nature of the Wagner Group and the responsibility of the Russian Federation as the state sponsor of said terrorist organization.²⁹

At the same time, the discussion in the United States was even more vivid (and less productive). In April 2022, the Verkhovna Rada recognized the actions

²¹ Tristan Fiedler, "Estonian Parliament Declares Russia a Terrorist State," *Politico*, October 18, 2022, <https://www.politico.eu/article/as-the-third-country-to-estonia-declares-russia-a-terrorist-state/>.

²² "Polish Senate Recognises Russia as a Terrorist Regime," *Notes from Poland*, October 26, 2022, <https://notesfrompoland.com/2022/10/26/polish-senate-recognises-russia-as-a-terrorist-regime/>.

²³ "Lower House of Czech Parliament Recognises Russian Regime as Terrorist," *European Pravda*, November 16, 2022, <https://www.euointegration.com.ua/eng/news/2022/11/16/7150750/>.

²⁴ Alya Shandra, "NATO Parliamentary Assembly Designates Russia as a Terrorist State, Calls for Tribunal," *Euromaidan*, November 21, 2022, <https://euromaidanpress.com/2022/11/21/nato-parliamentary-assembly-recognizes-russia-as-terrorist-state-calls-for-tribunal/>.

²⁵ "European Parliament Declares Russia to Be a State Sponsor of Terrorism," *European Parliament News*, November 23, 2022, <https://www.europarl.europa.eu/news/en/press-room/20221118IPR55707/european-parliament-declares-russia-to-be-a-state-sponsor-of-terrorism>.

²⁶ "Dutch Parliament Declares Russia State Sponsor of Terrorism," *The New Voice of Ukraine*, November 25, 2022, <https://english.nv.ua/nation/dutch-parliament-declares-russia-state-sponsor-of-terrorism-50286671.html>.

²⁷ "Sejm uznał Rosję za państwo wspierające terroryzm [The Sejm Recognized Russia as a State Supporting Terrorism]," *Sejm Official Website*, December 14, 2022, <https://www.sejm.gov.pl/sejm9.nsf/komunikat.xsp?documentId=4774505381CECC10C1258918007022FA>.

²⁸ "Slovak parliament recognises Russian regime as terrorist and Russia as terrorism sponsor," *Ukrainska Pravda*, February 16, 2023, <https://www.pravda.com.ua/eng/news/2023/02/16/7389647/>.

²⁹ "OSCE Resolution on the Wagner Group's Terroristic Nature and Actions," adopted by the OSCE Parliamentary Assembly at the 30th Annual Session (Vancouver, 30 June – 4 July 2023), <https://www.oscepa.org/ru/dokumenty/ad-hoc-committees-and-working-groups/ad-hoc-committee-on-counterterrorism/4755-osce-pa-resolution-on-the-wagner-group-terroristic-nature-and-actions-30th-annual-session-2023/file>.

of the Russian Federation on the territory of Ukraine as genocide of the Ukrainian people.³⁰ It was then that President Zelensky first asked President Biden to include Russia in the list of the U.S. Department of State's state sponsors of terrorism.³¹ In response, U.S. State Department spokesperson Ned Price noted, "We're taking a close look at the facts."³² Here, it should be noted that recognition of genocide in Ukraine by the U.S. Congress took some time, even though such a step would not demand any additional harsh actions beyond those already taken by the United States in helping Ukraine to protect itself from Russian aggression.³³ In July, Senators Jim Risch, Ben Cardin, Richard Blumenthal, Roger Wicker, Jeanne Shaheen, Rob Portman, and Lindsey Graham introduced a bipartisan resolution passed in December 2022.³⁴ Representative Steven Cohen had earlier introduced a similar resolution.³⁵

However, the discussion regarding the designation of Russia as a state sponsor of terrorism indeed started earlier. On April 23, 2014, shortly after the annexation of Crimea and the commencement of the war in eastern Ukraine, a petition was launched on the White House website urging for Russia to be recognized as a state sponsor of terrorism:

In its unannounced war against Ukraine, Russia relies on covert operations which fall squarely within the definition of "international terrorism" under 18 U.S.C. § 2331. Specifically, armed operatives of Russia, acting under disguise, attempt to influence the policy of Ukrainian government by intimidation or coercion. They also try to affect the conduct of a government by assassinations and kidnapping, taking by force government buildings, police posts and military bases of Ukraine. This activity is being conducted on large scale and over prolonged time period, despite condemnation by the USA, G-7, NATO,

³⁰ Resolution No. 7276 on the Statement of the Verkhovna Rada of Ukraine "On the Commission of Genocide by the Russian Federation in Ukraine," as of April 11, 2022, <https://itd.rada.gov.ua/billinfo/Bills/Card/39411>.

³¹ John Hudson and Jeff Stein, "Zelensky Asks Biden to Designate Russia a State Sponsor of Terrorism," *The Washington Post*, April 15, 2022, www.washingtonpost.com/national-security/2022/04/15/zelensky-biden-russia-terrorism/.

³² Peter McLaren-Kennedy, "US Considering Labelling Russia a State Sponsor of Terrorism," *EuroWeekly News*, April 19, 2022, <https://euoweeklynews.com/2022/04/19/us-considering-labelling-russia-a-state-sponsor-of-terrorism/>.

³³ Todd Buchwald, "Genocide Determinations and Ukraine: A Q&A with Fmr. Ambassador Todd Buchwald," *Just Security*, June 14, 2022, <https://www.justsecurity.org/81903/genocide-determinations-and-ukraine-a-qa-with-fmr-ambassador-todd-buchwald/>.

³⁴ "Risch, Cardin Applaud Committee Passage of Ukraine Genocide Resolution," *Foreign Relations Committee*, December 7, 2022, <https://www.foreign.senate.gov/press/rep/release/risch-cardin-applaud-committee-passage-of-ukraine-genocide-resolution>.

³⁵ U.S. Congress, "H.Res.1205 – Recognizing Russian Actions in Ukraine as a Genocide," introduced June 24, 2022, <https://www.congress.gov/bill/117th-congress/house-resolution/1205/>.

EU and UN. Accordingly, Russia must be officially designated as “State sponsor of terrorism.”³⁶

The petition was signed by 105,684 individuals. The response to the petition expressed deep concerns regarding the destabilization of the situation in the region. It emphasized the sanctions that were being imposed on Russia, the importance of maintaining the possibility for dialogue with Russia, and included a warning: “If Russia continues to flout its commitments and continues its dangerous and destabilizing actions, then the costs to Russia will continue to rise.”³⁷

Four years later, on April 19, 2018, Republican Senator Cory Gardner addressed the U.S. State Department with the demand to include the Russian Federation in the list of state sponsors of terrorism for the poisoning of Russian intelligence officer Sergei Skripal.³⁸ However, this effort did not yield any results.

The full-scale invasion of Ukraine brought the question back onto the political agenda. In 2022, senators Richard Blumenthal (D) and Lindsey Graham (R) submitted a bipartisan resolution calling on the Secretary of State to designate Russia as a state sponsor of terrorism (S.Res.623).³⁹ “Putin is a terrorist, and one of the most disruptive forces on the planet is Putin’s Russia,”⁴⁰ explained Sen. Lindsey Graham of South Carolina. The Committee on Foreign Relations reviewed the resolution, and the Senate unanimously approved it.

The House of Representatives also took significant steps. First, congressmen Joe Wilson (R-SC) and Ted Lieu (D-CA) presented a resolution that served “as a companion to the Senate version introduced by Sen. Lindsey Graham (R-SC).”⁴¹ Later, on July 28, 2022, representatives Ted Lieu, Joe Wilson, Jared Golden, Adam

³⁶ “We Petition the Obama Administration to: Designate Russia as ‘State Sponsor of Terrorism,” *The White House*, April 23, 2014, <https://web.archive.org/web/20150323054145/https://petitions.whitehouse.gov/petition/designate-russia-state-sponsor-terrorism/XMjbTltM>.

³⁷ Response to *We the People* Petition on Russia, “We the People Ask the Federal Government to Take or Explain a Position on an Issue or Policy: Designate Russia as ‘State Sponsor of Terrorism,” *The White House*, December 5, 2014, <https://petitions.obama.whitehouse.archives.gov/petition/designate-russia-state-sponsor-terrorism/>.

³⁸ “Putin’s Poisons: 2018 Attack on Sergei Skripal,” *U.S. Embassy & Consulates in Italy*, April 11, 2022, <https://it.usembassy.gov/putins-poisons-2018-attack-on-sergei-skripal/>.

³⁹ “S.Res.623 – A Resolution Calling on the Secretary of State to Designate the Russian Federation as a State Sponsor of Terrorism,” introduced May 9, 2022; July 27, 2022, Resolution agreed to in Senate with an amendment and an amended preamble by Voice Vote, www.congress.gov/bill/117th-congress/senate-resolution/623/text.

⁴⁰ “Graham, Blumenthal Introduce Resolution on Russian State Sponsorship of Terrorism,” *Senator Lindsey Graham Official Website*, May 10, 2022, <https://www.lgraham.senate.gov/public/index.cfm/2022/5/graham-blumenthal-introduce-resolution-on-russian-state-sponsorship-of-terrorism>.

⁴¹ “Wilson and Lieu Introduce Bipartisan Resolution on Designating Russia as a State Sponsor of Terrorism,” *U.S. Congressman Joe Wilson Official Website*, May 12, 2022, <https://joewilson.house.gov/media-center/press-releases/wilson-and-lieu-introduce-bipartisan-resolution-on-designating-russia-as>.

Kinzinger, and Tom Malinowski⁴² introduced a bipartisan bill, H.R. 8568,⁴³ calling to designate Russia as a state sponsor of terrorism. In September, senators Lindsey Graham (R-SC) and Richard Blumenthal (D-CT) introduced a similar bill, S. 4848.⁴⁴

Thus, Congress sent a clear message of its readiness to take matters into its own hands if the State Department remains unwilling to act. This initiative garnered support from Nancy Pelosi, Speaker of the House, who described the designation as “long overdue.”⁴⁵ If enacted, these bills would bypass Secretary of State Antony Blinken and could even circumvent President Biden, should he choose to veto them.⁴⁶

Congress passing legislation [to effectively designate Russia as a state sponsor of terrorism] is obviously a more complicated route than the secretary making the designation, but it would give the administration the political cover it needs to escalate economic pressure and rhetoric against Putin.⁴⁷

The U.S. Constitution grants Congress the power to regulate foreign commerce, which includes imposing sanctions and modifying the rules governing the immunity of foreign state-owned assets. Currently, these aspects are regulated by several federal statutes: 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (50 U.S.C. §4813(c)(1)(A)(i)), section 620A(a) of the Foreign Assistance Act of 1961 (22 USC §2371(a)), and section 40(d) of the Arms Export Control Act (22 U.S.C. §2780(d)). In 2023, Congressman Ted Lieu reintroduced the “Russia is a

⁴² “Reps Lieu, Wilson, Golden, Kinzinger and Malinowski Introduce Bill to Designate Russia as a Sponsor of Terrorism,” *U.S. Congressman Ted Lieu Official Website*, July 28, 2022, <https://lieu.house.gov/media-center/press-releases/rep-lieu-wilson-golden-kinzinger-and-malinowski-introduce-bill>.

⁴³ U.S. Congress, “H.R.8568 – Russia Is a State Sponsor of Terrorism Act,” introduced July 28, 2022, <https://www.congress.gov/bill/117th-congress/house-bill/8568/>.

⁴⁴ U.S. Congress, “S.4848 – Russia Is a State Sponsor of Terrorism Act,” introduced September 14, 2022, <https://www.congress.gov/bill/117th-congress/senate-bill/4848/text>.

⁴⁵ Andrew Desiderio, “‘Long Overdue’: Pelosi Affirms Support for Labeling Russia a Sponsor of Terrorism,” *Politico*, July 21, 2022, <https://www.politico.com/news/2022/07/21/pelosi-russia-sponsor-of-terrorism-00047162>.

⁴⁶ Ingrid (Wuerth) Brunk, “How Congress Should Designate Russia a State Sponsor of Terrorism,” *Just Security*, September 27, 2022, <https://www.justsecurity.org/83263/how-congress-should-designate-russia-a-state-sponsor-of-terrorism/>.

⁴⁷ Alexander Ward and Betsy Woodruff Swan, “Pelosi to Blinken: Label Russia as Terrorist State, or Else Congress Will,” *Politico*, July 20, 2022, <https://www.politico.com/news/2022/07/20/pelosi-to-blinken-label-russia-as-terrorist-state-or-else-congress-will-00047076>.

State Sponsor of Terrorism Act” H.R.3979,⁴⁸ initially introduced in September 2022.⁴⁹ None of these bills has been voted on yet.

However, the Biden Administration remains hesitant, with Secretary of State Antony J. Blinken considering it a currently irrelevant measure.⁵⁰ Moscow has already warned that such a designation would be a diplomatic “point of no return” in the relations between Russia and the United States.⁵¹ At a press conference in September 2022, President Joe Biden gave a short and clear answer to the question of whether Russia should be designated as a state sponsor of terrorism: “No.”⁵²

Despite the Biden Administration’s reluctance, Ukrainian authorities continue to press the issue. On the symbolic date of September 11, at the YES Conference, the Head of the Office of the President of Ukraine, Andriy Yermak, emphasized that recognizing the Russian Federation as a state sponsor of terrorism would serve as a “so-called silver bullet for the Russian military machine,”⁵³ while Michael McFaul added that this issue must be raised constantly. President Zelensky reiterated the importance of this designation in his speech at the United Nations General Assembly.⁵⁴

A year later, Ukrainian Ambassador to the United States, Oksana Markarova, noted that the specific term—whether “sponsor of terrorism,” “terrorist,” or “aggressor”—is not as important as the recognition itself. She emphasized that

⁴⁸ “Rep Lieu Introduces Bipartisan Bill to Designate Russia as a State Sponsor of Terrorism,” *U.S. Congressman Ted Lieu Official Website*, June 9, 2023, <https://lieu.house.gov/media-center/press-releases/rep-lieu-introduces-bipartisan-bill-designate-russia-state-sponsor>; “Bill to Designate Russia as State Sponsor of Terrorism Reintroduced in U.S. Congress,” *Ukrinform*, <https://www.ukrinform.net/rubric-politics/3720990-bill-to-designate-russia-as-state-sponsor-of-terrorism-reintroduced-in-us-congress.html>.

⁴⁹ “Graham, Blumenthal Introduce Russian State Sponsor of Terrorism Bill,” *U.S. Senator Lindsey Graham Official Webpage*, September 14, 2022, www.lgraham.senate.gov/public/index.cfm/2022/9/graham-blumenthal-introduce-russian-state-sponsor-of-terrorism-bill.

⁵⁰ Michael Crowley and Edward Wong, “Blinken Resists Push to Label Russia a Terrorist State,” *New York Times*, July 29, 2022, <https://www.nytimes.com/2022/07/29/us/politics/russia-terrorism-blinken.html>.

⁵¹ Mark Temnycky, “Will the United States Designate Russia a State Sponsor of Terrorism?” *Atlantic Council*, August 15, 2022, <https://www.atlanticcouncil.org/blogs/ukrainealert/will-america-designate-russia-a-state-sponsor-of-terrorism/>.

⁵² “Biden Does Not Support Designation of Russia as a State Sponsor of Terrorism,” *European Pravda (Truth)*, September 6, 2022, <https://www.eurointegration.com.ua/news/2022/09/6/7146228/>.

⁵³ “Designating Russia a State – Sponsor of Terrorism Will Be a ‘Silver Bullet’ for Its Military Machine – Andriy Yermak,” *President of Ukraine Official Website*, September 11, 2022, <https://www.president.gov.ua/en/news/viznannya-rosiyi-derzhavoyu-sponsorom-terorizmu-stane-sribno-77677>.

⁵⁴ “Ukrainian President Outlines Peace Formula That Punishes Aggression, Restores Security,” *UN News*, September 21, 2022, <https://news.un.org/en/story/2022/09/1127421>.

Ukraine is “actively working with Congress on various wording options, as well as with the administration.”⁵⁵ Secretary Blinken mentioned earlier that the administration is collaborating with Congress on labeling Russia an “aggressor state.” In an interview with CNN in December, Blinken explained, “We’re working with Congress right now on legislation that would help us get around some of the challenges of using the state sponsor of terrorism designation, which ... has some unintended consequences.”⁵⁶ However, Republicans have criticized this approach as being ineffective (toothless) against Moscow.

So, let us examine all the pros and cons voiced by politicians and experts from both camps.

“The Fight for the Right” – Reasoning of Those in Favor of the Decision

First and foremost, designating Russia as a state sponsor of terrorism is viewed as a just response to the numerous violations of international law committed by Russia over the past thirty years. Congressman Adam Kissinger emphasizes that the anticipated decision by the U.S. Department of State “will isolate the government (led by Putin) and its associates from the civilized world, branding Russia as a global pariah – akin to Cuba, Syria, North Korea, and Iran.”⁵⁷ This move is perceived as calling things by their true names, particularly when a nation involved in terrorism positions itself as a leader in countering terrorism. Notably, President Biden has openly referred to Putin as a war criminal,⁵⁸ and the International Criminal Court has already issued arrest warrants against the Russian President and Maria Lvova-Belova,⁵⁹ the Commissioner for Children’s Rights in the Presidential Office. Discussions are also underway regarding the establishment of a tribunal for the Russian leadership.⁶⁰

⁵⁵ “Markarova: Ukraine Is Working with the US Congress to Recognize Russia as a Terrorist State,” *Ukrinform*, February 10, 2023, <https://www.ukrinform.ua/rubric-politics/3668509-markarova-ukraina-pracue-z-kongresom-ssa-sodo-viznanna-rosii-krainoutoristorom.html>.

⁵⁶ Olafimihan Oshin, “Graham: US Should Designate Russia a State Sponsor of Terrorism,” *The Hill*, February 19, 2023, <https://thehill.com/homenews/sunday-talk-shows/3865483-graham-us-should-designate-russia-a-state-sponsor-of-terrorism/>.

⁵⁷ “The US House of Representatives Will Also Consider Recognizing Russia as a Sponsor of Terrorism,” *European Pravda (Truth)*, July 31, 2022, <https://www.euointegration.com.ua/news/2022/07/31/7144167/>. – in Ukrainian

⁵⁸ Myah Ward, “Biden Calls Putin a ‘War Criminal,’” *Politico*, March 16, 2022, <https://www.politico.com/news/2022/03/16/biden-russian-president-vladimir-putin-war-criminal-00017896>.

⁵⁹ “Situation in Ukraine: ICC Judges Issue Arrest Warrants against Vladimir Vladimirovich Putin and Maria Alekseyevna Lvova-Belova,” *International Criminal Court*, March 17, 2023, <https://www.icc-cpi.int/news/situation-ukraine-icc-judges-issue-arrest-warrants-against-vladimir-vladimirovich-putin-and>.

⁶⁰ “Ukraine War: MEPs Push for Special Tribunal to Punish Russian Crimes,” *European Parliament*, January 19, 2023, <https://www.europarl.europa.eu/news/en/press->

Second, the advocacy efforts of the Ukrainian leadership aim to limit Russia's ability to circumvent sanctions through secondary sanctions imposed on its trading partners. Labeling Russia as a state sponsor of terrorism would stigmatize the country. Thus, such a decision may have "a chilling effect on financial institutions that could avoid transactions with Russia that may be technically permitted, but institutions deem too risky to participate in."⁶¹ Currently, it is estimated that Swiss banks are still hiding over \$ 400 billion in illegal money linked to Russia. Bill Browder, head of the Magnitsky Global Justice Campaign, has claimed that Switzerland "wants to be seen as doing something while in reality doing nothing," continuing to profit from Russian assets.⁶²

The "chilling effect" may manifest itself in minimizing sanction avoidance by other economic actors, potentially limiting Russia's ability to finance the war. For example, Russia earned 4 billion pounds from diamond exports in 2021. Although the UK banned Russian diamonds after the full-scale invasion, most Russian diamonds are re-exported from India, making it difficult to establish their origin.⁶³ By prohibiting most trade operations, Russia's revenues from exports would decrease. As of 2023, Russia's oil exports by sea have almost returned to pre-invasion levels, so the designation could significantly cut the flow to primary buyers such as India and China.⁶⁴ Among the indirect impacts of such limitations might be an acceleration of the shift to a green economy. International companies still operating in Russia and seen as latent sponsors of terrorism will be forced to leave. "Adding Russia to the state sponsors of terrorism list would be the nuclear economic option and a precision strike against Putin's ego," said Jason Blazakis, a professor of practice at the Middlebury Institute of International Studies.⁶⁵ Cutting economic ties will affect Russia's technological development in the mid- and long-term, specifically due to the prohibition of access to advanced technologies.

Third, the designation is believed to strengthen Ukraine's negotiating position, "especially with regard to opening up the path to the seizure of substantial

room/20230113IPR66653/ukraine-war-meps-push-for-special-tribunal-to-punish-russian-crimes.

⁶¹ "State Sponsor of Terrorism Designations. Session 23 of the Congressional Study Group," *Brookings*, December 29, 2022, <https://www.brookings.edu/articles/state-sponsor-of-terrorism-designations/>.

⁶² "Hearing – Russia's Alpine Assets: Money Laundering and Sanctions Evasion in Switzerland," *Commission on Security and Cooperation in Europe (CSCE)*, July 18, 2023, <https://www.csce.gov/international-impact/events/russias-alpine-assets-money-laundering-and-sanctions-evasion-switzerland>.

⁶³ "What Are the Sanctions on Russia and Have They Affected Its Economy?" *BBC*, February 23, 2024, <https://www.bbc.com/news/world-europe-60125659>.

⁶⁴ Maria Grazia Attinasi et al., "Trade Flows with Russia since the Start of Its Invasion of Ukraine," *European Central Bank (ECB) Economic Bulletin*, no. 5 (2022), www.ecb.europa.eu/pub/economic-bulletin/focus/2022/html/ecb.ebbox202205_01~9a64e27f6f.en.html.

⁶⁵ Attinasi et al., "Trade Flows with Russia since the Start of Its Invasion of Ukraine."

sovereign assets.”⁶⁶ Delisting could become a valuable bargaining chip if the leadership changes and Russia becomes more open to dialogue with the West. The current government has remained deaf to all U.S. diplomatic efforts. This leverage could be used not only in exchange for reparations but also for democratic reforms in Russia itself, such as de-Putinization, de-oligarchization, denuclearization, demilitarization, restoration of free and fair elections, rule of law, respect for human rights and freedoms, and anti-corruption reforms. Similarly, the return of Russia’s voice in international organizations could be negotiated if it is finally denied its veto right in the UN or its voice in the OSCE due to the implementation of the two-stage penalty mechanism proposed by Ukraine.⁶⁷

The designation serves as “a warning shot to other bad actors,”⁶⁸ such as Pakistan, which has supported groups on the State Department’s list of foreign terrorist organizations. Not adding Russia to the list is a significant omission that sends a signal to global troublemakers, potentially leading to even greater challenges for international security in the long run.

“A Double-edged Sword” – Reasoning of Those Against the Decision

The countries on the list—Cuba, North Korea, Iran, and Syria—have historically not been major global economic or political players. While Russia may not be considered a top-tier economic nation, it distinguishes itself from this list due to its vast territory, substantial population (144 million people), and, notably, extensive natural resources, and the world’s largest stockpile of nuclear warheads. Severing diplomatic relations with such a significant nuclear power will bring a geopolitical shock with unpredictable consequences. However, it is important to note that North Korea, also a nuclear power, shares characteristics of unpredictability and unreliability with Russia.

Russian leadership reacts aggressively to attempts to designate Russia as a state sponsor of terrorism. On August 2, 2022, Russian Foreign Ministry spokeswoman Maria Zakharova stated that such a step could lead to a severance of diplomatic relations with the United States:

American legislators (...) have already begun developing what they consider “powerful weapons,” such as declaring Moscow a state sponsor of terrorism. Such an application of their own legislation, contrary to international law, may be viewed by senators and congressmen as some kind of severe punishment intended to force Russia to conform to the rules of the U.S.-invented

⁶⁶ “Everything You Wanted to Know about State Sponsor of Terrorism Status. A Comprehensive Explanation from the Yermak-McFaul Sanctions Group,” Special Project: Russia Is a Terrorist State, *Ukrainianska Pravda*, 2022, <https://www.pravda.com.ua/cdn/cd1/terroriststate/eng/#a10>.

⁶⁷ “Understanding Ukraine: Artur Gerasymov on How Ukraine Is Shaping Europe’s Security,” *Center for European Policy Analysis*, May 31, 2023, https://www.youtube.com/watch?v=1iA_6VzLuJk.

⁶⁸ Jason M. Blazakis, “Biden Should Swiftly Put Russia on Terror List,” *The Hill*, May 3, 2022, <https://thehill.com/opinion/national-security/3474481-biden-should-swiftly-put-russia-on-terror-list/>.

world order. At the same time, it is somehow forgotten that any action causes a reaction, and the logical result of such an irresponsible step could be a rupture of diplomatic relations, pushing Washington past the point of no return with all the ensuing consequences.⁶⁹

Moreover, the Russian Duma party “Just Russia – For the Truth” submitted a bill aimed at defining the procedure for recognizing states as terrorists and sponsors of terrorism. This bill foresees the limitation or severance of Russia’s diplomatic relations with countries designated as terrorist states and the confiscation of their citizens’ assets.⁷⁰ The criteria for designating a country as a state sponsor of terrorism include: (1) responsibility for organizing explosions or other actions aimed at terrorizing the population and creating a dangerous environment that may lead to human death; (2) causing significant property damage and supporting illegal military groups; and (3) calling for the alienation of part of Russia’s territory or advocating a violation of its territorial integrity. Consequently, in addition to being labeled a Nazi country without grounds, Ukraine (and other Western countries) might be falsely recognized as state sponsors of terrorism by the Russian Federation.

Some U.S. experts believe that increasing the gap between the United States and Russia will not benefit Ukraine, especially considering the unprecedented sanctions already imposed on Russia. “If Russia is now declared a sponsor of terrorism, which it is... in diplomatic language, this is a break in diplomatic relations. Russia has always sponsored terrorism, this is old news, it just started the Third World War. Ukraine is fighting for the whole world today,” said retired U.S. Navy Captain First Class Harry Tabach.⁷¹

Already visible war-related disruptions to the production and trade in the energy and agriculture sectors pose a threat to global energy and food supply security. Russia remains one of the top exporters of energy and agricultural commodities,⁷² yet it continues to act as a terrorist by breaching the grain deal.

Given that politics is the art of the possible, the rule that the United States has no formal diplomatic or commercial relations with designated states still leaves some room for communication. This was previously seen with Iran, where there was a carve-out for financial sanctions. Therefore, if cooperation with Russia on certain matters is deemed essential, there may be legal ways to ensure it,

⁶⁹ “The Ministry of Foreign Affairs Admitted the Severance of Relations with the United States When Recognizing the Russian Federation as a Country Sponsor of Terrorism,” *Interfax*, August 2, 2022, <https://www.interfax.ru/russia/854898>. – in Russian.

⁷⁰ “The Socialist-Revolutionaries’ Party Proposed a Project on States Sponsoring Terrorism,” *Ria News*, July 26, 2022, <https://ria.ru/20220726/terrorism-1805024884.html>.

⁷¹ “Press Briefing by Press Secretary Karine Jean-Pierre and Commerce Secretary Gina Raimondo,” *The White House*, September 6, 2022, <https://www.whitehouse.gov/briefing-room/press-briefings/2022/09/06/press-briefing-by-press-secretary-karine-jean-pierre-and-commerce-secretary-gina-raimondo/>.

⁷² Attinasi et al., “Trade Flows with Russia since the Start of Its Invasion of Ukraine.”

even if Russia is designated as a state sponsor of terrorism. For instance, in order to ensure agricultural and humanitarian exceptions, Congressman Lieu's bill provides that "nothing in this Act may be construed to provide for the imposition of sanctions against any person that engages in transactions to export agricultural products from Ukraine or to provide humanitarian assistance in Ukraine."⁷³ In addition, diplomatic contacts may continue within the framework of international organizations. Although Russia has been suspended from the UN Human Rights Council,⁷⁴ it continues to veto resolutions concerning its aggression⁷⁵ as a member of the UN Security Council, even holding the presidency in 2023.⁷⁶ Notably, its prior presidency in February 2022 coincided with the full-scale invasion of Ukraine. It is believed that designating a permanent Security Council member as a state sponsor of terrorism would be an unprecedented decision, potentially hampering international cooperation on global conflict and crisis management.

There is a fear that such a step will further alienate the Russian people from the West. According to a Levada Center opinion poll on the attitudes of Russians towards other countries conducted at the end of 2022, 73 % of respondents expressed a negative attitude towards the United States, 70 % towards Ukraine, and 68 % towards the EU. In contrast, there is a positive attitude towards China (87 %) and Belarus (92 %).⁷⁷ We believe that without profound societal changes, Russia will continue to be a disruptive rather than a constructive force in any such efforts. The current political regime is merely a reflection of deeply rooted problems. These changes necessitate more than formal reforms or ritual elections; they require a comprehensive redefinition of the notion of the "Russian nation" by the Russian people themselves. Presently, this concept is tainted by imperialism, colonial nationalism (rather than anti-colonial nationalism), known as patriotism, unfinished tasks in decommunization, especially destalinization, and a distorted sense of "greatness." In the 21st century, greatness should embody meanings other than engaging in genocidal wars for territories. "For millions of ordinary Russians, this is a badge of shame. We'd like to remind the Russian people that it's within their power to change this label."⁷⁸

⁷³ "Rep Lieu Introduces Bipartisan Bill to Designate Russia as a State Sponsor of Terrorism."

⁷⁴ "UN General Assembly Votes to Suspend Russia from the Human Rights Council," *United Nations*, April 7, 2022, <https://news.un.org/en/story/2022/04/1115782>.

⁷⁵ "Russia Vetoes Security Council Resolution Condemning Attempted Annexation of Ukraine Regions," *United Nations*, September 30, 2022, <https://news.un.org/en/story/2022/09/1129102>.

⁷⁶ George Wright, "Russia Assumes UN Security Council Presidency despite Ukrainian Anger," *BBC*, April 1, 2023, <https://www.bbc.com/news/world-europe-65146557>.

⁷⁷ "Attitude of Russians to Countries: November 2022," *Levada Center*, December 13, 2022, <https://www.levada.ru/2022/12/13/otnoshenie-rossiyan-k-stranam-noyabr-2022-goda/>.

⁷⁸ "What's in the Label of 'Terrorist State'? Everything," *The Group of the European People's Party (EPP Group)*, November 20, 2022, <https://www.eppgroup.eu/newsroom/opinions/what-s-in-the-label-of-terrorist-state-everything>.

The instrument of designating a country as a sponsor of terrorism was developed to exclude and isolate that country from international relations, but economic considerations are also important. The European Union's energy dependence on and trade ties with Russia impeded the designation. Concerns about potential destabilization in other regions and the fear of a new Cold War, which could escalate into the first and possibly last nuclear war in human history, further hinder the process. Despite the ten years that have passed since the Russian invasion of Ukraine in 2014, the EU remains entangled in an "energy trap," making it unable to impose sanctions on Russian gas, as it relies on it for about 40 % of its gas needs. Notably, significant importers of Russian oil, such as India and China, are G20 countries, and their interests must be taken into account. Although the United States considers China a threat, it is hesitant to escalate tensions, given China's current reluctance to support Russia's militaristic endeavors openly. Ultimately, a weakened Russia may align more with U.S. interests than a defeated one. Additionally, countries in Central Asia and Africa depend on Russia and Ukraine for their supply of agricultural commodities, particularly grain. The designation could lead to the collapse of the Eurasian Economic Union, negatively impacting the economies of Armenia, Belarus, Kazakhstan, and Kyrgyzstan. It is worth noting that Ukraine's case illustrates that reorientation to other partners can benefit a country. However, the decision may also harm the provision of humanitarian aid to Ukraine's territories.⁷⁹

White House spokeswoman Karine-Jean Pierre stated that such a step could lead to undesirable consequences for Ukraine and the world. These include weakening support for Ukraine, harming humanitarian efforts to facilitate food exports, and exacerbating the global food crisis. In addition, it could affect the negotiation process when the time for peace talks arrives.⁸⁰ An undesirable consequence of the designation is the overly cautious behavior of entities, where even permissible business operations might be perceived as too risky. This heightened caution could negatively impact agriculture commodities exporters and humanitarian aid providers, leading to increased food prices in countries dependent on these exports and affecting global prices of consumer goods.

As for the frozen assets, U.S. nationals will have the right to sue⁸¹ Russia with regard to cases when U.S. citizens lost their lives as a result of a broad range of crimes committed by the Russian Federation over the last three decades, not

⁷⁹ Anastasiya Gordiychuk, "Ukraine's Fight to Get Russia Designated as State Sponsor of Terrorism, Explained," *The Kyiv Independent*, October 18, 2022, <https://kyivindependent.com/ukraines-fight-to-get-russia-designated-as-state-sponsor-of-terrorism-explained/>.

⁸⁰ "Press Briefing by Press Secretary Karine Jean-Pierre and Commerce Secretary Gina Raimondo."

⁸¹ Saraphin Dhanani, "A Cautionary Tale: What Iran and Cuba Can Teach Us About Designating Russia a State Sponsor of Terrorism," *LawFare*, January 20, 2023, <https://www.lawfaremedia.org/article/cautionary-tale-what-iran-and-cuba-can-teach-us-about-designating-russia-state-sponsor-terrorism>.

only in Ukraine but worldwide, including in Chechnya, Georgia, and Syria. This could potentially erode the much-needed pool of frozen assets for Ukraine's reconstruction. It should be noted that Ukrainian claimants are not qualified to sue countries in U.S. federal courts.⁸² The Yermak-McFaul Sanctions Group argues that litigation against Russia under the state sponsor of terrorism exception to the Foreign Sovereign Immunities Act could be disallowed. Frozen funds of the Russian Central Bank and other assets could be excluded from litigation either through a Congressional bill or a decision by the administration to transfer funds to the Federal Reserve account.⁸³ A maximum limit for financial claims may be established. It is important to note that this argument does not withstand moral reasoning. While the American people have been helping Ukraine for decades—not only in its existential fight against Russia but also along its democratization path—mechanisms to secure justice for American victims' families⁸⁴ could be foreseen in the spirit of justice.⁸⁵

The designation may not achieve its intended goal of halting the war; instead, it could escalate the conflict by giving the aggressor nothing to lose. Opponents of the designation view the bargaining chip argument as a significant obstacle to Russia's reintegration into the global economic and political arena. Democratization of Russia is seen more as a wishful thinking symptom than a mid-term prospect. Removing a country from the list requires proving that it no longer meets the expanded criteria of a state sponsor of terrorism, which is "a difficult bar to clear, as the Kremlin is unlikely to radically change its behavior."⁸⁶ Furthermore, to delist Russia in the future, a presidential administration would need to win the support of the American people, who have shown strong support for Ukraine.⁸⁷ Waiving the designation may become a highly politicized process, although some states have been excluded from the list, as described above.

⁸² Ingrid (Wuerth) Brunk, "Russia Should Not Be Designated a State Sponsor of Terrorism," *Just Security*, July 11, 2022, <https://www.justsecurity.org/82262/russia-should-not-be-designated-a-state-sponsor-of-terrorism/>.

⁸³ "Everything You Wanted to Know about State Sponsor of Terrorism Status. A Comprehensive Explanation from the Yermak-McFaul Sanctions Group."

⁸⁴ Emily Mae Czachor, "2 Americans Killed While Fighting Russian Forces in Ukraine Identified," *CBS News*, July 25, 2022, <https://www.cbsnews.com/news/ukraine-russia-war-americans-killed-luke-lucyszyn-bryan-young/>.

⁸⁵ Delaney Simon and Michael Wahid Hanna, "Why the U.S. Should Not Designate Russia as a State Sponsor of Terrorism," *International Crisis Group*, August 4, 2022, <https://www.crisisgroup.org/united-states/why-us-should-not-designate-russia-state-sponsor-terrorism>.

⁸⁶ Simon and Hanna, "Why the U.S. Should Not Designate Russia as a State Sponsor of Terrorism."

⁸⁷ Andrew D'Anieri, "Americans' Support for Helping Ukraine Remains Strong. Just Look at the Polls," *Atlantic Council*, August 22, 2023, <https://www.atlanticcouncil.org/blogs/new-atlanticist/americans-support-for-helping-ukraine-remains-strong-just-look-at-the-polls/>.

The Final Word Is Yet to Be Said

The Minister of Foreign Affairs of Ukraine, Dmytro Kuleba, asserted that Ukraine “demanded, is demanding, and will demand the designation of Russia as a state sponsor of terrorism.”⁸⁸ Increased diplomatic and economic alienation of Russia may be viewed as an investment into Ukraine’s security in the long-term perspective. “Don’t worry about provoking Putin. Worry about beating him,” said Senator Lindsey Graham.⁸⁹

The pros of designating Russia as a state sponsor of terrorism encompass deterrence, heightened international pressure, and a symbolic rebuke. This move could discourage further aggression and disrupt Russia’s strategies, particularly in reshaping the global order. It may also curtail Russia’s economic capacity for military investments, serving as a symbolic stance against rising autocracies globally.

On the flip side, it may lead to an escalation of tensions, repercussions on U.S. allies, and adverse effects on the global economy. Terminating diplomatic relations with a major nuclear power could have unpredictable consequences, impacting nuclear non-proliferation efforts and global food and energy security. Additionally, there is a risk of eroding frozen assets intended for Ukraine’s reconstruction. Critics argue that while designation might be a substantial hurdle, it might not compel Russia to halt the ongoing war. Furthermore, the delisting process in the future would demand evidence of changed behavior and public support.

One should admit that Russia faces heavy sanctions even without its inclusion in the U.S. Department of State’s list. It should also be admitted that the so-called “deadly” sanctions have not stopped the war or severely undermined Russia’s economy as expected. However, the lack of agreement with the Biden Administration at this stage does not mean that Ukraine’s demand will never be met, as Ukrainian diplomacy has overcome many “Nos” in the past nineteen months.⁹⁰ If the resistance is overcome, in addition to political isolation and more severe economic sanctions, Russia will suffer significant reputation loss. Holding Russia accountable and ensuring it pays for damages is essential for

⁸⁸ “Ukraine Will Continue to Demand That the Russian Federation Be Recognized as a State Sponsor of Terrorism – Kuleba,” *Ukrinform*, June 9, 2022, www.ukrinform.ua/rubric-politics/3565928-ukraina-prodovzit-vimagati-sob-rf-viznali-derzavousponsorom-terorizmu-kuleba.html. – in Ukrainian

⁸⁹ Ivana Saric, “Lindsey Graham: U.S. Should Designate Russia State Sponsor of Terrorism,” *Axios*, February 19, 2023, <https://www.axios.com/2023/02/19/lindsey-graham-us-should-designate-russia-state-sponsor-of-terrorism>.

⁹⁰ Valeriya Shipulya, “Why Does the USA Not Recognize Russia as a Terrorist,” *Correspondent*, September 7, 2022, <https://korrespondent.net/articles/4513691-pochemu-ssha-ne-pryznauit-rossyui-terrorystom>. – in Ukrainian

Ukraine's reconstruction, which will require around \$ 1 trillion.⁹¹ Therefore, it is important to call a spade a spade and stand on the right side of history.

Disclaimer

The views expressed are solely those of the author and do not represent official views of the PFP Consortium of Defense Academies and Security Studies Institutes, participating organizations, or the Consortium's editors.

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⁹¹ Daniel Feldman et al., "Ukraine's Reconstruction," *Covington* (Global Policy Watch), July 7, 2023, <https://www.globalpolicywatch.com/2023/07/ukraines-reconstruction/>.



Military-Economic Capabilities of Ukraine During the Transformation

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Abstract: Since the collapse of the Soviet Union and the end of the Cold War, military tensions in Europe have significantly decreased. However, the rapid evolution of weapon systems, warfare formats, and geopolitical trends of regional and global players in the international arena have led to increased demand for arms, rising military expenditures, and military escalations. In response to Russia's armed aggression, Ukraine has begun the process of building up its military power, which, in turn, has caused an economic shock. This article aims to highlight the current trends in militarization and economic growth and analyze the military power and economic indicators of Ukraine, some NATO member states, and Russia. The study's subject is the indicators of several states' military and economic capabilities. The study was conducted using empirical research, analysis and synthesis, and formulation of assumptions. The article examines the problematic issues of Ukraine's economic growth and military capability, focusing on the period leading up to the full-scale war. The study covers a set of fundamental events in Ukraine's historical paradigm. It identifies trends in establishing close diplomatic relations between Ukraine and Western countries. At the same time, the work reveals the importance of transforming the state's military and economic capabilities.

Keywords: military-economic capabilities, Russo-Ukrainian war, military expenditures, economic growth, military power.

Introduction

What Is War?

War has a constant presence in human history, with nearly all nations resorting to military action to resolve external or internal conflicts. The past has been far

from peaceful. Following the end of the Second World War, the world experienced numerous conflicts, resulting in casualties ranging from 12 thousand to 550 thousand per year. Therefore, it is crucial to recognize that war inevitably leads to losses among the population. Figure 1, sourced from Our World in Data,¹ illustrates the statistics of deaths in conflicts at the state level by region, represented in percentage terms.

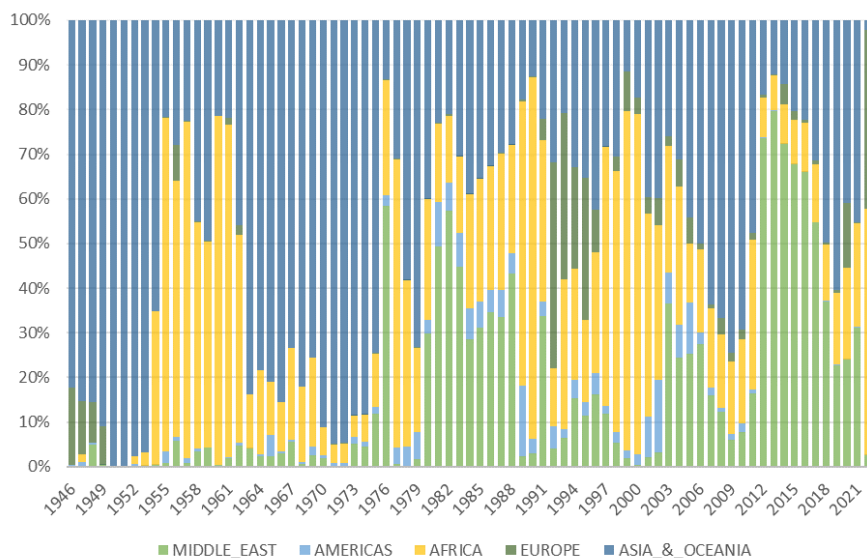


Figure 1: Deaths in Conflicts by Region.²

After the end of the Cold War, the number of armed conflicts worldwide decreased significantly, a trend picked up by many researchers who argued that the occurrence of war was in a downturn.³ Indeed, conflict casualties data show that the highest casualties in Europe occurred in 1946-1949, 1992-1993, and 2022. This period also saw more extensive military campaigns outside Europe: Syria, Iraq, Afghanistan, and Nigeria. This negative trend has not been avoided in Ukraine. However, when considering casualty data, it is evident that the number of deaths in the twenty-first century is much lower than in the previous century.

¹ Bastian Herre et al., "War and Peace," *Our World in Data*, 2024, <https://ourworldindata.org/war-and-peace>.

² "Deaths in Armed Conflicts by Region," *Our World in Data*, <https://ourworldindata.org/grapher/deaths-in-armed-conflicts-by-region>.

³ John Torpey, "Pinker and Progress," *Theory and Society* 47, no. 4 (2018): 511-538, <https://doi.org/10.1007/s11186-018-9320-z>; Joshua S. Goldstein, *Winning the War on War: The Decline of Armed Conflict Worldwide* (Penguin Publishing Group, 2012).

Russia’s military intervention in Ukraine’s internal affairs since 2014 explains its interest in at least negotiating a solution to the conflict, which essentially began as a Ukrainian anti-terrorist operation against separatists of quasi-republics in eastern Ukraine. Secondly, war is politics. The involvement of external troops often means that a conflict resolution is likely to fail, as external supporters will not approve of agreements on the terms of a state defending national interests.

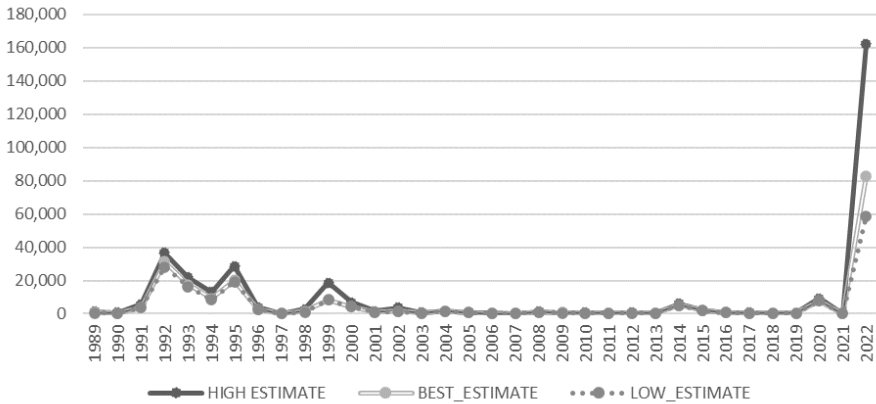


Figure 2: Estimates of Deaths in Conflicts in the European Region.⁴

Figure 2 shows the trend in the number of combat-related casualties between 1989 and 2022 in the European region. In 1991–2000, the most violent conflicts were the war in Transnistria, the war in South Ossetia, the civil war in Georgia, the first and second Chechen Wars, the war in Dagestan, and the Kosovo conflict.⁵

The year 2014 began with Russia’s illegal annexation of the Autonomous Republic of Crimea and the seizure of administrative control of parts of Donetsk and Luhansk regions by terrorists with Russian support. These two events should be considered the beginning of the Russian-Ukrainian conflict of the 21st century. In Ukraine in 2014, the Uppsala Conflict Data Programme recorded four different conflicts, two of which reached the level of war – Ukraine (Donetsk) and Ukraine (Novorossiya), resulting in the loss of approximately 2,000 and 1,500 lives, respectively. The situation with casualties during the surveyed period is shown in more detail in Figure 3.

⁴ “Deaths in Armed Conflicts by Region.”

⁵ Therése Pettersson and Peter Wallensteen, “Armed Conflicts, 1946–2014,” *Journal of Peace Research* 52, no. 4 (2015): 536-550, <https://doi.org/10.1177/0022343315595927>.

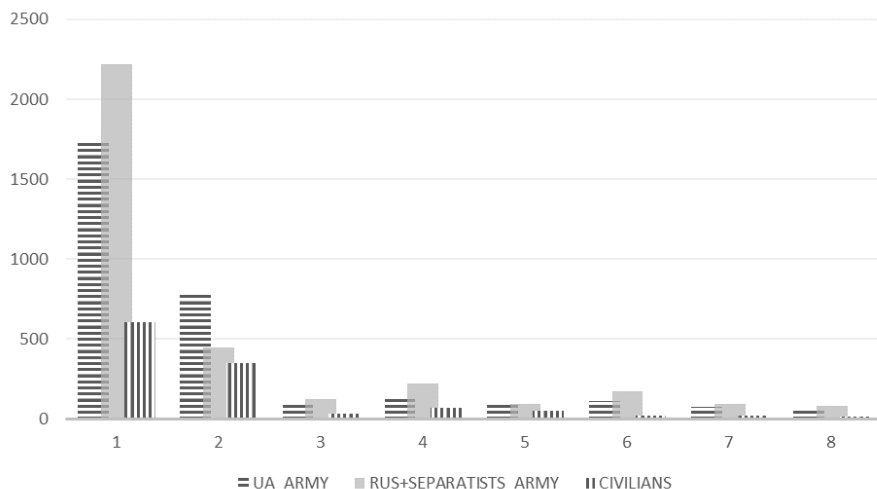


Figure 3: Casualties in the First Stage of the Russian-Ukrainian War (2014-2021).⁶

Why Are Armed Forces Important?

The armed forces play an important role in the processes of state-building, warfare, and prevention of the negative impact of external aggression on the state's internal affairs. In order to resist armed aggression, the armed forces must be equipped with modern weapons and military equipment that require timely renewal, modernization, and disposal. In addition to military capabilities, countries with democratic political systems have a better chance of winning a war than authoritarian regimes.⁷ Having provided the preconditions for sustainable democratic development, it is necessary to take care of the sword and shield that will protect sovereignty and territorial integrity.

The experience of the Russo-Ukrainian war has shown that in the case of repelling armed aggression by a state whose military potential is significantly stronger, relying solely on democratic governance and basic military technologies is insufficient. The Russo-Ukrainian war has determined the growing influence of military power on the progress and outcome of warfare, but national identity and decisiveness can also have a major impact. Thus, in 2023, Ukraine's military power index stood at 0.2516, while Russia's was 0.0714 – a difference of

⁶ Uppsala Conflict Data Program (UCDP), "Number of Deaths," <https://ucdp.uu.se/country/369>.

⁷ Michael C. Desch, "Democracy and Victory: Why Regime Type Hardly Matters," *International Security* 27, no. 2 (2002): 5-47, <https://doi.org/10.1162/016228802760987815>.

3.52 times.⁸ To provide context, in 2022, this difference was even more pronounced at 6.52 times.⁹

In less than a year, Ukraine has managed to almost double its firepower, which is obviously a positive trend in the context of martial law. However, the question arises whether this positive trend is sustainable given the economic conditions.

Why Is the Economy Important?

One could assume that the economy has a positive impact on the development of the national defense sector, but there is considerable evidence of the opposite effect, as well as on the relationship between economic growth and defense expenditures.¹⁰ For example, the Republic of Korea and Taiwan have achieved high economic growth due to high defense expenditures. As long as there are external threats to national security and defense, military spending positively impacts economic growth in a country, at least from a strategic perspective, whereby the ability of a state to defend itself today and in the near term makes it less likely to lose a war. At the same time, the production and consumption of defense goods have positive effects on economic stimulation.

On the other hand, in the absence of an external threat to the state's sovereignty, the production and consumption of military goods, as opposed to social goods, can significantly burden the economy with military expenses, which may be inappropriate. However, this cannot exclude the state's military-industrial complex from producing defense goods for at least two reasons: to meet domestic demand (such as procurement of more technologically advanced weapons and military equipment by the Ministry of Defence) and for export. Thus, producing these goods can generate revenue for the state budget and contribute to the increase of the gross domestic product.

Methods

This study is based on empirical research involving information collection, observing events, analyzing data, formulating hypotheses to explain observed phenomena, and constructing a theory based on these assumptions.

⁸ "2023 Military Strength Ranking," accessed November 28, 2023, <https://www.globalfirepower.com/countries-listing.php>.

⁹ Mickaël Andrieu, "Global Fire Power Ranking 2022: The List of Countries and Their Fire Power Index," *Kaggle*, accessed November 28, 2023, <https://www.kaggle.com/datasets/mickaelandrieu/global-fire-power-ranking-2022>.

¹⁰ Suleiman Abu-Bader and Aamer S. Abu-Qarn, "Government Expenditures, Military Spending and Economic Growth: Causality Evidence from Egypt, Israel, and Syria," *Journal of Policy Modeling* 25, no. 6-7 (September 2003): 567-583, [https://doi.org/10.1016/S0161-8938\(03\)00057-7](https://doi.org/10.1016/S0161-8938(03)00057-7); N. Gregory Mankiw, David Romer, and David N. Weil, "A Contribution to the Empirics of Economic Growth," *The Quarterly Journal of Economics* 107, no. 2 (May 1992): 407-437, <https://doi.org/10.2307/2118477>.

Findings

The Historical Paradigm: European Region of the XXI Century

For two decades, Europe was a rather peaceful region. Following the collapse of the Soviet Union and the independence of Eastern European countries, many of these nations pursued integration with Western Europe, where Germany, the United Kingdom, France, Italy, and Belgium were leading the way. Russia chose to work closely with Western governments, offering favorable commercial terms for the sale and supply of energy and other goods.

Having built trusting relationships with the founders of the European Union—economically developed countries—Russia's authority has significantly neutralized the international community's adverse reaction to the annexation of Ukrainian territories in 2014. Despite being a country with unusual and marginal cultural paradigms, Russia remained of interest to the Western world, known for its democratic principles, human values, and high standards of socio-economic development.

The XXth Century Ukrainian Issue Before and Within the USSR

Positions on the Ukrainian issue remained ambiguous, with most international actors observing the conflict in Eastern Europe through a distorted lens influenced by bias and historical references manipulated by Russia's propaganda apparatus and agents, not in favor of Ukraine. This trend echoes historical events such as the collapse of the Russian Empire and the formation of the Union of Soviet Socialist Republics.

During this period, Ukrainian attempts to sustain their newly established state were undermined by the Bolsheviks' efforts to subjugate nations. The conclusion of a treaty between the Ukrainian People's Republic and the Polish People's Republic, the alliance of the State of Ukraine with Germany, and the attempts of Ukrainian statesmen to negotiate support from France all indicated that Ukrainian officials were exploring all available options to counter the escalating "Red Threat."

The Bolsheviks can only be 'persuaded' by guns and cannons. They do not understand any other words.

- Symon Petliura, organizer of the Ukrainian Armed Forces, 2nd Head of the Directorate of the Ukrainian People's Republic, 1918.

The words of one of the leaders of the Ukrainian People's Republic (UPR) have become revered by Ukrainians, as historical events tend to repeat themselves. In 1921-1922, the Bolsheviks defeated the UPR army and seized control of the government in Kyiv. A hundred years later, Russian troops again arrived at the gates of Kyiv, but this time, they were defeated and pushed back to the Ukrainian-Russian and Ukrainian-Belarusian borders. The cohesion and decisiveness of the Ukrainian people in confronting the enemy, the availability of primary weapons and equipment in the armed forces, and the support from partners all contributed to defeating Russia's offensive in the northern direction. Ukraine's

success in keeping Russia out of its capital can be attributed to democratization and the gradual build-up of its military and economic capabilities, including with the support of Western partners.

The Impact of the Authoritarian Past of the USSR on Independent Ukraine in 1992-2004

The situation Ukraine faced after the collapse of the Soviet Union was extremely complex. It was nearly impossible to undertake a democratic transition. This was largely due to the entrenched Soviet-style infrastructure and mentality that Ukraine had inherited:

- The lack of experience with democratic governance, except for periods of rule in exile from 1921 to 1991;
- The dominance of Soviet officials in the Ukrainian government, who were firmly determined to maintain their mandates at the cost of anti-democratic measures;
- Ukraine was in no way considered by Western Europe as a prospective member of the European Union ¹¹;
- The gross domestic product per capita in 1996 and 1999 was critically low (USD 872.70 and USD 635.80, respectively).¹²

The development of democratic institutions in Ukraine in the early 1990s faced significant challenges due to the continued dominance of the Communist Party of the Soviet Union. This dominance contributed to Ukraine's lack of democratic history, fragile civil society, weak constitutional rule of law, and international isolation. The period following Ukraine's independence can be characterized as transitional, during which the new sovereign Ukrainian regime remained relatively closed. However, unlike Russia, Belarus, and several other post-Soviet states, the Ukrainian people succeeded in securing the right to freedom of expression and activity.

It is reasonable to assert that democracy in Ukraine started to take root along with the emergence of economic and political competition. Ukrainian presidents have often faced a fairly serious level of political competition, being former allies or even appointees, such as Viktor Yushchenko. Yet, the public's role in state-building has been more impactful.¹³ Therefore, national identity should be considered the most crucial factor in this regard (see Table 1).

¹¹ Jeffrey Kopstein and David A. Reilly, "Geographic Diffusion and the Transformation of the Postcommunist World," *World Politics* 53, no.1 (October 2000): 1-37, <https://doi.org/10.1017/S0043887100009369>.

¹² "World Bank Open Data: Free and Open Access to Global Development Data," *The World Bank*, accessed November 2, 2023, <https://data.worldbank.org>.

¹³ Lucan A. Way, Interview with Mircea Snegur, Chisinau, Moldova, February 8, 2002.

Table 1. Incumbent State Capacity (1992–2004).¹⁴

Country	Ukraine	Russia	Belarus
<i>Early/Mid-1990s</i>	<i>1992-95</i>	<i>1992-99</i>	<i>1992-96</i>
Incumbent Capacity			
Experience	moderate	moderate	low
Authoritarian State Power	Low	moderate	moderate
Elite Organisation	Low	moderate	moderate
Strength of Ani-Incumbent National Identity	high	low	low
<i>Late 1990s/Early 2000s</i>	<i>1996-2004</i>	<i>2000-04</i>	<i>1997-2004</i>
Experience	high	high	high
Authoritarian State Power	moderate	high	high
Elite Organisation	moderate	high	moderate
Strength of Ani-Incumbent National Identity	moderate-high	low	Low

The First Breakdown of Authoritarianism

The Ukrainian government grew increasingly authoritarian throughout the 1990s and into the early 21st century. Leonid Kuchma, who took over the presidency from Leonid Kravchuk in 1994, consolidated his control over the parliament and implemented systematic election manipulation and harassment of the opposition. Still, unlike counterparts in Belarus and Russia, Kuchma's regime encountered significant challenges and ultimately collapsed in late 2004. The Orange Revolution marked the most decisive national resistance at that time. Political murders, such as those of Vyacheslav Chornovil and Georgiy Gongadze, further fueled the struggle for democracy. This raises the question: How did the Ukrainian people succeed in toppling an authoritarian regime entrenched in the deeply ingrained practices of Soviet governance and administration?

Some scholars attribute the success of democratization to the international pressure faced by post-Soviet states in Central Europe after the Cold War.¹⁵ However, this pressure only proved effective when met with solid national resistance to authoritarianism, rooted in movements like the Ukrainian Revolution and 20th-century uprisings. The existence of a widespread national identity in Ukraine

¹⁴ Lucan A. Way, "Authoritarian State Building and the Sources of Regime Competitive-ness in the Fourth Wave: The Cases of Belarus, Moldova, Russia, and Ukraine," *World Politics* 57, no. 2 (January 2005): 231-261, <https://doi.org/10.1353/wp.2005.0018>.

¹⁵ Steven Levitsky and Lucan A. Way, "Linkage versus Leverage. Rethinking the International Dimension of Regime Change," *Comparative Politics* 38, no. 4 (July 2006): 379-400, <https://doi.org/10.2307/20434008>.

contributed to forming a powerful social anti-government movement in the early 21st century, undermining the power of authoritarian political leaders and elites.

The Ukrainian people fought for democratic values despite the intimidation of the opposition by authoritarian leaders. Faced with a solid national identity directed against the incumbent, autocrats may find it more challenging to rely on external support, which the public perceives mainly as a threat to national culture or way of life.¹⁶ Thus, in Ukraine, incumbent presidents and presidential candidates have been limited in their ability to rely on support from Russia due to the citizens' solid anti-Russian attitudes.

The Second Breakdown of Authoritarianism

In November 2013, Ukraine was set to sign an Association Agreement with the EU, but the authoritarian leadership and elite opposed this initiative. This stance led to widespread national protests, culminating in the Revolution of Dignity. The period between November 2013 and April 2014 brought a significant increase in national awareness of democratization and Euro-Atlantic integration. The overthrow of the last authoritarian pro-Russian government marked the beginning of a new era of development for Ukraine. This era holds promise for positive change, provided the government prioritizes democratization. However, Ukraine will face new challenges, including combating corruption among officials and addressing issues within its legislative system.¹⁷

Overall, a solid and popular national identity, often demonstrated in opposition to the government, has twice undermined both autocratic and criminal attempts to consolidate the regime. National identity has helped mobilize the opposition while undermining the government's ability to control the state and its access to external resources, particularly those sponsored by Russia. Thus, Ukraine, through its national identity (anti-Soviet, anti-Russian, anti-colonial) and democratic awareness (resisting authoritarian leaders and elites), has repeatedly supported the integration into democratic international alliances and organizations.

Why Did Ukraine Choose a Course Towards NATO and EU Integration?

Ukraine declared its intention to join the North Atlantic Alliance during Leonid Kuchma's presidency in 2002. In May of that year, the National Security and Defence Council adopted Ukraine's NATO strategy, which defined membership as the ultimate goal of Ukraine's Euro-Atlantic policy. Further reaffirmation of Ukraine's Euro-Atlantic aspirations came before the 2008 Bucharest Summit when President Viktor Yushchenko submitted an official application. By 2008, there was a significant increase in support among the Ukrainian population for

¹⁶ Way, "Authoritarian State Building and the Sources of Regime Competitiveness."

¹⁷ European Commission, "Key Findings of the 2023 Report on Ukraine," November 8, 2023, accessed January 11, 2024, https://ec.europa.eu/commission/presscorner/detail/en/QANDA_23_5631

NATO membership compared to 2006 (22.3% vs. 16.3%), accompanied by a decrease in opposition (52.0% vs. 63.2%).¹⁸

The pro-European change of government in Kyiv in 2014, coupled with Russia's annexation of Crimea in March, spurred the growth of a pro-Russian movement in eastern Ukraine. This movement eventually escalated into a series of territorial conflicts, culminating in the Russian-Ukrainian war. The war in Ukraine has pitted the US and EU against Russia and led to a stalemate in diplomatic relations, as evidenced by the sanctions imposed on Russian individuals and organizations. In response to Russia's increased military presence along the Russia-Ukraine border, Ukraine made a significant strategic shift. In December, it announced its decision to abandon its non-aligned status and declared its intention to apply for NATO membership. This move was further reinforced on September 30, 2022, when Ukraine formally applied for fast-track accession to NATO, citing Russia's annexation of the occupied territories as a key reason.

The European integration path chosen by Ukraine has long been perceived as exceptionally challenging, especially for a post-Soviet state. Implementing European legislation, living standards, norms, and practices demands significant efforts from the Ukrainian government and society. However, the prospect of free trade, judicial reform, public administration improvements, and anti-corruption measures marks a departure from the post-Soviet mindset entrenched in outdated paradigms. In contrast to the trade and economic unions established by Russia, which often lack rigorous standards and accountability, integration into the European Union necessitates unwavering adherence to strict criteria, including implementing the essential nine steps. EU accession rules are based on the enforcement of requirements. However, for a democratic society, such requirements are critical and indicate a high level of education and maturity of the state.

Why Did Ukraine Not Lose the War?

Tagarev, Roslycky, and Fluri argue that Putin's miscalculations and the united response of Ukrainian society and the West will likely turn the Russo-Ukrainian war into Putin's last war. Meanwhile, the ongoing war has already impacted the international security environment and perceptions of societal and military readiness, capabilities, and operations. Moreover, the war experience will continue to do so for the foreseeable future. Therefore, learning and implementing lessons is an ongoing, long-term process.¹⁹

Questions naturally arise regarding Ukraine's readiness for war, particularly concerning the measures taken to prevent and predict the consequences of war

¹⁸ "Attitudes of Citizens to the Main Directions of Ukraine's Foreign Policy," Analytical Note (National Institute for Strategic Studies, March 25, 2010), <http://niss.gov.ua/doslidzhennya/mizhnarodni-vidnosini/stavlennya-gromadyan-do-osnovnikh-napryamiv-zovnishnoi-politiki>.

¹⁹ Todor Tagarev, Lada Roslycky, and Philipp Fluri, "Putin's Last War: Narratives, Counter-narratives, and Early Lessons Learned," *Connections: The Quarterly Journal* 21, no. 3 (2022): 5-8, <https://doi.org/10.11610/Connections.21.3.00>.

for the country’s society and economy. While intelligence agencies may possess sufficient competencies, the decision on using such capabilities and their relevance is made by the Supreme Commander-in-Chief and the expert committee of the National Security and Defense Council. Fluri and Polyakov have previously highlighted concerns regarding corruption within certain branches of the security services and the inconsistency of their administrative policies.²⁰

It can be argued that one of the reasons for the current military and economic crisis in Ukraine is a reflection of the systematic and consistent negligence of officials in decision-making processes and the high level of corruption. Over the past decade, Ukraine has only scored 8 points in terms of anti-corruption efforts, indicating persistent weaknesses in this area.²¹ However, there has been a noticeable positive trend in anti-corruption efforts since the Russo-Ukrainian war, particularly following the overthrow of the corrupt pro-Russian government led by Mykola Azarov during Viktor Yanukovich’s presidency (see Figure 4). The authoritarian and pro-Russian governance during that period literally “stifled” national identity and democracy.

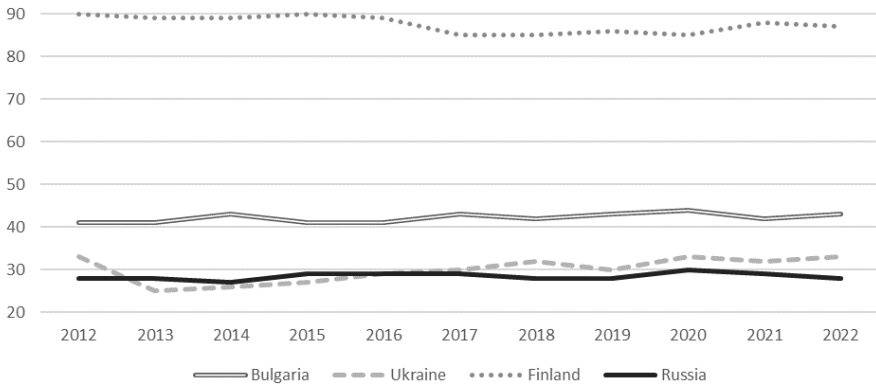


Figure 4: Corruption Perception (2012-2022).²²

²⁰ Philipp Fluri and Leonid Polyakov, “Intelligence and Security Services Reform and Oversight in Ukraine – An Interim Report.,” *Connections: The Quarterly Journal* 20, no. 1 (2021): 51-59, <https://doi.org/10.11610/Connections.20.1.03>.

²¹ “World Corruption Perceptions Index – 2022,” *Transparency International – Ukraine*, October 11, 2023, <https://cpi.ti-ukraine.org/en/>.

²² “World Corruption Perceptions Index – 2022.”

Analysis of the Main Indicators of Military and Economic Capabilities of Ukraine, Certain NATO Member States, and Russia

After the end of the Cold War, NATO's continuous reformatting of its approaches to conducting military operations with mobile battlegroups (as part of expeditionary forces) has decreased territorial defense capabilities.²³ The United Kingdom, France, Germany, Italy, and other European Union countries have upgraded to modern weapons and military equipment. However, such measures have not deterred Russia's imperial ambitions for consistent military expansion. Figure 5 demonstrates the transformation of Western European countries and the United Kingdom to the latest generations of weapons and military equipment, along with the simultaneous reduction and disposal of outdated models.

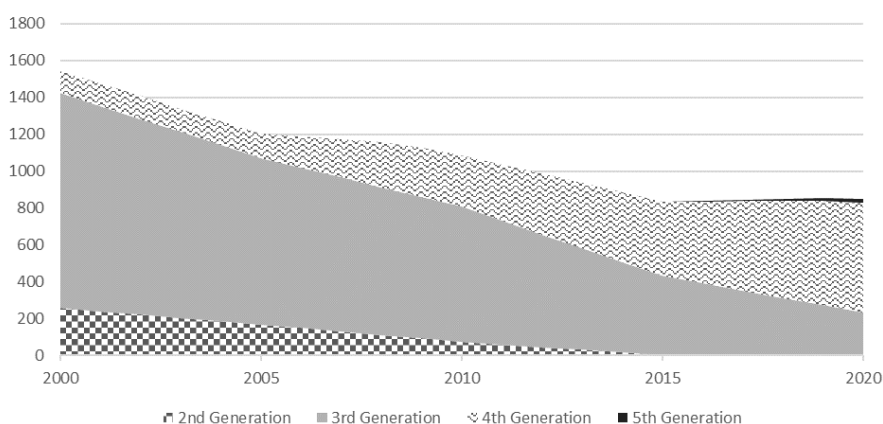


Figure 5: Air and Naval Forces of Germany, France, Italy, and the United Kingdom by Generation (2000-2020).²⁴

Central and Eastern European countries still had considerable Soviet-made military equipment. The decrease in European territorial defense capabilities, maintenance of aging military equipment, and disarmament likely facilitated Russia's confident policy of military expansion to the West. Other factors include Russia's rejection of the Ukrainians' choice of Euro-Atlantic integration. The prospect of such integration would imply positive trends in economic growth and social well-being.

According to the World Bank, Ukraine's economic growth was negative from 2014 to 2015, but the economy grew in the following years, driven by national security and defense expenditures. It is helpful to compare the growth figures

²³ Jolyon Howorth, *Security and Defence Policy in the European Union*, The European Union Series 61 (London: Palgrave Macmillan, 2014).

²⁴ *The Military Balance 2021* (London: International Institute for Strategic Studies, 2021).

with Bulgaria's, as both countries have similar growth trends. However, Ukraine faced two "black swan" events from 2013 to 2022, resulting in negative economic growth: -10.1% in 2014 and -29.1% in 2022. In contrast, Bulgaria's economic growth has been generally stable. Figure 6 illustrates this comparison using data from the World Bank.²⁵

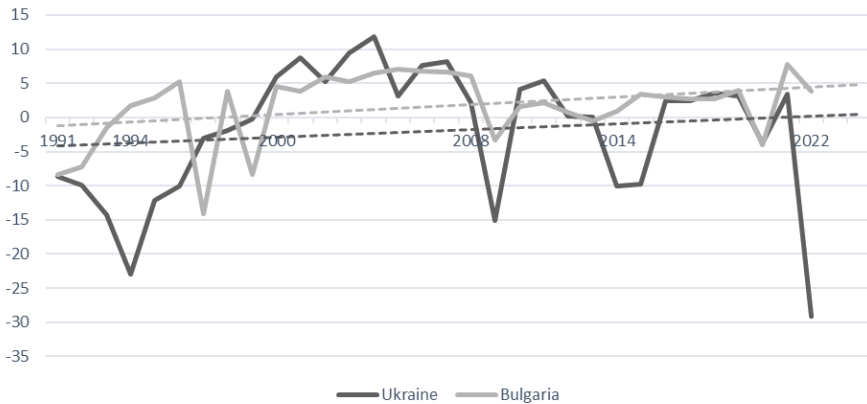


Figure 6: Economic Growth Trends (GDP, Annual %).

Analyzing the upward and downward trends in Ukraine's GDP, there is no doubt about the reasons for the negative indicators. The first example is the global financial crisis of 2007-2009, which caused a recession and changes in market and economic dynamics. About a decade after the end of the financial crisis, the COVID-19 crisis emerged, further depressing the financial market and resulting in negative economic growth (recession). Before recovering from the pandemic, Russia invaded Ukraine, marking the beginning of the second phase of the Russo-Ukrainian war. It is worth recalling that the first stage began with Russia's illegal annexation of the Autonomous Republic of Crimea and support for terrorists in the quasi-republics in eastern Ukraine. Later, the Russian military also took part in military operations against Ukraine.²⁶

Prospects for resolving the Russo-Ukrainian conflict in the early years needed strengthening. Even during the eight years before the full-scale Russian invasion, no positive progress was made in de-occupying the territories captured by the separatists and Russia, except for the compromises that the Ukrainian government had

²⁵ "World Bank Open Data."

²⁶ Stockholm International Peace Research Institute (SIPRI), *SIPRI Yearbook 2015: Armaments, Disarmament and International Security* (SIPRI, 2015), accessed January 9, 2024, <https://www.sipri.org/yearbook/2015>; SIPRI, *SIPRI Yearbook 2016: Armaments, Disarmament and International Security* (SIPRI, 2016), accessed January 9, 2024, <https://www.sipri.org/yearbook/2016>.

to make to preserve human and industrial capital in the eastern and southern regions. Countering Russian expansion proved to be very costly for the Ukrainian side. This can be partially attributed to Russia's extensive preparation for war, marked by a significant increase in military expenditures from 1993 to 2022. Russia's increased military spending, as a percentage of GDP, has led to militarization and exerted pressure on the economy.

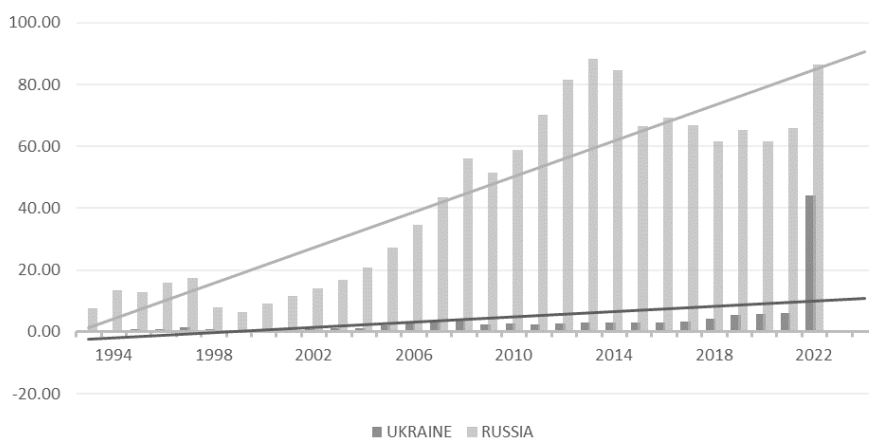


Figure 7: Military Expenditures in Ukraine and Russia from 1993 to 2022 (in Billion U.S. Dollars).²⁷

Taking into account the growing militarization in Russia, tensions between it and NATO countries were growing. In addition to building up its military capabilities, Russia directly or indirectly interfered in the internal politics of Western countries.²⁸ James Sherr of the Royal Institute of International Affairs, Chatham House, identifies the main factor behind Russia's influence on the domestic politics of Western countries – the Russian government's soft power, characterized by the ability to influence the behavior of others to achieve the desired result, as well as the ability to get what is needed through attractiveness. The main tools for implementing such a policy are hidden penetration methods, blackmail and corruption, and new forms of power – the supply of energy resources.²⁹

²⁷ "World Bank Open Data."

²⁸ Magdalena Grono, "Mirror Images: The Standoff between Moscow and Western Capitals," International Crisis Group, May 4, 2018, <https://www.crisisgroup.org/europe-central-asia/western-europemediterranean/mirror-images-standoff-between-moscow-and-western-capitals>.

²⁹ James Sherr, *Hard Diplomacy and Soft Coercion: Russia's Influence Abroad* (Brookings Institution Press, 2013).

Considering these and other forms of influence, levels of militarization, and military power combined with authoritarian rule, the “Red Threat,” once defeated during the Cold War, was reborn. In 2010, preparing for a full-scale war, Russia launched an ambitious plan to modernize its armed forces.³⁰ Russia’s military expenditures peaked in 2016. Such significant expenditures allowed the Russian Federation to put on the balance sheet of the Armed Forces, among others, an aerial ballistic missile with the ability to carry a nuclear charge—the X-47M2 “Kinzhal” (NATO’s designation “AS-24 Killjoy”)—and to significantly increase the capabilities of fifth-generation weapons, for example, the Su-57 multi-role fighter (NATO code “Felon”).

After 2016, inflation of 2.8% is commonly cited as the reason for Russia’s decrease in military expenditures.³¹ However, the World Bank data shows that the average inflation rate in the world was equal to the same indicator.³² Therefore, the further decline in Russia’s military expenditures from 5.4% of GDP in 2016 to 3.7% in 2018 can be explained by the end of the development of the latest generation of weapons and military equipment. To illustrate, in 2021, the military budget increased to \$ 65.9 billion (4.1% of GDP), accounting for almost 64% of the sub-region’s total expenditures (the total military budgets of Ukraine, Latvia, Estonia, Lithuania, and Poland were \$ 5.9, \$ 0.8, \$ 0.78, \$ 1.3, and \$ 15.1 billion, respectively, and totaled \$ 23.88 billion). In 2022, Russia increased its military expenditures by \$ 20.5 billion, which is half of Ukraine’s total military expenditures in 2022 and exceeds Poland’s by \$ 3.9 billion in the same year. There are also speculations about the Kremlin’s shadow defense economy during Vladimir Putin’s rule. The actual military expenditures may be much higher than the officially reported data.³³

³⁰ Julian Cooper, “Russian Military Expenditure in 2016 and 2017, Arms Procurement and Prospects for 2018 and Beyond,” *Changing Character of War Centre* (University of Oxford), 2018.

³¹ Julian Cooper, “Russian Military Expenditure in 2017 and 2018, Arms Procurement and Prospects for 2019 and Beyond,” *Changing Character of War Centre* (University of Oxford), 2019, www.ccw.ox.ac.uk/blog/2019/2/11/russian-military-expenditure-in-2017-and-2018-arms-procurement-and-prospects-for-2019-and-beyond-by-julian-cooper-8c3hp.

³² “World Bank Open Data.”

³³ Bettina Renz, “Russian Military Reform: Prospects and Problems,” *The RUSI Journal* 155, no. 1 (2010): 58-62, <https://doi.org/10.1080/03071841003683476>; Julian Cooper, “The Russian Budgetary Process and Defence: Finding the ‘Golden Mean,’” *Post-Communist Economies* 29, no. 4 (2017): 476-90, <https://doi.org/10.1080/14631377.2017.1333793>; Tania Yazbeck, “The Russian Economy and Resources Available for Military Reform and Equipment Modernization,” TM 2010-192 (Defence R&D Canada, Centre for Operational Research and Analysis, September 2010), https://cradpdf.drdc-rddc.gc.ca/PDFS/unc103/p534204_A1b.pdf; Vasily Zatsepin, “Russian Military Expenditure: What’s Behind the Curtain?” *The Economics of Peace and Security Journal* 2, no. 1 (2007): 51-61, <https://doi.org/10.15355/2.1.51>.

Correlation Between Ukraine's Military and Economic Capabilities

In 2014, total defense expenditures in Ukraine amounted to \$3 billion, representing only a 4 % increase compared to 2013. However, the expenditures of the Ministry of Defense of Ukraine, as a part of defense spending, increased by 1.8 times compared to 2013. Despite this increase, the gap in military expenditures between Ukraine and Russia remained significant, with Russia outspending Ukraine by 28.2 times. Therefore, it is difficult to argue that Ukraine had at least some advantage in its ability to use military force. For quite an extended period, defense expenditures were not a priority for Ukraine, which caused a lot of disapproving criticism from military experts and Ukrainian society.

The critical moment in transforming the approach to defense capability came in 2022 with the onset of the full-scale Russian invasion. That year, Ukraine's military expenditures amounted to \$ 44 billion, with the difference compared to Russia being 1.96 times. However, economic growth plummeted to a critically low level (-29.1 %). This decline can be attributed partly to the outflow of human and physical capital due to mass emigration (exceeding 7 million), the destruction of industrial and critical infrastructure, and the allocation of over 40 % of budget expenditures to defense.

Table 2. Statistical Data of the State Budget and the Budget of the Ministry of Defence of Ukraine.³⁴

Year	GDP (current UAH) in billions	Military expenditures (current UAH) in billions	Military expenditures (as % of GDP)
2021	5459574	121468	2.22
2020	4194102	118012	2.81
2019	3974564	103013	2.59
2018	3558706	86582	2.43
2017	2982920	68819	2.31
2016	2383182	59427	2.49
2015	1979458	45827	2.32
2014	1566728	15151	0.97
2013	1454931	15315	1.05
2012	1408889	16387	1.16

³⁴ Ministry of Finance, "GDP per Capita in Ukraine," accessed October 10, 2023, <https://index.minfin.com.ua/ua/economy/gdp/>; Ministry of Defence of Ukraine, "Implementation of the State Budget by the Ministry of Defence of Ukraine," accessed October 10, 2023, <https://www.mil.gov.ua/diyalnist/byudzhhet-ta-vikonannya-czilovix-program/vikonannya-ministerstvom-oboroni-ukraini-derzhavnogo-byudzhetu/>.

The situation differed somewhat on the eve of the full-scale Russian invasion as both military expenditures and gross domestic product gradually increased. An analysis of the dynamics of economic growth and the development of Ukraine’s military capabilities from 2012 to 2021, primarily driven by increased military expenditures and supported significantly by financial and material assistance from partners, will demonstrate a correlation.

Firstly, it is essential to establish the relationship between two variables: gross domestic product (GDP) and expenditures of the Ministry of Defense of Ukraine. GDP serves as the primary indicator of the state’s economic growth, while Ministry of Defense expenditures are the primary determinant of national security. Linear regression was used to analyze this relationship. A higher absolute value of the correlation coefficient indicates a stronger relationship between the two variables. However, it is essential to understand that correlation is not causation, i.e., the existence of a relationship between two variables does not indicate a causal relationship between them. Table 2 shows the gross domestic product and the budget of the Ministry of Defense of Ukraine.

The relationship is estimated using a linear model with ordinary least squares. Figure 8 shows the scatter plot and the adjusted regression line: the horizontal axis is the independent variable, and the vertical axis is the dependent variable. We have determined that the independent variable is the budget of the Ministry of Defense of Ukraine, and the dependent variable is the gross domestic product (hereinafter – GDP). Therefore, it is necessary to see whether there is a correlation between these two variables, namely the level of dependence of GDP on military expenditures.

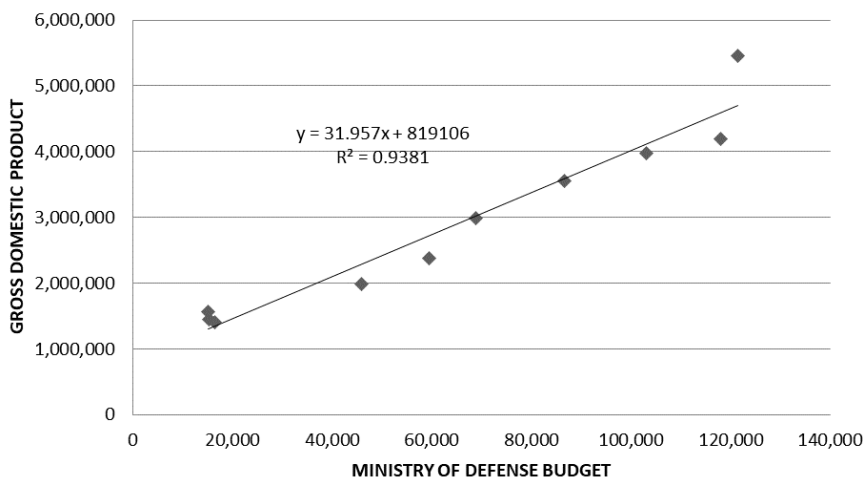


Figure 8: Adjusted Regression Line of the Relationship between GDP and the Budget of the Ministry of Defense of Ukraine.

According to the adjusted regression line, 93.81 % of the variation in GDP is explained by military expenditures. Only 6.19 % of GDP variation is explained by factors not included in the model. The result is that there is a high level of correlation between GDP and military expenditures. Military expenditures have a positive impact on economic growth. However, there may be other influencing factors, so it is still challenging to determine the causal relationship.

Conclusion

In contrast to Russia (and many ex-Soviet states), Ukraine encompasses large regions where a strong anti-imperial, anti-Soviet, and ultimately anti-Russian identity has developed over many centuries. According to Keith Darden, this difference is associated with a higher level of literacy in society.³⁵ However, at the time of independence, there were regions in Ukraine where Soviet identity and a desire for Russification countered attempts at democratization, free trade, and partnership with the Euro-Atlantic community. These orientations played into Russia's hands during the aggressive military campaigns of 2014-2015 and continuing into 2022.

The ongoing war stands as the most significant conflict in Europe since World War II, causing serious concerns and shocks in the global economy. When considering why Ukraine did not succumb to Russia in the war, it is crucial to highlight the favorable for Ukraine differences between the two countries: democratization, national identity, decisiveness, Euro-Atlantic integration, and support from Western partners. These factors enabled Ukraine to withstand the economic and social shocks resulting from Russia's military and information-psychological campaigns.

The differences in Russia's favor are a much higher level of military capabilities and slightly higher economic growth. However, these advantages will be offset entirely when Ukraine wins the war, accelerates its recovery from economic shocks, and integrates into democratic Western institutions. The increased cooperation between Ukraine, the EU, and NATO has already positively influenced the transformation of approaches to managing defense resources and developing military and economic capabilities. These new approaches have reshaped the planning, programming, budgeting, and budget implementation processes of the Ministry of Defense of Ukraine. Finally, referring to the terminological and conceptual framework of Nassim Taleb, it is worth noting that the fragility of Ukraine's authoritarian potential has strengthened the anti-fragility of national identity.³⁶ As a result, the processes of state-building and governance have been democratized, and cooperation with Western partners has been strengthened.

³⁵ Keith Darden and Anna Maria Grzymala-Busse, "The Great Divide: Literacy, Nationalism, and the Communist Collapse," *World Politics* 59, no. 1 (2006): 83-115, <https://doi.org/10.1353/wp.2007.0015>.

³⁶ Nassim Nicholas Taleb, *Antifragile. Things That Gain from Disorder* (NY: Random House, 2012).

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Growing Apart: The Impact of the Russian War in Ukraine on the Former Soviet Space

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Abstract: The full-scale war launched by the Russian Federation against Ukraine on February 24, 2022, began under a false assumption regarding the underlying grand strategy. The ongoing conflict has presented difficult choices for the states in the former Soviet Union, who have approached it with a mix of rational calculation and emotional considerations, viewing it as a conflict between two once brotherly nations. While Russia continues to wield significant influence, and some states depend on it as a security guarantor, the general consensus among the ten states is that Russia's power and influence are waning. Consequently, they anticipate that Russia will pay less attention to its regional partners, allocate fewer resources to them, and that close association with Russia would strain relations with other important actors, particularly in the West. Russia's influence has led seven of the ten states to not fully align with either the West or Moscow. While multilateral cooperation through organizations like the CSTO and EAEU was not paramount due to the prevailing "hub and spoke" structure, these states now face a noticeable stalemate. Despite Russia's lingering influence, fueled in part by economic disparities, a rapid "growing apart" occurs in the area of the former Soviet Union. Some actors are distancing and disengaging faster than ever, leading to a shifting geopolitical landscape.

Keywords: Disintegration, Russia, Ukraine, Russia-Ukraine war, states of the former Soviet Union.

Russia is never as strong as she looks; Russia is never as weak as she looks.

Winston Churchill¹

Introduction

Wars regularly change the course of history and often mark the beginning of new eras. When Vladimir Putin, in his capacity as the President of Russia, decided to launch a war on Ukraine, he likely did not anticipate the full extent of the consequences that would ensue. He was under the impression that the hostilities would not entail a long, high-intensity fight rather than collisions of a few days, something maybe just “a little worse” than what happened in Crimea in 2014. This decision was based on an unfounded grand strategy that hence could not be backed by an adequate military strategy. Thus, the military had to catch up with the developments, and it took significant time to devise viable strategies. Nearly two years after the outbreak of the war, it is clear that the underlying assumption was fundamentally unfounded. We are likely facing a war of attrition in which massive resources of the two countries and those supporting them are employed. Given the asymmetrical size and power of the two parties involved, external support becomes even more essential for the side possessing more limited resources. Both parties depend on external assistance, with Ukraine receiving support from the collective political West, while Russia relies on a few states, including Iran, North Korea, and possibly China. This helps to mitigate the imbalance between the two sides but creates an asymmetrical external dependency. Russia anticipates that support for Ukraine from external sources will diminish over time, eventually leading to its victory in the conflict. Conversely, Ukraine hopes its successful resistance will trigger ripple effects in Russian domestic politics, weakening the Putin regime and ultimately leading to its own victory.

Moscow’s original expectation of breaking Ukraine’s resistance and installing a puppet regime loyal to Russia apparently failed. However, Russia’s reduced expectation of occupying a large portion of Eastern and Southeastern Ukraine was realized. Following the annexation of Crimea (including Sevastopol) in 2014, Russia declared the annexation of another four *oblasts* of Ukraine in September 2022: Donetsk, Luhansk, Kherson, and Zaporizhiiia, totaling 135,861 square kilometers. This represents approximately 22.5% of Ukraine’s territory. Out of Ukraine’s total population of 44.4 million (including Crimea and all other territories annexed in 2022), 10.95 million lived in these five territorial entities, representing 24.8% of the population.² Indeed, Russia’s actions, from attempting to eliminate Ukraine’s political independence to violating its territorial integrity and

¹ This sentence has been attributed to various famous individuals, most often to Winston Churchill as well as to Charles-Maurice de Talleyrand and Klemens von Metternich.

² These are official Ukrainian data from 2020, except for Crimea, where they are from 2013 (the last year before the Russian Federation annexed the territory).

annexing over 22 percent of its territory, are violations of international law. According to point 4, article 2 of the UN Charter, both actions are considered contrary to a fundamental principle of international law: the prohibition of the threat or use of force.

Indeed, Ukraine and Russia have contrasting objectives in the conflict. Ukraine aims to restore its territorial integrity, secure full respect for its sovereignty, and maintain the freedom to choose its international alliances, including the option to join NATO and the EU. On the other hand, Russia seeks to control the annexed parts of Ukrainian territory, maintain influence over Ukraine, and prevent its accession to NATO and the EU.

Indeed, the ongoing conflict between Russia and Ukraine presents the international community with a clear choice: to either condone or condemn Russian aggression. Given the blatant violation of international law and Ukraine's sovereignty, the decision should be relatively straightforward. Not that nothing similar ever happened, as Saddam Hussein did the same on August 2, 1990, when Iraq abolished the sovereignty of another UN member-state, Kuwait. Unsurprisingly, the overwhelming majority of states voted in favor of condemnation every time the matter was put to vote at the Emergency Special session of the UN General Assembly (as Russia would have vetoed any UN Security Council resolution). It is also important to note that the five to seven states that voted against the General Assembly resolutions represented a predictable and not particularly appealing group. The number of Russia's supporters was very low. It included the following states in every case: Belarus, North Korea, and Syria; in two instances, Eritrea and Nicaragua, and once Mali joined the others. The number of abstentions ranged from 32 to 35, whereas another 10-12 states did not participate in voting. However, when the resolution moved beyond mere condemnation, the picture changed. It happened when the issue was depriving Russia of its membership in the UN Human Rights Council or when compensation for war damages was at stake. In those cases, the support shrank, and the number of abstentions rose sharply. Still, in both cases, the support for the motion was sufficient to pass a resolution.

This article examines one important aspect of the consequences of the war that has been raging on for nearly two years at the time of writing. It is contemplating the repercussions of the Russian war of aggression on the so-called post-Soviet space, the twelve republics³ that were part of the Soviet Union a generation ago. Indeed, the proximity of ten of these states to both warring parties, coupled with their historical economic ties, shared infrastructure, common language (share a *lingua franca* widely spoken in each country), and deep cultural and human connections, means that the ongoing war directly impacts them to a greater extent than many other countries further away from the conflict zone. The proximity to the conflict presents a double-edged sword for these states, leading to both disadvantages and occasional advantages. While they may

³ Including the Russian Federation and Ukraine; excluding Estonia, Latvia, and Lithuania.

openly acknowledge the losses incurred due to the war, they may be more hesitant to discuss any benefits they may gain, perhaps portraying themselves primarily as victims of circumstance rather than acknowledging any advantages arising from their position.

The voting patterns among the 12 former Soviet republics in the United Nations General Assembly differed from those of the entire UN membership of 193 states. Three states—Georgia, Moldova, and Ukraine—consistently voted in favor of the motion, indicating a large majority in support. On the other hand, Belarus and Russia consistently voted against the motion. The remaining seven states were divided between abstention and non-participation in the vote (see Table 1). The majority demonstrated reluctance to take sides, indirectly acknowledging diplomatic pressure from various directions. This is understandable, as Russia aimed to prevent universal condemnation of its aggression. In its “backyard,” seven states consistently avoided taking sides, partially aligning with Russia's objectives.

Russia launched its large-scale aggression on February 24, 2022, under conditions favorable to it both in the post-Soviet space and domestically. Several former Soviet republics, particularly Belarus, increased their dependence on Russia. Belarus, whose President, Alexander Lukashenko, received support from Russia to maintain power after the fraudulent presidential election of August 9, 2020, relied on Russia in various ways. In the South Caucasus, Russia consolidated its influence when it contributed to ending the 2020 war between Armenia and Azerbaijan and deployed a large peacekeeping contingent to monitor the ceasefire in Nagorno-Karabakh.⁴ Although basic disagreements remained between Russia and Georgia, the government in Tbilisi has been pursuing a pragmatic policy and sought de-escalation. In Central Asia, several states felt their security was diminished with the return of the Taliban to power in August 2021 and were interested in military assistance from Russia. This was evident in Kyrgyzstan and Tajikistan, where counter-terrorism exercises were held with Russian participation. The situation was similar in Uzbekistan, which was interested in maintaining relations with Afghanistan despite the unfavorable regime change in that country in 2021. Kazakhstan had reasons to be grateful to Russia, as Collective Security Treaty Organization (CSTO) troops helped restore order in the country between the 6th and 19th of January 2022. More than two-thirds of the troops were Russian, and no decision could have been taken in the organization without the active engagement of Moscow. Turkmenistan also warmed its relations with Russia. In sum, except for Moldova and Ukraine, it seems that Moscow was well-positioned to benefit from the support of the other former Soviet republics.

⁴ As it will be demonstrated later, this Russian advantage got lost three years later when Azerbaijan gained full control over Nagorno-Karabakh and the presence of Russian peace-keepers became redundant.

Table 1. The Voting Pattern of the Twelve States of the Former Soviet Union at UNGA Emergency Special Session 11 (based on UNGA data – October 2, 2023).

	11/1	11/2	11/3	11/4	11/5	11/6
Armenia	Abstention	Abstention	No participation	Abstention	Abstention	Abstention
Azerbaijan	No participation	No participation	No participation	No participation	No participation	No participation
Belarus	Against -	Against -	Against -	Against -	Against -	Against -
Georgia	In favor +	In favor +	In favor +	In favor +	In favor +	In favor +
Kazakhstan	Abstention	Abstention	Against -	Abstention	Abstention	Abstention
Kyrgyzstan	Abstention	Abstention	Against -	Abstention	Abstention	Abstention
Moldova	In favor +	In favor +	In favor +	In favor +	In favor +	In favor +
Russia	Against -	Against -	Against -	Against -	Against -	Against -
Tajikistan	Abstention	Abstention	Against -	Abstention	Abstention	Abstention
Turkmenistan	No participation	No participation	No participation	No participation	No participation	No participation
Ukraine	In favor +	In favor +	In favor +	In favor +	In favor +	In favor +
Uzbekistan	No participation	Abstention	Against -	Abstention	Abstention	Abstention

11/1 Aggression against Ukraine (adopted by: 141 Y, 5 N, 34 A – 13 No participation)

11/2 Humanitarian consequences of the aggression against Ukraine (adopted by: 140 Y, 5 N, 38 A – 10 No participation)

11/3 Russia's suspension from the UN Human Rights Council (adopted by: 93 Y, 24 N, 58 A – 18 No participation)

11/4 Territorial integrity of Ukraine: Defending the principles of the UN Charter (adopted by: 143 Y, 5 N, 35 A – 10 No participation)

11/5 Furtherance of remedy and repatriation for aggression against Ukraine (adopted by: 91 Y, 13 N, 70 A – 19 No participation)

11/6 Principles of the UN Charter underlying a comprehensive, just, and lasting peace in Ukraine (adopted by: 141 Y, 7 N, 32 A – 13 No participation)

Y = Yes

N = No

A = Abstention

Although domestically, the popularity of Putin's leadership has declined since 2018, when the additional boost of popularity stemming from the annexation of Crimea in 2014 got exhausted, and the sluggish growth of the economy due to lack of diversification, stagnation, and corruption hit a large part of the population, the situation remained manageable. After the COVID pandemic, the economy bounced back and produced 4.75 % growth in 2021. The President was in the middle of his term and could confidently look forward to staying in power, even without free and fair elections and amidst rising election fraud.

The war must not have come as a surprise to post-Soviet states. Some, like Belarus, must have been officially informed, as Russia used its territory in the launch of its military operation. Whether other states were aware is open to question, although the fast withdrawal of the troops of CSTO member-states from Kazakhstan must have given some indication. As NATO member states were briefed about the coming war of aggression in November 2021, it cannot be excluded that some former Soviet states also received hints about what was coming.

How did the former Soviet republics react to the war? When the war started, the post-Soviet states were quite cautious and reactive initially. They did not want to damage their relations with either party. They were waiting to see what was coming. Then they saw the war would be raging on with Russia not realizing its original grand strategic objective to "denazify and demilitarize" Ukraine by installing a pro-Russian puppet regime and thus depriving Ukraine of its political independence, an act of violating state sovereignty as the taking, occupying, annexing a part of the territory (or the whole) of a sovereign state. The majority of the countries that were reluctant to take a prominent stance, seven of 12 states, opted for low visibility. This left the international community to speculate about the actual developments and make efforts to influence them in various directions. Consequently, there was often an amplification of various activities and statements.

The Reaction of the States of the Former Soviet Union

Belarus

Looking beyond the two warring parties, Belarus's approach is relatively straightforward. It supported Russia in international diplomacy, including with its vote at the Emergency Special Session of the UN General Assembly. Additionally, Belarus provided its territory for the aggression, hosting approximately thirty thousand Russian troops at the beginning of the invasion. The mere fact Belarus allowed its territory to be used for aggression made the country an aggressor as "[t]he action of a State in allowing its territory, which it has placed at the disposal

of another State, to be used by that other State for perpetrating an act of aggression against a third State”⁵ is a case of aggression. There was no need for further assistance with this qualification. It means that providing troops or armaments and equipment would not have changed the international legal assessment of the role of Belarus. However, Minsk also made available its military airfields for logistical purposes and supplied large amounts of armaments, including T-72 battle tanks and thousands of tons of ammunition. At the beginning of the war, its territory, sharing a nearly 1,100 km long border with Ukraine, was used for attacks with missiles, aiming, among others, at Kyiv. Since Belarus shares a common border with three NATO member-states—Latvia, Lithuania, and Poland—forward deployment was also used to increase the perceived threat to those states and NATO as a whole. This was achieved by both traditional and non-traditional means. It is worth noting that Belarus deployed illegal migrants on its border with Poland in 2021 and provoked its western neighbor, forcing it to balance humanitarian concerns with security measures. With the apparent failure of this murky attempt, Belarus presented a threat by: Forward deployment of conventional military forces and potentially Russian short-range nuclear weapons; Hosting, albeit temporarily, fighters of the Wagner Group after the mutiny of June 24, 2023; Increasing military activity in the border area, including Belarusian helicopters violating Polish airspace.⁶ The volatility of the situation stems from the importance of the so-called Suwalki Gap, which connects Belarus with the Kaliningrad exclave of the Russian Federation. An attempt to occupy it and thus establish a land corridor between Belarus and Russia would constitute an aggression against NATO member states and, hence, be very ill-advised for Russia to pursue. Yet, it entails a major strategic risk. Thus, we face a classical dilemma: Low likelihood but high strategic risk means the Alliance cannot ignore and must consider such a scenario.

This occurred even though the Russian Federation also shares a land border with those three states. Beyond the apparent strategic advantage of deploying closer to the territory of NATO members, it also served as an indication of Belarus’s dependence on Russia. However, the support of President Lukashenka was not limitless. Belarus did not provide troops, likely for reasons related to domestic politics. Understandably, as Lukashenko only recently regained control over the country following months of widespread demonstrations following the August 2020 fraudulent elections, the president did not want to take any risks. Such risks could be associated with potential military casualties, which could have ignited unpredictable processes. Furthermore, the armed forces of Belarus are relatively small, with approximately 45,000 troops, and only a small portion (5-10 thousand) among them are considered well-trained. Society’s support for the

⁵ See “Definition of Aggression, UN General Assembly Resolution 3314 (XXIX),” December 14, 1974, Annex point 3(f), [https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/RES/3314\(XXIX\)&Lang=E](https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/RES/3314(XXIX)&Lang=E).

⁶ “Why Are Tensions Mounting on the Belarus-Poland Border?” *BBC*, August 10, 2023, <https://www.bbc.com/news/world-europe-66410230>.

war remained limited. Cases of sabotage by employees of the Belarus railway system aimed to prevent supplies to Russian forces attacking Ukraine.⁷

The subordination of Belarus to Russia left little room for maneuvering for President Lukashenko. His rhetoric reflected this when he occasionally made more radical statements than his Russian counterpart. He expressed regret that Ukraine did not face an all-out war already in 2014 when it was unprepared for it.⁸ This behavior, possibly coordinated with Moscow, continued when, at some international meetings, the representative of Belarus was more radical and critical of the West than Russia.⁹

It is important to know whether Belarus has been rewarded for its loyalty. If one starts from the premise that President Lukashenko was in massive debt due to Russia's "support and assistance" to survive the difficult times following August 2020, it could be concluded that it was payback time. However, as it is known, President Lukashenko never missed an opportunity to play tricks on his main partner. Nevertheless, Lukashenko is aware that his room for maneuvering is strictly limited, and Russia, despite its current difficulties, has enormous economic influence on his regime. With the collapse of Belarus' exports to the West and the significant reduction of exports to Ukraine, Russia's monopolistic position, particularly in the decisive hydrocarbon sector, strengthened further. The regular income stream, importing crude oil and gas from Russia, processing it, and exporting the products to the West, gave way to importing from Russia and re-exporting the processed products to Russia. However, this reorientation was accompanied by a contraction in the Belarusian economy overall. The contraction slowed down from 5.2 to 4.7% towards the end of 2022 as the regime adjusted to sanctions. Still, dependence on Russia increased further, and Russia was not hesitant to impose some rules on its weaker partner, including a new tax agreement calling for indirect taxation.¹⁰ Belarus bore severe economic difficulties, so it attempted to diversify its external economic relations. During a visit by President Lukashenko to Beijing, new Chinese investments amounting to USD

⁷ RFE/RL Belarus Service, "Belarusian 'Railway Guerrilla' Handed 13 Years in Prison," *Radio Free Europe/Radio Liberty*, January 9, 2023, <https://www.rferl.org/a/belarus-railway-guerrilla-13-year-prison/32215523.html>.

⁸ Zoya Sheftalovich, "Belarus' Lukashenko: 'The Only Mistake We Made' Was Not Finishing off Ukraine with Russia in 2014," *Politico*, June 2, 2023, <https://www.politico.eu/article/belarus-alexander-lukashenko-mistake-not-invade-ukraine-russia-2014-vladimir-putin/>.

⁹ Cf. "Statement by the Deputy Minister of Foreign Affairs of Belarus Y. Ambrazevich at the meeting of the OSCE Ministerial Council (November 30, 2023, Skopje)," <https://mfa.gov.by/en/press/statements/c739f0832cc1b03c.html> and "Foreign Minister Sergey Lavrov's remarks during the 30th meeting of the OSCE Ministerial Council, Skopje, November 30, 2023," https://mid.ru/en/foreign_policy/news/1918477/.

¹⁰ Maxim Samorukov, "The Importance of Being Russian: Can Belarus Survive the Kremlin's War Against Ukraine?" *Carnegie Politika*, November 3, 2022, <https://carnegieendowment.org/politika/88317>.

3.5 billion were agreed.¹¹ A second visit to China in less than a year, with a clear focus on industrial cooperation and the enlargement of the China-Belarus industrial park, demonstrated the squeezing effect of the unilateral dependence of Minsk on Moscow.¹² Belarus' exports to China have indeed increased since the Russian war against Ukraine broke out, particularly in the agricultural and fertilizer sectors, which together represent USD 1.4 billion of the total USD 1.6 billion.¹³ However, this cannot compensate for the decisive importance of Russia as an economic partner.

The case of Belarus illustrates how the Russian aggression against Ukraine left Minsk with little choice, being the country that has the closest constitutional relationship and economic (inter)dependence with Moscow. However, this dependence is not based solely on these factors but also on the increasing isolation of Minsk, attributed to the country's long-term policies, especially those surrounding the fraudulent elections of August 2020. Attempts to reduce the heavy dependence on Russia will likely remain inconclusive.

Moldova

The other former Soviet republic that does not belong to a distinct subregion in the former Soviet space is Moldova. It is one of the smallest and poorest former Soviet republics in Europe. It is often referred to as a "sandwiched state" due to its geographic position between Ukraine and Romania, the former being a post-Soviet state and the latter an EU and NATO member. Moldova is directly affected by the ongoing war of aggression against Ukraine. If Russia were to achieve its original objective of depriving Ukraine of its political independence and installing a pro-Russian puppet regime, Moldova's situation would deteriorate significantly. As the original Russian "grand strategic" objectives have receded since then, giving way to a more realistic, limited military objective of gaining territory from Ukraine, Moldova's immediate existential concern has also shifted. However, for a time, Moldova rightly feared that Russia might advance to its eastern border and then attempt to establish Transnistria as an independent pseudo-state, annex the territory, or even consider occupying all of Moldova. Those models have been applied in recent Russian history, with the former being utilized in Abkhazia and South Ossetia, the latter in Crimea, and the four Ukrainian territories (*oblasts*) annexed by Russia in September 2022. In addition to verbal threats, such as warning Moldova not to pose a threat to Russian forces in Transnistria, Russian Foreign Minister Sergey Lavrov emphasized that "any actions

¹¹ President of the Republic of Belarus, "Aleksandr Lukashenko Concludes State Visit to China," March 2, 2023, <https://president.gov.by/en/events/zavershilsya-gosudarstvennyy-vizit-aleksandra-lukashenko-v-kitayskuyu-narodnuyu-respubliku-1677744000>.

¹² "Chinese-Belarusian Presidents Pledge to Enhance Ties," *Xinhua*, December 4, 2023, <https://english.news.cn/20231204/160174440a844fb99ea1c2c71d6d20dd/c.html>.

¹³ Pavel Slunkin et al., "Belarus Change Tracker, December 2022 – February 2023" (Friedrich Ebert Stiftung, 2023), 16, <https://library.fes.de/pdf-files/bueros/belarus/20148-20230322.pdf>.

threatening the security of our service personnel will be treated as attacks against the Russian Federation.”¹⁴ Moscow also attempted to destabilize Chisinau using well-known hybrid methods, including influencing the media space, gaining influence over elements of the Moldovan government, and fueling dissatisfaction and demonstrations. These efforts led to changes in the composition of the government¹⁵ and a series of demonstrations against the country’s leadership. However, a government crisis was averted. Evidence was successfully collected regarding the external funding of the anti-government demonstrators.¹⁶ The leadership stayed on a pro-Western course, benefiting from the Association Agreement with the EU (including the Deep and Comprehensive Free Trade Agreement), increasing Moldova’s trade turnover with the West,¹⁷ and, last but not least, reducing its energy dependence and eliminating its gas dependence on Russia.¹⁸ Overall, Moldova successfully reduced its dependence on various dimensions, including the media, economy, and energy. Chisinau benefited from the fact that these processes started before the Russian aggression against Ukraine and could continue beyond it.

There are two important questions:

1. Can Moldova maintain its internal political stability and continue the international political course it adopted since 2020? There is little doubt that Russia will persist in its attempts to undermine Moldova’s still fragile socio-political cohesion. However, Moldova appears well-prepared and has learned from decades of unsuccessful efforts to fend off Russian interference.
2. Will the country continue with its “incomplete” Western integration agenda and maintain its constitutional neutrality (as outlined in Article

¹⁴ The Ministry of Foreign Affairs of the Russian Federation, “Foreign Minister Sergey Lavrov’s Remarks and Answers to Questions at a Meeting with MGIMO Students, Teachers and Professors on the Start of the New Academic Year, Moscow, September 1, 2022,” https://mid.ru/en/foreign_policy/news/1828196/.

¹⁵ Pawel Kowal, “Moldova’s Escape from the East,” *GIS Reports*, May 31, 2023, <https://www.gisreportsonline.com/r/moldova-russia-east/>.

¹⁶ Rob Picheta, “Why Moldova Fears It Could Be Next for Putin,” *CNN*, February 26, 2023, <https://edition.cnn.com/2023/02/26/europe/moldova-transnistria-russia-tensions-explainer-intl/index.html>.

¹⁷ 49.3% of Moldova’s total external trade was conducted with the EU, where 58.7% of its exports were directed in 2022. European Commission, “Moldova: EU Trade Relations with Moldova – Facts, Figures, and Latest Developments,” https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/moldova_en.

¹⁸ Alexander Tanas, “Moldova No Longer Needs Russian Gas, Minister Says,” *Reuters*, March 16, 2023, <https://www.reuters.com/business/energy/moldova-no-longer-needs-russian-gas-minister-says-2023-03-16/>.

11, Paragraph 1 of the constitution), focusing on “intensified, accelerated cooperation with NATO,”¹⁹ or will it take a more radical step and abandon its neutrality? Such a move would undoubtedly be viewed as a provocation by Russia, signaling that Moldova and its partners no longer see the need for pragmatic steps and are prepared to confront Russia directly.

South Caucasus

The three states of the South Caucasus—Armenia, Azerbaijan, and Georgia—present a “colorful entity.” Armenia’s membership in the CSTO and the EAEU suggests a close association with the Russian Federation, which plays a leading role in these organizations. Azerbaijan maintains a strong friendship with Russia, as evidenced by the relations between the two presidents. Georgia, on the other hand, has leaned towards the West over the past twenty years and also fought a war with Russia fifteen years ago. However, drawing conclusions based solely on these observations would lead to a fundamental misunderstanding of the situation.

Georgia joined the states that condemned the Russian aggression in the UN General Assembly, indicating its stance against the conflict. Armenia, on the other hand, abstained from voting. Azerbaijan chose not to participate in the repeated votes. However, upon closer examination of the reactions of these three states to the Russian aggression, the picture gets blurred.

Despite its close association with Russia, Armenia has faced many problems with Moscow since 2018. Tensions between Moscow and Yerevan escalated following the so-called April revolution. During the revolution, Prime Minister Nikol Pashinyan consistently assured that the changes would be strictly domestic and would not impact the country’s foreign relations. He was well aware that Russia, closely monitoring the situation, needed to be neutralized, at least in public discourse. Despite Russia’s lingering suspicions, it had to come to terms with the change. However, the nature of democracy introduced an element of unpredictability. As events unfolded, Russia indicated its suspicion and dissatisfaction through various means, although it carefully calibrated its actions in public. For instance, when former President Robert Kocharian (now a leading figure in the opposition) was arrested, Vladimir Putin congratulated him on his birthday, while Foreign Minister Sergey Lavrov expressed his view that the arrest contradicted the Armenian leadership’s pledge not to “persecute its predecessors for

¹⁹ Anca Grădinaru and Cristina Popușoi, “Interviu Ministrul de externe moldovean, la Vilnius: Apropierea Ucrainei de NATO va ajuta R. Moldova sa ramana stabila [Interview with the Moldovan Foreign Minister in Vilnius: Ukraine’s Approach to NATO Will Help the Republic of Moldova to Remain Stable],” *Europa Libera Romania*, July 11 2023, <https://romania.europalibera.org/a/interviu-nicu-popescu-la-vilnius-miscarea-ucrainei-spre-nato-va-ajuta-r-moldova-sa-ramana-stabila-/32499134.html>.

political motives.”²⁰ When the “My Step” political alliance, led by Prime Minister Pashinyan, achieved a landslide victory in the elections in December 2018, winning more than seventy percent of the votes,²¹ Russian electronic media seemingly hesitated to report on the results for three days. Subsequently, the news appeared on the toolbar of Russian TV channels. This was in stark contrast to the usual practice where incumbent victories in the former Soviet Union are promptly, regularly, and widely broadcast by Russian media, often followed by customary congratulations from the Russian president.

Relations deteriorated further when Azerbaijan initiated a war in September 2020 to regain Nagorno-Karabakh, which Armenia had occupied for 26 years. It became apparent that the territory was illegally held under Armenian rule. Given this, it was understandable that Russia stayed out of the military conflict. However, Armenians, partly misinformed by their own media, felt betrayed. Russia made it clear at the onset of the war that it would only intervene in support of Armenia if its genuine national territory (not Nagorno-Karabakh or the seven surrounding districts that Yerevan had occupied by force in the early 1990s) was attacked. Russia maintained this position throughout the 44 days of hostilities. However, Moscow closely monitored the developments and, while not directly involved in the conflict, asserted a pivotal role in achieving a ceasefire.²² Additionally, Russia deployed peacekeepers to separate the forces of the two states and stabilize the situation with a nearly two-thousand-person-strong Russian contingent. On another level, it was evident that Russia felt closer to Azerbaijan than Armenia, and influential Russian electronic media clearly projected this image.

Relations between Armenia and Russia remained strained. Russia clearly hoped for Pashinyan to lose the elections held after the war, during which Armenia lost the seven surrounding districts and one-third of Nagorno-Karabakh proper. However, Nikol Pashinyan’s forces narrowly won the election in June 2021, this time securing 53.9% of the valid votes.²³ Pashinyan could credibly argue that further postponing the signing of the ceasefire (and thus the recognition of its defeat) would have resulted in the full and near-immediate loss of Nagorno-Karabakh as a whole. Armenia was well aware of the limits of its freedom

²⁰ “Kocharian Sees ‘Serious Support’ from Putin,” *Azattyun*, September 19, 2018, <https://www.azattyun.am/a/29498757.html>.

²¹ RFE/RL, “Pashinian Alliance Scores ‘Revolutionary Majority’ in Landslide Armenian Win,” *Radio Free Europe/Radio Liberty*, December 8, 2018, <https://www.rferl.org/a/armenian-elections-pashinian-my-step-sarkisian-hhk/29645721.html>.

²² “Document: Full Text of the Agreement between the Leaders of Russia, Armenia and Azerbaijan,” *commonsense.eu*, November 10, 2020, www.commonspace.eu/news/document-full-text-agreement-between-leaders-russia-armenia-and-azerbaijan.

²³ OSCE, Office for Democratic Institutions and Human Rights (ODIHR), “Republic of Armenia: Early Parliamentary Elections, 20 June 2021,” ODIHR Election Observation Mission Final Report (Warsaw: OSCE, October 27, 2021), 33, https://www.osce.org/files/f/documents/5/4/502386_0.pdf.

of action. In the beginning of January 2022, when Yerevan chaired the CSTO, Armenia joined the consensus that the organization would “assist” Kazakhstan by military force to overcome its internal problems at the beginning of the year.

It was a significant symbolic step when Yerevan, along with Baku, decided to diversify the forces monitoring the ceasefire in Nagorno-Karabakh.²⁴ This decision indicated a weakening of Russia’s earlier nearly monopolistic influence. However, Russia also recognized the risks involved. On the one hand, Russian peacekeepers assisted in supplying the Armenian population in Nagorno-Karabakh to prevent a humanitarian disaster. On the other hand, when the two parties agreed to involve EU observers in Nagorno-Karabakh, Vladimir Putin summoned the two leaders to Moscow and left no doubt about his country’s essential role in conflict management.²⁵ This illustrated Russia’s sensitivity to any Western presence in the former Soviet Union, even in a limited capacity.

Armenia continued to feel let down by Russia despite the complexities of the Nagorno-Karabakh conflict. There were numerous signs that Russia sought to constrain Armenia’s political independence. In response, Armenia appeared to make a strategic shift, symbolized by humanitarian assistance to Ukraine delivered by Prime Minister Pashinyan’s spouse. The prime minister commented: “[A]s a result of the events in Ukraine, the capabilities of Russia have changed ... Our strategy should be to try in this situation to maximally decrease our dependency on others.”²⁶ Armenia’s announcement of its plan to ratify the Rome Statute of the International Criminal Court (ICC), particularly at a time when the chief prosecutor of the Court had already charged Vladimir Putin with war crimes, intensified tensions. To mitigate potential damage, Putin found it necessary to declare that his country had “no problems with Armenia.”²⁷ It is evident that Moscow, leveraging its residual influence not absorbed by the war in Ukraine, is working to bring Armenia “back in line.”²⁸ Commentators emphasize the need

²⁴ However, the area of responsibility of the unarmed EU observer mission extended to the entire shared border of Armenia and Azerbaijan. “EU Mission in Armenia, Q&A on the EU Mission in Armenia/EUMA,” *EUMA*, May 12, 2023, www.eeas.europa.eu/euma/qa-eu-mission-armenia-euma_en.

²⁵ Burç Eryugur, “Russian President Holds Trilateral Meeting with Azerbaijani Counterpart, Armenian Premier,” *Anadolu Ajansi*, May 26, 2023, <https://www.aa.com.tr/en/world/russian-president-holds-trilateral-meeting-with-azerbaijani-counterpart-armenian-premier/2906228>.

²⁶ Gabriel Gavin, “We Can’t Rely on Russia to Protect Us Anymore, Armenian PM Says,” *Politico*, September 13, 2023, <https://www.politico.eu/article/we-cant-rely-russia-protect-us-anymore-nikol-pashinyan-armenia-pm/>.

²⁷ “Putin Says ‘No Problems’ in Russia’s Ties with Armenia,” *AlArabiya News*, September 12, 2023, <https://english.alarabiya.net/News/world/2023/09/12/Putin-says-no-problems-in-Russia-s-ties-with-Armenia>.

²⁸ Joshua Kucera, “Is Armenia Turning to the West?” *Radio Free Europe/Radio Liberty*, September 13, 2023, <https://www.rferl.org/a/armenia-pashinian-united-states-west-relations-russia-analysis/32591327.html>.

for increased EU commitment to prevent the situation from escalating into a proxy war.²⁹

While Armenia is clearly distancing itself from excessive dependence on Russia, Azerbaijan has undoubtedly drawn closer to its northern neighbor. In the first decade of independence, the Yeltsin administration maintained a strong pro-Armenian position. However, this shifted towards a more balanced relationship as Vladimir Putin recognized the relatively greater importance of Azerbaijan, considering factors such as population size, GDP, and hydrocarbon resources, beyond any personal sympathy he may have had towards the presidents of Azerbaijan. The balance began to tilt in favor of Baku, particularly since 2018, when Armenia underwent changes that Moscow viewed unfavorably. Russia's alignment with Azerbaijan was also influenced by regime similarities, which were no longer as apparent in its relationship with Armenia post-2018.

The stalemated yet rather volatile situation changed unexpectedly in September 2023, three years after the 44-day-long war. Azerbaijan initiated a rapid "anti-terrorist operation" on September 19. Russian media continued to reflect its earlier position that the country would not become involved in the conflict as long as it remained confined to Nagorno-Karabakh. Azerbaijan successfully eliminated the presence of Armenian armed forces in the Armenian-controlled part of Nagorno-Karabakh, prompting the Armenian leadership in the area to vacate the region. The President of Azerbaijan announced the following day that his country had "restored sovereignty."³⁰ The Russian Federation indicated its readiness to broker a ceasefire between the parties. The RT chief editor, Margarita Simonyan (herself of Armenian origin), reminded Armenia that "[N]obody has ever helped Armenia except Russia. And no one will ever help. Not knowing this means not wanting to know."³¹ However, understandably, this "help" came with a price tag, reflected in Armenia's dependence on Russia. On the one hand, the developments in September 2023 closed an important chapter as the protracted conflict came to an end. On the other hand, it meant that Russia no longer had influence as an arbiter between the two parties by intervening in their conflict.

Following the war of September-November 2020, Azerbaijan contemplated various scenarios in which the fragile ceasefire could give way again to the use of force. Four scenarios appeared in public literature, and one of them, the "Threat of terrorist acts," served as a reference point when engaging in hostilities

²⁹ George Meneshian, "Azerbaijan Exploits Vacuum on Nagorno-Karabakh," *Social Europe Newsletter*, September 27, 2023.

³⁰ James Kilner, "Azerbaijan's Victory Hurts a Putin Critic, but Pushes Armenia toward Western Allies," *The Telegraph*, September 20, 2023, <https://www.telegraph.co.uk/world-news/2023/09/20/azerbaijan-putin-critic-armenia-western-allies-nagorno/>.

³¹ Ismi Aghayev, Arshaluys Barseghyan, and Shota Kincha, "Azerbaijan Demands Complete Surrender of Nagorno-Karabakh as It Launches Massive Offensive," *Open Caucasus Media*, September 19, 2023, <https://oc-media.org/azerbaijan-demands-complete-surrender-of-nagorno-karabakh-as-it-launches-massive-offensive/>.

in September 2023.³² Baku acknowledged that Armenia had adopted a constructive attitude after the 2020 war, which certainly implied, or at least included, verbal recognition of Azerbaijan's sovereignty over Nagorno-Karabakh. However, Armenians were disheartened by the loss of their "de facto" state, leading to heightened tensions. This tension was evidenced by Azerbaijan's blocking of the Lachin corridor, resulting in a humanitarian crisis in the Armenian-held part of Nagorno-Karabakh. Although somewhat alleviated by the Russian peacekeepers and ICRC deliveries, these were later blocked. When Azerbaijan initiated the so-called counter-terrorist operation on September 19, the presence of Armenian military and irregulars was cited by Baku as justification. The circumstances surrounding the appearance of Armenian military and paramilitary personnel in Nagorno-Karabakh are evidently murky. Understandably, Azerbaijan used this as one of its arguments for resuming military efforts to occupy/regain control and sovereignty over the rest of Nagorno-Karabakh.³³ Whether there will ever be sufficient and impartial clarification remains to be seen.

If one sees a crisis as an opportunity, a new chapter may be opening for Yerevan. With a somewhat reduced dependence on Russia following the resolution of the Nagorno-Karabakh conflict, Armenia may now have the chance to determine its own political orientation. Prime Minister Pashinyan currently enjoys a large majority in the legislative body, and even if this support were to erode somewhat in light of the Nagorno-Karabakh events, it may still be sufficient. Additionally, the fact that the next elections for the Armenian parliament are not scheduled until 2026 provides ample time for the current political course to solidify.

However, we can be confident that Russia will persist in its efforts to capitalize on the dissatisfaction among the Armenian people following the Karabakh conflict, aiming for a pro-Russian regime change. Russian media anchors and non-governmental actors have even encouraged Armenians to protest against the government.³⁴ Extensive coverage of demonstrations in Armenia by Russian media, along with calls for early elections and potential support for the opposition led by former pro-Russian President Robert Kocharyan, indicate Russia's intentions. Ultimately, the future direction of Armenia's political course will depend on the Armenian people and the dynamics among various political forces.

³² Agil Rustamzade, "The Possibility of a New Military Confrontation between Armenia and Azerbaijan: Assessment of Risks and Threats in the Short Term," *Caucasus Strategic Perspectives* 3, no. 2 (Winter 2022): 69-80, [https://cspjournal.az/uploads/files/Summer%202022/Vol_3_IS_2_Winter2022/CSP_vol3%20issue2_Summer%202022%20Web%20\(FINAL\)%20\(2\).pdf](https://cspjournal.az/uploads/files/Summer%202022/Vol_3_IS_2_Winter2022/CSP_vol3%20issue2_Summer%202022%20Web%20(FINAL)%20(2).pdf).

³³ "Statement by Azerbaijan's Ministry of Defense," September 19, 2023, <https://mod.gov.az/en/news/statement-by-azerbaijan-s-ministry-of-defense-49350.html>.

³⁴ Robert Ananyan on X, "Russian Propagandists Margarita Simonyan and Vladimir Solovyov Have Even Called on Armenians to Participate in Anti-government Demonstrations," <https://twitter.com/robananyan/status/1707133662997696672>.

Whether Armenia will continue on a pro-western trajectory or revert to its decades-long policy of dependence on Russia remains to be seen. The extent to which the West reciprocates Armenia's Western initiatives will be crucial, and Western engagement must remain cautious and selective.³⁵

Indeed, it is crucial to recognize that Armenia is a small and relatively economically disadvantaged country, with the smallest territory and population among the 12 former Soviet republics. Russia holds significant economic leverage over Armenia, as illustrated in Table 2. If the West wishes to prevent unfavorable changes in Yerevan, it must act decisively and allocate greater resources to support Armenia's current political trajectory. This entails diplomatic support and tangible economic assistance to bolster Armenia's independence and resilience in the face of external pressures.

Indeed, Armenia's loss of the territories it had occupied between the early 1990s and 2020 marks a significant turning point in the country's history. With a reduced reliance on Russia, Armenia now enjoys a degree of autonomy, albeit with uncertainties regarding the sustainability of its statehood under the current democratic and less corrupt regime. Prime Minister Nikol Pashinyan's efforts to foster unity in the country are understandable, as he seeks to attribute the losses primarily to Azerbaijan while also acknowledging the role of the Russian Federation:

The capture of Khtsaberd and the Hin Tagher of Nagorno-Karabakh in December 2020 and the capture of more than 60 Armenian servicemen, the events of Parukh, the numerous expressions of intimidation of the Armenian population of Nagorno-Karabakh, the illegal blocking of the Lachin Corridor, the September 19 Azerbaijani attack on Nagorno-Karabakh, raise serious questions in Nagorno-Karabakh as well about the goals and motives of the peace-keeping troops of the Russian Federation ... The attacks undertaken by Azerbaijan against the Republic of Armenia in recent years lead to an obvious conclusion that the external security systems in which we are involved are not effective for the state interests and security of the Republic of Armenia. This was seen both during the 44-day war and during the May and November events in 2021, as well as in September 2022, and this list goes on.³⁶

The rejection of the statement by the Russian Federation was unsurprising and partly justified. Armenia could not rely on CSTO (Russian) assistance to maintain control over the territories it had occupied by force, and therefore illegally, in the early 1990s. Additionally, Russia dismissed the notion that the attacks on September 19, 2023, were a result of illegal Armenian presence in Nagorno-

³⁵ See Michael C. Keays, "What the Resolution of the Nagorno-Karabakh Conflict Teaches Us," *Kennan Cable*, no. 86 (Wilson Center, December 2023), www.wilsoncenter.org/sites/default/files/media/uploads/documents/KennanCable86.pdf.

³⁶ "Prime Minister Nikol Pashinyan's Message about Independence," *The Prime Minister of the Republic of Armenia*, September 24, 2023, <https://www.primeminister.am/en/statements-and-messages/item/2023/09/24/Nikol-Pashinyan-messages/>.

Table 2. The Performance of the Twelve States.³⁷

	Human Development Index (HDI) (2022)	Corruption Perception Index (CPI) (2022)	Human Freedom Rank (HF) (2023)	Democracy Index (EIU) (2022)	Henley Passport Index (2022)
Armenia	85	63-64	40-41	82 (Hybrid regime)	66
Azerbaijan	91	157-161	127	134 (Authoritarian)	70
Belarus	60	91-93	109	153 (Authoritarian)	78
Georgia	63	41-44	40-41	90 (Hybrid regime)	116
Kazakhstan	56	101-109	106	127-128 (Authoritarian)	76
Kyrgyzstan	118	140-141	81	116 (Authoritarian)	64
Moldova	80	91-93	61	69 (Flawed Democracy)	121
Russia	52	137-139	126	146 (Authoritarian)	119
Tajikistan	122	150-156	153	156-157 (Authoritarian)	60
Turkmenistan	91	167-170	n.a.	161 (Authoritarian)	53
Ukraine	77	116-122	98	87 (Hybrid regime)	144
Uzbekistan	101	126-129	n.a.	149 (Authoritarian)	59

Karabakh. Instead, Russia emphasized its good intentions, cautioning that “the Armenian leadership is making a huge mistake by deliberately attempting to sever Armenia’s multifaceted and centuries-old ties with Russia, making the country a hostage to Western geopolitical games. We are confident that the

³⁷ According to Human Development Index, Corruption Perception Index, Human Freedom Index, Democracy Index, Henley Passport Index as of October 2, 2023.

overwhelming majority of the Armenian population realises this as well.”³⁸ The intention of Russian diplomacy is clear: to foster the achievement of a pro-Russian change of government in Armenia and recreate Armenia’s dependency on Russia. However, Russia’s current heavy engagement in the war against Ukraine may limit its attention and resources. Therefore, Russia is attempting to mitigate its discord with Yerevan and biding its time.

With this, the prediction made by Yevgenii Primakov, who served as the external intelligence chief of Russia and later as foreign minister and prime minister, was realized. In 1994, he conveyed the following statement to Armenian President Levon Ter-Petrosyan: “Azerbaijan can work and wait. They have the resources. In 10, 20, 30 years, they will gain strength and take everything from you.”³⁹ With the evacuation of the entire Armenian population from Nagorno-Karabakh by the end of September 2023 and the dissolution of the entity on December 31, 2023, a significant chapter of history has come to a close. Despite resulting in a severe humanitarian crisis for Armenia, with 110,000 asylum seekers in a country with a population of 2.9 million, and unless the loss of Nagorno-Karabakh leads to a change in leadership in Yerevan, potentially influenced by Russia’s direct or indirect involvement, Armenia now has the opportunity to embark on a new chapter in its history. Hopefully, this chapter will be more successful than its previous dependence on Russia.

Led by a president more strongly legitimized than ever following its second victory in Nagorno-Karabakh, Azerbaijan will likely continue its current political course, characterized by strict autocratic rule domestically and a vectoral foreign policy internationally. Azerbaijan’s economy, which relies heavily on hydrocarbon exports and lacks sufficient diversification, will continue to generate income from the West, leveraging advantages such as increasing its market share due to sanctions on Russia. Despite this, Azerbaijan will maintain close ties with Russia under its current leadership, driven in part by the similarity between the Baku and Moscow regimes.

For two decades, Georgia stood as the strongest pro-Western state in the South Caucasus. During this time, societal changes led to a significant decline in Russian influence, with Russian electronic media losing its sway and the younger generation moving away from the Russian language. This trend was particularly pronounced during the Saakashvili era (2004-2013). The August 2008 war with Russia, along with Russia’s subsequent “recognition” of the “independence” of

³⁸ The Ministry of Foreign Affairs of the Russian Federation, “Foreign Ministry Statement Regarding an Address by the Prime Minister of the Republic of Armenia, Nikol Pashinyan, and the Situation around Nagorno-Karabakh,” September 25, 2023, https://mid.ru/en/foreign_policy/news/1906229/.

³⁹ “‘They Will Gain Strength and ...’: Primakov’s 30-Year-old Prophecy about Nagorno-Karabakh Has Been Fulfilled,” November 13, 2020, accessed March 31, 2021, https://tsargrad.tv/news/oni-naberut-sily-i-ispolnilos-prorochestvo-primakova-30-letnej-davnosti-o-nagornom-karabahe_297593.

Abkhazia and South Ossetia, further strained relations between the two countries. Following President Saakashvili's departure from office (and the country), Georgia continued to uphold its pro-Western course under new leadership. Despite political tensions, economic ties between Georgia and Russia have flourished in recent years, with substantial growth in bilateral trade and Russian tourists becoming a significant source of revenue for the Georgian tourism sector. However, these developments have stirred debate within Georgian society about the country's current political trajectory. While some perceive the government's approach as a betrayal, accusing it of growing too close to Moscow, others argue for maintaining positive relations with Georgia's large northern neighbor. This delicate balancing act underscores the nuanced nature of Georgia's foreign policy, characterized by a strategic alignment known as a "vectoral policy." Despite some Western dissatisfaction with Georgia's pace in joining sanctions against Russia and occasional doubts about its full commitment, Georgia has managed to maintain a delicate balance. The country remains steadfast on matters of principle, such as refraining from reestablishing diplomatic relations with Russia as long as Moscow supports the two self-proclaimed states it created. At the same time, Georgia has benefited from increased economic ties with Russia. The picture is complemented by the tens of thousands of Russian citizens resettled in Georgia, partly in response to Russia's aggression against Ukraine and subsequent mobilization orders in 2022, which has strained societal relations. However, Georgia's approach is guided by its own experiences, particularly the war with Russia 15 years ago, which has instilled a deep understanding of the importance of international solidarity in such situations.

The Central Asian States

Central Asia stands out as a region within the former Soviet Union, where Russia has established an exceptionally strong position, while the presence of the West remains relatively weak. Among the contributing factors are the geographical distance from Europe and North America, the absence of official status for the five Central Asian states within the European Union (often referred to as the "neighbors' neighbors"), limited economic interaction with the West (with Kazakhstan being a partial exception), and the ongoing challenges in the region's political and economic transformation. Consequently, for the Central Asian states, Russia represents their primary partner, as there is no significant alternative offering a democratic agenda with distinct differences. However, a competitor is emerging in Central Asia that, unlike the West, does not offer an alternative political model and presents a limited agenda towards its partners: China. China's public agenda lacks comprehensiveness, as it does not impose systemic requirements on its partners. Instead, China avoids addressing sensitive topics such as human rights, the nature of its own political regime, Taiwan, Hong Kong, Tibet, and the treatment of the Uyghur population. This approach undoubtedly appeals to autocratic leaders in the region. However, China presents an alternative to Russia, and the latter cannot comment on controversies due to its own

dependence on Beijing. This creates a fundamentally different situation compared to the West, where Russia is vocal and sharpens controversies to externalize its problems and achieve a “rally around the flag” effect domestically. In Central Asia, the question is not either-or; the regional states can navigate between the two most influential actors. Central Asian states closely monitor how power shifts between Russia and China affect them. With Russia’s engagement in Ukraine and its unavoidable weakening, reliance on China will increase, while some attempts are made not to lose the attention of the West entirely.

For the Central Asian states, Russia’s large-scale war on Ukraine broke out at a time when they all perceived a deterioration in their security situation. This was primarily due to the Taliban takeover in Afghanistan in August 2021 and the upheaval in Kazakhstan in January 2022. Given these circumstances, the increasing reliance on Russia was logical, especially for the three states belonging to the Collective Security Treaty Organization (CSTO). It could be expected that due to their dependency, the Central Asian states would “live with” the Russian aggression, and indeed, they did. However, none of them sided with Russia in the UN General Assembly. Instead, they either abstained or did not participate in the vote on the resolution condemning the aggression. Upon closer examination, it becomes clear that the substantive reactions of the five states are dissimilar. Understanding their changing approach to Russia is made more challenging by the tendency of Western media to focus on events-based sensationalism rather than lasting tendencies. Western media often emphasizes pronouncements and events that indicate a rupture in relations between Moscow and the region. With this caveat in mind, it can be stated that some Central Asian states have distanced themselves from Russia.

The distancing of Kazakhstan, the largest Central Asian country with the biggest total GDP, has garnered the most interest. A month after the beginning of the high-intensity war, Kazakhstan officially pledged not to assist Russia in circumventing the sanctions.⁴⁰ There were rumors that Russia requested (at least symbolically) a military presence from Kazakhstan in the aggression, which the president of the latter promptly declined. President Tokayev also refused to recognize the so-called Donetsk and Luhansk People’s Republics.⁴¹ Further, Kazakhstan provided humanitarian assistance to Ukraine, although, unlike Armenia later, Astana did not make a big symbolic issue of it. When President Tokayev met his Russian counterpart on May 16, 2022, in Moscow and on June 17 at the St Petersburg International Economic Forum, Tokayev left no doubt about his

⁴⁰ Georgi Gotev, “Kazakh Official: We Will Not Risk Being Placed in the Same Basket as Russia,” *Euractiv*, March 29, 2022, Interview with Timur Suleimenov, Deputy chief of staff of the presidential administration of Kazakhstan, <https://www.euractiv.com/section/central-asia/interview/kazakh-official-we-will-not-risk-being-placed-in-the-same-basket-as-russia/>.

⁴¹ Georgi Gotev, “Kazakhstan Takes Distance from Russia’s Ukraine War,” *Euractiv*, March 2, 2022, <https://www.euractiv.com/section/central-asia/news/kazakhstan-takes-distance-from-russias-ukraine-war/>.

country's stance on the Russia-Ukraine war. In St. Petersburg, while referring to the UN Charter as the basis of international law, President Tokayev said:

It has been calculated that if the right of nations to self-determination was realized in reality on the entire globe, over 500 or 600 states would emerge on Earth, instead of the 193 states that are currently part of the UN. Of course, that would be chaos. For this reason, we do not recognize Taiwan, or Kosovo, or South Ossetia, or Abkhazia. And in all likelihood, this principle will be applied to quasi-state entities, which, in our opinion, Luhansk and Donetsk are.⁴²

Aside from the worries that the precedent of Russia's invasion of Ukraine may have caused for Kazakhstan, it shares a nearly 7,600-km long border with the Russian Federation and has 3.5 million ethnic Russians among its citizens (second only to Ukraine among the post-communist states), the majority of them living next to the shared border. Kazakhstan's relative assertiveness on the Ukraine war as compared to its neighbors may also be due to the memory of President Putin's remarks in August 2014 during a question-and-answer session of a Kremlin-sponsored youth camp where he said: "The Kazakhs never had any statehood" and while giving credit to Kazakhstani leadership for "[creating] a state in a territory that had never had a state before," he also said that it is to the Kazakhstani public's benefit to "remain in the greater Russian world" – remarks that did not sit well with the Kazakhstani public and government. Some similar statements were made by other political figures, like the Duma member and influential commentator Vyacheslav Nikonov. According to him, "Kazakhstan simply did not exist as a country, its northern territories were basically uninhabited, ...further down south [in present-day Kazakhstan], most of the territories were basically given as a gift to [the Kazakhs] by the Soviet Union, by Russia."⁴³ Following Putin's statement above, then Kazakh President Nazarbayev decided to refer to the Eurasian Union as the Eurasian Economic Union, excluding the deepening and broadening of its agenda. In March, Kazakhstan allowed a rare anti-war demonstration with 3,000 participants in Almaty. Tokayev has also been one of the few post-Soviet leaders who have spoken to Ukraine's leader, Volodymyr Zelensky, and has offered to mediate between him and Putin.

Despite its negative impacts, the Ukraine war also presents some opportunities for countries that can supply strategic commodities (energy and other natural resources) since Russia has significantly reduced its overall exports, such as grain, cooking oil, natural gas, and crude oil, due to Western sanctions. However,

⁴² Almaz Kumenov, "Russia Blocks Kazakhstan's Main Outlet for Oil Export," *eurasianet*, July 6, 2022, <https://eurasianet.org/russia-blocks-kazakhstans-main-outlet-for-oil-exports>.

⁴³ Vyacheslav Nikonov's comments on the television talk show of Pervy Kanal, Bol'shaya Igra, on December 10, 2020. Bruce Pannier, "An Old Refrain: Russian Lawmakers Question Kazakhstan's Territorial Integrity, Statehood," *Radio Free Europe/Radio Liberty*, December 16, 2020, <https://rferl.org/a/russia-lawmakers-question-kazakhstan-territorial-integrity-statehood/31003732.html>.

it is necessary to be cognizant that Russia does not welcome “volunteers” to replace its reduced or boycotted export commodities. This was indicated by Moscow’s reaction when, in July 2022, Kazakhstan offered to increase its oil exports via the Russian port of Novorossiysk, used to deliver two-thirds of its total oil export. Reacting to Kazakhstan’s intentions, a regional court in eastern Russia, in turn, imposed a one-month ban on Kazakhstan’s plans, having allegedly found that the Caspian Pipeline Consortium (made up of eight European, Russian, and Kazakh oil companies) had “committed environmental violations.” The ban had come only a day after Kazakh President Tokayev offered to aid the EU by increasing oil exports as a means of “stabilizing the global energy market.” One analyst estimated the financial loss to the Kazakh economy as a result of this ruling to be worth US\$ 500 million.⁴⁴ However, Russia very shortly revised its position, and “an independent court” reversed the decision. This clearly indicated that Moscow contemplated how many of its allies and partners it could alienate and whether keeping them engaged was not the better option. Later, a Ukrainian attack on the port facilities in Novorossiysk affected Kazakhstan’s oil exports. The Kazakh strategy to serve as a reserve supplier of certain commodities and respect the sanctions regime, thus avoiding facing secondary sanctions, worked out.

For Uzbekistan, the most populous Central Asian country and the second-largest economy in the region, the challenge stems primarily from the fact that ever since President Shavkat Mirziyoyev took office in 2016, economic cooperation ostensibly boomed, with an emphasis on large Russian investments funded by Russian credits, including the construction of a nuclear power plant.⁴⁵ However, it is open to question whether the resources will continue to be available and whether the projects will be realized in a timely manner. Uzbekistan also contributes a large number of migrants to the Russian labor market. Although the share of remittances in the GDP⁴⁶ is smaller than in two other Central Asian

⁴⁴ Kumenov, “Russia Blocks Kazakhstan’s Main Outlet for Oil Export; “Russia Reverses Course on Oil Pipeline Needed by Kazakhstan,” *eurasianet*, July 11, 2022, <https://eurasianet.org/russia-reverses-course-on-oil-pipeline-needed-by-kazakhstan>.

⁴⁵ Ildar Yakubov, “Opportunities and Limits of Cooperation Between Uzbekistan and Russia,” *Central Asian Bureau for Analytical Reporting (CABAR)*, July 12, 2021, <https://cabar.asia/en/opportunities-and-limits-of-cooperation-between-uzbekistan-and-russia>; “4th Meeting of the Russia-Uzbekistan Joint Commission at the Level of Heads of Government,” *The Russian Government*, September 18, 2023, <http://government.ru/en/news/49526/>.

⁴⁶ Although 4.5 million Uzbek citizens applied for so-called “patents” (work permits) in 2021, only 1.3 million received them. The share of remittances in the GDP of Uzbekistan, bearing in mind it is a country of more than 32 million people and a large economy, is smaller than in Kyrgyzstan and Tajikistan. It was 20.82% of the GDP in 2022. However, it oscillated significantly depending, among others, on the value of the rouble. (E.g., in 2015, it was 5.62%, while in most of the last eight years, it was between 11 and 15%.) “Uzbekistan: Remittances, Percent of GDP,” based on World Bank data, https://www.theglobaleconomy.com/Uzbekistan/remittances_percent_GDP/. It will be interesting to learn whether the war results in increasing demand for

states, the volatility in the Russian economy also affects it. On one hand, the economic contraction in Russia, and on the other hand, the workforce needs of the war and the defense industry impact the Russian labor market. With Russia's economic difficulties and reorientation to a war economy, its partners share some of the problems.

Tajikistan made headlines when the country's president, Imomali Rahmon, expressed criticism of Russia during a meeting with Vladimir Putin and other Central Asian presidents. President Rahmon delivered a complex, approximately seven-minute-long pronouncement emphasizing two key points:

1. The Central Asian states, especially the smaller ones, desire respect and do not wish to be treated as they were during Soviet times when only the Kazakh and Uzbek Soviet Socialist republics held significance in the region.
2. They seek increased Russian investments.

However, it would be an exaggeration to suggest that President Rahmon, who has led a small and traditionally Russia-dependent country since 1994, directly challenged his Russian counterpart. It was more of an embittered appeal, also interpreted as a sign of weakening Russian influence in its neighborhood.⁴⁷ The appeal to Russia to invest more in Tajikistan illustrated that several small, weak, and poor post-Soviet states demonstrate a utilitarian approach. This means that a reduction of Russian economic commitment will drive many of them into the arms of other powers, with China in the lead, though not alone. Due to its security deficit and the large Tajik migrant labor community in Russia that provides more than a quarter of the country's GDP⁴⁸ in remittances, Dushanbe can hardly afford to have lasting bad relations with Moscow.

Kyrgyzstan and Turkmenistan remained the least visible, possibly for different reasons. In Bishkek, President Jafarov was on his way to consolidate his power, understanding from the country's history that this could not be achieved without Russia's support or at least its non-opposition. However, he skipped a meeting with Putin to avoid meeting Rahmon due to the ongoing border dispute between the two countries. He also sought opportunities to engage with the US

foreign labor and whether it will result in increasing supply. Caress Schenk, "Post-Soviet Labor Migrants in Russia Face New Questions amid War in Ukraine," *Migration Information Source* (Migration Policy Institute), February 7, 2023, www.migrationpolicy.org/article/labor-migrants-russia-ukraine-war.

⁴⁷ For a detailed analysis of the event see Ryota Saito, "The Sense of Distance between Central Asia and Russia Seen from the CIS Summit: The Background to the Rahmon Statement, and Putin's 'View of the Alliance'," *International Information Network Analysis* (Sasakawa Peace Foundation), December 13, 2022, https://www.spf.org/iina/en/articles/saito_02.html.

⁴⁸ Between 2015 and 2022 the share of remittances was 31.15% on average in Tajik GDP. However, in 2022, among others due to the strength of the Russian rouble, it was 50.95%: "Tajikistan: Remittances, percent of GDP," based on World Bank data, https://www.theglobaleconomy.com/Tajikistan/remittances_percent_GDP/.

despite his regime being certainly less democratic than some of his predecessors. Turkmenistan, on the other hand, remained hidden behind its declared “positive neutrality.”

Most Central Asian states remained carefully disengaged and measured the implications of Russia’s evolving situation, aiming to retain their flexibility to react. As the war continued with no end in sight, the Central Asian states drew their conclusions: Russia would be more absorbed than ever in Ukraine and a broader rivalry with the political West, leading to reduced energy and fewer resources available for Central Asia due to the direct costs of the military conflict and the contraction of the Russian economy. These considerations were reflected at the Cholpon Ata summit of the five Central Asian presidents in July 2022, indicating a response to the changing economic and geopolitical reality. Analysts concluded that “... [w]e see Russia is ceding to China this role as major patron for the Central Asian states. The vacuum will not be unfilled – it will be filled step-by-step by China.”⁴⁹ However, it remains uncertain whether this process is irreversible, especially considering that China is facing some difficulties due to an increasingly suspicious and unfriendly external environment and less dynamic leadership in Beijing.

The diminishing Russian influence extends beyond bilateral relations with other independent states formerly part of the Soviet Union. There are concerns about potential spillover effects on organizations established *de facto* upon Russia’s initiative and under its leadership. The two most significant ones are the Collective Security Treaty Organization (CSTO) and the Eurasian (Economic) Union (E(A)EU).

While the security dependence of other states on Russia increased due to their deteriorating security situations, Russia primarily managed its security relations bilaterally rather than through the six-member alliance without seeking the legitimacy that would come from a multilateral framework. However, within the CSTO, a change occurred when both Kyrgyzstan and Russia canceled exercises, the latter of which would have taken place in Tajikistan. In the case of Kyrgyzstan, Bishkek cited a lack of protection from the CSTO during border clashes with Tajikistan.⁵⁰ Armenia’s withdrawal of its ambassador from the CSTO on September 5, 2023,⁵¹ and its subsequent non-participation in the CSTO summit in November 2023 raised questions about its commitment to the organization.

⁴⁹ Olzhas Auyezov, “‘We Want Respect’: Putin’s Authority Tested in Central Asia,” *Reuters*, October 18, 2022, <https://www.reuters.com/world/we-want-respect-putins-authority-tested-central-asia-2022-10-18/>.

⁵⁰ Luca Anceschi, “The Right Distance: Russia-Central Asia Relations in the Aftermath of the Invasion of Ukraine,” *Russian Analytical Digest*, no. 289, November 30, 2022, https://www.ssoar.info/ssoar/bitstream/handle/document/86793/ssoar-russanald-2022-289-anceschi-The_Right_Distance_Russia-Central_Asia.pdf.

⁵¹ Yan Shenkman, “Armenia Says Farewell to the Russian Empire – but It’s Not Over Yet,” *Open Democracy*, September 22, 2023, <https://www.opendemocracy.net/en/odr/armenia-azerbaijan-nagorno-karabakh-coup-yerevan-russia-pashinyan-putin/>.

However, the speaker of the Armenian legislature reassured CSTO partners that “Armenia has not decided to leave the CSTO.”⁵² Armenia has often cited Russia’s lack of support during the Nagorno-Karabakh conflict as evidence that the CSTO does not adequately ensure its security. However, this argument may be considered unfounded, given that Armenia occupied Nagorno-Karabakh in 1993. Indeed, whether the CSTO serves Armenia’s security interests remains a decision for the country to make. While CSTO activities were reduced in Central Asia, they increased in Belarus.⁵³ As illustrated above, the strong distancing of Armenia and the softer distancing of others like Kazakhstan and Kyrgyzstan indicate a weakening of the CSTO. However, it may be premature to conclude, as some do, that the organization is doomed and will vanish,⁵⁴ even if not formally. The future of the CSTO depends on factors such as the duration of the current war and the centripetal forces that drive the parties away from each other.

The EAEU is in a stalemate; its membership has not expanded since 2015. With two of its members, Armenia and Kyrgyzstan, representing very small GDPs, the organization remains heavily Russia-centric. This results in economic relations reflecting a “hub-and-spoke” structure. It is highly unlikely that the EAEU could either widen or deepen in the foreseeable future. The EAEU contributes more to the “alphabet soup” in the post-Soviet space than substantive economic integration. Smaller member states are reluctant to adopt a common currency, which President Putin has long nurtured. They are concerned that the value of a common currency would be heavily influenced by Russia’s economic performance, given that it contributes 142 million customers out of the total 182 million citizens of the five members.

Conclusions

It is widely accepted that the Russian Federation will emerge weakened from the aggressive war it launched against Ukraine. This outcome seems inevitable regardless of whether we can accurately predict the final result. The mistaken assumption that full control over its southwestern neighbor could be achieved through military force has led to losses of historical proportions on various fronts. This has underscored the realization that Russia’s relative strengths, such as its large military force and vast hydrocarbon resources, do not grant the expected superiority. While Russia’s military performance faced challenges and

⁵² “After Pashinyan, Simonyan Also Refuses to Participate in CSTO Meeting; Response from Russia,” *Caucasus Watch*, November 23, 2023, <https://caucasuswatch.de/en/news/after-pashinyan-simonyan-also-refuses-to-participate-in-csto-meeting-response-from-russia.html>.

⁵³ “Three Military Drills Are Planned in Belarus during This Year,” *Belta.by*, February 13, 2023, www.belta.by/politics/view/provedenie-treh-uchenij-odkb-zaplanirovano-v-belarusi-v-etom-godu-549880-2023/.

⁵⁴ Mark Temnycky, “The Demise of Putin’s Little Non-NATO,” *Center for European Policy Analysis (CEPA)*, September 6, 2023, <https://cepa.org/article/the-demise-of-putins-little-non-nato/>.

showed some improvement after recognizing the flaws in its grand strategy, it still fell short of the convincing display seen when its forces were merely parading on Red Square. Moreover, the use of force against a friendly independent state raised questions among Russia's friends, allies, and the wider world about whether Russia was indeed the ultimate imperial power, unhesitant to use military force against countries, regardless of their similarities. Additionally, Moscow's willingness to use hydrocarbon resources for blackmail ultimately resulted in interdependence rather than dependence of its customers on Russia, as it faced trouble due to sanctions restricting the export of these commodities to Europe. Moreover, European customers may hesitate to return to the Russian market, partly due to the EU Green Deal, which aims to reduce member states' reliance on hydrocarbons in the long run. These factors contribute to the objective weakening of Russia's position. The perceptual aspect is equally damaging for Russia in the long term: Many worldwide now perceive the country as a reckless actor in international politics, regularly engaging in disruptive behavior. The war against Ukraine has alerted several countries in the vicinity of Russia to exercise extreme caution in their dealings with it.

Russia could pursue a different policy and become a positive global contributor. However, building such a positive profile would require applying a different set of means, a sustained policy, and a readiness to play in the very long run. Building a positive image is demanding and requires a consistent policy. Actually, it is far more demanding than spoiling others' agendas, which it frequently does.

The so-called former Soviet states have observed and responded to the lasting changes brought about by recent events. While they have not completely severed ties with Russia, except for those states with already strained relations, they have pragmatically adjusted their policy orientations and reduced their dependence on Russia. This signifies an acceleration of the natural trend of distancing between Moscow and other capitals that began with the dissolution of the Soviet Union. This accelerated distancing will significantly contribute to further weakening the "Russia-centred" nature of the post-Soviet area, fostering increased diversity and initiating processes that diminish its reliance on Russia. Some may liken this phenomenon to "distancing and disengagement on steroids," but perhaps "distancing at an unprecedented pace" captures the essence more accurately. The aftermath of Russia's war against Ukraine will reveal the extent to which the alignments within the post-Soviet space will endure.

It is essential to see that the Russian Federation strongly prefers regime similarity in the former Soviet space. When any of these states adopts a (semi-) democratic system, Russia perceives it as a loss of control. It views such changes as unfamiliar systems to engage with and as potential openings to Western influence. Given that Moscow's alternative offer is comparatively weaker, it makes efforts to prevent or reverse such developments, employing political, hybrid, or even military means when necessary. However, there are several states where Russia may continue to rely on system similarities, such as Azerbaijan, Belarus,

and the five Central Asian states. Therefore, it is more accurate to speak of internal divisions within the former Soviet Union at present rather than a complete shift. This is evident in the, at best, partial adoption of Western values across the region (see Table 2).

This process of disengagement is clearly evident in high politics, particularly in policies closely related to state sovereignty and security. However, it remains uncertain to what extent this disengagement will extend to economic cooperation, where Russia continues to play a significant role, representing more than half of the total combined GDP of the 12 former Soviet states. Only a few states have successfully redirected their external economic relations toward other markets, sources of investment, and creditors. If this trend continues and Russia fails to find innovative ways to overcome the erosion of economic relations, it will face additional costs for its aggression as a spillover effect. Nonetheless, at present, Russia remains a major economic partner for many states, in some cases serving as the primary partner. This is due to factors such as the highly asymmetrical GDP distribution, the stock of investments in several states, and their reliance on Russian-owned infrastructure, such as pipelines (see Table 3). Without gradual changes in this area and the emergence of viable alternatives both in the East (China) and the West, reliance on Russia will gradually decline. Understandably, Russia seeks to avoid such a situation and, in some cases, takes action to counter it. However, it remains to be seen if its attempts will achieve partial success.

Table 3. Data on the Twelve States of the Former Soviet Union.⁵⁵

	Territory (km²)	Population (2023 – estimate)	GDP (PPP) (USD Billion) (2021)	Share of GDP in the GDP of the other States (%)	Per Capita Nominal GDP (2021)	GDP Growth (%) (2021)
Armenia	29,743	2,989,091	39,613	0.659	14,200	5.7
Azerbaijan	86,600	10,420,515	146,305	2.435	14,400	5.6
Belarus	207,600	9,383,853	184,482	3.070	19,800	2.3
Georgia	69,700	4,936,390	57,434	0.956	15,500	10.47
Kazakhstan	2,724,900	19,543,464	496,126	8.257	26,100	4.3
Kyrgyzstan	199,951	6,122,781	32,221	0.5363	4,800	3.61
Moldova	33,851	3,250,532	36,637	0.609	14,000	13.94
Russia	17,098,242	141,698,923	4078,000	67.877	28,000	4.75
Tajikistan	144,100	9,245,937	38,058	0.633	3,900	9.2
Turkmenistan	488,100	5,690,818	92,331	1.536	15,000	6.3
Ukraine	603,550	43,306,477	535,579	8.914	12,900	3.4
Uzbekistan	447,400	31,104,937	270,062	4.495	7,700	7.42

⁵⁵ Based on data from <https://cia.gov> and author's own calculations, 27 April 2023.

It is uncertain whether this danger is adequately recognized in Moscow, whether those who are aware of it possess sufficient influence to modify the political course, and ultimately, whether a less performing, contracting, and re-oriented Russian economy with a focus on military production will be capable of addressing this matter in its entirety, or if it will permanently lose its historically closest partners or many of them.

Indeed, it appears that the former Soviet republics that began the process of democratization and westernization before the 2022 Russian war of aggression against Ukraine have been more successful in their disengagement from Russia. These countries likely had a head start in diversifying their political and economic ties, thereby reducing their reliance on Russia.

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The Critical Black Sea Zone

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Abstract: The ongoing war between Russia and Ukraine has brought to the forefront the complex interplay of military, energy, and food security dynamics in the Black Sea region. Russia's strategic focus on dominating the Black Sea and its littoral areas is evident through weaponization of energy and food exports and its persistent efforts to assert control since Putin's rise to power in 1999-2000. This aggression underscores the urgent need for a comprehensive Western strategy to address the security challenges of the Black Sea region.

The article argues that the West must prioritize supporting Ukraine and enhancing Black Sea security through a multifaceted approach that encompasses military, political, and economic dimensions. Key missions include ensuring Ukrainian victory, providing energy security to Ukraine, and breaking the Russian blockade of the Black Sea to liberate vital energy and grain shipments. Additionally, efforts to engage with regional actors like Turkey and Azerbaijan are crucial to diversifying energy sources and reducing dependence on Russian resources. By recognizing the interconnectedness of security challenges in the Black Sea region and demonstrating a collective will to address them, the West can mitigate Russia's influence, promote stability, and establish a more secure and prosperous future for the region.

Keywords: Black Sea security, Russian aggression, Russia-Ukraine war, energy security, military strategy, regional dynamics, Western response, geopolitical tensions.

Russia's aggression against Ukraine and, implicitly, the West forcefully underscores the multiple and interlinked dimensions of Black Sea security, e.g., military, energy, and food security. It also highlights Russia's unremitting strategic focus on the Black Sea and its littoral in all these dimensions –weaponizing energy and food or grain exports are long-standing Russian strategic practices. But

here, it only functions through the prior agency of a blockade.¹ Meanwhile, prioritization of the takeover of Ukraine and of domination of the Black Sea began no later than Putin's accession to power in 1999-2000. Russian subversion of Ukrainian politics was visible by the election of 2004, and the decision to turn the Black Sea into a Russian "lake" occurred by 2007 at the latest.²

Simultaneously, this war graphically spotlights the issues of Black Sea security. The entire globe, and Ukraine in particular, is paying a considerable price for the neglect of Putin's authoritarian domestic policies that facilitate his empire-building foreign policies and, therefore, must now try to catch up rapidly.³ Thus, the EU is now pressing Bulgaria to reach agreement with North Macedonia on its terms of accession to the EU to consolidate the EU's position in the Western Balkans.⁴ And it is offering Moldova and Ukraine candidate member status in the EU for similar reasons.⁵ Nevertheless, it remains clear, especially absent an effective response to Russia's blockade of the Black Sea and theft of Ukrainian grain exports, just how difficult it is to confront the Black Sea's strategic realities. Therefore, this article suggests a Western course of action for the Black Sea zone that meets urgent needs and simultaneously lays a foundation for a new future strategy.

These clashing policy postures also reflect a preceding conceptual abyss between Russia and Europe. The Black Sea Region (BSR) "is, in short, the literal and philosophical frontier between liberal democracy and autocracy. It matters to the West and to the Kremlin."⁶ While some Western observers invoke a "Wider Black Sea," that includes the Balkans, Caucasus, potentially the Caspian, and/ or the Levant; no concerted multi-dimensional or truly Western strategic approach

¹ The Holodomor against Ukraine in 1932-33 and current Russian energy policies are examples of this fact.

² Stephen Blank, "Will Sudan Be the Latest Jewel in the Russian Crown?" Forthcoming as a Newport Paper from the U.S. Naval War College Press.

³ Vladimir V. Kara-Murza, "Russia and the Baltics: Once Friend, Now Foe," *World Affairs* 177, no. 5 (January/February 2015), 21, <https://web.archive.org/web/20150123111431/http://www.worldaffairsjournal.org/article/russia-and-baltics-once-friend-now-foe>.

⁴ Ben Hall and Sam Fleming, "Bulgaria Vote Buys Prospect of EU Expansion Into Western Balkans," *Financial Times*, June 24, 2022, <https://www.ft.com/content/1905ab99-dbfa-473a-af2c-0b9ea958609d>.

⁵ Mark Temnycky, "Ukraine and Moldova's EU Candidacy Shows How Far Europe Has Come," *The National Interest*, June 27, 2022, <https://nationalinterest.org/blog/buzz/ukraine-and-moldova%E2%80%99s-eu-candidacy-shows-how-far-europe-has-come-203247>.

⁶ Lt. General F. Ben Hodges (USA RET), "The Black Sea ... or a Black Hole?" *CEPA*, January 21, 2021, <https://cepa.org/the-black-sea-or-a-black-hole/>.

to the Black Sea exists, e.g., truly viable regional security structures however one conceptualizes the region.⁷

Russia regards the Black Sea and its littorals as part of the Russian empire, which it alone must dominate to be secure. For Russia, the Crimea (and presumably the Black Sea, too) is what Constantine Pleshakov calls a national fetish or object of imperial Russian desire.⁸ This perspective clearly emerges from Putin's lengthy articles and speeches on Ukraine that glorify the Tsarist and Soviet empires, deny any independent agency to Ukraine, and openly invoke Russian imperial claims.⁹ In this perspective, Crimea is "a maritime citadel in the middle of the Black Sea – Whoever rules Crimea commands the Black Sea, and who rules the Black Sea commands the continental trade routes between the Balkans and China."¹⁰

Since Russia's perspective is imperial, it is hardly surprising that it has instigated a new Cold War in Europe. Indeed, Russia regards itself as being at war with Europe since its efforts to subvert Ukraine's government and elections in 2004 went awry. On January 18, 2005, Defense Minister Sergei Ivanov told the Academy of Military Sciences:

Let us face it, there is a war against Russia under way, and it has been going on for quite a few years. No one declared war on us. There is not one country that would be in a state of war with Russia. But there are people and organizations in various countries, who take part in hostilities against the Russian Federation.¹¹

Dmitri Trenin, then Director of the Moscow office of the Carnegie Endowment, later observed that, for some time, "the Kremlin has been de facto operating in a war mode."¹² This posture is intrinsic to the idea of Russian empire in Eurasia because empire presupposes war.¹³ As Alfred Rieber has written,

⁷ Velizar Shalamanov, "Security Cooperation Opportunities in the Wider Black Sea Area," in *The Role of the Wider Black Sea Area in a Future European Security Space*, Occasional Paper 11 (Rome: NATO Defense College, Research Branch, 2005), 33-34.

⁸ Constantine Pleshakov, *The Crimean Nexus: Putin's War and the Clash of Civilizations* (New Haven and London: Yale University Press, 2017), 6, 95.

⁹ "Article by Vladimir Putin 'On the Historical Unity of Russians and Ukrainians,'" July 12, 2021, <http://en.kremlin.ru/events/president/news/66181>; "Meeting with Young Entrepreneurs, Engineers and Scientists, June 9, 2022, <http://en.kremlin.ru/events/president/news/68606>.

¹⁰ Pleshakov, *The Crimean Nexus*, 6.

¹¹ M.A. Gareyev, *Srazheniya na Voенно-Istoricheskom Fronte* (Moscow: ISAN Press, 2010), 729 cited in MG I.N. Vorob'ev (RET) and Col. V.A. Kisel'ev (Ret), "Strategies of Destruction and Attrition," Moscow, *Military Thought*, in English, no. 1 (January-March 2014), accessed June 2, 2014.

¹² Trenin quoted in Ivo H. Daalder, "Responding to Russia's Resurgence Not Quiet on the Eastern Front," *Foreign Affairs* (November/December 2017), <https://www.foreignaffairs.com/articles/russia-fsu/2017-10-16/responding-russias-resurgence>.

¹³ Aliaksei Kazharski and Andrey Makarychev, "Suturing the Neighborhood? Russia and the EU in Conflictual Intersubjectivity," *Problems of Post-Communism* 62, no. 6

If imperial boundaries have no intrinsic limitations and are solely established by force, then they are bound to be heavily and persistently contested. The universal claims of empires, whatever the practical constraints may be in carrying them out, cannot by their very nature be accepted as legitimate by either the people they conquer or their rivals for the contested space. There can be no community of empires as there is a community of nation states. All empires share a common problem of legitimizing boundaries. As perceived through the prism of the community of nations imperial frontiers appear problematic because they are sustained by force, even though they might have been recognized from time to time by solemn treaties.¹⁴

Thus, Russia's long-running imperial self-assertion and obsession with being perceived at home and abroad as an empire entails a permanent program of either, if not both, kinetic and non-kinetic war, and not only in Europe. Putin spokesmen like Sergei Karaganov, honorary chair of the Council for Foreign and Defense Policy, stated: "We are at war with the West. The European security order is illegitimate."¹⁵ Consequently, the invasions of Ukraine also confirm that for Putin and his entourage, their state cannot survive except as an empire, entailing the diminished sovereignty of all its post-Soviet neighbors and former satellites.¹⁶ Thus, any Russian sphere of influence means Russia is secure only if all its neighbors are permanently insecure, i.e., a permanent state of war or pre-war.¹⁷ Moreover, the forceful drive to recreate the empire has long since become a major driver shaping Russia's lurch towards a new totalitarian repressiveness and autocracy.¹⁸

(November-December 2015): 328-339, 331, <https://doi.org/10.1080/10758216.2015.1057077>.

¹⁴ Alfred J. Rieber, "Comparative Ecology of Complex Frontiers," in *Imperial Rule*, edited by Alexei Miller and Alfred J. Rieber (Budapest and New York: Central European Press, 2004), 199-200.

¹⁵ Federico Fubini, "Sergey Karaganov: 'We Are at War with the West. The European Security Order Is Illegitimate'," *Corriere Della Sera*, April 8, 2022, https://www.corriere.it/economia/aziende/22_aprile_08/we-are-at-war-with-the-west-the-european-security-order-is-illegitimate-c6b9fa5a-b6b7-11ec-b39d-8a197cc9b19a.shtml.

¹⁶ Stephen Blank, "The Values Gap between Moscow and the West: The Sovereignty Issue," *Acque et Terre*, no. 6 (2007): 9-14 (Italian), 90-95 (English); and Stephen Blank, "Russia and the Black Sea's Frozen Conflicts in Strategic Perspective," *Mediterranean Quarterly* 19, no. 3 (Summer 2008): 23-54, <https://doi.org/10.1215/10474552-2008-012>.

¹⁷ Timothy J. Colton and Samuel Charap, *Everyone Loses: The Ukraine Crisis and the Ruinous Contest for Post-Soviet Eurasia* (London: Routledge, 2017), 109, <http://www.tinyurl.com/y3hj93z4>.

¹⁸ Valerie Bunce, "The Prospects For a Color Revolution in Russia," and Keith A. Darden, "Russian Revanche: External Threats & Regime Reactions," *Daedalus* 146, no. 2 (2017): 25-28 and 128-141, <https://direct.mit.edu/daed/issue/146/2>.

Empires are anachronisms in the twenty-first century. They are non-democratic, centralized political systems formed in earlier historic periods. As ancient political systems, empires are incompatible with twenty-first century mass ideologies such as nationalism. The maintenance of empires *depends* on the non-participation of the masses.¹⁹

And in Russia's imperial quest we find numerous analogies to Fascist and Nazi tropes, e.g., equating diasporas with citizens and stating that the entire USSR was actually Russia are easily discernible.²⁰ Thus, domestic autocracy and external empire presuppose war, dictatorship, curtailment of Russia's neighbors' sovereignty, and placement of their territorial integrity at constant risk. Since Russia can only achieve its goals by force, i.e., war, any state's choice between Russia or the West is really a choice, willing or not, between two rivalrous models of socio-political development.²¹

Furthermore, the two aggressions against Ukraine of 2014 and 2022 reveal that the fundamental precondition for European security is foreclosing Russia's imperial option. Empire and autocracy are two sides of the same coin in Russian history and are mutually justifying ideological-institutional formations. Therefore, the West must devise and execute a long-term multi-dimensional strategy encompassing this Wider Black Sea region that comprises, admittedly in varying degrees, the Balkans, Levant, and Caucasus to defeat decisively and conclusively Russia's many-pronged efforts to perpetuate a state of war throughout this zone.

Missions for the West

The most urgent missions presently connected with the Black Sea are ensuring, sooner rather than later, a Ukrainian victory, and providing sufficient energy to Ukraine so that the population does not freeze during the winter. That outcome could generate a massive refugee and migration crisis or challenge to Central and Western Europe and undermine Ukraine's economy. Clearly these missions link together military, political, and economic tasks. Operationally these missions point in four directions: a long-term and much larger provision of modern weapons and technologies to Ukraine to thwart Russia's long-range air, naval-based, and missile strikes, and break the blockade of the Black Sea; Western action to deprive Russia of energy revenues by finding alternative sources for its energy

¹⁹ Susanne Michelle Birgerson, *After the Breakup of a Multi-ethnic Empire: Russia, Successor States, and Eurasian Security* (Westport CT and London: Praeger Publishers, 2002), 193. (Italics in original)

²⁰ Vladislav L. Inozemtsev, "Putin's Russia: A Moderate Fascist State," *The American Interest* 12, no. 4 (March-April 2017): 32-33, published online on January 23, 2017, <https://www.the-american-interest.com/2017/01/23/putins-russia-a-moderate-fascist-state/>.

²¹ Temur Basilia, "Eurasian Commentary," in *Russian-Eurasian Renaissance: U.S. Trade and Investment in Russia and Eurasia*, ed. Jan H. Kalicki and Eugene K. Lawson (Stanford, CA: Stanford University Press, 2003), 166.

and increasing energy flows to Ukraine; providing long-term underpinning for Ukraine's economy that requires several billions of dollars monthly merely to survive; and lastly breaking the blockade of the Black Sea to liberate energy and grain shipments. This last mission alleviates the threat of hunger in major parts of Africa and the Middle East that depend on Russian or Ukrainian grain exports, earns desperately needed foreign revenues for Ukraine, opens up several opportunities for non-Russian energy imports into Ukraine and Europe, and reduces, if not eliminates, Russian military threats to Odessa, and efforts to close the Black Sea while using it as a gateway with which to challenge NATO in the Mediterranean.

Beyond long-term sustainment of a "hot production line" of modern weapons and economic assistance to Ukraine, these missions translate into several other equally urgent long-term tasks that combine military-political-economic programs. Strategically, they also open up the Black Sea, negate Russia's maritime, if not overall, strategy, and wrest escalation control in this war from Moscow's grasp. The blockade is a wholly illegal and piratical act of aggression. Absent a Russian declaration of war, this entire war is wholly illegal as are its actions like the blockade. But while the West conducts diplomatic maneuvers to get around the blockade and free up grain, the crisis continues. Putin continues the blockade and energy blackmail of Europe armed in the belief that allied unity will shatter since the allies lack the will to challenge Russia. Clearly, something more is needed to break the blockade and enhance Black Sea security. Moreover, the steps needed to operationalize those missions and ensure Ukraine's victory must strategically combine and coordinate military and non-military steps. Breaking the blockade alleviates Ukraine's economic travails and upholds the long-standing international principle—for which Washington went to war in 1812 and 1917—of the freedom of the seas. Finally, it will also establish a lasting basis for a much-needed full-time Western presence in the critically important Black Sea.

Mark Cancian's recent assessment of ways to break the blockade underscores the fact that all options bear risk and that force may be necessary to accomplish that mission.²² Therefore a new basis for Turco-Western rapprochement is an unconditional necessity since Turkey holds the keys to the Black Sea but also seeks to follow an independent policy between NATO Alliance, of which it is a member, and Russia. Today there are signs of this rapprochement in Ankara's agreement on Finland and Sweden's NATO membership and the resumption of talks on the sale of F-16s to Turkey.²³ These provide openings that can, if handled adroitly, be redound to the allies' benefit.

²² Mark Cancian, "How to Break Russia's Black Sea Blockade: The World Must Act to Address the Global Food Crisis," *Foreign Affairs*, July 1, 2022, <https://www.foreignaffairs.com/articles/world/2022-07-01/how-break-russias-black-sea-blockade>.

²³ Josh Rogin, "How a Thaw with Turkey Could Help Ukraine Win the War," *The Washington Post*, June 30, 2022, <https://www.washingtonpost.com/opinions/2022/06/30/biden-erdogan-thaw-turkey-help-ukraine-against-russia/>.

There are several conceivable avenues of approach here. First, the U.S. could immediately implement the legislation establishing a lend-lease program with Ukraine, to get formerly U.S. and now Ukrainian ships into what are now U.S. and/or NATO bases. This places the onus of escalating directly against the U.S. on Moscow, something it clearly is unwilling to do and thus helps reduce Russian escalation control and naval options in the Black Sea. Others have suggested that the UN General Assembly (UNGA) could create a naval escort force under a third party commander, e.g., a Turkish commander given Turkey's good ties with Moscow and Kyiv, that would be equipped with minesweepers, air defenses, and other requisite capabilities to break the blockade and export stored grain.²⁴ However, this solution then leaves Odessa and other ports exposed to Russian attacks, so it must be supplemented by other measures to prevent that contingency or a credible Russian commitment—which is unlikely—to lift the blockade. A convoy solution, discussed by Cancian, reveals similar risks.²⁵ Therefore, apparently, the only truly effective way to break the blockade is by force, e.g., on the basis of the new Lend-Lease legislation for the U.S. Alternatively, and possibly more preferably, the UNGA could repeat its 1950 example of the “Uniting For Peace” Resolution authorizing the U.S. to take command of forces in South Korea against the North's invasion there and authorize NATO to lift the blockade on humanitarian grounds, e.g., preventing mass hunger. That resolution would allow NATO to use its bases in Romania, Bulgaria, and Turkey to make Crimea and the blockade in the Black Sea untenable. That method, combined with Ukraine's outstanding successes in the naval sphere, would relieve much of the Russian strategic and commercial pressure on Ukraine. This method of operation also would preserve intact the Montreux treaty and thus not contradict NATO's ambition to repair ties with Turkey. Meanwhile, the blockade continues with ruinous consequences.

Obviously, NATO does not lack opportunities, but despite its resolutions, has consistently not capitalized on them with respect to the Black Sea. For various reasons, NATO has not exploited the military-political opportunities afforded to it under the Montreux Treaty regulating the Black Sea before the war.²⁶ NATO has clearly been effectively deterred from offering a physical presence in Ukraine or the Black Sea. U.S. and NATO naval vessels have left the Black Sea to avoid

²⁴ “Ukrainian Grain: How to Lift Russia's Black Sea Blockade?” *Naval News*, June 12, 2022, <https://www.navalnews.com/naval-news/2022/06/ukrainian-grain-how-to-lift-russias-black-sea-blockade/>.

²⁵ Cancian, “How to Break Russia's Black Sea Blockade.”

²⁶ LTG (Ret.) Ben Hodges, Janusz Bugajski, COL (Ret.) Ray Wojcik, and Carsten Schmiedl, *One Flank, One Threat, One Presence: A Strategy for NATO's Eastern Flank* (Washington, DC: Center for European Policy Analysis, May 2020), <https://cepa.org/one-flank-one-threat-one-presence/>.

provoking Russia, leaving Russia's blockade unchallenged.²⁷ This outcome poses great threats to all the other littoral states, including NATO candidate Georgia and NATO members Turkey, Romania, and Bulgaria. Moreover, the absence of a countervailing force permits the continuation of the blockade and naval shelling of coastal targets. So NATO, as part of its presumed revival in the war, could fully maximize its ability to defend European security interests in the Black Sea zone or region now that Russia has militarized it.

Apart from long-term sustenance in both economic and military terms, we must also impress upon Putin that Ukraine is not isolated and that he cannot achieve a victory. Analysts admit that currently Putin could declare victory at any point. "Victory is whatever Russia can claim on the day it decides to stop fighting, *provided—and this is key—that it stops fighting of its own volition.*"²⁸ Therefore it is necessary to wrest control of the initiative and therefore escalation dynamics from Moscow. Russia's overall strategy has long aimed precisely at escalation control to make the Black Sea and even the entrance to it inaccessible to the West.²⁹ Russia's nuclear threats to Europe displayed in previous exercises and current operations validate *The Economist's* insight that this is a war of escalation, i.e., whatever the world does and says about it, Russian President Vladimir Putin threatens to act more violently – including nuclear threats.³⁰ Putin's strategy evidently includes repeated escalatory nuclear threats to wrest victory from the jaws of stalemate or even defeat and override his ongoing crimes and military mismanagement.³¹ This behavior fully comports with the more general purposes of escalation and nuclear threats in Russia's overall nuclear strategy, and with the larger purposes of Russia's general nuclear strategy to secure escalation dominance throughout all stages of a crisis, including not only threats but also actual use of nuclear weapons in a first-strike mode.³²

²⁷ John Irish, Robin Emmott, and Jonathan Saul, "NATO Leaves Black Sea Exposed as Russia Invades Ukraine," *Reuters*, February 25, 2022, <https://www.reuters.com/world/europe/nato-leaves-black-sea-exposed-russia-invades-ukraine-2022-02-24/>.

²⁸ Sam Greene, "Why We Fight," *TL;Drussia*, June 30, 2022, <https://tldrussia.substack.com/p/why-we-fight>. (emphasis in the original)

²⁹ See, for example, Stephen Blank, "Baltic Buildup," *Jane's Intelligence Review* 29, no. 5 (May 2017): 12-13.

³⁰ "A War of Escalation: Just How Far Will Putin Go?" *The Economist*, March 7, 2022, <https://www.economist.com/films/2022/03/07/a-war-of-escalation>.

³¹ David E. Sanger, Eric Schmitt, Helene Cooper, and Julian E. Barnes, "U.S. Makes Contingency Plans in Case Russia Uses Its Most Powerful Weapons," *The New York Times*, March 23, 2022, <https://www.nytimes.com/2022/03/23/us/politics/biden-russia-nuclear-weapons.html>.

³² Nikolai N. Sokov, "Russian Military Doctrine Calls a Limited Nuclear Strike 'De-escalation.' Here's Why," *Bulletin of the Atomic Scientists*, March 8, 2022, <https://thebulletin.org/2022/03/russian-military-doctrine-calls-a-limited-nuclear-strike-de-escalation-heres-why/>; Michael Kofman, "Russian Strategy for Escalation Management: Key Concepts, Debates, and Players in Military Thought," *Russian Military Analysis*, April 20, 2020, <https://russianmilitaryanalysis.wordpress.com/>

Writing about the war in Ukraine and Russian nuclear strategy, Heather Williams observes:

But the invasion of Ukraine is escalation of a different sort – it is intentional escalation. Russia’s strategic doctrine is made up of offensive and defensive components, to include intimidation and imposing costs in an effort to manage escalation. While often misrepresented as “escalate to de-escalate,” Russia’s approach to strategic deterrence ultimately is about intentional risk manipulation.³³

And that is certainly true here. Putin continues escalating against Ukraine and thus only indirectly against NATO by unleashing his air force and missiles to conduct terror bombing and attempting to force Belarus into the war.³⁴

Therefore, to avoid future wars and a scenario where Russia wins, NATO and the EU must admit that their vital interests are at stake and find the means to defeat Russia. Ukraine not only serves as a test of Russia’s imperial intentions, which it conspicuously failed but also challenges the viability of the West’s normative narrative.³⁵ Those values are among the major issues at stake here. We have also noted the conjoined challenge of empire and autocratic dictatorship. But this victory, to meet the urgent challenges listed above, cannot entail exclusively military options. Economic programs, particularly in bringing energy to the Wider Black Sea zone, are essential preconditions of future peace and security throughout this zone, not only in Europe but also in the Levant.

Energy for the Black Sea Zone and the Balkans

As noted above, Black Sea security cannot be contemplated without including the Balkans. Although Balkan states represent rather small energy markets, they are crucial to European energy policy and security. Their proximity to energy suppliers ensures that they will play an outsized role in affecting European energy security. Since any Balkan crisis quickly metastasizes into a general crisis of the overall European state system, this principle equally applies to energy security as well.³⁶ The centrality of energy as potentially the

2020/04/20/russian-strategy-for-escalation-management-key-concepts-debates-and-players-in-military-thought/.

³³ Heather Williams, “What We Got Wrong About Nuclear Risk Reduction,” *The Hill*, May 23, 2022, <https://thehill.com/opinion/national-security/3497843-what-we-got-wrong-about-nuclear-risk-reduction/>.

³⁴ Stefan Wolff and Anastasiya Bayok, “Commentary: Growing Fears Russia Could Drag Belarus into Ukraine War,” *Channel News Asia*, June 23, 2022, <https://www.channelnewsasia.com/commentary/ukraine-russia-belarus-invasion-join-war-putin-2762621>.

³⁵ Lilia Shevtsova and David J. Kramer, “Ukraine, Russia and Two Horses,” *The American Interest*, August 21, 2012, <https://www.the-american-interest.com/2012/08/21/ukraine-russia-and-two-horses/>.

³⁶ Stephen J. Blank, “Introduction” and “Yugoslavia’s Wars and European Security,” in *Yugoslavia’s Wars: The Problem From Hell*, ed. Stephen J. Blank (Carlisle Barracks, Pa.:

most important weapon in Moscow's arsenal regarding European security reinforces this finding.³⁷ This is because pipelines function as transmission nodes for Russian political leverage throughout Central and Eastern Europe to control revenues, infrastructure, and, ultimately, governments.³⁸

Consequently, the Balkan states are a critical linchpin in the European energy system and an epicenter of the confrontation between Moscow and the West. Russia's attempted coups in Montenegro and the Republic of North Macedonia highlight this point.³⁹ And since there is a visible need for major gasification and infrastructure projects across the Balkans for them to accelerate and galvanize their individual and regional economic development, the location of current and future infrastructure and pipeline projects was both a domestic and an international issue in each country before this war.

Therefore, questions pertaining to Balkan pipelines are inherently politicized. First, since the Balkan states are either relatively recent members or aspirants to EU membership, like Albania, they are obliged and expected to devise their energy programs in keeping with the EU's energy frameworks and *Acquis Communautaire*.⁴⁰ That fact plus the normal and natural conflicts of interests within governments ensures that major domestic decisions on pipelines and energy policy will be objects of internal political struggle. Second, because energy is Russia's overall trump Russia incessantly uses these issues to create advantages for itself vis-à-vis Europe.

Thus, both Russia's earlier South Stream proposal and the current Turk Stream pipeline project stem from Moscow's desire to circumvent Ukrainian pipelines, erode any potential Ukrainian leverage over Russia, undermine the foundations of Ukrainian independence, and isolate Ukraine from Europe, rendering it exclusively dependent on Russia for energy. Conversely, Western counter-proposals aim to block Russia's efforts to isolate Ukraine and deprive

Strategic Studies Institute, U.S. Army War College, 1995), 1-5 and 123-159, respectively, <https://press.armywarcollege.edu/monographs/226/>.

³⁷ Martin Vladimirov, "Reassessing Russian Influence: Economic and Governance Underpinning," in *The Russian Economic Grip on Central and Eastern Europe*, ed. Ognyan Shentov, Ruslan Stefanov, and Martin Vladimirov (London and New York: Routledge, 2019).

³⁸ John R. Haines, "The Geopolitics of Russia's Networked Energy Infrastructure," *Orbis* 59, no. 4 (Fall 2015): 557-599, 562, <https://doi.org/10.1016/j.orbis.2015.08.010>.

³⁹ Mersiha Gadzo, "Russian Spies Found Guilty of Montenegro Coup Attempt," *Al Jazeera*, May 9, 2019, <https://www.aljazeera.com/news/2019/5/9/russian-spies-found-guilty-of-montenegro-coup-attempt>; Frieda Ghitis, "Russia Tries to Tip the Scales in the Fight Over Macedonia's Future," *World Politics Review*, October 4, 2018, <https://www.worldpoliticsreview.com/articles/26241/russia-tries-to-tip-the-scales-in-the-fight-over-macedonia-s-future>.

⁴⁰ USAID, "Energy Strategy for Albania: Enhancing Capacity for Low Emission Development Strategies (EC-LEDS)" (USAID, January 2018), 35, <https://www.h2o-initiative.org/wp-content/uploads/documents-public/Albania/USAID-2018-Albanian-Energy-Strategy.pdf>.

Russia of a monopoly over Balkan gas flows that would then be used to lay the foundation for its corruption, subversion, and ultimately capture of local governments.⁴¹ Since Western states have also long striven to induce Ukraine to develop its own energy industries and become not only self-supporting in energy but also an exporter to less well-endowed areas in the Balkans and Eastern Europe.⁴² This war now provides an even greater opportunity to realize that objective by finding new alternatives to Russian energy, thereby reducing Russia's overall influence in and around the Balkans and Black Sea.

While the G-7 is capping the price of Russian oil imports to deprive Moscow of revenues, the search for new sources that do not come from Russia through the Balkans to Central Europe continues.⁴³ Several governments are already exploring African contracts but neither those contracts nor even increased U.S. production and exports suffice.⁴⁴ Therefore Europe is now exploring new sources coming from areas connected to the Black Sea zone either directly or indirectly. The EU has now signed deals with Israel and Egypt to bring gas from the Eastern Mediterranean to Greek refineries from where it can go to the Balkans, and thence to Italy and Germany.⁴⁵ The EU may yet also include the sizable Cypriot holdings since Cyprus, Greece, and Israel continue to cooperate to free that energy up for Europe and Cyprus has recently signed solar energy and electricity deals with the EU.⁴⁶ Another possible

⁴¹ Heather A. Conley, James Mina, Ruslan Stefanov, and Martin Vladimirov, *The Kremlin Playbook: Understanding Russian Influence in Central and Eastern Europe*, Vol. 1 (Washington, D.C.: Center for Strategic and International Studies, 2016), <https://www.csis.org/analysis/kremlin-playbook>.

⁴² Donatienne Ruy, Heather A. Conley, Ruslan Stefanov, and Martin Vladimirov, *The Kremlin Playbook 2: The Enablers*, Vol. 2 (Washington, D.C.: Center for Strategic and International Studies, 2019), <https://www.csis.org/analysis/kremlin-playbook-2-enablers>.

⁴³ James Osborne, "What Rick Perry Was Doing in Ukraine?" *Houston Chronicle*, October 16, 2019, <https://www.houstonchronicle.com/business/energy/article/Rick-Perry-s-Ukraine-mission-14539165.php>; "Ukraine and Its Relations With the United States"; Testimony, Daniel A. Russell, Deputy Assistant Secretary, Bureau of European and Eurasian Affairs, Testimony Before the Commission on Security and Cooperation in Europe (Washington, DC, March 16, 2010), <https://2009-2017.state.gov/p/eur/rls/rm/2010/140325.htm>.

⁴⁴ Matthew Dalton, "G-7 Bid to Cap Russian Oil Price Faces Hurdle of Global Enforcement," *The Wall Street Journal*, June 28, 2022, <https://www.wsj.com/articles/g7-bid-to-cap-russian-oil-price-faces-hurdle-of-global-enforcement-11656425299>.

⁴⁵ Ariel Cohen, "A Scramble for African Energy," *Forbes*, June 30, 2022, <https://www.forbes.com/sites/arielcohen/2022/06/30/a-scramble-for-african-energy/>.

⁴⁶ Sarah El Safty and Ari Rabinovitch, "EU, Israel and Egypt Sign Deal To Boost East Med Gas Exports To Europe," *Reuters*, June 15, 2022, <https://www.reuters.com/business/energy/eu-israel-egypt-sign-deal-boost-east-med-gas-exports-europe-2022-06-15/>.

⁴⁷ Reuters, "Greece, Cyprus and Israel to Expand Energy Cooperation amid Ukraine War," *Reuters*, April 5, 2022, <https://www.reuters.com/business/energy/greece-cyprus->

source might become the gas that Turkey has claimed to discover off its Black Sea coast.⁴⁷

But these and Eastern Mediterranean sources are still not ready for export because there is no dedicated pipeline for any of these gas flows and building them will take time and huge investments. Therefore, the West seeks expanded shipments from existing pipelines. This brings Azerbaijan into play since it is exporting gas to the Balkans through the Trans-Anatolian-Trans-Adriatic Pipeline (TANAP-TAP) and oil through the Baku-Ceyhan pipeline. Just before the war, Azerbaijan announced plans to increase gas exports to Europe this year to 16.2 BCM and ultimately double them.⁴⁸ Once the war began, Baku reaffirmed its intention to ship more gas to Europe.⁴⁹ However, beyond strengthening energy ties to Azerbaijan, this war offers the U.S. and the EU new opportunities to increase their overall engagement with the Caucasus and reduce Russia's capacity for inciting new conflicts. The EU mediation of the Nagorno-Karabakh wars is now proceeding and apparently making progress in bringing Baku and Yerevan to talk.⁵⁰ While it will be necessary to make peace there, to bring all the parties, including Russia and Turkey, into an ongoing negotiation, the possibility for enhanced and more enduring EU presence in the Caucasus through this process and stronger energy ties is now a real one and should not be lost as happened previously, the result being the many wars in the Caucasus and Ukraine since 2000. This does not mean excluding Russia, which is, in any case, impossible in the Caucasus, but

israel-expand-energy-cooperation-amid-ukraine-war-2022-04-05/; "EU Invests over €1 billion in Energy Infrastructure in Support of the Green Deal," *European Commission*, January 26, 2022, https://ec.europa.eu/info/news/eu-invests-over-eu-1-billion-clean-energy-infrastructure-support-green-deal-2022-jan-26_en; Georgios Georgiou and Paul Tugwell, "EU Commits \$736m to Fund Cyprus, Israel Power Link to Europe," *Bloomberg*, January 27, 2022, <https://www.bloomberg.com/news/articles/2022-01-27/eu-commits-736m-to-fund-power-cable-linking-cyprus-to-europe>; AFP, "Greece, Egypt, Cyprus Sign Energy Deal with Europe in Mind," *ET Energyworld.com*, October 20, 2021, <https://energy.economictimes.indiatimes.com/news/renewable/greece-egypt-cyprus-sign-energy-deal-with-europe-in-mind/87153204>.

⁴⁷ Hasan Selim Özertem, "Turkey's New Gas Discovery in the Black Sea and Its Potential Implications," *IFRI (French Institute of International Relations)*, October 1, 2020, <https://www.ifri.org/en/publications/editoriaux-de-lifri/turkeys-new-gas-discovery-black-sea-and-its-potential-implications>.

⁴⁸ Reuters, "Azerbaijan Set to Boost Gas Supply to Europe This Year, Double Capacity in Future," *Reuters*, February 23, 2022, <https://www.reuters.com/business/energy/azerbaijan-set-boost-gas-supply-europe-this-year-double-capacity-future-2022-02-23/>.

⁴⁹ Fareed Rahman, "Azerbaijan Plans to Supply More Natural Gas to Europe amid Russia-Ukraine Conflict," *The National*, May 9, 2022, <https://www.thenationalnews.com/business/energy/2022/05/09/azerbaijan-plans-to-supply-more-natural-gas-to-europe-amid-russia-ukraine-conflict/>.

⁵⁰ International Crisis Group (ICG), "Watch List 2022 – Spring Update," ICG, May 24, 2022, <https://www.crisisgroup.org/global/watch-list-2022-spring-update>.

it does mean a stronger and more lasting presence to counter its imperial games in Nagorno-Karabakh and Georgia while strengthening regional confidence in the durability of Western interest. This process also merits strong American support as that is the material basis on which the EU can resist Russian provocations. More generally, the West must grasp that the Black Sea region as a whole, including the Caucasus, Balkans, and the Levant, allows NATO/EU countries to interact with the states of the South Caucasus, Middle East, and Central Asia to prevent Russian revisionist challenges.⁵¹ This insight applies to economic, political, and military challenges that are inter-linked. Neither is it confined to the Caucasus because the “sub-regions” around the Black Sea or of the Wider Black Sea are linked.

A major solution to the energy problem of supplies for Balkan states lies in increased shipments from Azerbaijan through the TANAP-TAP pipeline and from the Eastern Mediterranean. But beyond that, increased energy supplies from Azerbaijan to Europe through the Balkans, added to other sources cannot meet local or European challenges without substantial progress on completing the pipeline infrastructure needed to move non-Russian hydrocarbons throughout the Balkans and Eastern Europe. This is a major task for the EU and sub-regional organizations like the Three Seas Initiative, which again underscores the linkages among energy, political, and ultimately military outcomes in the Wider Black Sea.⁵²

Conclusions

Thus, we return to where we began. The West confronts multi-dimensional but ultimately linked security challenges in the Black Sea Region that it has hitherto shirked with the results being multiple wars, the most terrible of which is Russia’s aggression against Ukraine. This war affords NATO and them a chance to use their economic-military superiority to engender a more legitimate and durable order across the Black Sea and reduce, if not eliminate, Russia’s perennial imperial and violent threats to that order. The question, then, is not one of resources, for they exist. Rather, as so many have noted, the question is one of will. For only if the West truly wills the creation and sustainment of that order will it not be a dream.

⁵¹ Pavel Shlykov, “Russian-Turkish Relations in the Wider Black Sea Region: Cooperation and Competition,” *Perceptions* 23, no.2 (Summer 2018): 93-116, 99, <http://sam.gov.tr/pdf/perceptions/Volume-XXIII/Summer-2018/sf-93-116.pdf>.

⁵² Stephen J. Blank, “The Balkans and Euro-Atlantic Energy Security,” *Orbis* 66, no. 1 (Winter 2022): 58-77, <https://doi.org/10.1016/j.orbis.2021.11.006>; Haines, “The Geopolitics of Russia’s Networked Energy Infrastructure,” 557-599.

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