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Cross-Cultural Perspectives on the Ukrainian Ceasefire Negotiations

On March 19, 2014, Russia President Vladimir Putin accepted the results of a Crimean referendum to separate the peninsula from Ukraine and integrate it into the Russian Federation.¹ Putin's public support for ethnic Russian separatists in Crimea encouraged separatist movements in the Ukrainian oblasts of Donetsk and Luhansk. Russian-backed separatists in these oblasts gradually evolved their tactics from protest, to sabotage, and then to open fighting during the summer of 2014.² Under the umbrella of the Organization of Security Cooperation in Europe (OSCE), France and Germany brokered a ceasefire agreement between Ukraine, the separatists, and the Russian Federation in September 2014.³ Despite the agreement, both sides accused the other of violating the terms of the ceasefire. Ukrainian and separatist forces continued to escalate their fighting through 2014, driving a new ceasefire agreement in February 2015.⁴ Though the violence has diminished, skirmishes continue, and are likely to continue, unless circumstances change to discourage separatists from using military action to achieve their political ends. The disagreements between Russian, French and German negotiators over whether Ukrainian and separatist forces are honoring their ceasefire commitments can be explained by their different cultural perspectives and negotiating behaviors. Analyzing the two ceasefire agreements in light of the differences between Russian and Western European negotiating behaviors provides insight into interpreting the ongoing violence and proscribing solutions to deescalate hostilities.

Negotiators from nations with varying cultural backgrounds often approach negotiations from different perspectives. Moore and Woodrow define culture as, "the cumulative result of experience, beliefs, values, knowledge, social organizations, perceptions of time, spatial relations, material objects and possessions, and concepts of the universe acquired or created by groups of people over the course of generations."⁵ They provide the "Wheel of Culture" as a model to analyze other cultures to better understand worldviews and anticipate potential

negotiating behavior.⁶ Understanding a culture's natural environment, history, and social structures provide insight into their needs and interests, sources and forms of power, and how they resolve situations, problems and issues. These six aspects form the outer and inner rims of a Wheel of Culture that surround attitudinal and behavioral "spokes" that influence how people from different cultures will approach negotiations. These spokes include differing views of relationships, cooperation, competition and conflict, different views of communication, roles and participation of negotiators, time and space, the use of third parties in negotiations, and outcomes.⁷ These aspects drive different basic approaches to negotiation and applying the Wheel of Culture to analyze Russian culture and negotiating behavior provides insight into the origins of the conflict in Ukraine and also provides a lens to help interpret the two ceasefire agreements.

Russia is a vast country with abundant natural resources. Russia spans both Asia and Europe, and has access to the Baltic, and Black Seas as well as the Arctic and Pacific Oceans. However, topography drives its major rivers to flow north to the Arctic Ocean, and major European and Asian powers are able to limit Russia's access to warm water ports during hostilities. Throughout Russia's history, Vikings, Mongols, French, British, Japanese, and German forces invaded from the east and west to exploit its natural resources. The United States also led coalitions to contain the Soviet Union during the Cold War, reinforcing Russia's cultural sense of being surrounded and vulnerable to attack.⁸ Critical to the ongoing conflict in Ukraine, Vladimir I, one of the first Russian Tsars, made Kiev his capital in the 10th century, and established Russian power in the Black Sea from the Crimean Peninsula. The Mongol invasion of the 13th century destroyed the Russian people's base of power in present day Ukraine. To this day there is still a sizeable Russian population in the eastern portion of the country.⁹

Of all the invasions, Jerrold Schechter claims the Mongol invasion was most influential in shaping Russian social structures. The princedoms that thrived balanced fawning to the Khan courts with covert dealings against other competing princedoms. The Muscovite princes that eventually overthrew the Mongol overlords and established a new Russian capital in Moscow, adopted a ruling social structure that favored rule by a strong central authority. This central authority secured its position by fomenting local intrigues to undercut competitors in its periphery. The Bolsheviks, and to some extent the Russian Federation, also promoted this former Tsarist social structure, encouraging the Russian people to look to strong central authorities to protect from foreign invasion and to avoid being caught up in local intrigues lest they become a target of the state.¹⁰

This brief dive into the geography, history, and social structures of the Russian people demonstrate how these WOC aspects interact with each other to create the basis for a core cultural perspective. These three outer rim aspects of the WOC in-turn drive interactions for the inner ring aspects: needs and interests, situations, problems and issues, and sources and forms of power. Needs and interests can be psychological, substantive, or procedural.¹¹ Russia's primary needs and interests are psychological; Russians have a psychological need for security, preferring to give up freedoms to a strong central leader or government to achieve it. Russian interests include creating a buffer zone of pliable states to prevent future invasions. Russian leaders desire to protect Russian and other Slavic peoples around the world from Western exploitation, to receive recognition as a great power, and to maintain its sovereign right to rule its own internal affairs.¹²

Russia's Tsarist and Soviet legacy leaves its negotiators with a view of situations, problems and issues as a zero-sum game in which they must push to the limit and avoid letting personal feelings impact negotiations.¹³ This conflict-driven view of approaching problems

drives Russian leaders to see politics as war; Russians prefer to apply coercive forms of power over opponents to achieve legitimate or positional forms of power with which they can reward or influence others to achieve their needs and interests.¹⁴ Understanding the aspects of the outer and inner rings of culture provide a framework for understanding Russian preferences for negotiating behavior.

Though Russian negotiators are confrontational, they prefer nuanced over direct verbiage in their communications. The Asian influence of their history drives them to be much higher-context communicators than most Europeans, and negotiators will seek general agreements rather than be confined to particulars.¹⁵ Russian negotiators also prefer to let the other side present their position first so that they can adjust their position to achieve the greatest advantage.¹⁶ Russian negotiators view cooperation and compromise negatively and will make concessions temporarily if they have lost the upper hand or as part of a tactical movement to achieve a larger goal.¹⁷ Russian negotiators view relationships as exploitable, and will often probe members of the opposite team during informal settings to find weaknesses in the position that can be attacked during formal negotiations.¹⁸

Roles and participation also flow out of the influences of the inner and outer rims of the Wheel of Culture. The central government, whether the Politburo of the Soviet era or the president and foreign ministry leadership in the current era, determines the negotiating position, and negotiators must get permission from Moscow to deviate. U.S. negotiators note that Russians often take what Americans perceive to be extreme initial positions; the Russian negotiators cannot be perceived by their leadership as conceding more than their opposite during a negotiation, making it difficult for Americans to negotiate to align interests and reach what they believe is the middle ground between the two sides' actual positions.¹⁹ Americans have used back channels or third parties to explore additional options to resolve issues, but in the end,

Russia's central government must weigh in on the solution, preventing intermediaries from making binding agreements.²⁰ Russian negotiators often account for the time required to coordinate with Moscow, and this draws out negotiations. This has a second order effect in that it exploits Western preferences for scheduled, linear progress throughout the negotiations process. As a result, Russians tend to gain more concessions.²¹ These cultural aspects lead Russian negotiators to seek distributive outcomes to gain the greatest advantage. Former Soviet Foreign Minister Andrei Gromyko coached his negotiators to “ask for something that does not belong to you, ask for more than they will want to give,” and if the opposite concedes, then the Russian negotiators will walk away with more than they started out with.²² Former American arms control negotiator, Michael Wheeler noted that many times the Russians would demand concessions as a precondition for negotiations.²³ If negotiated agreements cannot be oral only, Russian negotiators will seek generalized written agreements in the Russian language to give them the greatest flexibility to interpret the agreement favorably. In the end, Russians view negotiated agreements as a temporary relationship based on the balance of force, and will respect the letter of the agreement until the conditions change.²⁴

Americans gained experience in dealing with Russian negotiating styles during the Cold War as both sides sought to control the mass production and proliferation of nuclear arms. After the Cold War, the United States and other Western nations lost proficiency in addressing the Russian cultural preferences for negotiating. This lost proficiency creates the possibility for miscalculating Russian intentions in the future. The differences in German, French, and Russian negotiating preferences may explain the disparity between the expected outcomes for the cease fire agreements the OSCE brokered between Ukraine and separatist leaders in Donetsk and Luhansk in September 2014 and February 2015.

German negotiating behavior is pragmatic in nature. Following defeats in two world wars, German negotiators' long-term aims now revolve around seeking an honorable place for Germany in the European and world community. Germany leaders also desire to ensure security and stability for the German people, and build reliable associations and sense of community amongst its international partners. To achieve these ends, German negotiators primarily employ inductive, conceptual logic in forming positions and conducting negotiations. Throughout the process, German negotiators demonstrate tenacity and persistence, seeking beneficial solutions through logically framed compromises, and prefer to use economic instruments of power to reward or coerce opposites. In the end, German negotiators seek to build and maintain friendships to ensure their security and rehabilitate their image as their economic power gives them more influence within the European Union.²⁵

French negotiating behavior, on the other hand, is a mixture of rationalism and nationalism. French negotiators are educated in Cartesian logic and prefer deductive reasoning, establishing the framework premises before focusing in on the particulars.²⁶ French negotiators treat rationalism almost religiously, and once they arrive at a logical position, are loathe to any compromise. They enjoy the art of rhetoric, and prefer to use eloquent, logical arguments to win over their opposites, only conceding in the 11th hour if the other side refuses to compromise.²⁷ These preferences drive French negotiators to seek to present their position first, to seek political solutions over military solutions, and to write final agreements in their own language to ensure precise terms that will be easy to enforce.

Comparing Russian, German, and French negotiating behavior provides insights into why the ceasefire agreements did not halt hostilities. Understanding the disparities in these nations' cultural perspectives may also help Western negotiators anticipate how Russian-backed separatists in Donetsk and Luhansk may seek to resolve the current conflict. The French

preference for presenting a logically deduced position first would have conflicted with German desires to find a pragmatic solution amenable to both sides. The French preference to present their position first would also play to the preferences of the Russian negotiators to allow the other side to present their position first so that they can attack the position and wear down their opponents. The Russian demand for “decentralization” of Ukrainian power and local elections to determine the “local government provisional arrangements in some areas of Donetsk and Luhansk Oblasts (law on the special status)” is an example of a demand that would be difficult for the Ukrainian government to accept. Its general wording could be interpreted broadly by the separatists, but as the negotiations dragged on in the summer of 2014, the German and French negotiators would have felt compelled to concede on the issue in order to secure a ceasefire.²⁸

The September 5, 2014 ceasefire agreement also had a provision to prevent, “the prosecution and punishment of persons in connection with the events that have taken place in some areas of Donetsk and Luhansk Oblasts.”²⁹ Russian negotiators were able to ensure the written agreement was general, and written in Russian, which would prevent the OSCE negotiators from France and Germany from enforcing precise restrictions during the ceasefire. The wording referring to “some areas of Donetsk and Luhansk Oblasts,” rather than the specific areas of fighting within the Oblasts, gave separatists freedom to continue to drive Ukrainian forces beyond the agreed lines of control at the time of the signing, empowering them to attempt to seize full control of the oblasts.

Predictably, fighting continued after the ceasefire agreement with both sides able to accuse the other side of violating the broad terms of the agreement. The OSCE continued negotiations and, based on lessons learned from the September 2014 agreement, struck a more precise agreement in February 2015. The newer ceasefire called for Ukrainian forces to withdraw from the de facto line of control, but only asked separatist forces to withdraw to the

line of control that was established on September 19, 2014, which would grant the separatists access to key cities they lost during the Ukrainian counter-offenses that followed the failed September 2014 ceasefire.³⁰ The text also identifies specific long-range heavy artillery that forces must withdraw from the line of control, but does not specify tanks or other armored equipment, providing Russian-backed separatists the ability to hold and consolidate their gains should Ukrainian forces stage another counterattack. Moreover, the new ceasefire agreement ties returning control of Ukraine's border with Russia to it enacting constitutional reforms that provide "certain districts" within Donetsk and Luhansk with greater autonomy under a "special status."³¹ The specificity of the new agreement would appeal to German and French negotiators, as it appears to provide more options for containing separatist expansion, yet the reference to "certain districts" still provides separatists with freedom to expand their control throughout the entire oblast until constitutional reforms and local elections take place. If Ukraine cannot make the required constitutional reforms before the end of the year, Russia will have even greater leverage to support separatist movements in Russian speaking oblasts beyond Donetsk and Luhansk.

As the Western Powers look to the future of the Ukrainian conflict, Russian negotiating behavior provides insights into predicting likely Russian courses of action. Russian negotiators view written agreements as temporary, and unless coerced, will seek to alter the circumstances on the ground to gain greater advantage in future negotiations. French and German preferences for political and economic instruments of power make it unlikely that they will be able to exert effective leverage on Russia to force concessions. If the Ukrainian government seeks greater integration with the West, or even NATO membership, it is likely that Russia will foster separatist movements in all the predominantly Russian-speaking oblasts of Ukraine until they gain control of the critical Dnieper River that bisects the country, putting direct pressure on Kiev

and encumbering Ukrainian commerce along this major route to the Black Sea. Failure to actively support Ukrainian efforts to contain separatist expansion will result in diminished Western influence in the region.

France and Germany brokered two separate ceasefire agreements for the OSCE between Ukraine, the separatists, and the Russian Federation in September 2014 and February 2015. To this day, both sides accuse the other of violating the terms of the ceasefire. Though the violence has diminished, skirmishes continue. The disagreements between Russian, French and German negotiators over whether Ukrainian and separatist forces are honoring their ceasefire commitments can be explained in large part by their different cultural perspectives and negotiating behaviors. Analyzing the two ceasefire agreements in light of the differences between Russian and Western European negotiating behaviors provides insight into interpreting the ongoing violence and proscribing solutions to deescalate hostilities. Unless circumstances on the ground in Ukraine change to discourage separatists from using military action to achieve their political ends, Russia is likely to continue to encourage skirmishes between both sides of the conflict to prevent the spread of Western influence and maintain its security interests in the region.

Endnotes

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