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Peculiarities of the use of political mediation in the Russian-Ukrainian war: principles of application and problems of solution

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Abstract

The aim of the article was to investigate the principles of the implementation of diplomatic policy and the problems of the Russian-Ukrainian war settlement by applying the method of mediation. The work is based on the use of both special methods

of political research and general scientific methods (analysis, synthesis, induction, deduction). With the help of a prognostic method, an attempt was made to characterize the short-term results of the introduction of political mediation in the ongoing Russian-Ukrainian war. The results showed that mediation is a special negotiation technology for resolving political conflicts. The key tasks of mediation in political conflict resolution are neutralization of negative consequences of the confrontation, search for dissonance between the parties and development of a strategy for further actions, etc. It is concluded that, at this stage of the war, political mediation to resolve the problems is possible only due to the military failures of the Russian side and the Ukrainian collaborators supported by it.

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Peculiaridades del uso de la mediación política en la guerra ruso-ucraniana: principios de aplicación y problemas de solución

Resumen

El objetivo del artículo fue investigar los principios de la aplicación de la política diplomática y los problemas de la resolución de la guerra rusoucraniana mediante la aplicación del método de la mediación. El trabajo se basa en el uso tanto de métodos especiales de investigación política como de métodos científicos generales (análisis, síntesis, inducción, deducción). Con la ayuda de un método de pronóstico, se intentó caracterizar los resultados a corto plazo de la introducción de los medios políticos en la guerra ruso-ucraniana en curso. Los resultados mostraron que la mediación es una tecnología especial de negociación para resolver conflictos políticos. Las tareas clave de la mediación en la resolución de conflictos políticos son la neutralización de las consecuencias negativas de la confrontación, la búsqueda de disonancias entre las partes y el desarrollo de una estrategia para acciones futuras, etc. Se concluye que, en esta fase de la guerra, la mediación política para resolver los problemas sólo es posible debido a los fracasos militares de la parte rusa y de los colaboradores ucranianos apoyados por ella.

Palabras clave: guerra ruso-ucraniana; mediación política; resolución de conflictos; geopolítica; teoría política aplicada.

Introduction

The information society poses new challenges related to the rapid dissemination and assimilation of various information. In some places, it is not possible to absorb such a massive amount of information. This opens ways for different uses of information. The Russian-Ukrainian hybrid significantly updated this problem and demonstrated that information can be an effective weapon capable of paralyzing the will of society. At the same time, in modern conditions, the regulation of war may be possible through the prism of the mediation process.

Note that mediation in its modern form emerged in the United States in the mid-twentieth century, at which time the American legal system was oriented to ensuring that political disputes were predominantly resolved voluntarily. At the same time, although the mentioned phenomenon has been known for a long time, it has not been studied in detail based on political science. Studies of the term "mediation" in political publications are markedly different and mostly reflect only one side of a broad mediation (Kyselova, 2017).

This only makes our research more relevant. Additional relevance results from the fact that the study of this phenomenon began relatively recently, while at the same time the media (including using the possibility of the Internet) are finding more and more new ways to mediate.

1. Materials and methods

This study is built on the use of both general scientific and special political research methods. The article is formed based on the use of general logical research methods. In particular, analysis, synthesis, induction, and deduction are used in the work. The method of analysis implies dividing the subject of research into two parts to study them in depth.

In particular, our study is divided into the following issues: characterization of the term mediation, the study of the development of the Russian-Ukrainian war, analysis of the peculiarities of the use of the phenomenon of mediation in this war, etc. At the same time, with the help of synthesis, there is a holistic study of the previously highlighted parts. As a result of using the axiomatic method of research, it was possible to move from general scientific statements to specific practical conclusions. This method was used in the study of the development of mediation in Ukraine from 2014 to the present.

At the same time, with the help of the predictive method, an attempt was made to characterize the approximate results of the introduction of political mediation in the Russian-Ukrainian war, which is ongoing. It should be noted that these predictions are not used definitively, since it is difficult to collect authentic information about the subsequent stages of the spread of this war. Based on the method of modeling it was possible to present a set of "ideal" circumstances in which a political solution to end the Russian-Ukrainian war using mediation is possible. The study is also built on the use of special political research methods.

The structural-functional method of research is based on the analysis of society as a system of integrated parts seeking stability based on the choice of a particular system of values. Consequently, the state of functioning of political mediation, as well as trends in its development can be investigated through the analysis of values. In this case, we note that from the position of the structural-functional method the system of values contributes to the stability of society, then from the position of conflictology – this system leads to the formation of effective mechanisms for resolving various conflicts.

Other interdisciplinary methods, in particular, retrospective, synchronous, comparative methods of research, which serve as auxiliary methods for the study of the problem of using political mediation in the Russian-Ukrainian war, were also used in the work.

2. Literature Review

The study is based on an analysis of current political literature. In particular, Park (2019) has characterized the functions of mediation in addressing major political challenges. The study examines how the use of news media can be used as a mediative tool. Piumatti *et al*, (2017) investigated the impact of the phenomenon of mediation on political interest. The problem of mediation has also been studied by Ukrainian scholars. For example, Kyselova (2017) investigated the phenomenon of mediation in Ukraine. Her work analyzes the key challenges for the institutionalization of this process in Ukraine before and after 2014.

The researcher concludes that the low demand for mediation (as well as its slow development) in Ukraine is caused by social and legal factors such as general political instability and corrupt courts. Kyselova (2017) notes that a lack of resources, political uncertainty, and inadequate judicial interest have allowed the grassroots mediation community time to independently consolidate and learn mediation lessons from other jurisdictions. At the same time, although the current Russian-Ukrainian war in eastern Ukraine has exacerbated political instability, it has still drawn international attention to the phenomenon of mediation in Ukraine (Kyselova, 2017).

In addition, the study is based on the use of modern professional literature on the Russian-Ukrainian war. For example, Kuzio (2021) analyzed the development of the Russian-Ukrainian war based on the analysis of contemporary political discourse in Ukraine. The work of Bînă and Dragomir (2020) is important for this study. These scholars have characterized directly the development of the Russian-Ukrainian information war, considered the peculiarities of its dissemination, and the main directions of its likely promotion.

At the same time, they also characterized the key propaganda mechanisms used by Russian mass media (Bînă and Dragomir, 2020). For this gender, theoretical works that have investigated the peculiarities of hybrid warfare

are also important. Note that the information component is an important part of hybrid wars. Manolea (2021) explained the term hybrid warfare and characterized the main aspects of modern Russian-Ukrainian warfare.

Consequently, the problem of the Russian-Ukrainian war is popular among modern scholars. However, the problem of the mediative component of this war and the definition of its prognostic development based on the use of mediation technology remains understudied.

3. Results

3.1. The Russian-Ukrainian war: a brief excursus to the problem

The Russian-Ukrainian war, which began in 2014, is the use of armed force by Russia against the territorial integrity and independence of Ukraine. It began with the Russian invasion of Crimea (February – March 2014). Later, the aggressor country occupied the peninsula. The next phase of the war began with Russia's invasion of Eastern Ukraine (April 2014). Its characteristic feature was the creation of terrorist Luhansk and Donetsk "people's" republics. The situation in February 2014 confirmed that Russia's strategies had some success (Johnson, 2022).

In particular, Ukrainian society and government after the 2014 Euromaidan and the escape of President Yanukovych was somewhat scattered and disorganized. Due to this situation, military force, and information propaganda of the "Russian world", the Russians managed to quickly seize the Crimean Peninsula. Through a fictitious referendum, the annexation of the territory was formalized (Ghilès, 2022).

It should be noted that due to the coordinated actions of the Ukrainian military, society, and government, they were still able to stop Russian troops in the Donbas region. Although such powerful cities as Donetsk and Luhansk were occupied, many settlements in these regions remained under Ukrainian control (Johnson, 2022). For Ukraine, the reaction of other countries to Russia's actions was significant: international sanctions were introduced against the aggressor country.

The ceasefire between the parties established in 2015 lasted until February 2022. After February 24, 2022, Russia began an active offensive on Ukrainian territories, using terrorist methods of warfare, the destruction of residential buildings, and the killing of civilians by the Russian military (Martz, 2022). All these actions are prohibited by international law. However, as practice shows, Russia does not pay attention to the adopted international legal conventions and resolutions (Ishchuk, 2022). While in 2021, 7% of Ukrainian territories were under Russian occupation, as

of 2022, the occupied area increased by 2.9 times. Thus, Crimea, parts of Donetsk, Luhansk, Kherson, Kharkiv, and Zaporizhzhia regions became occupied. It should be noted that in March 2022, the Ukrainian military liberated Kyiv, Sumy, Chernihiv, and Zhytomyr regions.

4. Mediation: Toward a Theoretical Rationale

Mediation is a special negotiation technique for resolving political conflict. It does not take place within the framework of regulation, basically, it acts as a set of special techniques, skills, and abilities. Modern researchers note that it emerged in the U.S. in the 20s-30s of the twentieth century (Park, 2019). Later in the 1960s, the modern concept of mediation was formed in the United States. Note that those times were marked by active protests against the Vietnam War and the movement for human rights and freedoms.

Yes, the ideas of these phenomena influenced the fact that all sorts of alternatives to the typical legal systems began to be introduced. In particular, the Community Relations Service (CRS), established in 1969 under the U.S. Department of Justice, has been notable. This institution helped to resolve conflicts of various kinds: national, racist conflicts through mediation and various negotiations. At the same time, in European countries, in particular, in France, Germany, Great Britain, the theory of mediation began to be introduced only in the late 1980s (Kobetska and Romanko, 2017).

Consequently, given the above-mentioned facts, we note that the resolution of contemporary political conflicts contains some characteristic processes:

- 1. Acknowledgement by the parties to the conflict (or purely by the mediator) that there is political discord, conflict, or war.
- 2. Mutual agreement to regulate the situation and finding effective ways to do so
- 3. Finding out the causes of the war and identifying a possible mediator $\frac{1}{2}$
- 4. The possibility of third-party intervention (in particular, international organizations such as the EU, OSCE, or UN, etc.).

At the same time, based on the conflict logical theory the structural content of war includes the subjects of the collision (the parties) and the subject of the collision - what the contradiction between the parties is based on. At the same time, the development of such a situation usually includes three stages:

1. Latent (hidden) - preparation for war.

- 2. The stage of open confrontation started by one subject with methods of using violence against the other side.
- 3. The stage of regulation of the situation, realized during the period of interruption of interaction or the period of full understanding and perception of this clash. Note that the resolution of political conflicts consists of several periods in which the subjects of the precondition of the confrontation must recognize that there is a conflict between them and agree to resolve the situation (Morris, 2017). For this purpose, it is possible to involve a third party for the purpose of mediation.

The main objectives of political conflict mediation are: 1. Neutralizing the negative consequences of the confrontation. 2. Search for dissonance between the parties. 3. Developing a strategy for future action. It is a project that the parties to the political conflict should accept as the main basis. 4. Preparing the parties to accept responsibility for future decisions in the political arena. 5. Formation of a favorable model for the future resolution of this clash. Obviously, political mediation acts as a multi-level technology for resolving political conflicts. At the same time, it takes place at several levels: regional, national and international.

Consequently, mediation as a political practice is aimed at resolving disputes, conflicts, disputes based on communicative and dialogic tools. We believe that it should be introduced permanently at the regional level, taking into account the goal of stabilizing a certain political situation. However, we believe that mediation is effective when: 1. when the parties to the conflict have found a common vision of the solution to the problem; however, external control by international organizations is needed. 2. when the parties have a different understanding of political and legal norms. 3. Mediation has a result when it is used to solve latent ethnic, political conflicts (Park, 2019).

It should be noted that in the history of mediation, cases of successful mediation are quite frequent. Moreover, mediation was used without much emphasis on methodology, i.e., mediation in negotiations was considered quite practical (Piumatti *et al.*, 2017). For example, the principles of mediation and peacemaking have been used since the Crusades (Mereniuk and Parshyn, 2021). At the same time, it is known that in the twelfth century the Republic of Venice mediated the conflict between the Holy Roman Emperor Frederick Barbarossa and Pope Alexander III.

Venice not only provided its neutral territory for negotiations, guaranteeing immunity to the delegations of its adversaries but also had a hand in the formation of the agreed text of the peace treaty. In fact, the role of mediators was repeatedly mentioned in the official document. Another example of the use of mediation as a method of dispute resolution at the international level was the creation of the Hanseatic League.

In particular, individual Hanseatic structures (e.g., the "Steel Court" in London) were kind of mediators in resolving trade disputes between English and German merchants. Lübeck, as the presiding city of the Hanseatic League, had the goal of deepening diplomatic efforts towards ending conflicts and disputes between members of the trade organization. His powers, however, were never recognized. In more recent history, the 1978 Camp David Peace Accords between Israel and Egypt, mediated by the United States, should be mentioned. Note that the Egyptian leader, A. Sadat, took the initiative himself at the time to conclude a peace treaty with official Tel Aviv. No other Arab country joined in this move.

5. Mediation in the Russian-Ukrainian War: Problems of Settlement

The Russian-Ukrainian confrontation is difficult to resolve using the method of political mediation. In particular, the situation is complicated by the presence of so-called "gray zones" - the unrecognized Donetsk and Luhansk People's Republics, which formally emphasize their independence but are in fact controlled by the Russian Federation (Materniak, 2020). As of today, even the legal definition of the "gray zone" has not been definitively established, so it is problematic to use it legally.

Studies on the creation of a more detailed concept are still underway, although Ukrainian and Russian legal thought is on the margins of this process, the main stages of the development of terminology take place in European and American political science. Scientific interest in this issue is connected with the fact that the wording "gray zone" constantly appears in the strategic assessments of the intelligence services of the United States of America.

It should be noted that the "gray zone" is more conceptual than a geographical concept.

That is, modern experts in international relations and military affairs use the term "gray zone" primarily when describing the situation during the manifestations of hybrid warfare or other conflicts, inherently close to this type of confrontation (Mbah, 2022). Together with the "gray zone," the following concepts are often used: "active measures," "new generation war," "political war," etc. The term "gray zone" itself is based on a special understanding of gray. The essence of this phenomenon is that the actions of one state are recognized in the conflict as "white", and its opponents - as "black".

It is also conventionally possible to designate territories in which their power is strong. At the same time, those areas that are outside the control of both forces or are partially controlled with varying success by both enemy sides at once, are recognized as "gray".

As defined by American military experts, a "gray zone" refers to a territory for which the political and military situation is inherently ambiguous, that is, these lands are neither theaters of military operations nor entirely peaceful territory.

The concept of "gray zone" was introduced to the masses of political analysts and experts by the leaders of the US special operations forces in Congress during the report. Symptomatically, it referred to the new challenges to the world community posed by the aggressive and controversial actions of the Islamic State and the Russian Federation. The speech noted that the capabilities of American military power and diplomacy must be strengthened to meet today's challenges.

Specifically, the speech focused on the ability to adequately manage conflicts outside of the established peace-or-war matrix. According to U.S. military analysts, the "gray zone" is characterized by intense political, economic, informational, and military competition. It is very fierce but has not yet escalated into overt military clashes. Conflicts of this kind create additional problems in solving them because the legal framework of international relations does not allow bringing to justice the real perpetrators of potential military actions (Manolea, 2021).

The Russian trace in the creation of collaborative "governments" in Donetsk and Luhansk is evident, but the resolution of this situation through mediation is unlikely. It is obvious that the Russian side will press the Donetsk and Lugansk card to the end, trying to resolve the conflict by force. It is also noticeable that the main goals of the Russian so-called "special military operations" have not yet been achieved. Consequently, expectations of a peaceful dialogue should be rejected for the moment.

At the same time, this does not mean that attempts at negotiations involving third parties must be abandoned altogether. Mediation during the Russo-Ukrainian war had certain promising directions. In particular, quite a few representatives of European politicians visited Kyiv. Some of them (e.g., French President Emmanuel Macron) were also actively negotiating with Russian President Putin. Although the effectiveness of such a dialogue remains problematic, attempts to reach an agreement, attempts to resolve certain issues (even regarding the withdrawal of Ukrainian troops from Azovstal in Mariupol) are worthy of respect.

Obviously, such attempts will continue, but not always with positive results. Political mediation has also had some success regarding the establishment of prisoner exchanges. Although such information to date is mostly classified, it can be assumed that the exchange of some Azovstal defenders for Russian prisoners of war also took place with the mediation of a third party.

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We should also note that the opening of humanitarian corridors and care for Ukrainians deported to Russia is also the responsibility of international organizations, in particular the Red Cross. Although there are many questions and criticisms of the work of this structure among Ukrainians (for example, regarding the opening of an office in Rostov-on-Don, Russia), it is still necessary to recognize that sometimes political compromises have to be made to work with authoritarian regimes. Helping Ukrainians in Russia is also an example of the implementation of mediation principles in the Russian-Ukrainian war.

6. Discussion

The lack of effectiveness of political dialogue in the conditions of an open military clash or a genuine political conflict, the replacement of productive discussion by quasi-talks and shows lead to the unresolved basic issues and deepening of the already existing crisis, the unfolding of its political, social, economic consequences.

The development of the crisis of diplomatic relations first of all results in the stopping of functioning of institutes of international law or their ineffective work, and also in the breaking of established ties, in the destruction of norms and rules of political life, in the deepening of instability in the East of Europe.

Note that mediation and harmonization are related ways of influencing the international political environment, which are also combined at the level of politics and art. It has been repeatedly pointed out that politics and art are used together in communicating socially significant information. As far back as A. Pecked in his reflections on the art of negotiation, written in the 18th century, noted the peculiarities of diplomatic negotiations.

He believed that society should be taught the negotiation process as an alternative to military action. This was to foster a culture of political negotiation and communication in general.

The art of mediation is not only the skill of diplomatic negotiation or dialogue at the international level.

It is also a process of processing the terms of certain discursive practices between the parties to a military confrontation, whereby the interstate confrontation is successfully resolved, the final agreement to end the conflict is not imposed by either side of the war or by third countries but is the result of voluntary equal discussion and the development of a common strategy of action. Above all, the effectiveness of mediation is especially tangible when both sides of the confrontation generally understand and popularize this mode of political communication.

For the contemporary Russo-Ukrainian war, the question of the balance of political interests and forces, as well as the possibility of establishing political negotiations, is extremely acute. It must anticipate mutual guarantees and implementation of the agreements reached by the two sides of the military conflict.

Harmonization of international diplomatic relations, first of all, can be achieved by using modern ways of settling political conflicts and organizing political dialogue. First of all, dialogue and mediation in the course of political communication (if professionally used and widely practiced) can lead to a certain consensus. This consensus, against the background of a renewed interstate dialogue, is the guarantee that a constructive version of conflict resolution and the resolution of contradictions is quite probable.

Effective mediation will make it possible to reach long-term agreements, which for the parties to the conflict will be important elements of long-term neighborhood existence. Respect and willingness to fulfill the terms of such an agreement are based on the fact that the interests of both countries, their sovereign will be taken into account and respected by their opponents and third countries.

In practice, the use of political mediation in the Russian-Ukrainian war of June 2022 has a slim chance of success. We are talking about the language of ultimatums, especially on the part of the Russian federation. The negotiation process, which began in the spring on the Ukrainian-Belarusian border. And later continued in Turkey, did not bring concrete solutions. All of the agreements reached led only to the resolution of urgent issues.

In particular, on the exchange of prisoners and the expression of proposals by the Ukrainian side. The Russian delegation continued to insist on vague "deukrainization" and "denazification". Then the negotiations officially ceased even at this level. As a result, above all, of military setbacks in the north, Russian diplomacy in March announced the end of a "special military operation" near Kyiv, Sumy, and Chernihiv. In early July, the withdrawal of Russian troops from Snake Island was also announced as a "goodwill gesture".

According to the calculations of independent experts, only open sources report about the loss of ships and equipment worth about 1 billion dollars. In this case, it is estimated that the Russian losses of ships and equipment are about \$1 billion.

At this stage of the war, political mediation on the settlement of problems is possible only as a result of the military failures of the Russian side and the Ukrainian collaborators supported by it. So, it is impossible to establish a dialogue between the two sides based on mutual understanding. The experience of World War II may be applied when fighting will continue

until the final victory of either side, and it is the winners who will dictate the terms of the peace treaty.

Possible searches for a political mediator also look weak.

Russia obviously will not agree to mediation by the United States, Britain, or the European Union. The Ukrainian side will not agree to other mediators. Turkey's attempts to take on the role of the main negotiator with both sides have so far not yielded any noticeable results. So, on these grounds, the political dialogue will not yet take place.

Conclusions

Thus, mediation in its modern forms as a method of conflict resolution appeared in the United States in the mid-twentieth century. The American system of international law during this period turned to a method of conflict resolution which would consist of voluntary discussion and decision-making. Note that the resolution of military conflicts with the help of a mediator in negotiations was used at least in the Middle Ages.

At the same time, it is only since the twentieth century that this method began to be actively developed as an important one for diplomacy and political science. Acknowledgement by the parties to the conflict (or purely by the mediator) that there is political discord, conflict, or war. The use of mediation requires an understanding by the parties that there is a conflict between them, a mutual agreement to regulate it, the establishment of the causes of war and the identification of a likely mediator, and the possibility of third-party intervention (e.g., the UN).

The article confirms that, unfortunately, it is almost impossible to implement such a scenario to end the Russia-Ukraine war. Effective mediation would allow long-term agreements to be reached. However, the negotiation process, which began in the spring on the Ukrainian-Belarusian border and later continued in Turkey, did not bring concrete solutions. As a result, above all, of military failures in the northern direction, Russian diplomacy in March announced the completion of a "special military operation" near Kyiv, Sumy, and Chernihiv.

In early July, the withdrawal of Russian troops from Snake Island was also announced as a "goodwill gesture". Serpentine. At this stage of the war, political mediation to resolve problems is possible only as a result of military failures on the Russian side and the Ukrainian collaborators it supports. Additionally, the situation is exacerbated by "gray zones" - unrecognized pro-Russian governments in Donetsk and Luhansk. The regulation of such issues has been little researched so far, but it is in eastern Ukraine that the bloodiest battles take place.

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