

Russia, Ukraine and state survival through neutrality

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The Russian war with Ukraine is reshaping European security arrangements. As part of this process, the Ukrainian leadership has seriously discussed the idea of Ukraine eventually adopting some form of neutral status, as a means to stave off Russian military efforts to dismember and subjugate the state. If negotiations replace fighting and other highly contested terms can be agreed, Ukrainian neutrality may form a core element of a security settlement of the war. This would require at the least that Ukraine renounces any track towards NATO or other military blocs. Russia could seek to retrieve this as a minimal gain from President Vladimir Putin's frustrated wider ambitions to dominate Ukraine, constrain NATO and restructure the European order.

Yet there is great uncertainty about how Russia understands and what it expects from the notion of neutrality, both abstractly and in negotiations with Ukraine. Ukraine in turn has to consider how to sustain its sovereignty and deter future Russian violations of any such neutral or non-bloc status, since little trust can be placed in Russian commitments to constraint in its policy towards Ukraine.

The past offers no clear guide to the future in considering these urgent issues. However, I argue in this article that a particular body of experience merits re-examination for insights —that of the European neutral and non-bloc states which managed Moscow's military ambitions, despite the heightened power politics of the Cold War years. Russia currently presents new *realpolitik* challenges for both Ukraine and other European states to the west of Russia, which once again sharpen the distinction between states in and outside alliance systems and increase the relevance of Cold War experiences. It is also instructive to compare this to the post-Cold War experience of those states bordering Russia which have consciously opted to remain outside military alignments.

In addressing these concerns, this article examines short case-studies to investigate how Moscow has regarded the role of neutrality and non-bloc policy in Europe, and how it has been discouraged from violating the sovereignty of states outside alliances. Detailed models are avoided, given the significant variation in historical and geographical contexts. However, it is postulated that these past experiences may offer certain criteria or policy characteristics potentially transferable to contemporary Ukraine.

In broad terms, the article contributes to the scholarly literature on how states outside alliances manage the ambitions of hostile great power neighbours and how they may maintain their sovereignty after outright conflict with such powers. More specifically, it adds to the literature on the role of contemporary neutrality and non-bloc status, and how this can be sustained as a distinct category of state behaviour during the new polarization of relations between Russia and western states. Previous studies have analysed the nuanced ways in which European neutral states managed their status during the decades of the Cold War, firmly anchored in the political West, but constrained in their security alignments.¹ With the collapse of Soviet–western military confrontation, scholars struggled to clarify the continued rationale for neutral, ‘non-bloc’ policies in either instrumental or ideational terms.² A recent study refocuses attention on the category of neutral states, defining it primarily as a political category to cover a broad spectrum of those choosing to remain outside alliances in the contemporary world in and beyond Europe—or finding no alternative to doing so. However, many of these states, such as Mongolia or Turkmenistan, would be able to offer little resistance if their status were seriously challenged by a hostile powerful neighbour.³ In this article I use the Ukrainian example to consider how states outside alliances can still instrumentalize a neutral or non-bloc position to help preserve their independence, in conditions which increasingly resemble the Soviet–western division of the Cold War, even when faced by grave military and political challenges to their statehood by a major power.

This analysis also has high current policy relevance, since the sustainability of a settlement of the Russian war against Ukraine centred on some variant of Ukrainian neutrality is highly uncertain. The conditions under which Russia may respect such neutrality and their durability are poorly understood. Moreover, the most likely security policy alternatives to some form of neutrality for Ukraine are those of protracted conflict with Russia and/or a frozen, militarized and partitioned state. Much will depend on whether Russia abandons its extensive territorial ambitions in Ukraine. If a settlement is not reached, EU and NATO states will have to contend with the constant risk of wider escalation of the conflict and the high likelihood of an entrenched division of the European continent, with a central political fault line running through Ukraine.

Contemporary neutrality and the experience of the past

The prospect of a new ingrained security policy schism in Europe is a far cry from the hopes at the end of the Cold War. For decades after the collapse of the USSR, western leaders sought to avert such a polarization of Russian relations with the member states of Europe’s primary international institutions—the EU

¹ For example, Efraim Karsh, *Neutrality and small states* (New York and London: Routledge, 1988).

² See Gregory A. Raymond, ‘Neutrality norms and the balance of power’, *Cooperation and Conflict* 32: 2, 1997, pp. 123–46; Christine Agius and Karen Devine, ‘Neutrality: a really dead concept? A reprise’, *Cooperation and Conflict* 46: 3, 2011, pp. 265–84; Pertti Joenniemi, ‘Neutrality beyond the Cold War’, *Review of International Studies* 19: 3, 1993, pp. 289–304.

³ Pascal Lottaz and Heinz Gärtner, eds, *Neutral beyond the cold: neutral states and the post–Cold War international system* (Lanham, MD: Lexington, 2022).

and NATO. This effort was expressed through a variety of structures, cooperation frameworks, trade interdependencies and societal relationships.

It appeared increasingly anachronistic in the 1990s and beyond to think of European neutral states, within or closely connected to the EU although outside NATO, as occupying some grey area or buffer zone. Post-Cold War neutrality or non-bloc status in Europe seemed to reflect a traditional sense of self-reliance (Finland and Sweden) or past constitutional/legal obligation (Austria and Switzerland), rather than a purposeful category for twenty-first-century security policy. Following the Russian attack on Ukraine, the identity of these states as unambiguously integrated in the European community of states has been reinforced. In Finland and Sweden it even catalysed a fundamental shift in security policy towards accession to NATO, concluding their non-bloc status.

However, we may ask now whether the experiences of post-Second World War diplomacy, directed at managing great power relations and limiting the threat of Soviet military coercion against sovereign states outside alliances in Europe, might yield insights relevant to the present. A new formal agreement on Ukrainian neutrality would similarly form part of an effort to prevent the recurrence of a major European war and the subjugation of a sovereign state. As with historical cases, a focus on Russian objectives and the means to constrain Russian power is crucial, since neutrality for Ukraine would express a Russian demand, rather than a Ukrainian preference. It would be a forced concession in conditions of territorial occupation or its threat, and of existential danger to the Ukrainian state and its political independence—as faced by the Austrian and Finnish states in the 1940s, when they sought to avoid forced transformation into ‘people’s democracies’.

The relevance of the immediate post-Second World War and early Cold War experience is reinforced by President Putin’s frequent praise of the model of great power management and demarcation of the European international security order in this period. He believes that this expressed the occupation rights of the Red Army at the end of the Great Patriotic War, and that military power created territorial entitlements which were codified by the Yalta Treaty. The Yalta Conference of 1945, he argues, ‘fixed the real balance of forces’ and ‘built a system that was consistent with the alignment of forces at the time’.⁴ We can posit the existence of continuities from the Soviet period, both in Putin’s personal thinking and in broader Russian strategic culture, in respect of notions of territoriality, buffer zones and managing border regions, although these concerns are often expressed now as entitlements to security influence in or control of neighbouring ‘historic’ Russian lands.⁵

⁴ Interview in *Rossiya 1* TV film *World order*, 20 Dec. 2015, BBC Monitoring Online, <http://www.bbc.monitoringonline.com>, accessed 5 Jan. 2016. (Unless otherwise noted at point of citation, all URLs cited in this article were accessible on 1 Sept. 2022.)

⁵ For Putin’s most explicit claim for Russian ‘historic justice’, see his address on 18 March 2014, seeking to justify Russian action leading towards the annexation of Crimea, <http://en.kremlin.ru/events/president/news/20603>. On the continuities from Soviet to Russian strategic culture and Putin’s own perspective, see M. Skak, ‘Russian strategic culture: the role of today’s *chekisty*’, *Contemporary Politics* 22: 3, 2016, pp. 324–41; Tracey German, ‘Harnessing protest potential: Russian strategic culture and the colored revolutions’, *Contemporary Security Policy* 41: 4, 2020, pp. 544–9.

In this harshly realist outlook, the neutrality of states has a place, but it is an exceptional status. Putin's Russia lacks the Marxist–Leninist ideological dimension of Soviet policy, which had some influence on the USSR's view of neutrality in a bipolar world. But as a form of managing power relations between competing alliances, I would argue, current Russian thinking on the neutral or non-bloc option has much in common with historical Soviet approaches—and, as in past cases, Moscow's current effort to transform the political system of its neighbour state Ukraine may ultimately be subordinated to other objectives and remain latent and unrealized.

I have selected two historical case-studies to illustrate my analysis, which allow consideration of broad alternatives: Austria and Finland. In the first category, represented here by Austria, the legal status of 'permanent neutrality' was adopted. In the second, represented here by Finland, a non-bloc or non-aligned status, with a peacetime 'policy of neutrality', was assumed. Over time, Finland, like Sweden and Switzerland and to some extent Austria, developed sufficient conventional forces to embody a form of 'armed neutrality'. There have been some references to these experiences by officials in thinking about Ukraine's future. Russia claimed that Ukraine referred to the Austrian and Swedish cases as possible models of neutrality in the initial Russian–Ukrainian war termination negotiations, attempted after 28 February 2022. After meeting Putin in August 2022, former German chancellor Gerhard Schroeder suggested that Ukraine opt for an armed neutrality like that of Austria. The case of earlier Finnish policy in turn has surfaced periodically in western policy debate about how to overcome the wider security policy impasse between Ukraine and Russia.

This article confirms realist thinking in so far as it reveals continuity in the way the Soviet Union viewed neutrality and non-bloc status as a form of strategic denial of regions to western powers. Putin similarly views this status as a means to deny Ukrainian entry into a western, certainly a NATO, security zone. This idea clearly coexists, however, with Putin's ambitions for the political subjugation of the Ukrainian state, as expressed in his rhetoric since attacking Ukraine. This hope is likely to prove unrealizable, just as Stalin's extended goals for state transformation in Europe had been limited significantly by the reach of the Red Army. The analysis presented here also goes beyond realism in drawing on strategic studies, Russian area studies and the politics of international law. It uses interpretive qualitative methods of source analysis and case-studies, with explicit reliance on the exercise of judgement and a search for contextualized explanatory inferences. Russian thinking is traced from the Soviet period by examining statements and speeches, as well as broader publications reflecting official positions. Legal argumentation and discourse by Soviet jurists and specialists are examined to identify strategic narratives beyond the obligatory ideological language during the Cold War.

In the sections below, the article first introduces Ukraine's previous stances on neutrality and the urgent renewed discussion of this notion in Ukraine's initial coerced negotiations with Russia after the February 2022 attack. Next I discuss the broad Soviet approach to neutrality. The core Soviet-era case-studies of Austria and

Finland follow. Then I compare cases of post-Cold War neutral states on Russian borders, Finland and Moldova. This leads to a concluding discussion on the implications of these experiences and Russian responses to them in rethinking the role of contemporary neutrality, as well as potential criteria in the case of Ukraine to enable the country to preserve its sovereignty and political independence.

Debate on Ukrainian neutrality

Ukraine's declaratory commitment to neutrality has fluctuated in the decades since the end of the Cold War. This fluctuation reflected divisions among political elites and presidents about the desirability and practicality of direct security alignment with western states. Ukraine's declaration of state sovereignty of 1 July 1990 declared the country's 'intention of becoming a permanently neutral state that does not participate in military blocs' and adheres to nuclear-free principles (not to accept, produce or purchase any nuclear weapons).⁶ This declaration was adopted by the supreme council of the Ukrainian SSR in an effort to extract Ukraine from central Soviet military control. Ukraine's constitution of 1996 contained a similar clause. With shifts in European security in the 1990s, this proclamation of future neutrality was not viewed as an impediment, however, to Ukrainian participation in European security structures. The issue became significant as Ukrainian politicians began to conceive of eventual Ukrainian accession to the EU and NATO.

Documents on the principles of Ukrainian national security and military doctrine were amended in the 1990s, but in 2003 the country's parliament, the Verkhovna Rada, gave up its powers to formulate these as legislation in favour of the president. In June 2004 President Leonid Kuchma issued a decree on Ukraine's military doctrine, which had no reference to neutrality and set the target of full-fledged NATO and EU membership. But a month later, with no reasoning offered, Kuchma issued another decree removing this commitment from the text.⁷ For many years Ukraine seemed anchored in a security policy buffer zone between Russia and European institutions, with a 'multi-vector' foreign policy.⁸ President Viktor Yushchenko reversed the official stance on NATO in April 2005 after the Orange Revolution, only for Ukraine's 'non-bloc' status to be reinstated in 2010 by his successor Viktor Yanukovich. Then in December 2014, after the Maidan revolution, Russia's annexation of Crimea and aggression in the Donbas region, the neutral non-bloc status was removed. This signalled Kyiv's undiminished commitment to its EU ambitions, through and beyond its EU association agreement. Significantly, the goal of 'achieving the criteria required to attain member-

⁶ Declaration of State Sovereignty of Ukraine, Article IX, adopted by the Supreme Council of the Ukrainian SSR, http://static.rada.gov.ua/site/postanova_eng/Declaration_of_State_Sovereignty_of_Ukraine_rev1.htm.

⁷ The Military Doctrine of Ukraine, 15 June 2004, *National Security and Defence* 56: 8, 2004, Razumkov Centre, Kyiv, pp. 2–6; Serhiy Zghurets, 'National security: real and imagined threats', *The Ukrainian Week*, 29 April 2011, <https://ukrainianweek.com/Investigation/21720>.

⁸ Jennifer D. P. Moroney and Stacy Closson, 'NATO's strategic engagement with Ukraine in Europe's security buffer zone', in Charles Krupnick, ed., *Almost NATO: partners and players in central and eastern European security* (Boulder, CO: Rowman & Littlefield, 2003), pp. 199–228.

ship' in NATO was restored.⁹ From that time on, Kyiv pinned its hopes on a security alignment with western states and an explicit, if medium-term, prospect of NATO membership, to limit Russian aggression and territorial encroachments.

When Russia launched its full-scale attack against Ukraine in February 2022, however, President Volodymyr Zelensky quite quickly conceded that Ukraine's commitment to NATO accession was unsustainable without an effective western security guarantee. In the face of the Russian assault, he revived the prospect of Ukraine reverting to its pre-2014 commitment to neutrality—in an effort to preserve Ukrainian state sovereignty at a time of grave danger. There was little time to assess which variant of neutrality or non-bloc status offered the best chance of safeguarding Ukraine's independent statehood. Such options, if achievable, would depend on the course of the war. Ukraine's ability to withstand the initial Russian offensive against Kyiv and sustain a wider resistance was a precondition for any Russia readiness to consider a neutral or non-bloc status for Ukraine, especially one which would preserve the country's strong political alignment with western states.

For this reason it is unconvincing to argue that the United States should have proposed an agreement on Ukrainian neutrality earlier, over Kyiv's head, for example 'along the general lines' of the 1955 Austrian State Treaty, in the belief that this Austrian model would be sufficient to 'rule out renewed Russian hegemony over Ukraine'.¹⁰ Similarly, French President Emmanuel Macron's hope for an alternative model to avert a Russian invasion, in negotiations with Putin over the developing crisis, had little hope of success. Macron reportedly described a 'Finlandization' of Ukraine as 'one of the models on the table', before adding 'we shouldn't be looking for a reference term just now. I think we'll invent something new, by definition.'¹¹

The problem in considering either an Austrian or a Finnish model of neutrality at this stage in the crisis was that Putin's extreme rhetoric revealed that he wished to bring Ukraine not to a form of neutrality, but back into Russia's sphere of influence, or even to a position of subjugation. This is expressed in his claim that the Kyiv government was illegitimate, dominated by 'Nazis'. He clearly expressed his determination, on launching the attack, to overthrow the Ukrainian political system, to 'denazify' it, by military means. More challenging still, Putin dismissed the existence of the Ukrainian nation itself and its statehood (asserting that Russians and Ukrainians were 'one people') in a series of statements before and at the start of the invasion.¹² Therefore, an affirmation of Ukrainian neutrality by Zelensky before the assault would most likely only have encouraged a series of progressive coercive demands, delaying somewhat, but not preventing, Russian military action. Moscow would have pocketed this major Ukrainian concession, but there is no evidence it would have averted the assault.

⁹ 'Ukraine votes to abandon neutrality, set sights on NATO', RadioFreeEurope RadioLiberty, 23 Dec. 2014, <https://www.rferl.org/a/ukraine-parliament-abandons-neutrality/26758725.html>.

¹⁰ Anatol Lieven, 'Ukrainian neutrality: a "golden bridge" out of the current geopolitical trap', 3 Jan. 2022, <https://responsiblestatecraft.org/2022/01/03/ukrainian-neutrality-golden-bridge-out-of-a-current-geopolitical-trap>.

¹¹ As reported in the *New York Times* and the *Guardian*, 8 Feb. 2022. Macron later denied that he himself used the term 'Finlandization'.

¹² Address by Putin, 24 Feb. 2022, <http://en.kremlin.ru/events/president/transcripts/67843>.

Therefore, we should be sceptical of Russian national security specialists, probably viewing the Russian military buildup on Ukraine's border as a coercive bluff, who commended the option of Ukrainian neutrality as a means to avert conflict. For example, the director of the European Institute of Russia's Academy of Sciences, Alexey Gromyko, praised the 'status of neutrality' of European states, which in his view were more secure than some member states of NATO. He lauded the 'outstanding reconciliatory role' of neutrality in the Cold War era, questioning why an option of military neutrality should not be considered 'for Ukraine, Moldova [a reconfirmation in this case] or Georgia, buttressed by certain international treaties like it was in the case of Austria?'¹³

Russian negotiators began to explore the neutrality option more seriously only after Moscow had absorbed the shock of Ukraine's remarkable resistance to Russia's initial assault in late February. It also required President Zelensky's effective admission that both Ukraine's accession to NATO and the creation of a NATO no-fly zone over Ukraine in the conflict, which he desperately requested, had become unrealistic.¹⁴ Kyiv requires 'absolute concrete, written guarantees', he specified, but it 'must search for security guarantees elsewhere' than NATO.¹⁵ In the face of Russia's initial advances, Zelensky pronounced Kyiv's readiness 'to discuss with Russia the status of neutrality for Ukraine with international guarantees'.¹⁶ This may appear a desperate tactical political step. However, subsequent statements strongly suggest it reflected a more strategic mindset—a realization that an alternative security arrangement has to be explored seriously.

By mid-March, Vladimir Medinsky, Russia's top negotiator at peace talks which commenced with Ukraine, claimed that 'Ukraine is proposing an Austrian or Swedish model of a neutral demilitarized state, but with its own army and navy', with 'the size of the Ukrainian Army' under discussion. Such a model, Kremlin spokesman Dmitry Peskov noted, could 'be viewed as a certain compromise'. Foreign Minister Sergei Lavrov also talked of 'hope for compromise', in the talks based on the neutral option.¹⁷ However, these two neutrality regimes lack security guarantees, and Kyiv emphasized the requirement that *guarantor* states would need to be established for any bilateral agreement negotiated with Moscow and that negotiations would hinge on the overall package and the issue of territory.

Ukraine has insisted that such neutrality regimes cannot be used by Russia to obstruct Kyiv's track towards eventual EU accession; that they are directed at formal military coalitions, not against the EU as a political or security policy

¹³ Alexey Gromyko, *What is driving Russia's security concerns?*, European Leadership Network, 20 Jan. 2022, <https://www.europeanleadershipnetwork.org/commentary/what-is-driving-russias-security-concern/>; 'Diplomacy vs brinkmanship', 2 Feb. 2022, https://russiancouncil.ru/en/analytcs-and-comments/analytcs/diplomacy-vs-brinkmanship/?sphrase_id=93201820.

¹⁴ 'Ukraine will not pursue NATO membership', *Intellinews*, 8 March 2022, <https://intellinews.com/ukraine-will-not-pursue-nato-membership-237395/?source=ukraine>.

¹⁵ 'Zelensky: NATO misled us; Ukraine needs real security guarantees', *Kyiv Post*, 15 March 2022, <https://www.kyivpost.com/ukraine-security/zelensky-nato-misled-us-ukraine-needs-real-security-guarantees.html/>.

¹⁶ President.gov.ua, 25 Feb. 2022, cited in Vladimir Socor, 'Ukraine in quest of internationally guaranteed neutrality', *Eurasia Daily Monitor* 19: 44, 30 March 2022.

¹⁷ 'Outlines of potential peace treaty revealed', RT report, 16 March 2022, <https://www.rt.com/russia/552054-ukraine-peace-deal-russia>, accessed 20 March 2022.

actor. Association with EU structures in Cold War years reinforced the political independence of European neutral, non-bloc states. On joining the EU in 1995, Finland, Sweden and Austria declared their full and active participation in the EU common foreign and security policy. The EU common security and defence policy offers some further security assurance, although it falls well short of the protection of an effective military alliance. Article 42.7 of the Lisbon Treaty, which came into force in 2009, specifies that if a member state is subject to ‘armed aggression on its territory’, other states have an ‘obligation of aid and assistance by all the means in their power’. It notes this ‘does not affect the neutrality of certain EU countries’. Still, if EU rapid reaction forces were to materialize, the EU could assume more of a ‘bloc’ profile.

Ukrainian officials have accused NATO’s ‘illusion of open doors for Ukraine’ as forcing it to search for ‘other options’, above all EU membership. Integration with the EU is defined as ‘not just a method of modernization and reform of the state ... but also a factor of the provision of our security’.¹⁸ So how might Moscow view Ukraine’s accession to the EU as an *alternative* to NATO accession?

As the EU reaction to Russia’s attack on Ukraine mounted, Moscow argued that ‘accession to the EU does not happen in any way other than through NATO’, and that Brussels is ‘commanded by Washington in general’.¹⁹ Foreign Minister Lavrov noted Ukraine’s readiness ‘to declare a neutral, non-aligned status’, but criticized its wish to become a EU member, since the EU had transformed itself into an ‘aggressive militant player ... rushing to follow in the tracks laid by NATO’.²⁰ Nevertheless, Putin abruptly shifted this narrative with the EU decision in June 2022 to grant Ukraine and Moldova candidate status. He accepted that ‘unlike NATO the European Union is not a military organization or a military-political bloc’, so Russia had ‘no objections’ to the ‘sovereign decision’ of any country joining such an ‘economic association’. As for Ukraine, he continued, ‘we have never been against it’.²¹ This suggests that, if forced to abandon his expansive war goals for Ukraine, Putin could accept the inevitability of an increasingly integrated EU relationship with a neutral Ukraine, bolstered by major EU programmes for financial support, reconstruction and capacity-building.

Soviet approaches to neutrality

Turning to analysis of Moscow’s historical understanding and expectations of neutralization and neutrality in Europe, we find an extensive body of practice and thinking which may offer insights into the opportunities and vulnerabilities

¹⁸ Chief of staff of the Ukrainian presidential office, Andriy Yermak, 20 May 2022, <https://interfax.com/news-room/top-stories/79353/>, accessed 30 May 2022.

¹⁹ ‘Ukraine cannot join EU without NATO membership currently, Russia’s Medvedev believes’, TASS, 2 April 2022, <https://tass.com/politics/1431471>; ‘Russia seeks to end US-dominated world order – Lavrov’, RT 11 April 2022, <https://www.rt.com/russia/553674-lavrov-military-operation-us-dominance>, accessed 15 April 2022.

²⁰ ‘Moscow says EU becoming “aggressive, militant”’, *Moscow Times*, 13 May 2022, <https://www.themoscow-times.com/2022/05/13/moscow-says-eu-becoming-aggressive-militant-a77668>.

²¹ Interview with Putin at St Petersburg International Economic Forum, 17 June 2022, <http://en.kremlin.ru/events/president/news/68669>.

ahead for a potential neutral Ukraine. Above all, in the Cold War period a central underlying Soviet motivation in using these categories appeared to be to codify the *strategic denial* of territories or states to western military influence or access. In this sense these categories overlapped with that of non-bloc status, political notions of ‘peace zones’ and the way the USSR came to regard non-aligned states of the Third World.

In the later years of the Cold War the Soviet lexicon tended to merge the concept of neutralization with that of demilitarization, at least in a European context. Since demilitarization has emerged as a key term in the current Russian efforts to corral Ukrainian sovereignty, the standard understanding of this concept during Putin’s formative years in the USSR is of interest. The authoritative *Soviet diplomatic dictionary* of 1984 defines the term as frequently employed with neutralization ‘to exclude the use of a territory as a theatre of military operations’ in peacetime. The most relevant category for our current concern with Ukraine seems to be that of ‘partial demilitarization’, which ‘either forbids a distinct form of armed activity or establishes a limited level of armaments’ over a limited zone or region.²² As I show below, this would be likely to clash with a much more desirable notion for Kyiv, that of ‘armed neutrality’. The USSR had no real dispute with western states over the wartime obligations of *permanently* neutral states, as laid down in the Hague Conventions of 1907 (for which the Soviet government declared its respect in March 1955).²³ However, Soviet leaders paid close attention to the interpretation the European neutrals gave to the relationship between neutrality and their military forces. Foreign military bases were obviously impermissible on neutral territory. But international law has not traditionally defined the volume and type of weaponry the neutral country should stock (although Finland and Austria had separate treaty restrictions of their armed forces). The assumption has been that the military potential of the neutral state should be sufficient to ensure its ability to defend itself against possible infringement of its neutral status. Soviet specialists accepted that the wish of a neutral state to re-equip its armed forces to strengthen its defence capability should be regarded favourably by other states; however, they argued that this should not lead to ‘overstepping reasonable limits’, but be limited to the actual requirements of defence.²⁴ The Swiss armed forces were subject to some Soviet criticism for exceeding such limits.

Austrian neutrality

The Austrian case offers insights and reveals potential pitfalls for Ukraine in addressing its current strategic dilemmas. Austria suffered a full defeat in combat—which is unlikely for Ukraine—as part of the Third Reich in the Second World War. However, a more pertinent point of comparison is that all Soviet and Allied military forces left Austrian territory (admittedly after a decade of Soviet–Allied

²² *Diplomaticheskii slovar*, vol. 1 (Moscow: Nauka, 1984), p. 299.

²³ *Izvestiya*, 9 March 1955.

²⁴ B. V. Ganyushkin, *Neytralitet i neprisoedinenie* (Moscow: Mezhdunarodnye otnosheniya, 1965), p. 198.

military presence), a departure which was tied to Austria's declaration of perpetual neutrality in its constitution and the ratification of the Austrian State Treaty in 1955 re-establishing Austria as a sovereign state. The comparison with Ukraine should not be extended to overall conflict resolution. The Soviet withdrawal from Austria also required, for example, economic concessions (a severe reparations and compensation plan, which Kyiv would never accept) and territorial concessions (the loss of the province of Southern Tyrol).²⁵ The pertinent comparison is rather with how neutrality in the Austrian case was sustained by Vienna and how it was interpreted by Moscow.

The Austrian case, which represents a legal status generally agreed to define 'permanent neutrality', reveals certain points of vulnerability and contention, especially over state guarantees of neutrality and the composition of the armed forces of the neutral state.

Regarding the first point, Austria's status was founded neither in the State Treaty nor in any other bilateral or multilateral treaty, but in a unilateral declaration by the Austrian parliament, through the so-called Neutrality Act in October 1955. An important feature was its express or implicit recognition by other states.²⁶ However, and here we note a difference from Ukrainian expectations, neither guarantees of Austrian neutrality nor guarantees of the territorial integrity of the Austrian state were given by external powers. Only the Soviet government was ready to subscribe to such guarantees, so they were not agreed upon between the powers. Despite this, Moscow still claimed that, as one of the principal signatory powers of the Austrian State Treaty, it had formal legal grounds for interpreting and influencing Austria's conception of neutrality. This was a sensitive point. The Neutrality Act expressly mentioned only three duties: the negative duties not to grant military bases on Austrian territory to foreign states and not to accede to alliances, and the positive duty to defend its neutrality with all means at its disposal. The first two duties met the wishes of the USSR, the last the wish of the United States. Beyond this, the shaping of Austria's policy in detail was considered by Austria as a matter for the neutral state's own judgement.²⁷

The State Treaty gave Austria the right to possess an adequate army, although restrictions were imposed on its armaments.²⁸ From the beginning Austria sought to put an emphasis on 'military/armed neutrality', a concept intended to allow Austria maximum freedom to conduct its foreign policy according to its national interests. However, this policy of preparatory armament was in some tension with a Soviet-supported notion of 'positive neutrality', which focused on specific

²⁵ For a short analysis published as early as 2014 attempting just such a broader comparison to resolve the Russian–Ukrainian confrontation, see Franz-Stefan Gady, 'Austrian neutrality: a model for Ukraine', *The National Interest*, 6 March 2014, <https://nationalinterest.org/print/commentary/austrian-neutrality-model-ukraine-10005>.

²⁶ A. Verdross, *Der immerwährende Neutralität der Republik Österreich* (Vienna: Verlag für Geschichte und Politik, 1958), p. 7.

²⁷ Verdross, *Der immerwährende Neutralität*, p. 13; B. Kreisky, 'Austria draw the balance', *Foreign Affairs* 37: 2, 1959, p. 276.

²⁸ J. Kunz, 'Austria's permanent neutrality', *American Journal of International Law*, 50: 2, 1956, p. 424.

policies in peacetime to exclude for ever the possibility of armed conflict.²⁹ Austria often insisted on interpretations of the State Treaty in favour of its own understanding of armed neutrality, which were repeatedly rejected by the USSR as a principal signatory of the treaty. Indeed, Soviet leaders even implied that the USSR considered that it could act unilaterally on its own interpretation of Austrian neutrality. When visiting Austria in summer 1960, for example, Nikita Khrushchev declared twice that the Soviet Union would not hesitate to come to Austria's assistance should it see the country's neutrality endangered—a prerogative rejected by the Austrian government.³⁰

There was a period from the late 1960s when Austria's position came closer to the Soviet phraseology of positive neutrality. Foreign Minister Kurt Waldheim criticized 'the so-called "military neutrality" of Austria, a concept which ... has no place in international law' and argued that 'the neutral state must also in peacetime conduct a policy which will save it from being involved in a war-like conflict'.³¹ Moscow encouraged such an 'active policy of neutrality' through, for example, supporting Austria's advocacy of the European Security Conference in July 1970. However, the original Austrian definition of permanent neutrality was revived in 1975 in an amendment to the federal constitution concerned with 'extensive national defence'. The previous notions of military and armed neutrality were reinforced.³²

Ultimately, Soviet acceptance of Austrian neutrality in the heart of Europe was driven by strategic considerations.³³ Soviet leaders emphasized especially 'the positive significance of Austrian neutrality' in the country's 'obligation not to permit the creation of military bases of other states on its territory'.³⁴ This expressed a policy of strategic denial of territory to western military access—a policy which also raised thoughts of a wider restructuring of the European international order.

In the 1950s and 1960s Soviet spokesmen suggested at times that a neutralization of Germany comparable to that of Austria might be possible. This was the model of 'an independent Germany, neutral in military relations', with its international status guaranteed by the great powers in a peace treaty.³⁵ It is not clear whether Moscow clearly identified strategic benefits in such an arrangement which outweighed those derived from a permanently weakened and divided Germany. Still, some comparison with a contemporary version of strategic denial, with disengagement from alliance structures, might be made. President Putin's call in December 2021 for Ukrainian neutral, non-bloc status was accompanied by his

²⁹ K. Ginther, *Neutralität und Neutralitätspolitik: die Österreichische Neutralität zwischen Schweizer muster under Sowjetischer Koexistenzdoctrin* (Vienna and New York: Springer Verlag, 1975).

³⁰ T. Schlesinger, *Austrian neutrality in postwar Europe* (Vienna: Wilhelm Braumüller, 1972), p. 133.

³¹ Quoted in K. Ginther, 'Austria's policy of neutrality and the Soviet Union', in G. Ginsburgs and A. Rubinstein, eds, *Soviet foreign policy towards western Europe* (New York: Praeger, 1978), p. 79.

³² Ginther, 'Austria's policy of neutrality', p. 76.

³³ See W. B. Bader, *Austria between East and West* (Stanford, CA: Stanford University Press, 1966), pp. 204–5.

³⁴ Speech by A. N. Kosygin in Vienna, 2 July 1973, in *SSR–Avstriya: dokumenty i materialy* (Moscow: Politizdat, 1980), p. 112.

³⁵ For example, see L. A. Modzhoryan, *Politika neytraliteta* (Moscow: Znanie, 1962), p. 23.

ambitious and unrealistic demands that NATO unilaterally disengage militarily from its post-1997 commitments in eastern Europe and the Baltic region, creating something like a non-bloc zone which could then be ‘guaranteed’.

The Finnish non-bloc policy of neutrality

As with the Austrian case, our second case of Finland’s non-bloc ‘policy of neutrality’ is examined for insights to be drawn from the experience of the policy chosen, how the policy was sustained by Helsinki and how it was interpreted in the USSR.³⁶ The purpose is not an overall comparison between Finland’s and Ukraine’s paths for war termination and conflict resolution with Moscow. Specific aspects make such a broader comparison unattractive for Ukraine. Finland permanently lost a significant part of its territory in the armistice of 1944 and the peace treaty of 1947, after wars fought against the USSR with little outside assistance; it acceded to a Friendship and Cooperation Treaty with the Soviet Union in 1948 which included security policy clauses; there were concerns in the West during the Cold War that Finland was constrained in the full exercise of its sovereignty and its views on Soviet policy were muted, expressed in the pejorative notion of Finlandization.

Nevertheless, the Finnish case still offers potential conceptual and practical insights for Ukraine, stemming from the essence of Finland’s experience. The country has sustained its independence since its challenging treaties of the late 1940s, while affirming a non-bloc status, despite its precarious strategic position on the Soviet and Russian border and the experience of devastating wars with its neighbour. In fact, the former American statesmen Henry Kissinger and Zbigniew Brzezinski, from a hard-core realist position, even commended the Finnish example to Ukraine in 2014 as a strategy for managing the relationship with Russia, as the crisis with Moscow mounted.³⁷

Ukrainian negotiators with Russia in February–March 2022 reportedly displayed more interest in the Swedish variant of non-bloc status. However, it seems unlikely that Russia would continue to respect this variant. Unlike Austrian permanent neutrality, Swedish neutrality has not been defined in statute, though both countries proclaim their neutrality to be a voluntary or chosen policy and rely on the express or tacit recognition of other states. Swedish neutrality is not based on international guarantees, but presented as ‘traditional’, historically devel-

³⁶ This issue has been subject to extensive scholarship. See e.g. George Maude, *The Finnish dilemma: neutrality in the shadow of power* (London: Oxford University Press, 1976); Roy Allison, *Finland’s relations with the Soviet Union, 1944–1984* (Basingstoke: Macmillan, 1985), esp. ch. 4, pp. 89–105; Max Jakobson, *Finnish neutrality: a study of Finnish foreign policy since the Second World War* (London: Hugh Evelyn, 1968); Allan Rosas, *Sodanaikainen puolueettomuus ja puolueettomuuspolitiikka* (Turku: University of Turku Department of Public Law, 1978); Ulrich Wagner, *Finnlands Neutralität: eine Neutralitätspolitik mit Defensivallianz* (Hamburg: Christoph von der Ropp, 1974). For Soviet interpretations, see T. Bartenev and J. Komissarov, *Tridsat’ let dobrososedstva: k istorii sovetskofinlyandskikh otnoshenii* (Moscow: Mezhdunarodnye otnosheniya, 1977); I. Rozdorozhny and V. Fedorov, *Finlyandiya—nash severny sosed* (Moscow: Nauka, 1966).

³⁷ This was suggested to address the crisis in Ukrainian–Russian relations, before the full scale of Russian intervention in the Donbas as well as Crimea had become apparent. Both envisaged a territorially undivided Ukraine. Henry A. Kissinger, ‘How the Ukraine crisis ends’, *Washington Post*, 5 March 2014; Zbigniew Brzezinski, ‘Russia needs to be offered a “Finland option” for Ukraine’, *Financial Times*, 22 Feb. 2014.

oped. An emphasis developed in Sweden on the notion of armed neutrality, to exploit possibilities to retain this status in the event of war. In this sense it has been better conceived of as a non-alignment or non-bloc policy, aimed at neutrality in war. However, it has never been challenged by the need to overcome major war with the USSR or the coexistence compelled by a long shared border with the Soviet state, as in the case of Finland.

The course of Finland's two wars with the Soviet Union, in 1939–40 and 1941–44 (especially the fierce resistance the country offered in the first of these, the Winter War, which left some 25,000 Finnish dead), helped ensure the survival of Finnish independence. However, under the terms of the Paris Peace Treaty of 1947 Finland suffered substantial losses—of territory in Karelia and of its access to the Arctic Sea—and ceded to the USSR a 50-year lease of the naval base at Porkkala in south Finland. It was compelled to accept limits on the size and scope of the Finnish defence forces, including an army limited to 34,400 troops and an air force of no more than 60 aircraft. The country was also forbidden to possess, construct or experiment with atomic weapons, guided missiles or a number of other specialized systems.

Such a 'demilitarization' might seem a major, coercive constraint imposed by the USSR on Finland. However, actually it was the British delegation, not the Soviet one, which had demanded these limitations, apparently out of suspicion at the time that Finland would sooner or later automatically augment the Soviet defence potential (which of course never happened).³⁸ It was significant also for the substance and role of the Finnish policy of neutrality as it emerged that these limitations 'did not noticeably diminish Finland's preparedness to repel an attack aimed at the occupation of the country'.³⁹

The terms of the Paris Peace Treaty did not prevent the buildup of a large Finnish army reserve, focused on territorial defence, which became the backbone of the country's military readiness. Nor did it limit defence expenditures; and by defining the limit of 60 fighter aircraft as applying solely to front-line fighters, a respectable air force was even eventually built up. Indeed, the guiding principles behind the country's military planning and actual defence preparedness and posture included a traditional and clandestine commitment to resist the contingency of a large-scale conventional attack or effort at occupation from the east.⁴⁰ This happened despite Finland's 'declaratory defence policy', which did not refer to Finland's 'armed neutrality', and regardless of the ritual language used in Finnish–Soviet communiques in later decades referring to Finland's 'peace-loving policy of neutrality'.⁴¹

This unpublicized military context supported Finland's gradual development of its non-bloc international profile. In crucial negotiations demanded by Moscow

³⁸ T. Polvinen, *Jalosta Pariisin rauhaan: Suomi kansainvälisessä politiikassa III 1945–1947* (Helsinki: Porvoo, 1981), pp. 96–9.

³⁹ Risto E. J. Penttilä, *Finland's search for security through defence, 1944–89* (Basingstoke: Macmillan, 1991), pp. 24–5.

⁴⁰ Penttilä, *Finland's search for security*, p. 2 and as elaborated through the book.

⁴¹ For example, the joint Finnish–Soviet communique issued on 18 October 1971 after President Urho Kekkonen's visit to Moscow, *Ulkopoliittisia lausuntoja ja asiakirjoja* (Helsinki: Finnish Ministry of Foreign Affairs), 1971, p. 313.

in 1948 for a Treaty of Friendship, Cooperation and Mutual Assistance (FCMA), Finnish diplomats succeeded in fending off Soviet treaty drafts which would have pulled Finland into the eastern camp and in including a clause in the preamble expressing Finland's 'desire to remain outside the conflicting interests of the great powers'. On the other hand, meeting Soviet interests, the treaty confirmed a pledge (article 3) in the Paris Peace Treaty 'not to conclude any alliance or join any coalition directed against' the other party. This was reaffirmed in the FCMA Treaty (article 4). The latter also contained a provision on mutual consultations, if the threat of armed attack against Finland or the USSR through Finland were to be established (article 2, which Finland interpreted to mean as *jointly* established).⁴² Apart from the ambiguity of this provision, during the early Cold War years the lease of the Porkkala base was a practical constraint on Finland's expression of neutrality.

In 1956, however, following a shift in Soviet strategic thinking, the USSR withdrew from Porkkala. The FCMA Treaty preamble clause then began to be regarded as an expression of Finland's neutral foreign policy, and by 1957 the Soviet leadership acceded to what became the preferred terminology in joint Finnish–Soviet communiqués of Finland's 'neutral and independent policy, a policy supporting peace'.⁴³ This paralleled support for Austrian neutrality. On the twelfth anniversary of the FCMA Treaty, *Pravda* even described it in legal terms as 'an international juridical document which confirms Finland's neutrality'.⁴⁴ Balancing this recognition, in the early 1960s Finland received acknowledgements for its policy of neutrality from the major western states as well.

This policy proved to be no obstacle to Finland's application for a free trade agreement with the European Economic Community in 1973, despite Soviet wariness, although Finland only joined the Council of Europe in 1989. As with neutral Austria, through the Cold War and beyond Finland retained its western democratic system and values, market economy and sense of identity. In these respects it was no buffer state lying in some grey zone.

To be sure, debate continued in later decades over the legal character of Finnish neutrality and its consistency with the FCMA Treaty. However, Finland's military preparedness for defence of its policy also developed. Soviet leaders did not try to impede the development of the Finnish defence forces, such as over the acquisition of 'defensive' guided missiles in 1962 and modern mines in 1983, despite the terms of the 1947 Peace Treaty. The official Finnish view remained throughout that, regardless of the FCMA Treaty, 'in principle the function of the Finnish defence forces is the defence of the country by its own means'.⁴⁵ This conformed to the notion of armed neutrality.

As for the Soviet perspective, ultimately, Finland's peace treaty and FCMA Treaty served the core Soviet Cold War requirement of denying Finnish territory over many decades to western military access for potential operations against

⁴² Allison, *Finland's relations with the Soviet Union*, pp. 19–25, 91–2.

⁴³ Speech by Nikita Khrushchev, 8 June 1957, in N. S. Hruštšev, *Neuvostoliitto ja Pohjola: puheita ja lausuntoja vuosilta 1965–63* (Helsinki: Weilin & Göös, 1964), p. 21.

⁴⁴ *Pravda*, 6 April 1960.

⁴⁵ Allison, *Finland's relations with the Soviet Union*, p. 103.

the USSR. The result was a security buffer for both the Leningrad region and later for the strategically sensitive Kola peninsula. For Moscow, acceptance of a form of Finnish neutrality was consistent with this, and the status of its north-western neighbour was also understood to discourage any decisive shift in security thinking in Sweden away from its own non-bloc status towards western military structures.

Neutrality at Russia's European borders in the post-Cold War years

The collapse of the bipolar international system at the end of the Cold War, with the dissolution of the Warsaw Pact and of the USSR itself, radically changed the context and non-bloc security policy rationale for European states such as Austria and Finland. They retained a certain tradition or identity of self-reliance in security policy. However, this was diluted by their increasingly active engagement in EU security and defence policy activities. Russia in turn set less store by the non-bloc status of neighbouring European states in the 1990s, but this attitude changed under President Putin, especially in response to successive rounds of NATO enlargement. For further insights into options for contemporary Ukrainian neutrality, I will briefly review the dilemmas of neutral or non-bloc status exercised by two states close by Russia's European borders in the post-Cold War era: Moldova, a post-Soviet case, and Finland, a traditional European case.

Moldova is a self-declared permanently neutral country, a status codified in article 11 of its constitution, which has been in force since 1994. This status has been included in all national security and defence doctrinal documents. Correspondingly, it does not accept the stationing of foreign troops on its territory. However, the country completely lacks the military means to sustain a posture of 'armed neutrality'. Crucially, although Moldova lacks a direct border with Russia, Russian support for the separatist enclave of Transnistria since 1991 has given Moscow security policy leverage over Chişinău. Over time this has rendered questionable the value of Moldova's neutral stance. The declaration of neutrality by the Moldovan government in the early 1990s had the benefit of making it possible for Moldova to remain thereafter outside Russia-dominated security and military structures. But it had a more important objective, related to armed conflict with the breakaway Transnistria in mid-1992 and Russia's deployment of forces in this enclave. The hope was that the neutrality commitment would prompt a faster Russian demilitarization of Transnistria. The logic was that 'if Russia is willing to see Moldova as a neutral country, it should respect the basic principles of neutrality, fundamental of which is non-hosting of foreign armed forces in neutral territory'.⁴⁶

This logic has been confounded. A core problem for neutrality as a security strategy for the state was that it had been chosen not to avoid Moldova becoming a zone of geopolitical tension, but in response to the security threat of Russian

⁴⁶ Laura Kirvelyte, 'Moldova's security strategy: the problem of permanent neutrality', *Lithuanian Annual Strategic Review* 8: 1, 2010, p. 156, <https://doi.org/10.47459/lasr.2010.8.7>.

forces already deployed inside the state. Crucially, keeping the Ukraine comparison in mind, in this situation Moldova's declared status has lacked either formal or informal external security guarantees by other states. The recognition of this neutral status by the international community has also been complicated by the continued Russian force presence within Moldova. Indeed, the Russian military presence in Transnistria—*de jure* part of the Moldovan state—could be regarded as a constant violation of that neutrality. Arguably, therefore, neutrality has helped conserve Moldovan insecurity, since without external security guarantees Russia has retained leverage to freeze the resolution of the Transnistrian conflict.⁴⁷

After assuming office in 2016, Moldovan president Igor Dodon called for international guarantees of Moldovan permanent neutrality, which followed Russian proposals in the preceding years for such guarantees to make this status irreversible and enforceable. However, western states showed scant interest in joining Russia in any mechanism to guarantee Moldova's neutrality, especially while Russian troops remained in Transnistria, and Dodon failed to call for their withdrawal and the replacement of Russian 'peacekeepers' with an international civilian mission as part of this process. By September 2019 Dodon had shifted position to call for 'recognition' and 'respect' for this neutrality, which he sometimes specified as 'military neutrality'.⁴⁸ This declaratory position, which is still supported by a large majority of the population, has kept Moldova as a small state with little agency away from the focus of Russian concerns over NATO enlargement. It has offered the country an argument to avoid Russian pressure to align itself with the Russia-led Collective Security Treaty Organisation. However, in a period of large-scale Russian combat in neighbouring Ukraine, this position has still left the country, under current president Maia Sandu, highly exposed to future Russian territorial designs on the Transnistria region, or possibly on Moldova itself.⁴⁹ This is reinforced by Russia's effort to claim that any future NATO military assistance or supplies to the country would 'not correspond with the country's permanent neutrality status'.⁵⁰

By comparison, with the end of the Cold War Finland's national security doctrine underwent a notable shift in the 1990s away from the language of neutrality. The FCMA Treaty had been renewed in 1955, 1970 and 1983, but with the collapse of the USSR was replaced in January 1992 by a new treaty with Russia containing no special bilateral security policy obligations. Helsinki also unilaterally declared the military clauses of the 1947 Paris Peace Treaty null and void in September 1990, despite these having exerted little real constraint on its armed forces. Finland viewed its accession to the EU in January 1995, accepting the terms of the Maastricht Treaty, as a source of security.

⁴⁷ Kirvelyte, 'Moldova's security strategy', pp. 167, 182; Dmitru Minzarari, *Neutrality with no guarantees: the evolution of Moldova's defense and security policies*, Jamestown Foundation, 1 April 2022, <https://jamestown.org/program/neutrality-with-no-guarantees-the-evolution-of-moldovas-defense-and-security>.

⁴⁸ Vladimir Socor, 'President Dodon introduces nuances to Moldova's neutrality', *Eurasia Daily Monitor* 16: 134, 1 Oct. 2019, <https://jamestown.org/program/president-dodon-introduces-nuances-to-moldovas-neutrality>.

⁴⁹ Dumitru Minzarari, 'The next war: how Russian hybrid aggression could threaten Moldova', Brussels, European Council on Foreign Relations, *Policy Brief*, July 2022, <https://ecfr.eu/wp-content/uploads/2022/07/The-next-war-How-Russian-hybrid-aggression-could-threaten-Moldova-1.pdf>.

⁵⁰ Russian foreign ministry spokesperson Maria Zakharova, *Izvestiya*, 8 June 2022.

The terms 'neutrality' or 'policy of neutrality' subsequently fell out of use in official Finnish foreign policy vocabulary, in favour of the term 'military non-alignment' and eventually just non-membership in alliances. There was a parallel shift in language from the notion of 'independent' defence to 'credible' defence. In repelling an attack, a 1997 white paper on defence specified, 'if Finland's own resources are not sufficient, she can in accordance with the UN Charter request the assistance of other countries'.⁵¹ Far from being a legal commitment, military non-alignment in peace was viewed as an option or policy choice, leaving the door to NATO open.⁵² As clarified by an astute Finnish specialist as early as 1999, the year Putin assumed leadership in Russia, given Finland's 'underlying security dilemma the rebirth of an aggressive Russia foreign policy towards the West might lead to the conclusion that non-alignment is not enough'.⁵³

For its part, Russia remained reluctant to shift its characterization of Finland from neutral, with past associations of a locked-in status, to non-aligned. However, ensuring Finland remained outside NATO remained a central plank of the Russian policy of strategic denial. Even before Russia moved to annex Crimea, Moscow occasionally voiced warnings that Finnish membership of NATO would constitute a military threat to Russian security.⁵⁴ But this appeared an unlikely prospect before 2022, since Finnish public support for accession to NATO tended not to exceed around 20 per cent.

Despite the policy of military non-alignment, Finland, like Sweden, adopted a strategy of progressive approximation to NATO, while remaining a non-member. It began to present itself as part of a web of cooperative agreements on defence.⁵⁵ Finland and Sweden joined NATO's Enhanced Opportunity Partnership, the highest status the alliance can grant to non-members, involving both military and political cooperation. In 2018 they signed a trilateral defence cooperation agreement with the United States to intensify dialogue, conduct joint exercises and improve interoperability. Yet it was only from the end of 2021, when tensions between Russia and the West rose sharply, emphasizing the distinction between membership and non-membership of NATO, that a rapid shift occurred in the Finnish foreign policy climate.

Russia's Foreign Minister Lavrov resuscitated Moscow's preferred terminology in describing Finland's and Sweden's 'policy of neutrality' as 'ensuring stability on the European continent'. He anticipated in loaded terms that 'the neutral states' contribution to European security will not diminish', while a Kremlin spokesman warned that Russia would have to 'rebalance the situation' with its own measures

⁵¹ Report by the Council of State to Parliament, 17 March 1997, cited in Tuomas Forsberg and Tapani Vaahtoranta, 'Inside the EU, outside NATO: paradoxes of Finland's and Sweden's post-neutrality', *European Security* 10: 1, 2001, pp. 78–9.

⁵² See David Arter, 'Finland: from neutrality to NATO?', *European Security* 5: 4, 1996, pp. 614–32.

⁵³ Christer Pursiainen, 'Finland's security policy towards Russia: from bilateralism to multilateralism', working paper no. 14, Finnish Institute of International Affairs, Helsinki, 1999, pp. 21–2.

⁵⁴ For example, the Russian chief of general staff, General Nikolai Makarov, issued such a warning in August 2012: 'Russian general warns Finland about NATO', *Helsingin Sanomat*, international edition, 6 June 2012.

⁵⁵ See Andrew Cottey, 'The European neutrals and NATO: ambiguous partnership', *Contemporary Security Policy* 34: 3, 2013, pp. 446–72.

were Finland and Sweden to join NATO.⁵⁶ Such heavy-handed statements provoked Finnish President Sauli Niinistö to reaffirm that 'Finland's room to manoeuvre and freedom of choice also include the possibility of military alignment and of applying for NATO membership should we ourselves so decide'.⁵⁷

It is ironic that a sharp increase in Finnish public and party political support for accession to NATO at the beginning of 2022 came with tensions specifically over Russian demands that Ukraine be denied any track towards NATO and that NATO disengage from its post-1997 presence in eastern Europe and the Baltic states. Once Russia had unleashed war on Ukraine, this support rose, with a substantial majority of the public favouring an application to join NATO.⁵⁸ A detailed report submitted by the Finnish government to parliament in April argued bluntly that if Finland and Sweden were to become NATO members, 'the threshold for using military force in the Baltic Sea would rise, which would enhance the stability of the region in the long term'.⁵⁹ This upended Finland's security strategy for much of the country's history as an independent state which had made a virtue of remaining outside alliances. Finland proceeded to apply formally for NATO membership in tandem with Sweden. Given the simultaneous heightened vulnerability of Moldova as a neutral state, this transformation makes it all the more important to consider the comparative lessons Ukraine might derive from different previous experiences of states adhering to a neutral or non-bloc status.

Conclusions: Ukraine as a test for contemporary neutrality

This article has investigated whether neutrality and formal dissociation from military blocs remain a potential state strategy even in the most adverse conditions of managing Russian power in the aftermath of major conflict. It raises the question whether International Relations (IR) scholarship should pay more attention to the means of state survival outside alliances as the confrontational logic around Russia's attack on Ukraine deepens. I have sought to derive insights by revisiting the experience of earlier cases of European neutral or non-bloc states, and especially earlier periods of polarization in Soviet–western relations. I postulate that certain historical continuities in thinking will influence the interest of the current Russian leadership in the neutral option, in the face of failure to eradicate Ukrainian political sovereignty through war.

⁵⁶ Sergei Lavrov at news conference, 14 Jan. 2022, https://www.mid.ru/en/press_service/minister_speeches/1794396; Dmitry Peskov, reported in 'Ukraine war: Russia warns Sweden and Finland against NATO membership', BBC News, 11 April 2022, <https://www.bbc.co.uk/news/world-europe-61066503>.

⁵⁷ New Year's speech by Sauli Niinistö, as referred to in 'Niinistö: Letter from Russia was intended to cause confusion', YLE News, 2 Feb. 2022, <https://yle.fi/news/3-12299482>.

⁵⁸ 'For first time, YLE poll shows majority support for Finnish Nato application', YLE News, 28 Feb. 2022, <https://yle.fi/news/3-12337202>; 'YLE poll: Support for Nato membership hits record high', YLE News, 14 Feb. 2022, <https://yle.fi/news/3-12357832>.

⁵⁹ 'Government report: Finland and Sweden joining Nato would increase security in the Baltic Sea region', YLE News, 13 April 2022, <https://yle.fi/news/3-12403898>.

Neutrality and non-bloc status have primarily been studied in the post-1945 era as a means of managing power relations during the Cold War. However, IR scholarship should reflect on how these categories may be adapted to the changing requirements of a new period of great power confrontation. Even as a hardening East–West division leads Finland and Sweden to commit to alliance obligations, Ukraine may reluctantly be compelled to renounce this option, while remaining closely wedded to western powers in political and security terms. The legal restraints of any regime for the neutrality of Ukraine and potentially other states, as shown by Cold War experience, should be supported by the strong deterrent defence capabilities of the neutral state.⁶⁰ However, for Kyiv, political recognition and certain guarantees by other states also become indispensable since the current Russian leadership dismisses both the statehood and nationhood of Ukraine and its diplomatic commitments cannot be trusted.

A central concern of this article's focus on the Ukrainian case is whether conditions may be devised for Ukraine to adopt a form of neutrality or non-bloc status which would be sustainable by severely limiting the incentives for possible violations and be consistent with the sovereignty and political independence of Ukraine. This would be necessarily contingent on eventual Russian military withdrawal from Ukrainian territory, most likely through military defeats in annexed regions. Before summarizing the relevant findings, I will review the parameters of practical negotiations on this highly contested issue.

The parameters for negotiations

The prospect for Ukrainian neutrality or non-bloc status eventually becoming part of a settlement for war termination depends in the first instance on the effectiveness and scale of Ukrainian resistance to Russia's military assault. Another crucial precondition is Ukraine's ability to recover the territory it deems essential for statehood and for the Russian leadership to radically shift its expectations of territorial acquisition. Putin's ambitions were clearly exposed in June 2022 in referring to Russian military operations in Ukraine as 'returning what is ours'. He claimed that Ukraine historically had nothing to do with 'Novorossiya', a historical category comprising current Ukrainian southern regions acquired by imperial Russia through wars.⁶¹

In reality, Kyiv will not concede Russian demands to retain permanent control over the Donbas region, however that territory is defined, let alone over further regions in southern Ukraine, though Ukraine may defer the goal of restoring full control over the regions Russia controlled during 2014–22. Nor will Kyiv offer official recognition that Crimea forms a part of Russian sovereign territory. On the other hand, Kyiv could decouple negotiations on the future status of the

⁶⁰ The requirements of permanent neutrality for Ukraine and different means to establish it as a *legal* status are analyzed by Marc Weller, 'Options for a peace settlement for Ukraine: Option Paper I—Neutrality and related concepts', *Opinio Juris*, 31 March 2022, <https://opiniojuris.org/2022/03/31/options-for-a-peace-settlement-for-ukraine-option-paper-i-neutrality-and-related-concepts>.

⁶¹ Statement of 17 June 2022, <http://en.kremlin.ru/events/president/news/68669>.

peninsula from a general settlement and the terms of neutrality, with this status to be separately addressed in a bilateral format with Russia over future years. A ceasefire which freezes a wider partition of the Ukrainian state would not deliver the conditions for negotiation.

Equally, for effective negotiation with Kyiv, Russia has to abandon Putin's initial non-territorial demands. These tied a binding agreement on Ukraine's non-accession to NATO with the goal to 'denazify' the state (effectively ensure its political subjugation) and 'demilitarize' Ukraine (most likely ensure the destruction of most military hardware and infrastructure and the permanent demobilization of the professional Ukrainian military).⁶² Russia even conjured up a spurious threat of weapons of mass destruction posed by Ukraine to justify demilitarization.⁶³

Despite such demands, in negotiations with Russia in Istanbul in March 2022 Ukraine was ready to offer a far-reaching ten-point list of proposals, with Ukrainian 'permanent neutrality' at their heart. Ukraine would proclaim itself 'a neutral state, promising to remain non-aligned with any blocs and refrain from developing nuclear weapons'. It would vow 'not to join any military coalitions or host any foreign military bases or troop contingents' (though what constitutes a base would be negotiable). However, all this was tied to security guarantees from specified guarantor states, so that, in the event of aggression or any armed attack against Ukraine, aid would be provided in the form of weapons and 'the use of armed force with the goal of restoring and then maintaining Ukraine's security as a permanently neutral state'.⁶⁴ Guarantor states, a Ukrainian official had claimed previously, should exclude Russia, and the guarantees should require immediate intervention in the event of a future foreign incursion. In place of a bilateral agreement between Russia and Ukraine, a 'Ukrainian model of security guarantees' was proposed. This would take the form of 'a multilateral agreement, a package agreement' with various countries, including western nuclear powers acting as guarantors. Within this framework there should also be an agreement with Russia guaranteeing to Ukraine that there will be no future wars.⁶⁵

A sticking point after initial discussions became Russia's rejection of the notion that international guarantees to the security and integrity of a neutral Ukraine should apply to the Russian-occupied Crimea and territories in the east of Ukraine.⁶⁶ This block was nuanced with President Zelensky's qualification in May 2022 that the minimum acceptable condition to proceed towards a peace settlement would be Russian forces withdrawing to their pre-invasion positions,

⁶² Address by Putin, 24 Feb. 2022.

⁶³ Interview with Nikolai Patrushev, secretary of the Russian Security Council, *Rossiyskaya Gazeta*, 26 April 2022.

⁶⁴ 'Ukraine's 10-point plan', Kyiv's proposals to Moscow on 29 March 2022, *Meduza*, 29 March 2022, <https://meduza.io/en/slides/ukraine-s-10-point-plan>. The proposals cited here are from a translation of the Ukrainian text made by the *Meduza* news website.

⁶⁵ Interview with adviser to President Zelensky, Mykhailo Podolyak, *Meduza*, 17 March 2022, <https://meduza.io/en/feature/2022/03/18/they-don-t-know-ukraine>.

⁶⁶ Interview with Foreign Minister Sergey Lavrov for India Today television channel, Moscow, 19 April 2022, https://mid.ru/en/foreign_policy/news/1810023. Putin at joint news conference with President of Belarus Alexander Lukashenko, 14 April 2022, <http://www.en.kremlin.ru/events/president/transcripts/68182>.

even if Zelensky also has presented the liberation of Crimea as a central Ukrainian strategic goal.⁶⁷

Zelensky has called for ‘absolute concrete, written guarantees’ of Ukrainian security and territorial integrity attached to a settlement. He has sharply criticized the western powers (the US and UK) that signed the Budapest Memorandum in 1994, which accompanied the transfer of former Soviet nuclear weapons on Ukrainian territory to Russia, for failing ‘to do something to stop the Russian invasion’.⁶⁸ The preamble to the memorandum obliged Russia, alongside the United States and United Kingdom, to refrain from the threat or use of force against the territorial integrity or political independence of Ukraine. While loosely calling for ‘consultation’ in the event of a violation of Ukrainian sovereignty, crucially it lacked any implementation mechanism or security guarantees for Kyiv.⁶⁹ By contrast, Kyiv has specified that any negotiations declaring Ukraine’s neutral status ‘at the constitutional level’ should be tied to both ‘reinforced, concrete and legally impeccable security guarantees’ and ‘restoring territorial integrity and state sovereignty within internationally recognized borders’.⁷⁰

The dilemma facing Kyiv after Russia’s invasion is that western states have clearly ruled out offering Ukraine guarantees on the model of NATO’s article 5. This leaves open the possibility of a pledge whereby western powers could come to the aid of Kyiv, including with some military support, if it were threatened again.

Experiences of neutrality and non-bloc status

To what extent are features of the earlier cases examined of European states outside alliances relevant to the contemporary debate on Ukrainian neutrality? Detailed historical analogies for Ukraine’s options must be avoided, since we cannot properly control for the effects of strategic locations, the specific nature of post-Second World War settlements and the intangible impact of Moscow’s sense of entitlement over former Soviet territories and those of Ukraine specifically. Nevertheless, in a broader comparative context these earlier experiences offer various important insights.

First, the USSR, as Russia also for most of the post-Cold War period, appears to have had a primary straightforward underlying objective in accepting and sustaining the neutral and non-bloc status of European states, despite their sovereign and independent political positions. That is to achieve the *strategic denial* of their territory to western military infrastructure and alliance commitments.

⁶⁷ ‘Ukraine war: Russia must withdraw to pre-invasion position for a deal—Zelensky’, BBC News, 7 May 2022, <https://www.bbc.co.uk/news/world-europe-61359228>.

⁶⁸ ‘Zelensky: NATO misled us’.

⁶⁹ ‘Memorandum on security assurances in connection with Ukraine’s accession to the Treaty on the Non-Proliferation of Nuclear Weapons’, Budapest, 5 Dec. 1994, <https://www.pircenter.org/media/content/files/12/13943175580.pdf>.

⁷⁰ Fedir Venislavsky (Ukrainian presidential envoy to the Constitutional Court of Ukraine), ‘Ukraine can bring to talks neutral status with “reinforced concrete” security guarantees’, *Ukrinform*, 19 March 2022, <https://www.ukrinform.net/rubric-politics/3434044-ukraine-can-bring-to-talks-neutral-status-with-reinforced-concrete-security-guarantees.html>.

This trumped concern about the domestic political structure of these states and dissuaded Moscow from seeking to coerce them into some common political coalition. For Ukraine, the challenge is to shift Russia's effort at political subjugation ('denazification' assumes a role somewhat analogous to that of Soviet support for people's democracies in eastern Europe in the late 1940s) so that it is subordinated to pragmatic and potentially realizable security objectives. These goals should, nevertheless, be limited and set at a threshold that will avoid decades of seething instability on Russia's western borders. This is a fundamental precursor to other conditions proposed below. It should be accompanied by explicit Russian confirmation that any Ukrainian commitment to deny its territory to alliances applies both to western and Russian-led alliance membership. So Russia would have to renounce the illusion that Kyiv might be drawn into a body like the Russia-dominated Collective Security Treaty Organization in future years.

Second, for Moscow a formal declaration of neutrality, creating a form of 'permanent neutrality', as with Austria's 1955 Neutrality Act after the State Treaty or perhaps Moldova's 1994 constitutional commitment, is the preferred way to keep a European state clear of NATO and its bases. Russia is certain to seek a legal and constitutional entrenchment of Ukrainian neutrality (rather than a loose non-bloc clause, as in the Finnish–Soviet FCMA Treaty), along with western recognition of this status. In other words, Russia will try to move beyond the non-alignment or non-membership in alliances of Finland from the late 1990s to 2022, which ultimately has been a policy choice quite easily revoked by Helsinki with a shift in domestic political opinion.

Moscow may also seek a form of international mechanism, with Russian involvement, enabling it to try to 'interpret' the parameters of Ukrainian neutrality. However, it may have to accept that it acquires only limited formal control to regulate what is permissible under the term of neutrality, as with the cases of Austria, Finland and indeed Sweden, all of which have cherished the self-declared basis of their non-bloc status. Also, Moscow could not use claims about what a peacetime 'policy of neutrality' requires, as it occasionally attempted to do in the case of Finland and even Austria in the 1970s, to exert leverage on Ukraine.

Third, Moscow would hope to impose significant constraints on the Ukrainian armed forces in a peace settlement, as was codified in the postwar treaties Austria and Finland had to accept. The insistent demand for Ukraine's demilitarization is an extreme form of this hope, and is accompanied by an effort to degrade and destroy Ukrainian military capacities as a fallback strategy as well as to achieve operational goals in the war. But the cases of Austria and Finland, where treaty limitations in the end did not significantly impede the development of capable armed forces, confirm the importance of strong defences underpinning the sovereignty of neutral and non-bloc states. A form of well-armed neutrality for Ukraine becomes a minimum threshold requirement.

For example, while this was an undeclared policy, Finnish military forces have been strongly orientated to defence against conventional attack from the direction of Russia, with a large army configured as a territorial defence force. This

currently comprises a full mobilized field army of 280,000 personnel available in the case of conflict, with many hundreds of thousands more trained as reservists, supported by particularly strong artillery and strong missile forces.⁷¹ This deterrent was reinforced by Finland's prior demonstration of remarkable military resistance in the Winter (1939–40) and Continuation (1941–4) wars against the USSR, which can be compared with the resistance Ukraine has shown in checking Russian military advances in 2022. In pursuing a policy of de facto armed neutrality, Finland managed to circumvent most restrictions of the 1947 peace treaty. Sweden more formally also relied on 'armed neutrality' during the Cold War (albeit watered down since then), and Austria adopted a similar strategy. Despite their non-bloc policies, both Sweden and Finland developed close relations with NATO beyond the Cold War, which acted to some extent as a force multiplier.

A corollary is that a neutral Ukraine has to be permitted large, modern and well-equipped armed forces, even if NATO bases or exercises on its soil are precluded. Indeed, conforming with the status of permanent neutrality Ukraine would have an obligation to defend its territory effectively and maintain a significant military capacity to show it can preserve and defend its neutrality under all circumstances. It would have the right to receive support and to acquire arms for this purpose from states or organizations that it chooses.⁷² This kind of robust armed neutrality would be Kyiv's ultimate insurance against a renewed future Russian effort to dominate and dismember Ukraine, given that any treaty assurances by Moscow, while necessary to establish diplomatic relations, cannot be trusted on their own after Russia's egregious violation of core UN Charter principles, as well as the Budapest Memorandum and other treaties with Ukraine, through its attack.⁷³ This would certainly require, for example, sophisticated air defences, drone systems and powerful modern artillery, regardless of the demands Russia made for 'demilitarization' of Ukraine after it attacked the country.

The only restrictions for Ukraine might be on the number of longer-range missiles and cruise missiles above a certain range, hypersonic missiles, weapons of mass destruction and all nuclear armaments, the latter representing a modern version of the Cold War 'atomic neutrality' propagated by the USSR. This means just reaffirming the nuclear-free principles of Ukraine's 1991 Declaration of State Sovereignty and its 1996 constitution. Strong conventional deterrence would have to suffice against any Russian attempt at nuclear blackmail. Overall, this would be very far, for example, from the case of Moldovan neutrality, declared but not formally recognized by other states, resting on minimal defence forces and overall limited state capacities.

Fourth, the issue of defence is linked to the kind of guarantees required of Ukraine's sovereignty and territorial integrity. The full-scale intervention of major

⁷¹ 'Top general: Finland has spent decades preparing for a war like Ukraine's', *YLE News*, 23 June 2022, <https://yle.fi/news/3-12508894>.

⁷² Weller, 'Options for a peace settlement for Ukraine'.

⁷³ A similar conclusion, although expressed in terms of 'fortified neutrality', is reached by A. Wess Mitchell, 'The case for Ukrainian neutrality: a deal does not have to be a death sentence', *Foreign Affairs*, 17 March 2022, <https://www.foreignaffairs.com/articles/ukraine/2022-03-17/case-ukrainian-neutrality>.

states in defence of Ukraine to counter violations of its neutrality, or even their imposition of a no-fly zone over Ukraine, cannot be expected, let alone a de facto NATO article 5-type commitment of collective defence by western nuclear powers. This is ruled out by the grave risk of escalation to nuclear use. Ultimately, therefore, Ukraine 'will need a muscular, self-reliant, ruggedly independent neutrality'.⁷⁴ However, this could be bolstered by a broad treaty commitment by western 'guarantors' to a rapid, sustained reinforcement of armaments and defence supplies to Ukraine, including sophisticated conventional means, if the country's neutral status were to be flouted through another attack—an upgrade of the assistance received in 2022. This would be assisted by a deeper integration of NATO standard equipment into the Ukrainian armed forces, as is currently under way.

If this kind of neutral posture is envisaged, how should we view the apparent paradox of militarily self-reliant Finland and Sweden (in the latter case with rather weaker post-Cold War defences) abandoning their non-bloc status and seeking NATO membership in 2022? Despite its defence readiness, Finland cannot rely on prevailing independently against a determined and sustained Russian attack with modern long-range offensive systems, even if reinforced with some western defence supplies, given its lack of strategic depth. In the past, Russian aggression was judged a low probability and more easily deterred; however, Russia's attack on Ukraine has changed the threat perceptions of small European neutral states, with Moldova becoming especially vulnerable. With its large territory and significant manpower for mobilization, Ukraine has already shown a capacity to block offensive Russian operations and seriously degrade the Russian military, even if forced to concede (at least initially) substantial areas of territory to the control of invading forces. This offers a powerful deterrent to future Russian military adventurism against a well-equipped if neutral Ukrainian state.

Finally, the cases of Austria and Finland, as well as that of Sweden, confirm that treaty association with and eventual integration into the EU in 1995 offers significant support for state sovereignty for states outside NATO. This has been generally accepted as compatible with their non-bloc status. EU candidate status offers Ukraine the reassurance of being regarded as firmly in the western political community and the promise of stronger political cooperation in security matters and also economic modernization to bolster the Ukrainian state.

This analysis confirms that criteria for a possible future neutral Ukraine cannot simply be adopted with refinements from specific cases of states in the past, whether during or since the Cold War, such as Austria, Finland or Moldova. However, the way these countries used their status to sustain their sovereignty and manage the coercive influence of Soviet and Russian power, as well as Moscow's efforts to constrain western strategic access to these countries, provide valuable insights for the case of Ukraine. These are important, since the fundamental dilemma which faces the leadership in Kyiv remains how to resist Russia's existential challenge to the Ukrainian state, beyond the shorter-term exigencies of war, without the collective defence commitment of an alliance system.

⁷⁴ As argued by William Hague, 'Ukraine can be neutral but not defenceless', *The Times*, 22 March 2022.