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The Annexation of Crimea: International Ramifications

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In a series of rather rapid moves, Russia, ignoring international criticism, annexed the Crimean Peninsula. The annexation began in early March with a non-violent military takeover, followed soon by a declaration of independence ostensibly initiated by the local population. A few days later (March 16, 2014) a popular referendum on joining Russia received support from some 95 percent of the voters. On March 18, 2014 the official annexation occurred with the support of most of Russia's citizens.

In the immediate background to the annexation are more than three months of violent protests in Ukraine, which ended on February 21, 2014 with a coup and the flight of President Yanukovich, and with the establishment of a transitional government that will be in effect until elections in May. Rather than easing the turmoil in Ukraine, however, Russia's annexation of Crimea has broadened the crisis, especially given the many attendant repercussions in the international arena, where a confrontation of powers is underway between Russia and the West.

Russia, which viewed itself as negatively affected by the results of the Ukrainian turmoil, chose to respond by annexing the Crimean Peninsula. However, its actions regarding these developments were in fact reactive, given the challenge it faced from the ongoing trend of the West's "eastward expansion" toward the territories that were formerly part of the Soviet Union. Russia has its own plans for these territories. In its understanding, the Ukrainian crisis, which ended with Ukraine moving into the Western camp (in Russia's view, not without subversive assistance from the West), forced it to take some steps to stop the serious deterioration in its international standing and the damage to its plans to reconstruct the "empire," which without Ukraine are very difficult to implement. Therefore, Russia's clear interest is to restore the status quo ante, that is, to prevent Ukraine from joining forces with the West and return it to Russia's sphere of influence. In this sense, the move in the Crimean Peninsula was not only intended to restore "historic justice" by returning it to Russia; it was also meant to create a lever of pressure on Ukraine, through a threat to take action to divide it and annex other areas of the state.

The implicit threat likewise extends to other states formerly part of the Soviet Union that have already crossed the lines or intend to do so.

Thus it is likely that Russian activity will now focus on obtaining an understanding with both Ukraine and the West on preventing Ukraine from joining the Western system, or at the very least, reaching an interim arrangement that preserves the status quo. In any case, Russia has already submitted its proposals on this matter, including the proposal to federalize Ukraine, which the United States has rejected.

For its part, the West, i.e., the United States and the European Union, faces a dilemma regarding the appropriate response to the unfolding situation. On the one hand, the West clearly intends to continue to promote its policy of preventing Russia from regaining its superpower status, mainly by removing areas formerly in the Soviet Union from the Russian sphere of influence and absorbing them in the Western system, preferably by non-violent means. On the other hand, Russia's conduct in response to these trends creates new challenges that make it necessary to restrain it, preferably without being drawn into an all-out conflict. Therefore, the Western response, comprising various economic and political sanctions, at this point appears to be the best possible option.

Interestingly, both sides have been careful to make legal claims in support of their position. Russia contends that the residents of the Crimean Peninsula, in declaring a separation from Ukraine and deciding on annexation to Russia, are realizing their right to self-determination. The Russians are relying on the precedent of Kosovo's declaration of independence from Serbia, which was recognized by most Western countries (though not by Russia). Ukraine and the Western countries contend that these actions constitute a breach of the basic principle of respecting the territorial integrity of a state, which takes precedence over the right to self-determination, and that this is a belligerent annexation by Russia. In their view, Kosovo was a unique case that cannot serve as a precedent for the current situation.

In the current international situation, a number of consequences are beginning to emerge. These include:

1. On the international level: Russia's relations with the West are in the nature of an open conflict not only over the future of the territories formerly part of the Soviet Union, but also in the Middle East, which has become a secondary front in the competition. Meanwhile, beyond the increased tension in the international system caused by the sanctions regime, this situation can be expected to lead to conflicts based on efforts to create geopolitical changes in other regions. It is not inconceivable that in the foreseeable future, a Russian-Western compromise will nevertheless be obtained regarding Ukraine and the regional order in Eastern Europe as a whole. In any event, if the developing friction continues, then against the backdrop of a variety of existing international challenges it may lead to instability in the international arena

and a loss of confidence in the various international arrangements, which will be translated into a reexamination of existing international relationships and norms.

2. The Middle East: More than in the past, the Middle East has become an additional arena for Russian-Western friction in which Russia will continue to work to establish its status and promote its objectives in the international arena. Furthermore, Russia is expected to take advantage of the region as another arena for conflict with the West to divert attention and efforts from Eastern Europe. On the practical level, Russia will work to deepen its grip in countries with which there is cooperation. It will also increase its efforts to expand the circle of regional partners using economic means, particularly weapons exports, and political means, that is, damage to the standing of the Western powers in the region. At the same time, Russia will likely work to strengthen support for the Assad regime; seek weapons deals with Egypt, Saudi Arabia, Jordan, and Iraq; and increase its cooperation with Iran, notwithstanding requests from the West to the contrary, through alluring economic proposals that have the power to disrupt the sanctions regime. On the geopolitical level, it will work to reshape the regional order while supporting various regional actors that can interfere with Western interests in the region.
3. On the level of international law: It is evident that all of the parties involved consider it important to present a legal basis for their actions and do not think it sufficient to base themselves on pure political interest. This suggests yet another reflection of the increased “legalization” on the international level. On the other hand, the fact that conflicting legal arguments are presented indicates that in this area, the legal rules are fluid and serve mainly as an explanation to the outside world and not as a true basis for conduct.

As for Israel, the friction between the major powers in the Middle East has potential consequences for Israeli interests, whether due to changes in the policy of supplying weapons or the increased support for Israel’s enemies, including active involvement in the realm of security. These issues require monitoring and a matching approach by Israel in its relations with the large powers and the various actors in the region. However, as of now, Israel has no interest in becoming involved in crises in Eastern Europe, other than regarding the security of the Jewish communities, which is a serious issue insofar as a variety of players are playing the anti-Semitic card. Therefore, Israel for now would do well to avoid involvement and one-sided positions on Crimea and the greater confrontation between Russia and the West.

