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Borders in Flux:
Ukraine as a Case Study of Russia's Approach to its Borders

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Abstract

This paper examines the contemporary border between Ukraine and Russia as a case study of Russia's approach to its borders. Two research questions are addressed: Firstly, what does the annexation of Crimea by Russia as well as its attempts to further undermine Ukraine's territorial integrity in its eastern region of Donbas say about Russia's peculiar approach to Ukraine and its borders? Secondly Whether and To what extent does Russia's approach represent a broader pattern of Russia's policy towards its borders? This paper is divided into three parts: the first part gives a brief account of the modern history of the Russian-Ukrainian border; the second part focuses on peculiar Russian approaches to Ukraine revealed during the current Russian-Ukrainian crisis; the third part puts "the Ukrainian case" into broader conceptual frameworks. This paper concludes that Russia's recognition of the territorial integrity and the borders of the post-Soviet states is conditional and depends mainly on their participation in Russia-led integration projects.

Introduction

On March 18, 2014, Russian President Vladimir Putin and the new pro-Moscow leaders of Crimea signed an agreement between the Russian Federation and the Republic of Crimea (an autonomous region of Ukraine, which illegally declared its independence on February 27 and was acknowledged on March 17, when the so called Republic of Crimea was formally created) on the accession of the latter to Russia. On March 21, 2014, President Putin signed two laws: the Federal Constitutional Law: "On Admitting to the Russian Federation the Republic of Crimea and Establishing within the Russian Federation the New Constituent Entities of the Republic of Crimea and the City of Federal Importance Sevastopol," and a Federal Law: "On Ratifying the Agreement between the Russian Federation and the Republic of Crimea on Admitting to the Russian Federation the Republic of Crimea and Establishing within the Russian Federation New Constituent Entities."[1]

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[1] Cf. *Federalnyi konstitutsionnyi zakon Rossiskoi Federatsii ot 21 marta 2014 g. N6-FKZ o priniati v Rossiiskuiu Federatsiiu Respubliki Krym i obrazovanii v sostave Rossiiskoi Federatsii novykh sub"ektov respubliki Krym i goroda federal'nogo znacheniia Sevastopol'* [*Federal Constitutional Law of March 21, 2014 N6-FKZ on Admitting to the Russian Federation the Republic of Crimea and Establishing within the Russian Federation the New Constituent Entities of the Republic of Crimea and the City of Federal Importance Sevastopol*]. Accessed April 1, 2015: http://www.rg.ru/2014/03/22/krym-dok.html; *Federal'nyi zakon ot 21.03.2014 N36-FZ o ratifikatsii dogovora mezhdu Rossiskoi Federatsiei i Respublikoi Krym o priniati v Rossiiskuiu Federatsiiu*

These came into force immediately and constituted an act of annexation of the territories of the Autonomous Republic of Crimea and the city of Sevastopol within Ukraine to Russia. In breach of numerous bilateral and multilateral politically and legally binding agreements, for the first time since the end of the World War II, part of a European country (Ukraine) was annexed by force by another country (Russia).

A dangerous precedent has been established, undermining the foundations of the peaceful order in Europe and more broadly in Northern Eurasia. The gravity of the situation has created an incentive to take a closer look at Russia's approach to the principles of territorial integrity and the inviolability of borders as one of the founding principles of international law. Within this broader subject, Russia's approach to its borders is especially pressing.

The aim of the text is to study the influence of the ongoing Russian-Ukrainian war over a contemporary border while putting that into a broader perspective. The author maintains that a careful analysis of both the Russian leadership's statements (where content analysis is employed) as well as a comparative analysis of Russia's policy actions during the crisis clearly suggest Russia follows a certain political plan which fits peculiar conceptual frameworks. The analysis leads to a conclusion that the current Russian leadership in fact doesn't recognize Ukraine's sovereignty, territorial integrity, or the inviolability of its borders (especially with Russia). It makes these conditional on Ukraine's participation in Russia's self-perceived sphere of influence. Moreover, Ukraine's case should be interpreted more broadly as applied by Russia to the whole post-Soviet area. One may also interpret the intentional ambiguity of certain major Russian policy statements as going beyond that area, although probably limited to the historical geographical area of the Russian Empire.

In the analysis of Russia's conceptual framework, special attention is given to statements made by Russian President Putin. The reason for this is that Putin is the central figure in Russia's authoritarian political regime. Having enormous formal as well as informal power in Russia, Putin is a key decision maker and arbiter in an increasingly centralized Russia. The peculiarity of the Russian political system, sometimes referred to as "Putinism," makes his major policy statements effective policy guidelines to all state institutions. These statements describe peculiar worldviews, define Russia's self-perceived interests and direct policy actions.[2]

The Russian-Ukrainian Border in Retrospective

A large part of the territory of contemporary Ukraine was taken over by the Russian Empire between the 1654 and 1795, in the course of the wars between Russia and the Polish-Lithuanian

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Respubliki Krym i obrazovanii v sostave Rossiiskoi Federatsii novykh sub"ektov [*Federal Law on Ratifying the Agreement between the Russian Federation and the Republic of Crimea on Admitting to the Russian Federation the Republic of Crimea and Establishing within the Russian Federation New Constituent Entities*]. Accessed October 1, 2014: http://graph.document.kremlin.ru/page.aspx?1;3622436

[2] For a more detailed and nuanced analysis of Russia's political regime see the publications of Liliia Shevtsova, for example: *Putin's Russia* (Washington: Carnegie Endowment for International Peace, 2003 & 2005); "Putinism Under Siege: Implosion, Atrophy, or Revolution?" *Journal of Democracy* 23:3 (2012).

Commonwealth as well as the Ottoman Empire and following the partitions of Poland. The modern Ukrainian state appeared on the international scene following the development of the Ukrainian national movement in the nineteenth century and again after the turbulent years of World War I (1914–1918), the fall of the Russian Empire (1917) and civil war in Russia (1917–1922).[3] Several Ukrainian statehoods, whose borders changed mostly due to local and regional wars, existed between 1917 and 1921. Among them, the non-communist Ukrainian People's Republic (proclaimed in November 1917 and formally in existence until 1921) and the communist-led Ukrainian Soviet Socialist Republic (UkrSSR, proclaimed in March 1919) were the most prominent. The latter survived the war between Poland and Soviet Russia (1919–1921) and formed, along with the several other Soviet republics, the Union of the Socialist Soviet Republics (or the Soviet Union) in December 1922.

UkrSSR's border with Soviet Russia (Russian Socialist Federal Soviet Republic) was agreed in March 1919 but subsequently various limited territorial exchanges were made between the two up until 1926, often without paying much attention to the legality of the process and the will of the local population.[4] Such a procedure also took place in 1954 when the presidium of the Supreme Soviet (parliament) of the Soviet Union issued a decision followed by a decree (in February) on the transfer of the Crimean *oblast* of the RSFSR to the UkrSSR, citing the territorial proximity and strong economic and cultural links.[5] Subsequently the two laws were adopted by the Supreme Soviet to ratify this decision. It was done symbolically in the year of the 300th anniversary of the Pereiaslav Council of the Ukrainian Cossacks to join the Russian Empire (1654) and was perceived as a gesture of the "eternal friendship" between the Russian and Ukrainian nations. Since then the Russian-Ukrainian border remained unchanged. As with other intra-Soviet borders, this border was loosely delimited but not demarcated with any physical barriers or checkpoints between the two republics.

When, in the late 1980s, the process of national revival started in many Soviet republics, including the UkrSSR, as well as the tendency towards granting them increased sovereignty, the Soviet governments of Ukraine and Russia signed, on November 19, 1990, a Treaty on the basic principles of relations, in which among other things, they acknowledged (in article 6) their existing borders.[6] This agreement remained binding after the declaration of independence of Ukraine on

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[3] For a concise account of the history of Ukraine, see: Paul Robert Magosci, *History of Ukraine: A Land and its People* (Toronto: Toronto University Press, 2010); Anna Reid, *Borderland: A Journey through the History of Ukraine* (London: Orion, 2015).

[4] These were arbitrary decisions of Soviet governments, e.g., in the Taganrog area, predominantly populated by ethnic Ukrainians and initially connected with Ukraine's Donbas (ethnically Russian in its Eastern part) between 1920 and 1924, and later transferred to Russia, while the predominantly Ukrainian parts of Voronezh and Kursk regions were designated as part of Russia.

[5] Cf. *Ukaz prezidiuma verkhovnogo soveta SSSR ot 19 fevralia 1954 o peredache Krymskoi Oblasti iz sostava RSFSR v Sostav USSR* [*Decree of the Supreme Soviet of the USSR of 19 February 1954 on the Transition of the Crimean Oblast from the RSFSR to the USSR*]. See: https://ru.wikisource.org/wiki/

[6] Cf. *Dogovor ot 19 Noiiabria 1990 mezhdu Rossiiskoi Sovetskoi Federativnoi Sotsialisticheskoi Respublikoi i Ukrainskoi Sovetskoi Socyalisticheskoi Respublikoi* [*Treaty of 19 November 1990 between the Russian Socialist*

August 24, 1991 (ratified in a national referendum on December 1, 1991) was adopted. Additionally, the Commonwealth of Independent States (CIS) was established on December 8, 1991 (the documents signed then by Russia, Ukraine and Belarus, acknowledgedeach state's, their territorial integrity and existing borders in article 5[7]), which was followed by the collapse of the Soviet Union on December 26, 1991.

Both Ukraine and the Russian Federation honoured the territorial status quo, but from time to time the Russian parliament raised legal questions over the issue of Crimea and especially the city of Sevastopol.[8] Moscow was not eager to formally acknowledge the exact line of the border, using it as a bargaining cheap in its relations with Ukraine. Still, following the trilateral Russian-U.S.-Ukrainian agreement on strategic nuclear weapons (signed in January 1994), the so called Budapest memorandum was signed on December 7, 1994, by Ukraine, Russia as well as the United States and United Kingdom, providing Ukraine with security assurances, among which were guarantees of territorial integrity and inviolability of the borders.[9]

On May 31, 1997, after five years of talks, the basic Treaty on Friendship, Cooperation and Partnership between Ukraine and Russia was finally signed (following agreements on the Black Sea Fleet signed a few days earlier). Both countries acknowledged respect for each other's territorial integrity and the inviolability of their borders in the treaty (in articles 2 and 3);[10] however, it took another 6 years for the two countries to agree on the delimitation of the border, which was

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Federative Soviet Republic and the Ukrainian Socialist Soviet Republic]. Accessed April 15, 2015: http://www.libussr.ru/doc_ussr/usr_17612.htm

[7] Cf. *Soglashenie o sozdanii Sodruzhestva Nezavisimykh Gosudarstv* [*Agreement on the Formation of the Commonwealth of Independent States*]. Accessed April 15, 2015: http://www.rusarchives.ru/statehood/10-12-soglashenie-sng.shtml The principles of the 1990 treaty were acknowledged by the governments of an independent Ukraine and Russia in the agreement on the further development of interstate relations signed in Dagomys on June 23, 1992, which also proclaimed the "transparency" of the common border.

[8] In opposition to President Yeltsin, Russia's Supreme Council of Russia adopted on May 21, 1992, the decision questioning the legality of the transfer of the Crimea to Ukraine; another resolution – on the city of Sevastopol – was adopted on July 9, 1993, declaring it as a part of Russia. Moreover, several resolutions on Sevastopol were adopted by the State Duma in 1996, in clear connection with the difficult negotiations between Russia and Ukraine over the division of the Black Sea Fleet. For more on this issue cf. Victor Zaborsky, "Crimea and the Black Sea Fleet in Russian-Ukrainian Relations," *Discussion Paper 95-11, Center for Science and International Affairs, John F. Kennedy School of Government, Harvard University,* September (1995). Accessed August 25, 2015: http://belfercenter.ksg.harvard.edu/publication/2934/crimea_and_the_black_sea_fleet_in_russian_ukrainian_relations.html

[9] Cf. *Memorandum on Security Assurances in Connection with Ukraine's Accession to the Treaty on the Non-Proliferation of Nuclear Weapons sign by Ukraine, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America*, Budapest, December 7, 1994. Accessed October 3, 2014: http://www.msz.gov.pl/en/p/wiedenobwe_at_s_en/news/memorandum_on_security_assurances_in_connection_with_ukraine_s_accession_to_the_treaty_on_the_npt?printMode=true

[10] Cf. *Dogovor o Druzhbe, sotrudnichestve i partnyorstve mezhdu Rossiyskoy Federatsiey i Ukrainoy* [*Treaty on Friendship, Cooperation and Partnership between the Russian Federation and Ukraine*], Kiev, May 31, 1997. Accessed April 15, 2015: http://lawrussia.ru/texts/legal_836/doc836a409x894.htm

acknowledged in the agreement on the border signed on January 28, 2003[11] and included a detailed description in two appendices. The agreement, however, left unresolved the issue of the delimitation of the maritime border (in the Azov Sea and Kerch Strait), which remained a contentious issue (the talks on this subject started in 1999).[12] This problem became especially visible when, in October 2003, sudden conflict erupted when the Russian side started to build a dam in the Kerch Strait with an aim of linking it to Tuzla Island (which both sides claimed as their respective territory). The conflict faded when Russia stopped construction work. It did not, however, resolve the legal status of Tuzla Island, the territorial status of which was still considered "undefined" by Russia.[13]

The period following the Orange Revolution in Ukraine (late 2004–2010) brought more tension in bilateral Russian-Ukrainian relations. Moscow was especially angered by the decisions of the new government of Ukraine (of President Victor Yushchenko and Prime Minister Yulya Tymoshenko) in 2005 to discontinue talks with Russia on the creation of the Common Economic Space of Russia, Ukraine, Belarus and Kazakhstan (which Moscow had lobbied for since 2003). Therefore, only after Victor Yanukovych (perceived in Moscow as pro-Russian) took power as the president of Ukraine in 2010, did Russia allow for the restarting of talks on the demarcation of the land border. This was acknowledged in an agreement signed on May 17, 2010 by presidents Medvedev and Yanukovych.[14] The process of physical demarcation started slowly, from mid-2012, and was discontinued after the outbreak of the political crisis in Ukraine in the autumn of 2013. The presidents of Ukraine and Russia (Yanukovych and Putin) also signed on July 13, 2012, a common statement providing basic principles for the delimitation of the maritime border in the Kerch Strait.[15] Developments following the revolution in Ukraine in 2013/2014 and Russian aggression in Ukraine since February 2014 have profoundly changed the situation of the Russian-Ukrainian border.

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[11] The agreement was ratified by both parliaments on April 20, 2003. Cf. *Dogovor mezhdu Rossiiskoi Federatsiei i Ukrainoi o Rossiisko – Ukrainskoi gosudarstvennoi granitse* [*Treaty between the Russian Federation and Ukraine on the Russian-Ukrainian State Border*], Kiev, January 28, 2003. Accessed October 4, 2014: http://archive.kremlin.ru/text/docs/2003/01/30632.shtml

[12] Russia's position on the issue stipulated that the main maritime route through the Kerch Strait would be controlled by Russia, while the Azov Sea should be treated as internal waters, though both were contested by Ukraine. Moscow's hidden agenda was most probably to undermine Kiev's chances of joining NATO by solidifying and expanding Russian presence in and around Crimea.

[13] Cf. "MID RF: Pravovoi status ostrova Tuzla ostaetsia neopredelennym [MFA RF: Legal status of the Tuzla Island remains undefined]," *RIA Novosti*, July 13, 2005. Accessed April 10, 2015: http://ria.ru/politics/20050713/40904256.html#ixzz3XkZ91oIa

[14] Cf. *Soglasheniie mezhdu Rossiiskoi Federatsiei i Ukrainoi o demarkatsii rossiisko – ukrainskoi gosudarstvennoi granitsy* [*Agreement between the Russian Federation and Ukraine on the Demarcation of the Russian – Ukrainian State Border*], Kiev, May 17, 2010. Accessed April 15, 2015: http://www.conventions.ru/view_base.php?id=1264

[15] Cf. *Sovmestnoie zaiavleniie prezidentov Rossii i Ukrainy po voprosam delimitatsii morskikh prostranstv v Azovskom i Chernom moriakh, a takzhe v Kerchenskom prolive* [*Common Statement of the Presidents of Russia and Ukraine on the Issue of Delimitation of the Maritime Spaces in the Azov and Black Seas as well as in the Kerch Strait*]. Accessed April 17, 2015: http://kremlin.ru/supplement/1259

Russian-Ukrainian Crisis and the Border

Developments Affecting the Border in the Crimea

After Victor Yanukovych became president of Ukraine in 2010, Russia stepped up its efforts to persuade the Ukrainian government to abandon its ambitions to integrate with the European Union and instead to enter into a comprehensive deal paving the way for Ukraine to integrate gradually with the Customs Union of Russia, Belarus and Kazakhstan. When these efforts failed, what became visible at the end of 2012, and in the first half of 2013, was Moscow turning to political and economic coercion. In November 2013, Ukrainian President Yanukovych succumbed to that pressure and refused to sign an Association Agreement between Ukraine and the European Union. This provoked massive political protests in Ukraine (mainly in Kiev), which turned into a revolution that brought down the Yanukovych regime (he fled from Kiev on February 22, 2014, and a few days later was evacuated to Russia by the Russian secret services).

As these events were unfolding, the Kremlin undertook special operations in the Crimea and subsequently in other parts of Southeastern Ukraine. The visible part of the operation began on February 26/27 with the take-over of the Crimean Parliament building by a small commando unit of the Russian Special Forces. A group of deputies gathered later in the occupied building, established a new (more pro-Russian) Crimean government and decided on a referendum on the enhancement of the autonomy of the Crimea. In a sudden turn of political course (apparently instructed by the Kremlin) on March 6 the Crimean parliament voted for the accession of Crimea to Russia and decided to hold a referendum on that matter and (only subsequently) on March 11 adopted the declaration of independence of Crimea (in fact an act of secession from Ukraine).[16] In the meantime it took Russian forces (acting without insignia) less than a month to take over, in a relatively bloodless manner, all strategic points, including Ukrainian army bases in the Crimea, facing usually passive resistance from the Ukrainian armed forces stationed there. The hastily prepared "referendum" on the unification of the Crimea with Russia took place on March 16 under the barrel of a gun. Various credible accounts suggest it was falsified (especially as far as the turnout is concerned).[17] On March 17, following the publication of the results of the "referendum", the so called Republic of Crimea was formally established (including the territory of the city of Sevastopol) and on March 18 the new separatist government of Crimea signed an agreement with Russia on its accession to the federation (which stipulated its immediate provisional application). With extraordinary speed, Russia completed the legal procedures (receiving the Constitutional Court's opinion, passing the two laws by the two chambers of parliament, and the signing of these laws by the President) by March 21

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[16] Cf. *Deklaratsiia o Nezavisimosti Avtonomnoi Respubliki Krym i goroda Sevastopol'* [*Declaration of Independence of the Autonomous Republic of Crimea and the City of Sevastopol*], Simferopol, March 11, 2014. Accessed April 16, 2015: http://www.rada.crimea.ua/news/11_03_2014_1

[17] Cf. "Problemi zhitelei Krima [Problems of the Inhabitants of the Crimea]," *Report by the Russian Presidential Council on Human Rights*. Accessed October 10, 2014: http://www.president-sovet.ru/structure/ gruppa_po_migratsionnoy_politike/materialy/problemy_zhiteley_kryma.php

establishing the two new subjects of federation within Russia: the Republic of Crimea and the city of Sevastopol. These made the annexation of Crimea by Russia (not recognized by the international community) a *fait accompli*. Consequently a "new border" between Russia and Ukraine, unilaterally established by Russia and not recognized by Ukraine and the international community, corresponds with the administrative border between the Autonomous Republic of Crimea in Ukraine and the Kherson oblast of Ukraine.

What is less known is that the Russian Armed Forces, during the crisis in Crimea in mid-March 2014, occupied not only the territories of the Autonomous Republic of Crimea and the city of Sevastopol within Ukraine but also a small stretch of land (about 12 km long) of the Arabatskaya Strelka (Arabat Arrow) spit, part of the Crimean peninsula belonging to the Kherson oblast of Ukraine[18] as well as two other small areas in the south of Kherson oblast – the Ad and Chongar peninsulas. Russian forces were withdrawn from these areas by the end of December 2014.

Currently the processes of delimitation of the maritime border and demarcation of the land border between Russia and Ukraine are stalled. In March 2014, after the annexation of the Crimea, Russian foreign minister Sergei Lavrov declared Moscow's readiness to continue negotiations on the delimitation in the Azov Sea and the Black Sea but not in the Kerch Strait.[19] Due to the Russian occupation of the Crimea (the territory of ca. 27,000 sq km, representing 4.5 % of all land territory of Ukraine) there are no prospects for such talks in the foreseeable future.

Developments Affecting the Border in Donbas

However the current crisis, which properly should be termed as the Russian-Ukrainian war, has affected not only the border in the Crimean peninsula but also in the two eastern regions of Ukraine: Lugansk oblast and Donetsk oblast. On March 1, 2014, the Russian special operation in Southeastern Ukraine began (labelled as "the Russian Spring") with coordinated rallies and subsequent attacks on government buildings in large cities in that part of Ukraine. It was followed by an armed rebellion (since April 6) organized and directed by the Russian secret service in Donetsk and Lugansk oblasts (collectively referred to as Donbas region) which started the local war. It has involved both the local pro-Russian radical and organized crime groups as well as the "volunteers" and military troops (mostly special forces) coming from Russia on one side and the Ukrainian Armed Forces, the National Guard and the Ukrainian voluntary battalions on the other side.

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[18] Arabatskaia Strelka (Arabat Arrow) spit – about 120 km long – geographically belongs to the Crimean peninsula, but administratively is divided between the autonomous Republic of Crimea in Ukraine and Kherson oblast of Ukraine (over its 35 km long, northern part). Russian airborne troops occupied on March 15, 2014, the gas compressor station south of the village of Strilkove.

[19] Cf. *Vystupleniia i otvety na voprosy Senatorov ministra innostrannykh del Rossii S. V. Lavrova v khode 349-ogo vneocherednogo zasedaniia soveta federatsii federal'nogo sobraniia Rossiiskoi Federatsii, Moskva 21 marta 2014 goda* [*Foreign Minister S. V. Lavrov's Statements and Responses for the Questions of Senators during the 349th Extraordinary Session of the Federation Council of the Federal Assembly of the Russian Federation, Moscow 21 March 2014*]. Accessed October 15, 2014: http://www.mid.ru/brp_4.nsf/0/8009FE80B48FCDDB44 257CA2003AC683

From May 31, 2014, separatists began attacking Ukrainian border guard posts on the Russian-Ukrainian border. A few days later the first such post was occupied by the separatists. Since then separatists have gradually expanded their control over sections of the border, first in Lugansk oblast and later in Donetsk oblast. The goal of such actions was clear: it opened the way for transferring large amounts of heavy weaponry from Russia, including tanks, APCs and multiple rocket launchers, to support the separatists. By the end of June 2014 Ukraine had lost control over about a 100 km of its border with Russia. Subsequent fighting, especially the late August counter-offensive of separatists, supported by regular Russian troops, led to a situation in which Ukraine no longer has control over 409.3 km of its border with Russia in Lugansk and Donetsk oblasts[20] (which represents ca. 21 % of the total length of its land border with Russia). One may add to that the 321 km of maritime border in the Azov and Black Seas and Kerch Strait, which puts the total length of the uncontrolled part of the internationally recognized border between Ukraine and Russia to 730 km (which represents ca. 35 % of its total length).

The territorial status quo is even more complicated there since in April 2014 separatists declared two "independent" entities: Donetsk Peoples Republic – DNR (April 7) and Lugansk Peoples Republic – LNR (April 27). These were not formally recognized by any state,[21] including Russia. However, Moscow factually offered them its unofficial political, financial and military support and maintained close contact with its leadership (which in part came from Russia). DNR and LNR have formally agreed to form a confederation of *Novorossiya* (New Russia) on May 24, 2014, but it has had no major practical consequences.

The unrecognized separatist DNR and LNR have obviously no recognized borders. *De facto* their "borders" corresponds with the current frontline between the Ukrainian and separatist forces, which have not changed since the second major armistice (the so called Minsk 2 agreements) formally came into force on February 15, 2015. Currently, both separatist entities occupy around 8,600 sq km of Ukraine's territory each (approximately 17,200 sq km in total, which represents 2.85 % of total area of Ukraine within its internationally recognized borders). On November 6, 2014, Ukraine declared the introduction of a passport control regime in the territories adjacent to the armistice line, which can be interpreted as a substitute for border control. Subsequently, on February 9, 2015, the government of Ukraine introduced a special border regime in the area of the so called anti-terrorist operation (the *de facto* war zone in proximity to the armistice line in Donbas) as well as in some parts of Kharkiv and Kherson *oblasts* in proximity with the border with Russia and Russia-occupied Crimea.[22] The latter decision not only expanded the area of such a special regime but it also

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[20] Data comes from the head of Ukraine's State Border Service, Victor Nazarenko, as reported by the *Ukrinform* November 28, 2014. Accessed April 17, 2015: http://www.ukrinform.ua/rus/news/ukrainskie_pogranichniki_ ne _kontroliruyut_409_kilometrov_granitsi_s_rf_1688928

[21] An exception was South Ossetia – a separatist entity (the international community regards it as a part of Georgia, however, it is recognized by Russia, Venezuela, and Nicaragua), which also "recognized" the DNR and LNR in June 2014.

[22] Cf. *Kabmin vvodit pogranichnyi rezhim s zonoi ATO, chast'i Khersonshchiny i Kharkovshchiny [Cabinet Introduces Border Regime with ATO Zone, Part of Kherson and Kharkiv Regions],* February 9, 2015. Accessed

sharpened its restrictive nature.

Considering the current circumstances in Donbas, it is impossible to continue the bilateral process of demarcation of the Russian-Ukrainian border. Ukraine already in June 2014 announced the possible start of the unilateral demarcation of the border with Russia (decision of the National Security and Defence Council of Ukraine of June 16), which was criticized and rejected by the Russian MFA (in a statement issued on June 19). In subsequent moves the president of Ukraine, Petro Poroshenko, signed, on September 24, 2014, a decree instructing the government of Ukraine to start the process of unilateral demarcation of the border with Russia. The decree was endorsed by the government of Ukraine on November 19, 2014.[23]

In connection with this, the government of Ukraine, on September 5, 2014, adopted a project (proposed by the State Border Service of Ukraine), codenamed "Wall" (*Stena*) and later renamed as the "European bulwark" (*Evropeyskiy val*). It provides for the construction of trenches, ramparts, fences and other physical barriers along Ukraine's border with Russia with the aim of discouraging any illegal crossing of the border from Russia and creating additional defence line in case of a Russian armed attack on Ukraine. The total cost of the project was in December 2014 estimated at $514 million. Amendments to the project were adopted by the government of Ukraine on February 18, 2015, which included further funds to build yet another defence line along the armistice line with separatist-controlled Donbas.[24] At the beginning of March 2015 Ukraine's government ended the Russian-Ukrainian agreement on local trans-border traffic; and introduced serious limitations on the number of border crossings on the border with Russia as well as the introduction of foreign passport requirement for the crossing of the border by Russian citizens.

Both "Minsk 1" (signed on September 5, 2014, plus a follow-up memorandum of September 19, 2014) and "Minsk 2" (signed on February 12, 2015) have had very limited practical impact on the border issue. Minsk 1 contained vague points providing for the establishment of security zones adjacent to the Russian-Ukrainian border, which were supposed to be monitored by OSCE observers (no geographical or procedural details were given).[25] Follow-up protocol actually changed the above mentioned point to shift OSCE-monitored security zones to the areas adjacent to the actual line of contact between warring sides (well inside Ukraine's territory).[26] Nevertheless, the process of

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April, 17. 2015: http://news-w.com/63595-20483/n/63592-42609/

[23] See: *Vopros o demarkatsii granitsy s Rossiei* [*The Issue of the Demarcation of the Border with Russia*]. Accessed April 17, 2015: http://www.analitik.org.ua/current-comment/int/5473457b3c95c/ pagedoc1096_3/

[24] See: *V gospogransluzhbe rasskazali, kak budut stroit' "Evropeyskiy val" na granitse s RF* [*The State Border Service Described how the "European Wall" will be Built on the Border with RF*]. Accessed April 18, 2015: http://ru.golos.ua/suspilstvo/v_gospogranslujbe_rasskazali_kak_budut_stroit_evropeyskiy_val_na_ granitse_s_rf_1595

[25] Cf. *Protokol po itogam konsul'tatsii trekhstoronnei kontaktnoi gruppy* [*Protocol on the Results of Consultations of the Trilateral Contact Group*], signed in Minsk, September 5, 2014. Accessed August 21, 2015: http://www.osce.org/ru/home/123258?download=true

[26] Cf. *Memorandum ob ispolnenii polozhenii protokola po Itogam konsul'tatsii trekhstoronnei kontaktnoi gruppy otnositel'no shagov, napravlennykh na implementaitsiiu mirnogo plana* [*Memorandum Outlining the Parameters*

deploying OSCE monitors was slow and hampered mostly by Russia and the separatists.[27] The Minsk 2 agreement on the other hand raised again the issue of the return to Ukraine's control of the legally-recognized Russian-Ukrainian border in Donbas (this being a long standing demand of Kiev) yet made it conditional on the execution of other, political terms of the agreement (mostly on changes in Ukraine's constitution, granting autonomy to Donbas, holding mutually recognized elections of the local government) as well as on the agreement between the Kiev government and separatists.[28] Such conditions, given deep political differences between the parties, made the provisions on the Russian-Ukrainian border impossible to implement (no preparation has started for granting Ukrainian access to the border in Donbas).

Moscow's Political Justification for Russian Policy on its Border with Ukraine

During the course of the crisis there were numerous statements, especially by President Putin himself, undermining more or less directly the territorial integrity, borders or even the very existence of Ukraine as an independent state. On March 4, 2014, Putin suggested, during his press conference, the discontinuity of post-revolutionary Ukraine, and stated Russia may feel that it is not bound to any agreements signed before with Ukraine (meaning also those which recognized its territorial integrity and borders).[29] In his address to the parliament on March 18 Putin stated Ukraine has been in a state of constant political crisis for more than 20 years and it has no legitimate government. He also referred to history maintaining that in the 1920s the Bolsheviks unlawfully and unjustly transferred large parts of the "historical South of Russia" to Ukraine.[30]

The concept of "Russian lands" incorporated into Ukraine and termed *Novorossiya* (New Russia),referring to a notion used for some time in the nineteenth century, was further developed by Putin in his "direct line" with the people on April 17. Then he gave a concrete geographical description of *Novorossiya*:

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for the Implementation of the Commitments of the Protocol of the Trilateral Contact Group], September 19, 2014. Accessed August 21, 2015: http://www.osce.org/ru/home/123807?download=true

[27] For example, for a long time Moscow prevented an increase of the number of monitors beyond 100 persons (only in Summer 2015 did it reach the level of ca. 550 persons), while separatists occasionally downed OSCE drones and shelled some monitoring patrols as well as prevented access to more than half of the designated areas.

[28] Cf. *Komplekse mer po vypolneniiu minskikh soglashenii* [*Package of Measures for the Implementation of the Minsk Agreements*]. Accessed August 21, 2015: http://www.osce.org/ru/cio/140221?download=true

[29] "Yes, but if this is revolution, what does this mean? In such a case it is hard not to agree with some of our experts who say that a new state is now emerging in this territory. This is just like what happened when the Russian Empire collapsed after the 1917 revolution and a new state emerged. And this would be a new state with which we have signed no binding agreements." See: "Vladimir Putin Answered Journalists' Questions on the Situation in Ukraine," *Kremlin.ru*, March 4, 2014. Accessed October 20, 2014: http://eng.kremlin.ru/news/6763

[30] "After the revolution, the Bolsheviks, for a number of reasons – may God judge them – added large sections of the historical South of Russia to the Republic of Ukraine. This was done with no consideration for the ethnic make-up of the population, and today these areas form the southeast of Ukraine." See: "Address by President of the Russian Federation," *Kremlin.ru*, March 18, 2014. Accessed October 20, 2014: http://eng.kremlin.ru/news/6889

> I would like to remind you that what was called Novorossiya (New Russia) back in the tsarist days – Kharkov, Lugansk, Donetsk, Kherson, Nikolayev and Odessa – were not part of Ukraine back then. These territories were given to Ukraine in the 1920s by the Soviet government. Why? Who knows. They were won by Potyomkin and Catherine the Great in a series of well-known wars. The centre of that territory was Novorossiysk, so the region is called Novorossiya. Russia lost these territories for various reasons, but the people remained.[31]

The recreation of an outdated notion (non-existent in modern Ukrainian or Russian political discourse, except for some marginal Russian nationalistic groups) of *Novorossiya* by the Russian state propaganda and officials suggested it had become a political project of the Kremlin used for justifying of the political autonomy of the south eastern part of Ukraine or even its future secession and joining Russia.[32] What was clear though is that it directly undermines Ukraine's territorial integrity and borders.

As time passed President Putin has continued to question the territorial integrity of Ukraine. During the Valdai meeting with Russian and foreign experts on October 24, 2014, Putin suggested that Ukraine is simply a state constructed from the pieces and parts of other states ("Ukraine is a complex, multi-component state formation" – as he put it mildly). Then he reiterated his discourse on transfer of *Novorossiya*[33] and the Crimea from Russia but also he added a passage on territories of Western Ukraine transferred from Poland and Hungary.[34] This kind of statement was not, as one may think, done under the influence of emotions provoked by the Russian-Ukrainian conflict but constituted a well-thought approach. That can be proved by the fact that this kind of statement echoed Putin's famous speech during the Bucharest NATO summit on April 2, 2008, when he warned Ukraine would again break into pieces (from which it had been constructed) if its integration with NATO continued.[35]

Moscow's justification of the annexation of the Crimea was also peculiar and mixed. The Russian leadership offered the following reasons:

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[31] "Direct Line with Vladimir Putin," *kremlin.ru*, April 17, 2014. Accessed October 21, 2014: http://eng.kremlin.ru/news/7034 The concept of Novorossiya was especially promoted by the members of the Izborsk Club (established in 2012, consisting of the Russian conservative, pro-Kremlin intellectuals, commentators and political activists). Cf. "Ideologiia Novorossii [The Ideology of New Russia]," *Izborskii Klub (Russkie Srategii)"* 5:17 (2014). Accessed August 25, 2015: http://www.dynacon.ru/arh/05_Blok14.pdf

[32] For more on this issue cf. Marlene Laruelle, "The Three Colors of Novorossiya, or the Russian Nationalist Mythmaking of the Ukrainian Crisis," *Post-Soviet Affairs* 31:6 (2015); Marek Menkiszak, Rafal Sadowski, and Piotr Zochowski, "The Russian Military Intervention in Eastern Ukraine," *OSW Analyses*, September 3, 2014. Accessed October 21, 2014: http://www.osw.waw.pl/en/publikacje/analyses/2014-09-03/russian-military-intervention-eastern-ukraine

[33] "Meeting of the Valdai International Discussion Club," *Kremlin.ru*, October 24, 2014. Accessed October 25, 2014: http://eng.kremlin.ru/news/23137

[34] Ibid.

[35] *Text of Putin's Speech at NATO Summit, Bucharest*, April 2, 2008. Accessed October 25, 2014: http://www.unian.info/world/111033-text-of-putins-speech-at-nato-summit-bucharest-april-2-2008.html

- Humanitarian reasons / defence of the Russian/Russian-speaking population

Russia declared it felt obliged to defend (the mostly ethnic Russian) population of the Crimea from alleged threat for their rights and their physical security (even their lives).[36] In the case of Crimea, it is interesting that such a "threat" was even officially admitted as only potential (since no violence against Russians took place) and subjective ("people were afraid").

- Honouring "the will of the people" and their "right for self-determination"

Russian leadership maintained that a huge majority of the population of Crimea strived for secession from Ukraine and for joining Russia. It referred to "secret polls" allegedly made by Russian authorities in the Crimea before the annexation, but primarily to the results of the March 16 "referendum" (official results of which were contested even by the members of the Russian presidential council on human rights). Also the principle of the right for self-determination was invoked as well as the "Kosovo precedent. "[37]

- Abolishing "illegal decisions"

President Putin in his various statements referred to the lack of proper legality of the Soviet leadership's decision to transfer the Crimea from Soviet Russia (RSFSR) to the Soviet Ukraine (UkrSSR) made in 1954.[38]

- Achieving "historical justice"

It is interesting that in their justifications for the annexation of Crimea, the Russian leadership referred, to a large extent, to the extra-legal arguments as truth or justice. So, according to Putin:

> in the people's hearts and minds, Crimea has always been an inseparable part of Russia. This firm conviction is based on truth and justice and was passed from generation to generation, over time, under any circumstances, despite all the dramatic changes our country went through during the entire 20th century. [The Russian state after the fall of the Soviet Union] was going through such hard times then that realistically it was incapable of protecting its interests. However, the people could not reconcile themselves to this [Crimea belonging to Ukraine] outrageous historical injustice.[39]

- Spiritual reasons

In the justification of the annexation, President Putin even used high moral or even quasi-

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[36] "We clearly had no right to abandon the residents of Crimea and Sevastopol to the mercy of nationalist and radical militants." See: "Conference of Russian Ambassadors and Permanent Representatives," *Kremlin.ru*, July 1, 2014. Accessed October 26, 2014: http://eng.kremlin.ru/news/22586

[37] Cf. *Address by President of the Russian Federation*; *Meeting of the Valdai International Discussion Club*.

[38] "What matters now is that this decision was made in clear violation of the constitutional norms that were in place even then. The decision was made behind the scenes." See: *Address by President of the Russian Federation*.

[39] Ibid.

religious arguments referring to the historical and spiritual symbolism of the Crimea and especially the city of Sevastopol as "sacred land:"

> For ethnic Russians […] Crimea has a kind of sacred significance. After all, it was in Crimea, in Hersonissos, that Prince Vladimir was baptised, subsequently baptising Rus. The first, initial font of Russia's Baptism is there. And what is Hersonissos? It is Sevastopol. You can see the connection between the spiritual source and state component, meaning the fight for Crimea overall and for Sevastopol, for Hersonissos. In essence, the Russian people have been fighting for many years to gain a firm foothold in its historical font.[40]

- Security / strategic reasons

Besides taking such a high moral ground, Putin also mentioned hard-core national security/strategic interests. Namely that Russia:

> could not allow our access to the Black Sea to be significantly limited; we could not allow NATO forces to eventually come to the land of Crimea and Sevastopol, the land of Russian military glory, and cardinally change the balance of forces in the Black Sea area. This would mean giving up practically everything that Russia had fought for since the times of Peter the Great, or maybe even earlier – historians should know.[41]

Here Putin has referred mostly to the (highly unlikely) perspective of Ukraine's NATO membership or possible problems in maintaining Russia's Black Sea Fleet in the Crimea. But what can be traced here is also an offensive aim of enhancing and expanding Russia's military presence in the Black Sea, which actually happened after Russia occupied Crimea.[42]

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[40] "Meeting with Young Academics and History Teachers," *Kremlin.ru*, November 5, 2014. Accessed October 27, 2014: http://eng.kremlin.ru/transcripts/23185 This theme has been further developed in various statements of Putin, including in his annual address to the Parliament on December 4, 2014 when he compared the spiritual importance of Crimea to that of Temple Mount in Jerusalem for Muslims and Jews. Cf. Presidential Address to the Federal Assembly, *kremlin.ru*, December 4, 2014, Accessed October 17, 2015: http://en.kremlin.ru/events/president/news/47173

[41] He added: "At the foundations of the Russian nation and the centralised Russian state are the same spiritual values that unite the whole of that part of Europe now shared by Russia, Ukraine, and Belarus. This is our common spiritual, moral and values space, and this plays a very big part in uniting the people." See: *Conference of Russian Ambassadors and Permanent Representatives*.

[42] The Russian military presence in Crimea was reinforced during and after its occupation by Russia, which was officially admitted by Moscow. Further plans were also revealed, and in January 2015 Russia announced the purchase of an additional 50 fighter planes and 20 combat helicopters to reinforce the Black Sea Fleet in Crimea among other things. In July 2015 Russian Ministry of Defence warned nuclear-capable Tu-22M long range bombers may be permanently deployed to Crimea (they were temporarily deployed in March 2015 as part of the military exercises). In the same month the Russian Navy announced Bastion surface-to-air missile systems to be deployed in Crimea (they were also temporarily deployed during the March exercises).

Russian-Ukrainian Border within Broader Conceptual Frameworks[43]

The question arises: to what extent is Russia's policy towards Ukraine and its border specific or universal? There are at least three concepts which may be helpful in answering these questions:

Concept(s) of "the Russian nation"

In his various statements both before and during the crisis, President Putin referred to the peculiar concept of the unity of the three Russian nations: Russians, Ukrainians and Belarusians. Putin, for instance, in an address delivered on 18 March 2014, stated, "we [Russians and Ukrainians] are one people (…) and we cannot live without each other." He also added (talking on the role of the baptism of Prince Vladimir in the tenth century), "His spiritual feat of adopting Orthodoxy predetermined the overall basis of the culture, civilization, and human values that unite the peoples of Russia, Ukraine and Belarus."[44] On another occasion, speaking about the three nations, the Russian President even declared, "Essentially, we have a common church, a common spiritual source, and a common destiny."[45] What he was saying referred somehow to the old concept (especially popular in the nineteenth century) sometimes referred to as "the All-Russian Idea" – that is, that "the Russian nation" consists of three branches: Russians (*russkie;* previously called Great Russians – *velikorossy*), Ukrainians (*ukraintsy* previously called Little Russians – *malorossy*) and Belarussians (*belarusy* or White Russians).[46]

Putin also used another, broader concept of "the Russian nation" as a non-ethnic but rather political and civilizational community bounding together inhabitants of the territories that once belonged to the Soviet Union – and previously the Russian Empire. As he put it in his major policy article on "national issue" published on January 23, 2012:

> We recall that many citizens of the Soviet Union who found themselves abroad now call themselves Russian. And they consider themselves as being such regardless of ethnicity. (…) Russian people are

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[43] The subject of Russia's political and ethnic identity, sometimes referred to as "The Russian idea," has a vast literature. For example, Marlene Laruelle, *Russian Nationalism and the National Reassertion of Russia* (New York: Routledge, 2009); *Russian Eurasianism. An Ideology of Empire* (Washington, D.C.: Johns Hopkins University Press, 2008); *The Russian World: Russia's Soft Power and Geopolitical Imagination* (Washington: Center on Global Interests, May 2015). On the Russian-Ukrainian identity clash cf. Stephen White, Valentina Feklyunina, *Identities and Foreign Policies in Russia, Ukraine and Belarus. The Other Europes* (London: Palgrave, Macmillan, 2014).

[44] *Address by President of the Russian Federation*.

[45] "Interview for the Documentary Film 'The Second Baptism of Rus,' " *Kremlin.ru*, July 23, 2013. Accessed on 28 October 2014: http://eng.kremlin.ru/transcripts/5747

[46] The concept traces its origins to the fourteenth century, yet it was fully developed in the nineteenth century in the milieu of Russia's Slavophile intellectual school. See: Aleksei Miller, *The Ukrainian Question: The Russian Empire and Nationalism in the Nineteenth Century* (Budapest: CEU, 2003); Aleksei Miller, *A Testament to the 'All-Russian Idea'*, in *Extending the Borders of Russian History: Essays in Honor of Alfred J. Rieber,* ed. Marsha Siefert (Budapest, CEU, 2003).

nation-forming – on the basis of Russia's existence. The great mission of Russians is to unite and bind our civilization. Language, culture and "universal kind-heartedness," according to Feodor Dostoevskii, are what bring together Russian Armenians, Russian Azerbaijanis, Russian Germans, Russian Tatars… Bring them together to form a type of state-civilization that does not have "ethnic persons" and where differentiation between "us and them" is determined by a common culture and shared values. This civilizational identity is based on the preservation of a Russian cultural dominance, which flows not only from ethnic Russians, but all carriers of this identity regardless of nationality. This is the cultural code that has, in recent years, been subject to some serious trials.[47]

The above-mentioned passage corresponds to some extent with the recently adopted *Declaration on Russian Identity*, which provides the following definition of being a Russian: "Russian – is a person who considers himself/herself a Russian; who has no other ethnic preferences; who speaks and thinks in the Russian language; who acknowledges Orthodox Christianity as a foundation of the national spiritual culture; who feels solidarity with the fate of the Russian people."[48]

Concept of "the Russian World"[49]

Putin's broader concept of the Russian nation can be also associated with yet another term used by President Putin in his political and historical discourse: "the Russian World" (*russkii mir*). The term itself is rather vague and has been used in the recent years especially by the Russian Orthodox Church and by some Russian conservative intellectuals. The term has several meanings in Russian discourse. It is usually defined, also by President Putin himself, as the community of Russian-speaking people centred around Russia, who identify themselves with the Orthodox Christian religion and culture and who cherish the same shared values, irrespective of their citizenship or ethnic background. As Putin put it: "The Russian language was the main form of expression and bearer of national unity, cementing together the vast Russian world that stretches far beyond our country's borders. This Russian world was not built on principles of ethnic exclusion, but was always open to anyone who considers themselves a part of Russia and considers Russia their home."[50] And: "The Russian Orthodox Church ... is essentially unifying the millions of people who make up the Russian world."[51] Putin even suggested (what is in fact counter-factual) that self-identification as members of the Russian world is in fact stronger in the post-Soviet states – as

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[47] Vladimir Putin, "Russia: The National Question," *Nezavisimaia Gazeta*, January 23, 2012; "Integration of Post-Soviet Space an Alternative to Uncontrolled Migration," *Russia Today*, January 23, 2012. Accessed October 30, 2014: http://rt.com/politics/official-word/migration-national-question-putin-439/

[48] *Deklaratsiia Russkoi Identichnosti [Declaration on Russian Identity],* Moscow, November 12, 2014. Accessed November 14, 2014: http://www.patriarchia.ru/db/text/508347.html

[49] The best account of the concept, its origins and development can be found in: Laruelle, *The Russian World.*

[50] "Reception to Mark National Unity Day," *Kremlin.ru*, November 4, 2013. Accessed October 20, 2014: http://eng.kremlin.ru/news/6216

[51] "Meeting with Delegates to the Bishops' Council," *Kremlin.ru*, February 1, 2013. Accessed October 30, 2014: http://eng.kremlin.ru/transcripts/4926; Cf. *Interview for the Documentary film* "*The Second Baptism of Rus.*"

Ukraine – than ethnic self-identification: "You definitely know that if you ask a person, whose ethnicity is identified in his passport as Ukrainian, you will see he doesn't give much thought to it. People there perceive themselves as part of the greater Russian world."[52]

Concept of "Historical Russia"

The reason why the above mentioned concepts (of "the Russian nation" and of "the Russian world") matter is that they fit well into yet another – essentially geopolitical – concept present in Putin's discourse: that of "historical Russia." As he put it in his January 2012 article:

> The historic Russia is neither an ethnic state nor an American "melting pot," where everyone is in one way or another, an immigrant. Russia emerged and for centuries developed as a multi-ethnic state – a state with an ongoing process of mutual adjustment, mutual understanding, and unification of people through families, friendship and work, with hundreds of ethnicities living together on the same land. The development of these vast territories, which has filled the whole of Russian history, was a collective effort of many nations. Suffice it to say that ethnic Ukrainians live on the territory, stretching from the Carpathians to Kamchatka – just as do ethnic Tatars, Jews, Belarusians ….[53]

For Putin, the breakup of the Soviet Union was – as he admitted in 2005 – a geopolitical catastrophe.[54] In his article, he further accuses the then Soviet elite of treason. For him the process of forming independent states on the territory of the former Soviet Union in the early 1990s is called "separatism."[55] It can be compared to the *smuta* (period of chaos) in Russia's history in the seventeenth century, which preceded the rebirth of Russia as an empire. Putin continues referring to the natural, historical territory of Russia forged in the eighteenth century: "Our national and immigration problems are directly linked to the collapse of the Soviet Union and, in essence, Greater Russia, whose historic foundations were built back in the eighteenth century. [These problems are related to] the subsequent inevitable degradation of state, social, and economic institutions. [And to] the enormous gap in development on the post-Soviet territory."[56]

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[52] "Interview to TASS News Agency," *Kremlin.ru*, November 13, 2014. Accessed April 18, 2015: http://en.kremlin.ru/events/president/news/47054

[53] Putin, *Russia: The National Question*. It is worth noting the term "historical Russia" was used before by the head of the Russian Orthodox Church, Patriarch Kirill, who termed the break-up of the Soviet Union in 1991 as the collapse of "historical Russia." See: "Patriarkh Kirill: Raspad SSSR: Krushenie istoricheskoi Rossii (Patriarch Kirill: The break-up of the USSR: the collapse of the historical Russia), *Vzgliad* November 11, 2011. Accessed April 18, 2015: http://www.vz.ru/news/2011/11/11/537962.html

[54] "Address to the Federal Assembly," *kremlin.ru*, April 25, 2005. Accessed November 3, 2014: http://archive.kremlin.ru/eng/speeches/2005/04/25/2031_type70029type82912_87086.shtml

[55] Putin, *Russia: The National Question*.

[56] Ibid.

Return to "Historical Russia"?

It seems that President Putin believes such a natural state of unity should be restored and in this context he points to the role of the creation of the Eurasian Economic Union as a closely integrated area (formally established on January 1, 2015 by the members of the Customs Union: Russia, Belarus, Kazakhstan, and Armenia, which joined on January 2, 2015, as well as Kyrgyzstan, which joined on August 12, 2015, and proposed by Moscow to other post-Soviet states). Putin himself has made it clear that it is not merely an economic or even a political project, but a civilizational undertaking. He said, "The Eurasian Union is a project for maintaining the identity of nations in the historical Eurasian space in a new century and in a new world."[57]

On the other hand, on several occasions Putin made remarks which suggested he could think of going beyond creating a strong integration block by establishing a single state organism of Russia and some other post-Soviet states. For example, he suggested in 2011 in Seliger that unification of Belarus with Russia is "possible, desirable and depends 100% on the expression of will of the Belarusian people, who should fight for that." On the same occasion he also stated, in reference to the possible unification of the separatist South Ossetia with Russia, that "the future will depend on the Ossetian nation itself."[58]

During another Seliger meeting in 2014, Putin congratulated President Nazarbayev of Kazakhstan, stating, "He has created a state on a territory where there has never been a state. The Kazakhs never had a state of their own, and he created it." Putin also suggested Nazarbayev as a wise man will not go against people's will to forge closer ties with Russia by building a common Eurasian Union, which benefits Kazakhstan as it "is good for their economy, it helps them stay within the so-called greater Russian world."[59] In Kazakhstan these words were interpreted as a warning that fresh Kazakh statehood may be endangered by Moscow if Kazakhstan's leadership discontinues its integration with Russia.[60]

Another question arises: where are the geographical boundaries of such an imagined "historical Russia"? There are some indications that also the Baltic States, which are also post-Soviet

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[57] "Meeting of the Valdai International Discussion Club," *Kremlin.ru*, September 19, 2013. Accessed November 5, 2014: http://eng.kremlin.ru/news/6007

[58] "Predsedatel' pravitel'stva Rossiiskoi Federatsii V. V. Putin poobshchalsia s uchastnikami molodeozhnogo obrazovatel'nogo foruma 'Seliger 2011' [PM Vladimir Putin Interacted with the Participants of the 'Seliger 2011' Youth Educational Forum]," August 1, 2011. Accessed November 5, 2014: http://archive.premier.gov.ru /events/news/16080/

[59] "Seliger 2014 National Youth Forum," *Kremlin.ru*, August 29, 2014. Accessed November 7, 2014: http://eng.kremlin.ru/news/22864

[60] Cf. Anna Dolgov, "Kazakhs Worried after Putin Questions History of Country's Independence," *The Moscow Times* September 1, 2014. Accessed August 23, 2015: http://www.themoscowtimes.com/article.php?id=506178; Farangis Najibullah, "Putin Downplays Kazakh Independence, Sparks Angry Reaction," *RFE/RL*, September 3, 2014. Accessed August 23, 2015: http://www.rferl.org/content/kazakhstan-putin-history-reaction-nation/ 26565141.html; Arslan Sabyrbekov, "Russian and Kazakh Leaders Exchange Worrying Statements," *CACI Analyst* September 17, 2014. Accessed August 23, 2015: http://www.cacianalyst.org/publications/field-reports/item/13050-russian-and-kazakh-leaders-exchange-worrying-statements.html

states, can – despite their profoundly different political status as EU and NATO member states – be treated in the Kremlin as belonging to it. One may recall that on some occasions Baltic States were warned by Putin when, back in 2005, he reacted emotionally to territorial issues raised by Latvia in the course of negotiations over the agreement on borders:

> You know, the Russian Federation lost tens of thousands of pieces of its historic territory as a result of the collapse of the Soviet Union. And are we now to divide everything up again? Should we demand the return of the Crimea and parts of the territory of other former Soviet republics and so on? How about giving back Klaipeda then? Let's all start dividing Europe again. I doubt that this is what you want.[61]

Limits of Russia's Peculiar Approach to its Borders[62]

One may observe a sharp difference in Russia's approach to its borders when it concerns other Russia's neighbors which are positioned outside the post-Soviet area. Three different examples can be provided: China, Norway and Japan. The most spectacular is definitely the agreement on delimitation of the remaining parts of the Eastern sections of the Russian-Chinese borders signed on October 14, 2004, which provided for a transfer of approximately 337 sq km of the territory from Russia to China.[63] Also the long standing territorial conflict over maritime delimitation in the Barents Sea between Russia and Norway was resolved pragmatically, dividing the disputed area between those countries and regulating fishing and resource extraction rights in an agreement signed on April 27, 2010.[64]

On the other hand, Moscow clearly lacks such flexibility and pragmatism in its relation to its other neighbour – Japan and the Northern Territories issue (called the Southern Kurile Islands in Russia). It is worth noting that President Putin clearly stated, in his talk with journalists, following the *Direct Line with the People* on February 16, 2015, that "the Crimean precedent" can't be used in

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[61]"Press Statement and Responses to Questions Following the Russia-European Union Summit," *Kremlin.ru*, May 10, 2005. Accessed November 7, 2014: http://archive.kremlin.ru/eng/speeches/2005/05/10/2030_type82914type82915_88025.shtml On the other hand it is worth noting that immediately before the start of the Russian aggression on Ukraine, Russia signed, on February 17, 2014, a border treaty with Estonia. It was the second signing of the Treaty. The first occurred in May 2005 but Russia subsequently withdrew its signature in late August 2005, after the Estonian parliament adopted additional clauses to its ratification law, referring to the occupation of Estonia by the USSR.

[62] An in-depth discussion of the borders between Russia and other neighboring states is beyond the scope of this article.

[63] Cf. *Dopolnitel'noe Soglashenie mezhdu Rossiiskoi Federatsiei i Kitaiskoi Narodnoi Respublikoi o rossiisko-kitaiskoi gosudarstvennoi granitse na ee vostochnoi chasti (zakliucheno v g. pekine 14.10.2004)* [*Additional Agreement Between the Russian Federation and People's Republic of China on the Russian-Chinese State Border on its Eastern Section (Concluded in Beijing, 14.10.2004)*]. Accessed August 25, 2015: http://russia.bestpravo.ru/fed2004/data03/tex14451.htm

[64] Cf. *Treaty between the Kingdom of Norway and the Russian Federation concerning Maritime Delimitation and Cooperation in the Barents Sea and the Arctic Ocean.* Accessed August 25, 2015: https://www.regjeringen.no/globalassets/upload/SMK/Vedlegg/2010/avtale_engelsk.pdf

relation to this case:

> No. Crimea has had no influence on our relations with Japan regarding the peace accord and the territorial issue. […] Crimea is not just a territory. There are people living there who came to the referendum and voted in favour of reunification with Russia. And we have to respect their choice. As for the islands that you mentioned, there are people living there who would hardly vote in favour of joining Japan. This is a completely different situation that has to do with the results of World War II. By the way, if we delve into history, Russia may have different opinions regarding this territory. He added that Russia is ready for dialogue with Japan on this matter, including dialogue on the basis of the well-known documents of 1956, blaming the Japanese side on the suspension of this dialogue.[65]

The last part of the statement could be seen as aimed at receiving concrete short-term gains (possible withdrawal of Japan from the limited sanctions against Russia caused by Russian aggression in Ukraine) in exchange for the vague and highly uncertain prospect of a long-term solution of the territorial issue. The abovementioned cases clearly suggest Russia has politicized the border issue, making it an instrument of its current policy vis-à-vis individual neighbours. In those cases which refer to states outside post-Soviet space, Russia can exercise a certain degree of flexibility and pragmatism if it sees it as a price for greater political and economic gains.

Conclusions: Undefined borders of the new Russian Empire?

This paper suggests that Ukraine, however important, represents only one example of a broader Russian approach to its neighbours and its borders. In light of the rhetoric of the Russian leadership, especially President Putin's, persistent elements are present, which reflect certain conceptual frameworks. These frameworks are rather vague with a perhaps intentional ambiguity in Russian discourse. Taking into consideration both rhetoric and policy actions in the course of the last several years we may conclude that from Moscow's perspective its borders with the post-Soviet states are not considered as fixed and inviolable. Their recognition by Moscow, as well as the recognition of territorial integrity and formal sovereignty of Russia's post-Soviet neighbours, is in fact conditional. The main condition is that neighbouring states should pursue a friendly policy towards Russia and refrain from actions which may be perceived in Moscow as detrimental to Russia's self-perceived national interests.

Russia expects its post-Soviet neighbours to participate in the process of Russia-led Eurasian integration, currently a major instrument for the reestablishment of the "natural unity" of "historical Russia." Their potential refusal to do that creates a risk of forceful change of the territorial *status quo* by Russia. The process of integration seems to be largely open-ended, both in form and geographical scope. Despite the numerous public denials (the most recent being in the course of President Putin's

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[65] "Answers to Journalists' Questions after Direct Line," *kremlin.ru*, February 16, 2015. Accessed April 18, 2015: http://en.kremlin.ru/events/president/news/49264

Direct Line with the People on April 16, 2015), the Russian leadership appears to strive for a gradual recreation of some modern form of the Russian Empire. Its border should at least encompass the territory of the former Soviet Union but it is not clear whether it actually may go beyond that. The current, poor, state of the Russian economy casts some doubt over the prospects of achieving such ambitious goals. Nevertheless, such an approach by Moscow creates a very serious threat for the security and stability of Northern Eurasia.