

Commentary, March 12, 2018

RUSSIA IN THE DONBAS: NOT UP FOR COMPROMISE

KATERYNA PISHCHIKOVA

The conflict in Donbas, a region in eastern Ukraine that takes its name from the Don River coal basin, is possibly the most difficult diplomatic issue for Russia. Compared to other foreign policy issues, it has been more costly as well as more complicated. At the moment, no exit strategy seems evident, even if increasingly desirable.

Attempts at conflict resolution in Donbas are taking place in a climate of growing antagonism between Russia and the West as well as between Russia and Ukraine. To date, the conflict has claimed more than 10,000 Ukrainian lives, produced more than 1.5 million displaced persons, and led to dramatic humanitarian consequences for the people living in the territories affected by the conflict. There are no accurate estimates of the Russian losses in the conflict. Currently, the conflict is described as a “simmering” one, with few but almost daily casualties, mostly among the military. The ceasefire agreed upon within the framework of the so-called Minsk agreements has been shaky

but has helped stop large-scale military operations.

The international response to the conflict in Ukraine was slow at first. That changed with the tragic crash of Malaysia Airlines Flight (MH17), shot down on 17 July 2014 by a surface-to-air missile that by most independent reports was brought into the separatist-controlled area from Russia. The tragedy acted as a catalyst for the international response to Russia’s involvement in the conflict as well as its annexation of Crimea in March 2014, including sanctions, Russia’s expulsion from the G8, and its growing isolation on the international scene. Although the conflict in Donbas is not the only reason for the deterioration of Russia’s relations with the West, it is certainly a focal point for a range of geopolitical, domestic, and international tensions.

The shooting down of the MH17 flight took place in the heat of the military conflict between the Ukrainian army conducting what it used to describe with an unfortunate term an

"anti-terrorist operation" and the militias of the self-proclaimed Donetsk and Luhansk People's Republics that enjoyed direct and indirect support from the Kremlin as part of its, since abandoned, "Novorossiia" project. In order to stop the hostilities, talks were initiated between Germany, France, Russia, and Ukraine, with the support of the OSCE, in the so-called Normandy format. The talks produced two agreements Minsk-I in September 2014 and Minsk-II in February 2015, also signed by representatives of the two self-proclaimed republics. Minsk II takes precedence over Minsk I as it was endorsed by UN Security Council Resolution 2202. Overall, experts and diplomats agree that the Minsk agreements are an essential ceasefire accord but not a viable conflict resolution instrument. While the security provisions of the agreements are clearly spelled out and can be implemented in their current form, the political provisions do not represent a genuine consensus among the parties to the conflict. Their vagueness leaves too much room for interpretation, which is detrimental to any effective conflict resolution tool. Moreover, the document is unclear on both the sequencing of steps and the enforcement mechanisms. In fact, Russia and Ukraine insist on diametrically opposed interpretations of the Minsk agreements.

At the time of Minsk-II negotiations in February 2015, the idea of a UN Peacekeeping Mission for Ukraine was put forward by the Ukrainian president but rebuffed by Russia. In September 2017, however, Russia submitted a draft UN Security Council Resolution proposing a light United Nations force that would have a limited mandate to protect existing international monitors in eastern Ukraine. The idea of a UN Peacekeeping Mission for Ukraine was endorsed by key diplo-

mats over the past months. However, little agreement exists on the mission's mandate, composition or the area and timing of deployment.

The small, lightly-armed force envisioned by Russia would only monitor the so-called "contact line" between the separatist-controlled territory and the rest of Ukraine. Diplomats worry such a mission could actually cement the "line" into a border, making any future reintegration of the separatist territory into Ukraine impossible. Ukraine and the West argue in favour of a full-fledged UN Peacekeeping Mission with military capabilities but also a substantial police and civilian component. Such a mission would operate on the entire territory of the conflict zone, including the part of the Ukraine-Russian border that is currently out of Kiev's control. Its mandate would include demobilization and disarmament as well as the implementation of political measures, including local elections. There is also disagreement as to whether the mission should be deployed before or after the political provisions of the Minsk agreements are implemented. Whereas Ukraine and the West see the full-fledged peacekeeping mission that operates on the whole territory as key to the successful implementation of the political measures, Russia would rather have those measures implemented under the current conditions of limited access to the separatist-controlled areas by both Ukraine and the international observers. The composition of such a mission is another sensitive, although potentially resolvable, issue. While Ukraine is squarely opposed to Russian peacekeepers, Russia, on the other hand, is fiercely opposed to the participation of any NATO member state. Recent discussions with Sweden, as well as potential contributions by

other Nordic states or by Mongolia, may provide a viable solution to this particular issue.

At the moment of writing, however, there seems to be no progress with addressing these divergences that essentially reflect the same disagreements that cripple the Minsk agreements: about the mutually acceptable future for the self-proclaimed republics and about the political guarantees from both sides sufficient for the full implementation of the security provisions. For any peacekeeping mission to succeed, there has to be a full buy-in from Russia that may otherwise use its Security Council veto power to sabotage it at any point. There also has to be popular-backed consensus on the bigger peace plan from the Ukrainian side. International mediation will be crucial but only if Moscow and Kiev will want it to work.

The bigger question is whether Russia is interested in finding a compromise on Donbas. Russia's increasingly bellicose stance in the international arena, culminating in Putin's pre-election speech that made those who

remember the Cold War nuclear stand-off gasp, makes some observers conclude it will not seek compromise as a matter of principle. A more pragmatic interpretation points to the costs, political and economic, born by Russia due to the conflict in Donbas. Although estimates vary, sanctions have had a negative impact on the Russian economy, and isolation prevents it from becoming the truly global player it aspires to be. Moreover, domestic public opinion is ambivalent about Russia's role in Donbas and wary of any military escalation in the region. Donbas may become more like Russia's Afghanistan than another Crimea. Most likely, the Kremlin will not want to come across as too accommodating in negotiations, nor will it want to lose its influence over the self-proclaimed republics and through them, over the future of Ukraine. Although experts agree that the current status quo is unstable, not all think it is undesirable. In fact, many worry that the only alternative is escalation because of the deteriorating international environment.