

Peggy Mason notes for a presentation at Carleton Univ on 22 March 2022

Thank you for inviting me. It is a pleasure to be here although I fervently wish it were under other circumstances. I believe this horrific illegal invasion and ensuing war could have been averted. But it was not and here we are.

The Rideau Institute blog post for Fri 18 March was entitled: we need a peace deal to end this war. And the sub-heading was: without a negotiated solution, everything just gets worse.

There are the horrific daily costs of the war in Ukraine itself, the deaths, damage and destruction.

Sanctions are wreaking havoc on Russia but also on the global economy, not just with higher fuel prices but much higher food prices. Russia is the largest food exporter and Ukraine is also a major food exporter.

Egypt, Turkey, Tunisia, Lebanon, Morocco, Syria and Yemen are extremely dependent on Ukrainian and Russian imports of grains and sunflower oil. They are already facing higher prices and shortages.

The UN Secretary-General has warned of a “hurricane of hunger” and the potential meltdown of the global food system as result of these unprecedented economic sanctions. Indeed, Carleton Prof David Carment has called the sanctions “economic warfare”, to which I would add. with colossal and growing collateral damage, including huge social instability.

And the thing to remember about sanctions is that all of the studies show they rarely lead to regime collapse or regime change. The likelihood of Putin and his inner circle of advisors capitulating is likely very low. This does not mean he will not eventually be replaced (and then the question is with whom) but that it will take a long time. [I will return to the issue of regime collapse in a moment.]

But those studies also show that sanctions can be effective if they are part of a negotiating strategy that provides a credible off ramp for the sanctioned party. Iran is often cited as the prime example here with the successful negotiation of the JCPOA. (I note another potential casualty of the conflict is the negotiation to reinstate the JCPOA, after Trump abandoned it. Russia was a key part of that negotiation.)

In our case the situation is further complicated by the fact that the peace deal must be acceptable to Ukraine too, especially after the heroic resistance they are demonstrating

But back to the manifold dangers of a continuing war.

First and foremost, so long as the war continues, there is the ongoing danger of direct conflict between Russia and the USA and NATO which, in turn, carries the risk of nuclear war. The extreme nature of the risk is why the USA and NATO have ruled out direct military assistance to Ukraine including a no-fly zone.

Let me say this another way: The seriousness of the risk of such a direct confrontation (in terms of the potential for escalation) can be gauged by the fact that the USA and NATO will not engage directly with Russia, despite their overwhelming conventional advantage. All the talk of limited nuclear war fighting dissolves in the face of the enormity of the threat of a war between nuclear armed adversaries.

But the provision by NATO members, and especially the USA, of huge amounts of high-tech weaponry and intelligence sharing – possibly even real time targeting assistance – is really pushing increasingly near direct confrontation.

An expert on Ukraine and global strategic competition, Anatol Lieven, worries about the war settling into a long running insurgency, with NATO providing military equipment out of Poland and significant intelligence support. Quite aside from the ongoing destabilizing impact on Europe writ large (and Russian incentives to disrupt Europe however it can), this kind of insurgency becomes a NATO/Russia proxy war which again carries the ongoing risk of escalation to direct confrontation between nuclear armed adversaries (a situation that East and West worked exceptionally hard to avoid during the Cold War).

And Lieven reminds us from his long experience with other insurgencies that they tend to favour their most extreme elements – in this case extreme ethnic Ukrainian nationalists who hate not just Russia as a state, but also Russians including Ukrainian Russians as a people.

And now I come back to issue of sanctions and potential regime collapse.

Dire economic sanctions can increase risk-taking on the losing side

There is another terrifying scenario to consider. Scholars who study the effects of economic isolation on states ... find that it rarely causes its targets to capitulate outright, no matter how dire the circumstances. Rather, economic pressure can lead states at war to adopt riskier strategies, often involving escalation.

Note that none of these studies on the impact of extreme economic sanctions have involved a nuclear weapons state.

And what if these extraordinary sanctions defy previous studies and threaten Putin with regime collapse?

No nuclear armed power has ever faced the possibility of regime collapse due to economic pressure. It is conceivable that the Russian regime might consider nuclear use if economic pressure were significant enough to threaten its existence.

And, in fact, this is the terminology that Putin used in his nuclear saber rattling early on in the conflict – referencing the controversial International Court of Justice (ICJ) exception to the illegality of the threat or use of nuclear weapons under international humanitarian law when the very existence of the state is at risk.

Clearly the nuclear threat was meant to warn off NATO from getting directly involved. But the choice of language matters.

Analysts have also referenced a 2014 speech by Putin after he had invaded Crimea in 2014 in which he stated:

“If you compress the spring all the way to its limit, it will snap back hard. You must always remember this.”

Essentially since 2008 Russia has made clear that it regarded NATO expansion eastward as a core security concern and the admission of Ukraine into NATO, crossing a red line. This new language on the potential use of nuclear weapons raises the stakes to what Putin views as an existential threat.

My argument is that both Ukraine and Russia, both Zelensky and Putin need a negotiating off ramp from this horrific conflict and that the West needs to support this effort although there is no sign of such support at this point.

Zelensky has chosen negotiations.

On March 15th he stated:

It is clear that Ukraine is not a member of NATO; we understand this. ... For years we heard about the apparently open door, but have already also heard that we will not enter there, and these are truths and must be acknowledged.

My question to the USA and NATO prior to the invasion was:

If the USA and NATO were never going to fight with Ukraine against Russia, then what was the alternative to a substantive negotiation with Ukraine over its neutrality?

My question now is – will President Zelensky be left on his own because the American President and other Western leaders fear a near-certain cacophony of accusations they are appeasing Russian aggression? Or worse still, are playing a long and dangerous game aimed at regime collapse in Russia?

The only good news is this entire scenario is that the elements of a deal are quite clear, with the starting point a sovereign, independent Ukraine.

If we look at the plan discussed in the Financial Times on 14 March, that apparently had been facilitated by Turkey and Israel, they outlined the following elements:

- Ukraine renounces joining NATO, promises not to host foreign military bases or weaponry (elements of Cuban missile crisis deal here)
- In exchange Ukraine would get “security guarantees” from allies such as the US, UK and Turkey. It would also continue to maintain its own army.
- Ukraine would enshrine minority language rights for the Russian language in the constitution. (also a provision of the unimplemented Minsk agreements)

The nature of the guarantees for Ukrainian security, the willingness of the West to provide them, and their acceptability to Moscow remain unclear. A treaty of neutrality guaranteed by NATO might be one option.

Nor was there any agreement on Ukraine recognizing Russia’s 2014 annexation of Crimea and the independence of the two separatist statelets in

the eastern Donbas region, recognized by Russia at the outset of their invasion.

These are two obviously major areas of disagreement.

On the eastern Donbas region, President Zelensky has rightly insisted the opinions of people in the Donbas region should be a critical factor in determining some form of settlement, bringing us back again to a key provision of the Minsk agreements calling for local elections under international supervision (likely a robust peacekeeping force, not just unarmed OSCE monitors). Minsk also called for constitutional recognition of the special status of the Donbas region, involving some local autonomy.

Note that this would mean Russian renunciation of its recognition of the independent statelets.

On Crimea – a topic not addressed at all in the Minsk Accords – agreement on an international referendum on its status, with strong international oversight and non-interference from outside parties – a referendum that would almost certainly support the Russian annexation – is a way forward without compromising Ukrainian sovereignty and territorial integrity, because the new status would be based on a negotiated agreement and the democratic will of the people.

But more might well be needed for Ukraine given its determined resistance and this is where the EU membership discussion comes in. Let me put it this way. If Russia can accept Ukrainian membership in the EU, then surely the EU can find a way to meaningfully move their application forward.

Security Guarantees, indivisible security and Europe

In the months immediately preceding its invasion of Ukraine, Russia brought forward ideas it had previously raised about a security treaty for Europe that was basically premised on the principle that no state advances its security at the expense of another. These build on OSCE principles.

Clearly a resolution of the Donbas – Crimea territorial issues is essential to getting back to this vital discussion.

The stakes are extremely high. We help Ukraine negotiate a fair deal, with the starting point being its territorial integrity and independence. or we continue

down a road, not only of ever greater destruction in Ukraine, but of ever-increasing Russia-NATO confrontation, and therefore with ever increasing risks of a nuclear confrontation.

And Europe and the world continues to be fundamentally destabilized.

And I have not even touched on the potential unravelling of the NPT regime as NNWS states potentially reassess their need for nuclear weapons to protect them from attack.

We can and we must do better. And this of course leads us to Canada's role. We have considerable political weight with the Ukrainian government as well as a lot of technical expertise (eg. regarding minority language rights and federal-provincial division of powers potentially relevant to the Donbas settlement to just name two areas).

We never put that political weight and expertise behind helping President Zelensky face down internal hardline opposition to the implementation of the Minsk accords. That is behind us. Now is the time for Canada to do everything it can to help President Zelensky negotiate a durable peace deal.

That might mean in the first instance engagement with the NATO and the USA to this end.

Thank you