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UKRAINE – THE EUROPEAN UNION



KEY THEME ANALYSIS

MINSK AGREEMENTS – 2: TACTICAL COMPROMISES AGAINST THE BACKGROUND OF STRATEGIC DEFEAT

New Minsk ‘peace’ agreements, signed on 12 February 2015, were met in political and expert circles with significantly less optimism than the previous Minsk documents of September 2014. The main reason for skepticism was the absence of guarantees that Russia will carry out new documents, even though the majority of their provisions are more favourable for the Kremlin than the previous ones. To understand why Russia initiated the agreements, which it hardly would perform, and why Ukraine, Germany and France agreed to sign the documents without being confident in their implementation, one needs to analyze the conditions under which the parties came to Minsk-2 as well as their real objectives.

The situation on the eve of the Minsk-2. Main objectives of the parties

Russia spent four months since the first Minsk agreements to increase by many times the military capabilities of separatists, sending them hundreds of tanks and rocket systems, as well as thousands of ‘volunteers’. Russian officers helped to organize the segmental separatists’ military groups in a more or less organized sort of armed forces. To the contrast, the EU and the US wasted those months on fruitless discussions about whether to provide military assistance to Ukraine, and should it be lethal or non-lethal arms. Therefore Ukraine had to restore its destroyed armed forces on its own, under the circumstances of catastrophic shortage of funds and along with the efforts to root out corruption and Russian secret agents from its defence and law enforcement agencies.

The passivity of the EU and the US provided Russia with opportunity to change the military balance; and in January 2015 the Russian mercenaries launched the offensives in three strategic areas – the Donetsk airport, Debaltseve and Mariupol. ***But the blitzkrieg, which was planned by Kremlin for January 2015, has failed:*** the Donetsk airport was not seized but destroyed, attack on Mariupol failed to materialize, and only the involvement of Russian regular troops helped to capture Debaltseve.

Defiantly destroying the first Minsk agreement but not succeeding enough in new military offensives, ***Moscow faced the threat of tougher sanctions*** (Russians were especially afraid of possible disconnection from the SWIFT payments system), ***as well as the threat of possible Western military assistance to Ukraine,***

maybe for the billions of dollars.¹ The absence of rapid progress at the front and the simultaneous strengthening of risks pushed Putin to the idea of taking tactical pause, and similar to September 2014 he initiated a new 'peace plan'. **Russia needed a diplomatic way to ease the further military offensive into the territory of Ukraine, to frustrate the new sanctions, to disrupt arm supplies to Ukraine, and to increase the military capacity of separatists.** Moscow also aimed at getting additional 'bonus': including the legalization of separatists' territorial seizures after the Minsk-1, the revising of uncomfortable (for the Kremlin) provisions of September agreements concerning the control over Ukrainian-Russian border, and the restoration of funding of the occupied territories by Kyiv.

Mr. Putin successfully used the fact that his goal to disrupt new sanctions and arms supplies to Ukraine coincided with the respective positions of Merkel, Hollande and Obama. Russian president hinted to German and France leaders on the possible involving of NATO into the large-scale war, and thus encouraged them to persuade Kyiv to agree to the new Minsk negotiations and agreements. **It is unlikely that Western leaders believe in the sincerity of Putin's peaceful intentions, but they also seek to buy time,** hoping that the economic problems will force Russia to reduce the aggressiveness and that NATO will have enough time to strengthen its eastern boundary. Mr. Obama may be also motivated by the hope to finish his presidential term, avoiding the global confrontation and transferring these problems to his successor.

Ukraine also needed the time-out (at least the reducing of combat intensity) **to complete a new wave of mobilization, to strengthen armed forces and defensive lines, to receive the international financial assistance** and to fix at least some economic problems. Besides, **Kyiv could not refuse to negotiate because did not want to be accused by its Western partners in disrupting the peace process.** In the worst case, Russia's disruption of the new agreements would demonstrate to the international community the illusory of their hopes for the 'diplomatic solution' and would add the arguments in favour of arms supplies to Ukraine.

Content of the agreements. Gains and losses of the parties

On 12 February 2015 two documents were signed in Minsk. Members of the Tripartite group (the OSCE ambassador Heidi Tagliavini, former Ukrainian President Leonid Kuchma, Russian Ambassador to Ukraine Mikhail Zurabov, and separatist leaders Alexander Zakharchenko and Igor Plotnitsky) signed a **Set of Measures to Implement Minsk Agreements**. Presidents of Ukraine, France and Russia as well as German Chancellor signed a **Declaration of Support for a Set of Measures to Implement Minsk Agreements**. Both texts were the results of difficult negotiations and compromises. Although the majority of the provisions were more favourable for Russia than the previous Minsk agreement, Vladimir Putin got fewer concessions than he had expected due to his 'achievements' in terrifying European partners and in military build up of separatists. Ukraine did not give pledge of not joining NATO, albeit Putin's raising the issue at his meeting with German and French leaders. Russia failed also to include to Minsk documents a provision about the autonomy of Donbas and the recognition of separatists' 'elections'.

However, the agreement in general indicates that Berlin and Paris were ready to sacrifice many norms of international law and European values in order to sign an illusive truce with Putin. E.g. new Minsk documents envisaged a ceasefire only from 15

¹ Preserving Ukraine's Independence, Resisting Russian Aggression: What the United States and NATO Must Do. - <http://www.brookings.edu/research/reports/2015/02/ukraine-independence-russian-aggression>.

February 2015, so **Germany and France actually gave Moscow three additional days for the military solution**, for it was clear that Russia would use these days in attempts to capture Debaltseve and Mariupol (even during the Minsk talks fifty Russian tanks and some dozens of artillery systems entered Ukraine).

Delay till the end of 2015 for regaining control over the Ukrainian-Russian border in fact legalizes Russian occupation of the part of Ukrainian territory as well as the uncontrolled moving of Russian weapons and fighters. The "withdrawal of all foreign armed formations, military equipment, as well as mercenaries from the territory of Ukraine" does not actually means that Moscow agreed to withdraw its troops, for Russia continues insisting that they had never entered Ukraine.

Withdrawal of all heavy weapons by both sides by 25 km (for Ukrainian troops from the de facto line of contact, and for separatists from the line of contact according to the Minsk Memorandum of 19 September 2014) looks like a compromise, but actually this provision play into the hands of the aggressor. **Kyiv remember the sad experience of withdrawal of Ukrainian artillery after the previous Minsk agreements; then the separatists immediately seized the buffer zone**, particularly near Mariupol.

A significant threat is posed by Kyiv's obligations to carry out the Constitutional reform by the end of 2015 "providing for decentralization as a key element." Given the complicated socio-economic situation and significant Russian influence on the regional elite in a number of southern and eastern regions of Ukraine, the decentralization might pose a risk of strengthening the separatist tendencies.

It is easy to predict the result of the local elections in the territories occupied by Russian and separatist troops, given the sad experience of the Crimean 'referendum'. Besides, one should take in mind that hundreds of thousands pro-Ukrainian people have left the occupied territories and will not be able to take part in the elections, therefore a victory of Moscow proxies is almost inevitable.

Declaration of Support for a Set of Measures to Implement Minsk Agreements provide one more advantage for Moscow: leaders of the 'Norman Four' declared their support for the tripartite talks between the EU, Ukraine and Russia "to develop practical responses to the concerns of Russia on the implementation of the Deep and Comprehensive Free Trade Area between Ukraine and the EU."² De-facto it means that **Moscow will take part in decision-making on the issues of European integration of Ukraine.**

But the most important drawback is that Russia was not recognized as a party to the conflict and did not take any obligation to implement signed agreements. The very next day after the Minsk-2, the press secretary of Russian president Dmitry Peskov clearly stated that Russia "should not" and "cannot physically" take measures to implement the Minsk agreements, because "it is not a party to the conflict."³

Kyiv's reasons

Hardly Kyiv was not aware of all the risks associated with the new Minsk agreements, but it had nothing but to sign them for the following reasons:

1) Kyiv did not want to be accused by Western partners in disrupting the peace process and therefore being devoid of prospects to get financial and military aid;

² Декларация Президента Российской Федерации, Президента Украины, Президента Французской Республики и Канцлера Федеративной Республики Германия про поддержку Комплекса заходів з імплементації Мінських домовленостей, схваленого у Мінську 12 лютого 2015 року. - <http://www.president.gov.ua/news/32236.html>.

³ Песков: Россия - гарант урегулирования на Украине, но не исполнитель. - <http://ria.ru/world/20150213/1047476036.html>.

2) Signing of the new peace agreements could be an unspoken condition for the IMF decision on \$17.5 billion loan to Ukraine with the prospect of increasing the total aid package to \$40 billion. Hardly was it accidentally that the IMF Managing Director Christine Lagarde announces the respective decision on the very day of signing the new Minsk agreements;

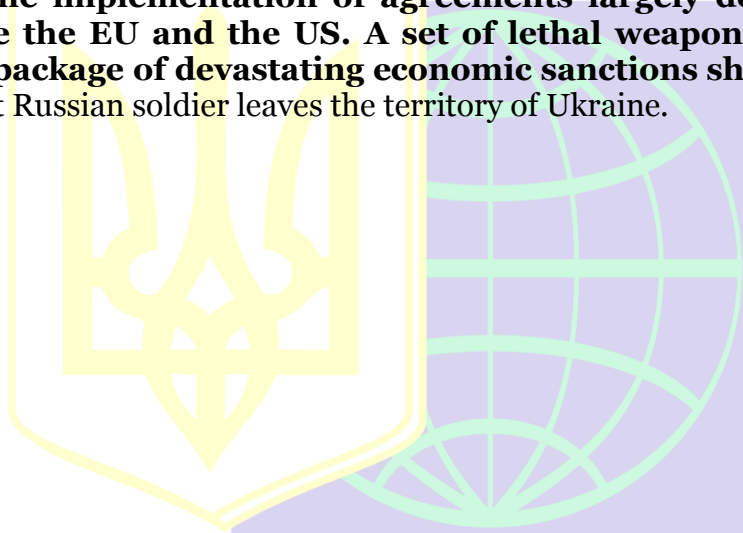
3) It was important for Kyiv to combine the 'Minsk' and 'Norman' formats of negotiations because now Germany and France bear political responsibility for the implementation of signed agreements. Besides, Merkel and Hollande have got an opportunity to estimate better the chances of political solution to the conflict;

4) If Russia ignores the new arrangements, which had been actually imposed by the Kremlin, then it will be difficult for Berlin, Paris and Washington to find arguments for the refusal to arm Ukraine;

5) Russia's failure to carry out new agreements will lead to tougher sanctions; and G-7 leaders have already mentioned it in their statement;⁴

6) Kyiv had to try negotiating the solution, which could bring at least a temporary reduction in the intensity of fighting, to buy time to strengthen armed forces, and to open up the opportunities for the exchange of prisoners. However, the military defeat in Debaltseve proved that these hopes turned out to be fallacious.

Now it is very important for Kyiv to convince its Western partners that **Russia's adherence to the implementation of agreements largely depends on how resolute will be the EU and the US. A set of lethal weapons' assistance to Ukraine and a package of devastating economic sanctions should be "on the table"** till the last Russian soldier leaves the territory of Ukraine.



⁴ G-7 Leaders Statement on Ukraine. - <http://www.whitehouse.gov/the-press-office/2015/02/13/g-7-leaders-statement-ukraine>.

UKRAINE – NATO

KEY THEME ANALYSIS**THE LEVEL OF NATO COOPERATION WITH UKRAINE DOES NOT MEET THE DEMANDS OF THE WARTIME**

Despite the statements of 'strong' support for the sovereignty of Ukraine, neither NATO nor its leading members take active part in helping Ukraine to protect itself against Russian aggression.

One of few positive practical steps is **the training mission, which will start in March 2015, with one battalion of US soldiers training three Ukrainian battalions** to contend with Russia-backed separatists. Another important decision resulted from the intergovernmental cooperation – **Poland and Lithuania agreed to Ukraine's proposal on speeding up the creation of joint military brigade in Lublin of around 4,500 troops**. Brigade is to be created by the end of this year, while previously it was planned for the next year.

Ukraine urgently needs armament to compensate Russia's military supplies to separatists and to reduce the losses among both soldiers and civilians, but sad prospects of getting military assistance are indicated by the statements of the US senators that **the Obama Administration has not fulfilled even its last year promises of nonlethal military aid**. In particular, Ukraine has not received 100 promised armoured Humvees, as well as armoured ambulances and even water purification systems and medical equipment.⁵ NATO does not hurry to fill the trust funds for Ukraine and delays the planned aid for targeted programs to create in Ukraine the opportunities for military prosthesis, as well as providing detectors and other equipment for demining in Luhansk and Donetsk regions.⁶

Barack Obama continues to ignore the initiatives of senators and congressmen to immediately provide arms to Ukraine. A hope appeared after the **Senate's decision of 12 February to appoint Ashton Carter as a new Secretary of Defence** – Mr. Carter spoken out in favour of arming Ukraine and enhancing the security of Eastern European NATO members. However, the final decision anyway depends on Obama, whose policy of 'appeasement the aggressor' carries a threat not only to Ukraine, but also to the security of NATO member-states.

At the **meeting of NATO defence ministers in Brussels on 5 February 2015** the measures to enhance security against the Russian threat were discussed, but assistance to Kyiv was not considered. Of course Ukraine is not a NATO member, but it is a longstanding partner of the Alliance and an active participant of NATO

⁵ U.S. Hasn't Kept Ukraine Aid Promises. - <http://www.bloombergvew.com/articles/2015-02-05/u-s-hasn-t-kept-ukraine-aid-promises>.

⁶ Київ досі не отримав від НАТО допомогу у протезуванні та розмінуванні – посол. - <http://www.pravda.com.ua/news/2015/02/5/7057617>.

peacekeeping missions, which officially requested assistance. Furthermore, assistance to Kyiv would benefit to the security of NATO members, which could become the next victims of Russian revanchism if the latter succeeds in Ukraine.

But we should not wonder at the absence of the Alliance's resolute assistance to Ukraine, given the NATO's inertial actions in enhancing security of its own members. NATO Secretary General Jens Stoltenberg presented as a significant achievement the decision of defence ministers to agree the size of a new high readiness force (Spearhead Force) of around 5,000 troops, which should be ready for redeployment within 48 hours. It was also decided to increase the number of NATO Response Force from the current 13,000 up to 30,000 troops, and to establish six command and control units in Bulgaria, Estonia, Latvia, Lithuania, Poland and Romania.

Both the terms of creation of Spearhead Force (in 2016) and its size (5,000 troops) indicate **the inadequacy of the Alliance's assessment on the urgency and scale of the threats it faces**. Russia needed just several months to train and heavily equip tens of thousands militants in Ukrainian Donbas. When preparing for aggression against the NATO member Moscow will build up its efforts by many times. Brussels should seriously rethink about whether 5,000 NATO troops would be able to confront tens of thousands 'green men'. It seems that the Alliance does not take seriously the statements of the Russian federal TV channels about quick entering of Russian tanks to Warsaw, Berlin, Prague, Helsinki, Vilnius, Riga and Tallinn.⁷ But Brussels should at least take into account such Putin's decisions as his decree of 5 February 2015 to call the military reservists for two months training.⁸ This may indicate the scale of war, for which Kremlin is being preparing for, especially if to recall that even without the reservists, Russia has the army of one million troops.

Wishful thinking of Jens Stoltenberg is unlikely to promote the adequate policy of the Alliance. At the press conference on 5 February 2015 Secretary General said that he does not see an imminent threat from Russia to the Baltic countries or other NATO members.⁹ After such lulling statement it will be a difficult task for the Mr. Stoltenberg to persuade the NATO members to stop saving on security and to start spending at least 2% of GDP for the military needs; not to mention the additional increase in costs for the really rapid and substantial strengthening of defence capabilities.

More realistic estimation of the situation was given by the previous NATO Secretary General Anders Fogh Rasmussen, who is no longer burdened with the diplomatic courtesy: "This is not about Ukraine. Putin wants to restore Russia to its former position as a great power. There is a high probability that he will intervene in the Baltics to test Nato's Article 5."¹⁰

The Alliance has been lulled by the longstanding absence of real threats and has weakened its ability to adequately assess the risks. For a long time NATO was focusing on the economizing programs instead of those which enhance the security. Demonstration of fear to the opponent does not reduce, but increases the probability of confrontation, as well as the surrender of partners provokes the adversary to test the strength of Article 5. If NATO wants to avoid such a test, it should demonstrate the readiness to use force and the firmness in protecting its members and partners. After all, the military alliances exist to that aim.

⁷ Росіянам по ТБ розповіли, як легко їхні танки увійдуть в європейські столиці. - <http://www.pravda.com.ua/news/2015/02/11/7058225>.

⁸ Путин обявал призвать на военные сборы граждан в запасе. - http://tvrain.ru/articles/putin_objaval_prizyvati_na_voennye_sborny_grazhdan_v_zapase_-381572.

⁹ NATO doesn't see threat from Russia, but Moscow must honor international rules. - <http://www.kyivpost.com/content/ukraine/nato-doesnt-see-threat-from-russia-but-moscow-must-honor-international-rules-380642.html>.

¹⁰ Putin could attack Baltic states warns former Nato chief. - <http://www.telegraph.co.uk/news/worldnews/europe/russia/11393707/Putin-could-attack-Baltic-states-warns-former-Nato-chief.html>.

FOREIGN POLICY OF UKRAINE



KEY THEME ANALYSIS

UKRAINIAN ISSUE AT THE 51TH MUNICH SECURITY CONFERENCE

Russian-Ukrainian conflict was the main issue at the 51th Munich Security Conference, held on 6-8 February 2015 with the participation of about 400 prominent politicians and businessmen, two dozen heads of government and about fifty ministers of foreign affairs and defence. Russian aggression was discussed both in the speeches from the podium and during the informal meetings; possible ways to help Ukraine and steps to strengthen the European security against the 'hybrid' aggression were considered.

The speciality of the conference was determined by the fact that it took place along with the intensification of peace talks in the 'Norman format.' On the eve of arrival to Munich, the German and Ukrainian leaders held talks in Kyiv with the participation of French president, and Angela Merkel and Francois Hollande also had a long meeting with Vladimir Putin in Moscow.

In this context ***the position of 'Norman' negotiators hardly was enhanced by the lack of unity, which was demonstrated by Western leaders in Munich on the issue of arming Ukraine.*** Some participants supported Petro Poroshenko's request for the defence weapons, expressed in his speech – among them were Senator John McCain, Supreme Allied Commander in Europe General Philip M. Breedlove, Chairman of the Munich Security Conference Wolfgang Ischinger, and leaders of the Baltic States and Poland. To the contrary, Angela Merkel said again that she "does not believe that Ukraine can get enough weapons to frighten Russia."¹¹ President of the European Parliament Martin Schulz even had to state that the EU "is more divided than united in times when more unity is needed than ever."¹²

The US position on the issue of arming Ukraine, express in Munich by Joe Biden, was far from being clear: on the one hand Vice President promised to "continue to provide Ukraine with security assistance, not to encourage war but to allow Ukraine to defend itself;" on the other hand he said: "We do not believe there is a military solution in Ukraine."¹³

It is a rhetorical question, whether it was a good idea to demonstrate such

¹¹ Порошенко в Мюнхені: заклики до постачання зброї лишилися без відповіді. - <http://www.dw.de/порошенко-в-мюнхені-заклики-до-постачання-зброї-лишилися-без-відповіді/a-18242940>.

¹² Мюнхенська конференція: впевнена Америка, поділена Європа, ізольована Росія. - <http://www.radiosvoboda.org/content/article/26835446.html>.

¹³ Remarks by the Vice President at the Munich Security Conference. - <http://www.whitehouse.gov/the-press-office/2015/02/07/remarks-vice-president-munich-security-conference>.

inconsistent positions in the presence of Russian delegation and at the time of difficult negotiations in the 'Norman' format. It is also clear, whose negotiation position was strengthened by Berlin's public rejection of arming Kyiv, while it would many times increase the price of Russian aggression and would make it impossible to continue pretending as if Russian regular troops are not involved to the conflict.

It is no surprise that **Russian Foreign Minister Sergei Lavrov in his speech suggested Kyiv not to rely on Western help, recalling the Georgian example:** "I think that the support turns someone's head, as well as in 2008 it turned Mr. Saakashvili's head."¹⁴ Lavrov qualified as "encouraging signals" (apparently for the Kremlin) the "strengthening opposition in Europe" against the intention to arm Ukraine. The Munich audience was smiling during the speech of Sergei Lavrov, but we should not forget that just 17 months ago the audience of the 10th Yalta European Strategy meeting had been smiling during the speech of Russian president adviser Sergei Glazyev, who predicted the failure of the Association Agreement signing at the Vilnius summit. That time Russia succeeded, and during the Vilnius summit only the Kremlin officials were smiling.

Munich conference indicated that the West is still not fully aware of all the changes in Russia's politics and of the scale of respective threats for Europe. The EU and the US are still trying to find a diplomatic recipe to protect the international order without confrontation with the country, which is destroying this order with tanks and artillery and is launching the second war in Europe over the six years. Public debates on the issue of whether it is right to assist with arms the victim of aggression, inspire the Kremlin with the confidence of its impunity. Smiles of Western officials during the speech of Russian foreign minister give Moscow a hope that the West is still not ready for really serious respond. **History teaches that Russia has always understood and respected only the argument of force, and the sooner the West will demonstrate its readiness to use this argument, the more chances it will have to avoid a large-scale war.**

¹⁴ Лавров предложил Россию в качестве гаранта договоренностей по Украине. - <http://www.interfax.ru/world/422538>.