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UKRAINIAN RUSSIAN WAR AND ITS INFLUENCE ON THE COMMUNITARIAN SPACE

George GRUIA[1]

Abstract:

The aim of the article is to present an analysis of the Russian influence on the European Union, which started with the war in Crimea, continued with its annexation and will probably finish with Russian intervention in Syrian war. The world geopolitics is changing and with this article, the acquis communautaire should change also in order to adjust to XXI century, where Russia wants to be heard and the European people needs Russian oil and gas to survive the cold winters. The author presents a succinct evolution of Russian – Ukrainian relationships from 1654 until nowadays and following with the Ukrainian crisis and the response of the European community. The discussion can be extrapolated if we consider the Syrian intervention; however this is part of the author's yet unpublished work. The purpose is to show from where it all started and why it started because if we know our history, we can predict our European future.

Keywords:

Ukraine; European Union; Russia; war.

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1. Historical Evolution of Ukraine Concerning the Relations with Russia

Since the Treaty of Pereyaslav, in 1654 Ukraine has enjoyed only very few moments of independence from Russia, and then the extremely tense geopolitical situation, as the last days of World War I, after the Revolution of 1917. Today, Russian nationalists on the concept of Ukrainian independence as an aberration, an unfortunate consequence of what Putin has called the greatest geopolitical disaster of the century: the collapse of the Soviet Union.

They say old habits die hard. For many Russians, Ukraine is a sort of "phantom limb", which is felt there even long after amputation. The idea that Ukraine may indeed be a nation is strange for many Russians. Therefore, on the assumption that the perception of history determines politics, it is important to understand which are the Russian perspective on the history of Ukraine, and the Ukrainian on its own history. Although erroneous, the idea that the history of Ukraine is just an addition to the great history of Russia is shared by many and, to some extent, it is understandable. Ukraine and Russia have shared both good moments and difficult moments of history since the birth of Kievan Rus (Russian first proto-state), the wars against the Poles in the eighteenth century and, more recently, in the fight against fascism. Ties between the two nations are many and profound. The two orthodox churches have the same patron, St. Vladimir. Then the time of the Second World War is a crucial episode in the collective memory of both countries: the "Great Patriotic War" of Russia where 8 million Ukrainians have died, so that Russia's victory was the victory of Ukraine. For a long time, for Russians, the Ukrainians were kind of "relatives in the countryside". According to the theory of the ethnogenesis Slavic peoples they were two related but different: "Great Russia", that the Russians, and "little Russians", that Ukrainians. Ukrainian literature that is developing strongly since the nineteenth century was regarded as a product of peasant society, subordinate to Russian literary canon. That the development of Ukrainian national culture began in western Ukraine, part of the Austro-Hungarian Empire and made the Russians to consider the entire local culture as an anti-Russian movement supported by external forces (the idea is still used today).For a long time, for Russian Ukrainians were kind of "relatives in the countryside ".According to the theory of the Slavic ethnogenesis the two nations were related but different: "Great Russia" –the Russians, and "little Russians" – the Ukrainians. Ukrainian literature that is developing strongly since the nineteenth century was regarded as a product of peasant society, subordinated to the Russian literary canon. That the

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development of Ukrainian national culture began in western Ukraine, part of the Austro-Hungarian Empire, made the Russians to consider the entire local culture as an anti-Russian movement supported by external forces (the idea is still used today).

In Soviet times, the concept of the Ukrainian nation was regarded with suspicion, being regarded as counter-revolutionary and dangerous. In 1918, when the Russian central authority collapses, in Kiev it is formed a Conservative government supported by the Germans, led by Pavlo Skoropadsky. Later, in the Second World War, some Ukrainians joined the Germans in the anti-Soviet struggle. In some places, anti-Soviet nationalist actions continued until the 50s. Therefore, from this historical memory, the today Ukrainian nationalists (even moderate ones) are charged with the pro-Russian, they are "fascists" or "bandits" typical terms of the old communist speech. During Soviet times, the Ukrainian national identity has never been fully included in the identity of Russian / Soviet. Sometimes, though, the juxtaposition of the two may be useful to the Soviet state. During 1939-1940, when Galicia, Volhynia and Northern Bukovina were annexed to Soviet Ukraine as a result of the Molotov-Ribbentrop pact and the invasion of Poland by the Red Army, the Supreme Soviet of Ukraine was sending Stalin the following message: "*After they have been separated, separated for centuries by artificial boundaries, the great Ukrainian nation is finally united forever in a single Ukrainian republic*". Then, in 1945, the thesis that Ukraine was not a vassal of the Soviet Union, but a Communist state independent and has allowed Ukraine to join the United Nations as a founding member along with the USSR, thus giving Moscow a vote in addition to the organization's procedures. The process by which modern Ukrainian borders were defined both to the west and on the Black Sea were part of the Russian expansion over the centuries, since 1700. In the eighteenth and nineteenth centuries, as Russia's geopolitical strategy developed around the idea of making the Black Sea a Russian lake, up to the conquest of Istanbul, the Ottoman Empire (Figure 1) gradually lost territories of northern Black Sea and the Ukrainian provinces were beneficiaries.

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Figure 1. Crimean Khanate and areas of influence in the Black Sea during the Ottoman Empire(https://ro.wikipedia.org/wiki/Hanatul_Crimeii)

Thus, the country has become increasingly well integrated into the Russian economy and politics of the empire, which is in full development, serving as a source of grain and route to the sea. At the end of the eighteenth century, Catherine the Great founded Odessa port. Among others, Odessa was to be the home town of Trotsky and Anna Akhmatova, two of the biggest names in Russian politics and culture, but also the site of terrible massacres of the Holocaust. Farther east through war, colonization and ethnic cleansing of the Muslim population, Crimea, the last remnant of the Mongolian Golden Horde, became the Russian Empire and the jewel in the Russian imagination, a sort of "playground". In 1954, Nikita Khrushchev transferred Crimea when - Ukrainian SSR, celebrating the 300th anniversary of the Treaty of Pereyaslav, nobody imagined that the Soviet Union's internal borders will become ever international borders. But in 1991, the Soviet Union collapsed; the peninsula escaped the control of Moscow. The idea that Crimea has got to be part of an independent Ukraine by accident is an irrefutable truth in the opinion of Russian politicians. From there to

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consider that illegitimate authority of Ukraine on Crimea is historically there is only a step. The very independence of Ukraine or the Baltic states can be seen as a consequence of historical circumstances which some would now like to reverse, and here we can remember and that political ideology can be the basis of economic considerations (Gruia George, Gruia, G. Cristian, "The role of state powers in the development of business environment", in Perspectives of Business Law Journal 2(1):105-112).But at some point, concern for history can give revisionism. Crime vision of eternal Russian intentionally ignores the Muslim population that the Tsarist authorities, then the Soviet they have moved or deported, even in a violent manner. Even until the early twentieth century, half the population of the peninsula was made up of Tatars, deported by Stalin later (crime recognized by Khrushchev in 1956); many of them were able to return here until 1990.The Russian version of the history of Ukraine, dependent on their historical narrative of growth and decline of the Russian Empire, the countries in the Soviet explains the attitude that Moscow has today against its neighbor Eastern, not necessarily in terms of objective interests, how emotions and perceptions. From the Russian perspective, the problem is that Ukrainians do not share this interpretation of the history of their country. Kiev, Ukraine's history and looks different, how you go west, the perspective is changing ever more. Instead of talking about their contribution to Russia's geopolitical greatness, Ukrainians now prefer an alternate history that starts from the concepts of freedom and resistance.

Rediscovering one's own past was an important element in the affirmation of Ukraine's independence, but now the acceptance that possible multiple stories, not just one, is vital, for it is a mark of democracy. Now considered essential historical moments for Russian-Ukrainian relations are challenged. For example, while Russians see the Treaty of Pereiaslav a time of reunification of the two peoples, Ukrainians consider it a temporary alliance between the military leaders of the two countries, an alliance that Russians have interpreted it later after their own interests. And in 2009, on the anniversary of 300 years since the great battle of Poltava, President Viktor Yushchenko has been harshly criticized by Russia since revealed that Ukrainians who fought alongside Swedes against Peter the Great were true patriots. Similarly, if the last famine in the '20s and' 30s was presented as a common experience of suffering Soviet Russian-Ukrainian, now argues that famine which affected region of Ukraine was a simple attack of Moscow against the Ukrainian people, even suggesting that the phenomenon was caused genocide. Then, integrating western Ukraine from the Soviet Union in 1939 can be presented as a reunification of Ukraine under Soviet leadership. But for the Ukrainians in the west of the country it can be seen

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as the beginning of a Russian occupation that lasted five decades. It's not exaggeration to say that history can be a kind of territory; an extension of a country's territory. And in Ukraine, its territory is now not only attacked but also her past. If Russia and Ukraine must coexist and be neighbours respecting each other, then each must learn to accept (or tolerate) the history of the other, and with the history and decisions of competent institutions, authorities, international, impartial can effect on the economic development of each (Gruia, G.; Gruia, G.C. "Scenarios regarding the role of the Competition Council and its influence to the economic environment", in Juridical Tribune, Bucharest Academy of Economic Studies, Law Department, vol. 3(2): 259-267)

2. The Film of the Events after the Outbreak of Ukraine Crisis and the International Community Reaction

Based on data presented by most TV news and data from national and international written media we can consider the events of the Ukrainian "Maidan" in the following order:

- February 18, 2015: Berkut troops launched an attack in order to evacuate the pro-European protesters gathered in Independence Square in Kiev, occupied by three months.

- February 20, 2015: Hundreds of demonstrators take control of radicals of Independence Square. Security forces fight back. Violence leads to 82 deaths in three days, of which approximately 15 are police officers.

- February 21, 2015: President Yanukovych and opposition representatives signed in the presence of European mediators, an agreement on a crisis exit, offering major concessions to the opposition, including early presidential elections in December, the formation of a coalition government in ten days and constitutional reform until elections. This agreement will never be implemented.

- February 22, 2015: Ukrainian parliament removes from office President Viktor Yanukovych, who had left Kiev the day before and sets May 25 the date for early presidential elections. Yulia Tymoshenko, seated in a wheelchair, is cheered by a crowd of around 50,000 people in Independence Square, which she welcomes, in tears, as "heroes of Ukraine". She was released that day by resolution of Parliament.

- February 23, 2015: Speaker Oleksandr Turchynov is elected interim President.

- February 24, 2015: Ukraine is on the edge of economic collapse, estimates that it needs 35 billion dollars for 2014-2015. An arrest warrant for

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"mass murder" is issued on behalf of Yanukovych. Russia denies the legitimacy of the new power.

- February 25, 2015: Vitali Klitschko, one of the leaders of the movement to challenge and pro-Russian governor of Harkivului, Mihailo Dobkin, announces it will run in the presidential election.

- February 26, 2015: Russia places its troops on alert, along the border with Ukraine. In Crimea, an autonomous republic in southern Ukraine and Russian-speaking hosting the Russian Black Sea fleet, clashes between pro-Russian and anti-Russian demonstrators take place.

- February 27, 2015: In Simferopol, the capital of the Autonomous Republic of Crimea the Parliament, took control of pro-Russian commandos, vote for a referendum on the status of the region and dismisses local government. The referendum is set for 25, then for March 30th. Arseniy Yatsenyuk is appointed to the post of prime minister of the transitional government.

- February 28, 2015: Kiev accuses Moscow "of military invasion and occupation" after gunmen took control of the airport in Belbek (near Sevastopol) and Simferopol. Kiev says that 2,000 Russian soldiers were transported by air Gvardeiskoie military airport, near Simferopol. Yanukovych says it is "legitimate president of Ukraine", an intervention in Russia. President Barack Obama warned Moscow about a possible "military intervention".

- March 1, 2015: According to the Ukrainian Minister of Defense, Russia has increased its contingent to 6,000 soldiers in Crimea and mobilized 30 additional armored. Dozens of armed men were patrolling the center of Simferopol and have mobilized in the Parliament area. The Russian-speaking eastern Ukraine, about a hundred people is injured on the sidelines of a rally in Kharkiv pro-Russian. More than 10,000 demonstrators are protesting against the new authorities in Donetsk from Kiev. The new prime minister of Crimea asks for help from Russian President Vladimir Putin. Russian Federation Council, the upper house of Parliament approved the request of President Vladimir Putin for a possible military intervention in Ukraine. Turcinov announces that Ukrainian army is "placed on alert". "I ordered (...) to strengthen the defence of nuclear power plants, airports and strategic points," he added. In turn, Prime Minister Yatsenyuk says he does not believe in a Russian intervention because it would "end the war and relations between the two countries."

Countries of the UN Security Council met in an emergency meeting. Ukrainian National Security Council decided placing the army on alert and to mobilize the troops, says the president of the institution, Andrei Parubi. President Vladimir Putin sent it his US counterpart, Barack Obama, that

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Russia reserves the right to "protect its interests and Russian" in case of violence in eastern Ukraine and the Crimea. Two Russian Navy ships equipped with anti-submarine stationed off the Crimean peninsula, explaining that the presence of Russian ships violate the agreement on Black Sea Fleet. Russian Black Sea fleet is stationed at the Ukrainian port of Sevastopol, but it is unknown if the observed vessels belonging to this fleet. Some 15,000 Russian troops are currently in Crimea. It is not known if those 15,000 troops are from Russian bases in Crimea.

Ukrainian Ministry of Defence said that in Crimea (Figure 2) were 6,000 Russian soldiers. Russian President Vladimir Putin has sought and received the approval of the Federation Council, the upper house of Parliament, to send Russian troops to normalize the situation in Ukraine.

The meeting, convened by the pro-European interim administration in Kiev, comes in the context of Russian President Vladimir Putin has sought and received the approval of the Federation Council, the upper house of Parliament, to send Russian troops to normalize the situation in Ukraine. "Because of the extraordinary situation in Ukraine and threats to Russian citizens, Russian troops could be deployed in Ukraine. Putin called the Federation Council to authorize "the use of Russian armed forces in Ukraine to normalize the political situation in the country" and the Federation Council approved the possibility of using Russian military "to normalize the political situation in the country". Ukrainian parliament meets in extraordinary session. United Nations Security Council is meeting in informal session and the foreign ministers of the EU will have an "emergency meeting".

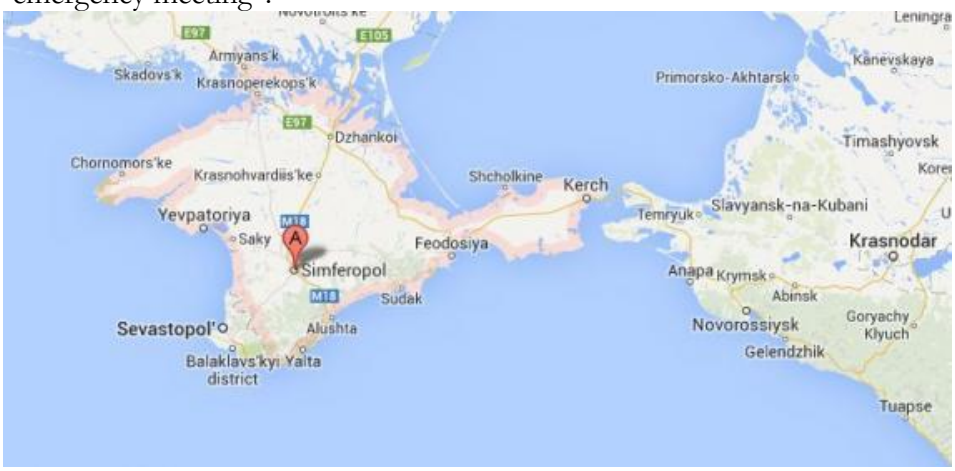


Figure 2: Crimea Peninsula(Source https://www.google.com/maps/d/u/0/viewer?mid=zIiqiVkBbOK8.k8fD-OFkSbms&hl=en_US).

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After the unanimous vote for a military intervention, the Federation Council asks President Putin to withdraw the Russian ambassador in the United States. Simultaneously, Vladimir Putin asked the permission of Parliament in Moscow for sending troops to Crimea to "normalize the socio-political situation." To meet the request of the Government of Crimea is possible in this situation to send a limited contingent to guarantee the security of the Black Sea Fleet and Russian citizens living in Crimea". "The decision belongs to President Vladimir Putin. "The new prime minister of the Autonomous Ukrainian Crimea Sergey Aksyonov asked Russian President Vladimir Putin to restore "peace and calm" in the pro-Russian province. And the State Duma, Russia's lower house and President Vladimir Putin urged to adopt measures to protect, "by all means" pro-Russian Crimean autonomous region's inhabitants. "The deputies urge the President to take steps to stabilize the situation and to protect the population from violence and arbitrary situation in Crimea". The new prime minister of Crimea Sergey Aksyonov, decided to organize on March 30 a referendum on the status of pro-Russian autonomous region (Figure 3).



Figure 3: Map of Ukraine after the annexation of Crimea to Russia(http://www.digi24.ro/Stiri/Digi24/Extern/Europa/Acordul+de+la+Budapesta+Rusia+s-a+angajat+in+1994+sa+ respecte+su)

Initially, the Crimean Parliament established referendum on May 25. Crimean Parliament explained that the referendum aimed at "improving the status of regional autonomy and extending powers".

"According to the principles underlying democracy, the Parliament of Crimea considers that the only way out of the situation is the direct recourse to the people. We are confident that only by organizing a

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referendum on self improvement and upgrading of its status, crimeenii autonomy will determine the future themselves, without external pressure, "said Oksana Korniciuk, press secretary Parliament.Following the "unconstitutional takeover of power in Ukraine by armed gangs backed by radical nationalists" peace and order in Crimea are "under threat", she stressed. In the context of growing tensions in Crimea, a leader of the Ukrainian group radical "Pravîi Sector", Dmitry Yarosh, made a call to one of the most wanted terrorists in the world, Dokka Umarov, dubbed "the bin Laden of Russia" to fight against the Moscow government. Dokka Umarov is one of the most wanted terrorists by Russia, which is the origin of bombings in the Moscow metro in 2010 and the origin of bombings in 2011 from Domodedovo International Airport. The attacks ended with 40 and 36 dead and hundreds injured in both cases. Related Vitali Klitschko asks a general mobilization in Ukraine, which states that Ukrainians are ready "with weapons in hand" alongside Chechen militants to fight against the Russians.However, Dmitry Yarosh, the leader of the Ukrainian radical "Pravîi Sector", Chechen militants demanded constant support to cope with recent tensions in Ukraine. Also, Dmitry Yarosh was skeptical about the wishes of Ukraine to join the European Union, stating in this regard that the Kiev authorities should be careful because "monster bureaucracy in Brussels will do everything to reduce to zero the national identity"(http://adevarul.ro/international/europa/rusia-umarov-1_53123f7ec7b855ff56c7d467/index.html)of member countries.

Conclusions

What probably irritates the West most is that Russia launched a sophisticated military campaign very quickly. Either NATO, with its complicated decision-making structures, needs much more time for it. Iraq complains that the aid promised long NATO needs for years to materialize, while the demands are met by Russia or Iran urgently. But the whole fuss is primarily caused by the fact that Russia's action could mark the transformation into reality of something extremely serious, namely the Shanghai Cooperation Organization (SCO) becoming a dangerous military alliance. SCO was founded in 2011 and it includes Russia, China, Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan, which in 2016 will join two nuclear powers, India and Pakistan. Iran has observer status. Officially the 4 + 1 alliance, Russia, Iran, Iraq, Syria and Hezbollah is not running under the brand SCO and alliance members are not all SCO members. But the 4 + 1 alliance can become a staple of our Western military coalition and be used to counter NATO influence in the area, beginning with the Assad

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regime change. The emergence alliance 4 + 1 as armed arm of SCO (do not forget the Chinese military presence in the waters of Syria!) Certainly has troubled many accounts NATO. No wonder then that in some Western governments to conclude that it is imperative need of blockade propaganda to create the impression of a failure of the alliance 4 + 1 and to minimize any military successes that could erode the image of force to NATO.

In this context, we believe that Russia has many reasons for wishing to remain in Syria, thus:

- One is the fact that the only naval port that Russia may be based is in Syria;

- Another reason is that the Syrian regime has bought and will continue to buy weapons from Russia worth billions of dollars;

- Russia does not believe that revolutions, wars and regime change can bring stability and democracy in any part of the world.

So we can conclude that Russia, since the alleged invasion of the Crimea peninsula and continuing with the annexation after the referendum and ending with involvement in the war in Syria has increased its area of influence that it has worldwide, slowly taking the place of the American "gendarme". This influence can have negative and positive effects on the community space, but given that the European Union is dependent on the resources of Russian gas, but also because EU leaders on the one hand meet with Putin to strengthen relations with the Federation Russian and on the other hand are part and impose restrictions demanded by the US, we believe that the Russian Federation is and will be an important player in the economic and political world of the XXI century.

Bibliography

G., Gruia. G., C. Gruia. (2015), *Scenarios regarding the role of the Competition Council and its influence to the economic environment,* Juridical Tribune (Tribuna Juridica), Bucharest Academy of Economic Studies, Law Department, vol. 3(2).

G., Gruia. G., C. Gruia. (2014), *The role of state powers in the development of business environment*, Perspectives of Business Law Journal 2.

Web

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