

# **Quod Licet Iovi**

## **Preemptive Use of Military Force in Russian Foreign Policy**

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In August–September 2002, Russia appeared to have a short romance with the U.S. policy of preemption, which was announced months before and made official in the National Security Strategy issued by the White House in September 2002. A Russian pro-government Internet news service “Strana.ru” declared that “preemptive strikes against terrorists are the doctrine of common sense.” Gleb Pavlovskii, who is widely assumed to have been one of the leading figures in the public relations campaign that propelled Vladimir Putin to presidency in 2000, openly supported the revision of the Westphalia-Yalta principles of sovereignty. A Foreign Ministry statement of September 24, 2002, was not openly supportive but, in contrast to traditionally sharp criticism of U.S. policy, commented only that the effectiveness of unilateral actions was “low.” The same statement emphasized that the National Security Strategy contained positive language on U.S.-Russian relations.

Acceptance of the policy of preemption did not survive long. In a few weeks Russian commentators condemned it, ostensibly after the United States demonstrated clear disapproval of the widely touted Russian plans to use force against the camps of Chechen fighters in Georgia’s Pankisi Gorge. It seems, however, that the roots of these fluctuations go deeper.

Apparently, the Moscow political establishment expected that, as an ally of the United States in the war against terrorism, Russia would be given greater leeway in the former Soviet Union. Recently, Vladimir Putin has been pursuing two parallel tracks: cutting commitments, which are sometimes quite costly (it is indicative that at the recent Commonwealth of Independent States [CIS] summit he broke with the longstanding tradition of Russian chairmanship in that organization), and simultaneously expanding economic and, as a necessary condition, political influence in the area. The ability to threaten credibly the use of force is an important element of that policy.

Another element of the new policy that sets it apart from earlier approaches to the CIS is that the United States and Russia are supposed to be on the same side, and there is supposedly no reason for the United States to treat Russian plans with suspicion. In this regard, one can recall the proposals, advanced in late 2001, about Russia controlling Central Asia for the United States, effectively in the role of a proxy.

Paradoxically, somewhat greater acceptance of the use of force without explicit United Nations Security Council (UNSC) authorization might also stem from the feeling of greater security vis-à-vis the United States. After all, vehement opposition to U.S. efforts to circumvent the UNSC in the 1990s stemmed to a large extent from fear that the United States might use force against Russia itself. As these fears have receded, Russia became less concerned about the strictures of international law, at least temporarily.

In coming years, the United States might face a decision on how it should deal with Russian interests in the “near abroad.” In the end, this is a choice between continuing to contain Russian influence, on the one hand, and accommodating that influence within the context of *Pax Americana*. Ultimately the choice will depend on whether Russia will be perceived as vital to long-term U.S. interests or not. To better understand this choice and its implications, it is necessary to look at the evolution of the Russian position on the war in Iraq, as well on the present-day and potential targets for application of force by Russia.

## **Russian Position on Iraq**

Contrary to widespread assessments, the Russian role in the UNSC with regard to a possible UNSC resolution on Iraq was never really central. It was always abundantly clear that Russia would never resort to the veto and would, at maximum, drag its feet, attempt to soften the language and, in the worst case, abstain. Bargaining in the UNSC was about changing the resolution enough to enable Russia to vote for it without damaging its reputation and relations with other key states, including China and France. After all, Vladimir Putin has always been careful to avoid fights he cannot win.

Insistence on strict adherence to the UN Charter could enable Russia to maintain its position as a principled supporter of international law and to retain the support of many countries in the world, including China, the Arab world, and Western Europe. The British option—explicit support for a tougher approach initially pushed by the United States—could have solidified the new relationship with the United States and allowed them to achieve an array of important goals.

U.S. disapproval of the plans to use force against Georgia was not the only reason that Russia eventually adopted the first approach, but probably played an important role along with other indications that the promise of the new U.S.-Russian relationship will not be realized in the foreseeable future.

Economic benefits have largely remained on paper. Oil exports to the United States remain the only promising large-scale project, and although oil companies remain quite enthusiastic (Lukoil president Vagit Alekperov recently remarked that the Russian share of the U.S. oil market could reach 10 percent), even this project faces increasing skepticism. After all, Russia lacks the infrastructure for such export and could be easily priced out of the market depending on the outcome of the war with Iraq. Investment and/or profits in other areas remain a vague promise.

It has also become clear that Russian interests in Iraq are bound to suffer from the expected war. These significant interests are the outstanding Iraqi debt and, even more important, the stakes in Iraqi oil industry. According to Iraqi sources, Russian companies account for 70 percent of contracts signed by the Iraqi Ministry of Oil and 50 percent of contracts by the Ministry of Industry and Mineral Resources. Overall, over 200 Russian

companies have interests in Iraq, and if international sanctions are lifted, then Iraq might account for approximately 60 percent of Russia's total economic relations with the Arab world.

By the end of September, it was concluded that the U.S. government would favor only American companies, giving Russian companies, at best, a small share of the operation. Promises of U.S.-based leaders of Iraqi opposition opening the oil spigot without regard to OPEC (Organization of Petroleum Exporting Countries) quotas and hints that Saddam Hussein's agreements would be scrapped contributed to that expectation. It is well known that a price below \$18 per barrel will translate into a Russian economic crisis, and Mikhail Khodorkovskii, the CEO of Yukos, one of the largest Russian oil companies, predicted that oil prices will drop to the level of \$14–16 or maybe even \$12–14 per barrel and remain low for at least three years. In effect, endorsement of the war with Iraq would be tantamount to an endorsement of this economic crisis.

Hopes to acquire a U.S. license for compensating Russian cooperation with economic benefits from the near abroad were dashed as it became clear that the United States did not foresee any special privileges for Russia. The U.S. position on Georgia and, in a broader sense, Central Asia and the Caspian Sea was apparently interpreted to mean that, for Washington, Russia is just another state, no more special than any other state in the region and probably even less important than many.

Under these conditions, there was simply no way to support politically unilateral U.S. military action in Iraq or a UNSC resolution that would give the United States significant latitude. Instead, Russia returned to its insistence that international law be observed. This, however, did not mean that Russia was prepared to oppose the United States. It simply implied a cooler, more distant stance.

## **The Georgian Knot**

U.S. interference in the South Caucasus helped to defuse the brewing conflict, but did not address Russian concerns. The presence of Chechen fighters in Georgian territory was only part of the rationale for the threat to use force. Moscow believes that Eduard Shevardnadze purposefully pursues an anti-Russian policy, trying to play the role of victim of Russian imperialism in hopes of obtaining economic assistance and political support from the United States to shore up his failing regime. Attempts to invite the United States and, especially irritating for Russia, Turkish military to Georgia, are coupled with equally active attempts to push the remaining Russian military bases from Georgia.

Demonstration of its ability and, above all, willingness to use power in the near abroad should have made Georgia more sensitive to Russian interests and should serve as a warning to the former Soviet states in the region that playing against Russia is not a promising avenue. It is possible that Russia's planned military action against Georgia could have precipitated Shevardnadze's fall from power, although the absence of a pro-Russian heir apparent makes that goal questionable; without a serious candidate, Georgia might slip into chaos, which would have been against Russia's own interests.

For the first time, there were no indications that Russia's planned military action was aimed at pushing the United States from Georgia; the problem was not the presence of U.S. military advisers but rather, the fact that their presence was arranged by Shevardnadze at Russia's expense. At issue for Russia is Georgia's sensitivity to its interests, but these interests are apparently no longer conceived in terms of a choice between Moscow and Washington. There are reasons to believe that the central concern for Russia is Turkish political and military presence in Georgia, as well as access to land in Armenia. Georgia is also attractive as a market for Russian investment and products.

The operation Georgia conducted in the Pankisi Gorge under pressure of the United States (reportedly, Chechen fighters were pushed out of that area, including back into Russia, and as many as 15 individuals suspected of being linked to Al Qaeda were captured and deported to the United States) did not address these underlying elements of Russian policy. Instability in Georgia continues and might even worsen as the counterterrorism operation has ruined the shaky truce between Tbilisi and the Chechens. The continuing crisis will push Shevardnadze toward new attempts to secure foreign assistance and, in all likelihood, he will continue to use the conflict with Russia as a convenient pretext for securing foreign assistance. He simply cannot count on a stable relationship with Russia because he is, fundamentally, a *persona non grata* for Moscow and will not be trusted, no matter what agreements he signs or statements he makes.

In the meantime, Russian policy has reached a critical juncture as well. The government was also heavily criticized for making empty threats. The common line of critics was: either do not threaten or follow through on the threats. Thus, the next crisis might well result in the use of force, especially since Moscow feels that it is entitled to its own version of the preemption doctrine along the lines of what the United States has been pursuing vis-à-vis Iraq. The next crisis might be precipitated by Georgia's success in pushing Russian military bases from its territory. Currently, these bases effectively serve as hostages to any forceful Russian action, but their withdrawal would remove the last restraint.

The hostage crisis in Moscow in October is likely to lead, among other consequences, to sharply increased pressure on Georgia to detail and deport all Chechen fighters or their supporters and completely terminate all opposition Chechen activities in that country (currently Chechens maintain a host of nongovernmental organizations in Tbilisi). Public and elite support for strikes against Chechen bases in Georgia will be overwhelming and might tempt the Russian government to disregard the likely international condemnation.

Paradoxically, U.S. agreement to seek UNSC endorsement for the use of force against Iraq might prove to be more effective in preventing the use of force against Georgia than direct U.S. involvement. Since the United States does not act unilaterally, at least not openly so, Russia will not be able to refer to U.S. actions as a license to use force.

### **Next Stop: Central Asia**

Contrary to the perception created by the media, Georgia was not the first to see the new Russian willingness to demonstrate muscle. The summer of 2002 Russia's naval maneuvers in the Caspian Sea demonstrated its naval superiority vis-à-vis all other

Caspian states and strengthened its hand in forcing its preferred scheme of delineating the sea.

Of particular interest is the fact that the Russian preferences in the Caspian contradict those of Iran (ostensibly almost an ally of Russia) and are close to those of Azerbaijan, which for years had been (and still is) suspected of pursuing anti-Russian policies. A comparison of Azerbaijan to Georgia clearly demonstrates the new qualities of Russian policy toward the near abroad. After all, Azerbaijan has advanced much further in its relations with the United States, Turkey, and NATO than Georgia has. Nevertheless, Russia seems to support its government and has apparently accepted (even if unwillingly) the new pipeline from Baku to Turkey. This comparison suggests that, indeed, anti-American or anti-NATO motives are not the leading cause of threats against Georgia.

Another region that potentially might see the application of the doctrine of preemptive strikes is Central Asia. Currently, the situation there appears stable, but Russia is steadily losing its traditional influence, including the loss of investment opportunities. Furthermore, Uzbekistan's aspiration to the role of regional hegemon might prompt other states to look for outside support, whether from the United States, Russia, or China. A more assertive attitude, including the demonstrative willingness to use force (possibly already proved in the Caucasus) might help to restore the Russian position in the region or at least prevent its further erosion.

As in the previous case, there are no reasons to suspect that Russian policy toward Central Asia will inevitably have an anti-American element, unlike only a few years ago. There is widespread recognition that the United States is in that region for the long haul; Russia is concerned, rather, by the fact that at least some local states see the U.S. presence as an opportunity to push Russia out. Yet again, there is a perception that Russian interests do not necessarily contradict American ones since those interests are predominantly economic in nature.

## **Conclusion**

It remains unclear, to say the least, whether temporary solutions, such as regard to with Georgia in September-October 2002, will work indefinitely. Sooner or later the United States might face the need to choose between boldly moving toward making Russia a close ally on par with Great Britain or marginalizing it; the latter choice will entail a more determined policy of containment of Russia than has been the case so far.

Seen from the Russian perspective, the first choice would seem acceptable provided the *Pax Americana* fits Russian interests, and above all, its economic interests. In that case Russia might actually support U.S. goals in post-war Iraq and the region as a whole to a much greater extent than today.

If not, then Russia is likely simply to stand aside and avoid entanglements and responsibility, and at the same time, keep open the option of rapprochement with other states in the region and beyond. Recently, Russia has begun to develop relations with Saudi Arabia and Morocco; Iran and China will always remain welcome partners as well. Vladimir Putin reportedly promoted precisely that attitude at the recent CIS summit, telling other CIS presidents that war in Iraq concerned only the United States.

As part of a U.S.-led world Russia could benefit more directly from advancing its economic interests in its near abroad, where Russian private investment has consistently increased, than from direct economic relations with the United States or uncertain contracts with Iraq. An important condition of these benefits is political influence in the near abroad, which under certain conditions might require credible threats of use of force.

As long as the United States keeps the doctrine of preemptive strikes on the books, it will continue to be a temptation for Russia as it pursues its interests in post-Soviet states. As a self-perceived great power (but no longer a challenger to the United States), it will insist on similar prerogatives. The avoidance of a direct clash with U.S. interests and policies will hardly prevent conflicts between Moscow and neighboring countries that represent political and economic interests to it. The next crisis situation might emerge as early as next spring. Consequently, it is advisable to accelerate the process of integrating Russia into the emerging *Pax Americana*.

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