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UKRAINE – THE EUROPEAN UNION



KEY THEME ANALYSIS

WILL THE EU TURN A BLIND EYE ON RUSSIA'S FAILURE TO COMPLY WITH THE MINSK AGREEMENT?

New Minsk agreement of 12 February 2015 was predictably violated by Russian side the same day, when it came into force. Russian and separatist forces failed to capture Debaltseve in three days, 'reserved' for them in Minsk agreement (for that end, a cease-fire was postponed to 15 February), and they continued shelling the Ukrainian positions when the 'truce' formally became operative, until the withdrawal of Ukrainian troops.

The lack of adequate response of Germany and France as guarantors of new Minsk agreement was a bad signal. Moscow ceased to pay attention to the 'concerned' statements, which are not accompanied by real actions. But the Western leaders continue playing along with the Kremlin and hypocritically call on Russia to "increase its pressure" on separatists to stop the hostilities,¹ despite the fact that **U.S. Ambassador to Ukraine Geoffrey R. Pyatt straightly said about the evidences that "regular units of Russian army took part in the capture of Debaltseve and in hostilities after the Minsk agreement had entered into force."**² So what 'pressure' on separatist are Western leaders speaking about, if the peace agreement is violated directly by Russian troops?

The Kremlin continues to successfully exploit the willingness of Berlin and Paris to turn a blind eye on Russia's ignoring peace agreement, which is used by Moscow as a tool to pursue its plans. A ceasefire deprives Ukrainian side of the ability for strategic military manoeuvres, including the counter-offensives. Instead, the **Russian and separatist forces cease fire only in the areas, which are out of their priorities for the moment.** At first they concentrated all forces to assault Debaltseve, and after the capture of the city Russian-separatist troops started relocation of the military equipment and manpower towards Mariupol. They started the almost undisguised preparation for the assault of this strategically important city of half a million, which had been named by Western leaders **a new 'red line.'**³ However, the Kremlin get used to cross the 'red lines', knowing for sure that it would be 'punished' just by some 'concerned' statements and perhaps by adding several Donetsk militants or Russian businessmen to the sanction list.

¹ Німеччина не задоволена "припиненням вогню" бойовиками. Чекає від РФ дій. - <http://www.pravda.com.ua/news/2015/02/23/7059519>.

² Пайетт: За насильство на Донбасі небачених масштабів відповідає РФ. - <http://www.pravda.com.ua/news/2015/03/1/7060150>.

³ Штайнмаєр: Просування на Маріуполь означатиме руйнування мінських домовленостей. - <http://www.dw.de/штайнмаєр-просування-на-маріуполь-означатиме-руйнування-мінських-домовленостей/a-18273538>.

Moscow choose a creeping advance into the Ukrainian territory as the most effective and efficient tactics. Such war exhausts Ukraine, which fails to stabilize the front line and has to disperse its military resources along the hundreds of kilometres. Being confident that Kyiv will not violate the peace agreement and will not attack, Russian and separatist forces have all possibilities for military manoeuvres and transfer their equipment and manpower to the sector of the front, where they are going to annex a new slice of Ukrainian territory. Herewith Moscow and its proxies try to present their military manoeuvres as the withdrawal of heavy weapons; and the EU leaders are happy to 'believe' in everything that gives an excuse to avoid further sanctions.

The ceasefire in Donbas was violated three hundred times just during the first week after the new Minsk agreement; but the consultation of the EU leaders, initiated by president of the European Council Donald Tusk, 'resulted' in just another statement and warning about the "increase in price of the aggression."⁴

The parties to the Minsk agreements, including Berlin and Paris first of all, have not taken necessary steps to provide the OSCE with the adequate mandate and technical capabilities for carrying out full monitoring of the agreement implementation. The current mandate of the OSCE mission is too limited, the number of staff and technique is too insufficient to cover the entire front line, and Russian militants do not allow the OSCE observers to inspect all the necessary positions. The Deputy Chief Monitor of the OSCE Special Monitoring Mission to Ukraine Alexander Hug mentioned all these problems during his visit to Berlin on 27 February 2015, and the EU leaders are well informed of the situation.

Russia demonstrated its attitude to Minsk agreement at the meetings of the 'Normandy Four' Foreign Ministers in Paris, on 24 February. Russian Minister predictably refused to condemn the seizure of Debaltseve as well as the separatists' attacks on the suburb of Mariupol. Sergey Lavrov also refused to sign the joint statement, and the latter was eventually made on behalf of the French Foreign Minister Laurent Fabius. The statement included a request for strengthening the OSCE mission and expansion of its mandate. It was also mentioned that ministers "discussed" the situations around Debaltseve and Mariupol. The fact that Sergei Lavrov has left the meeting before the announcement of the statement indicates that **Moscow does not support the extension of the OSCE mandate and has no intention to abandon its plans of capturing Mariupol.**

The statement by French Foreign Minister Laurent Fabius that "it will be completely different situation with sanctions" if "the separatists attack Mariupol,"⁵ cannot change the course of the Kremlin as well as the similar statements by the Secretary of State John Kerry. **The Kremlin could be stopped only with the threat of devastating sanctions, able to crash Russian economy and to provoke a social explosion.** While Putin is sure that such sanctions are not on the table, he feels safe to continue improving his rating by pleasing Russians with the new territorial conquests of their Empire.

British Prime Minister David Cameron warned of possible blocking Russian access to the SWIFT banking transaction system.⁶ That could be a really strong step (though not sufficient). But ***Moscow had heard such threats many times***

⁴ Statement by the President of the European Council Donald Tusk on the situation in Ukraine. - <http://www.consilium.europa.eu/en/press/press-releases/2015/02/150220-statement-tusk-ukraine>.

⁵ Fabius : l'attaque de Marioupol changerait la donne "en matière de sanctions". - <http://www.franceinfo.fr/emission/l-interview-politique/2014-2015/francaise-enlevee-au-yemen-tous-les-services-sont-mobilises-assure-laurent-fabius-25-02>.

⁶ Великобританія заговорила про можливість відключення Росії від системи SWIFT. - <http://www.dw.de/великобританія-заговорила-про-можливість-відключення-росії-від-системи-swift/a-18277640>.

previously and it will not believe until is clearly warned that the capture of Mariupol will automatically result in SWIFT blocking.

For the time being, the EU and the U.S. sanction policy works like a vaccination, generating Russia's immune resistance to Western economic constraints. The slowness of decision-making in the EU and the U.S. give Moscow enough time to take preventive measures on reducing the negative impact of the new sanctions. The Kremlin's aggression will go on until the West demonstrates its resoluteness to confront Russian military adventures with at least adequate economic measures. The symbolic extensions of sanction lists will not help.



UKRAINE – NATO



KEY THEME ANALYSIS

NATO LACKS DETERMINATION TO DEFEND UKRAINE AS WELL AS ITS OWN MEMBERS

In February 2015 three members of the North Atlantic Alliance, namely the U.S., Britain and Canada, declared their intention to send military instructors to Ukraine to assist in training its troops. Having no intention to underestimate the importance of this promise of help from the military alliance to its "distinctive partner" Ukraine, we should note that a year has already passed since the beginning of Russian military aggression, and that NATO member states provide similar military training assistance to other parties, including Iraqi Kurds, who have not signed any kind of Charters on a Distinctive Partnership with NATO and have never participated in the Alliance's peacekeeping operations. Moreover, the Kurds are also receiving lethal weapons assistance, including from Germany known for its opposition to the "military solutions".

To the contrast, German leaders consider "absurd" and "senseless" the idea of arms supplies to Ukraine, despite that fact that the latter is also a victim of aggression.⁷ Washington and London continue to keep a pause on their final decisions obviously waiting till Russia crosses a new 'red line', which has moved from Debaltseve to Mariupol. But it was not clearly stated that Ukraine would receive weapons even if Russia attacks Mariupol as well. Being a "distinctive partner" of NATO, Ukraine has to look for weapons in the United Arab Emirates; to that aim President Poroshenko visited the UAE in February. In Abu Dhabi, in the framework of the IDEX-2015 Ukrainian delegation signed a contract with French company Thales Group on the supplies of drones and electronic warfare; but it is not the military aid, but just a sales of weapons.

Lithuania was the only NATO member state, which dared to provide weapons assistance to Ukraine. And it was immediately 'punished' by Germany, which refused to supply the Boxer armored vehicles to this Baltic country. However, not all German politicians are ready to leave Ukraine at Russia's disposal. A member of the European Parliament and vice-chair of the EU-Russia parliamentary cooperation committee Werner Schulz supports arms supplies to Ukraine, rightly noting that the truce will be complied only if Ukrainian army has

⁷ Віце-канцлер ФРН: Путін повинен подбати про завершення насильства в Україні. - <http://www.dw.de/віце-канцлер-фрн-путін-повинен-подбати-про-завершення-насильства-в-україні/a-18265811>; FO exklusiv: undespräsident
prdert aktiveres Russland. - <http://www.mdr.de/mdr-info/audio1102284.html>.

enough capacity to protect its current positions.⁸

Barack Obama's position remains the main constraining factor against arming Ukraine, for NATO members are waiting for his signal. At the roundtable "The importance of Ukraine's Security for Europe" *Polish Ambassador to the U.S. Ryszard Schnepf* said: "An example set by the United States will surely become the one, which will be followed by other EU countries."⁹ Barack Obama continues to delay a decision, despite the fact that **the idea of arming Ukraine is openly supported by the director of U.S. national intelligence James R. Clapper Jr.**, who believes that Russia may launch an offensive on Mariupol trying to capture a land bridge to Crimea. **Current NATO Supreme Allied Commander Europe Gen. Philip M. Breedlove and his predecessor Gen. Wesley Clark also support the idea of arms supplies to Ukraine.**

British Prime Minister David Cameron said that if Russian aggression is not stopped in Ukraine, "you'll see further destabilization. Next it'll be Moldova or one of the Baltic States."¹⁰ However, it seems that **politicians, who soberly assess the scale of Russian threat, are in the minority in NATO countries.** Such conclusion can be made after studying the analysis by European Leadership Network on the implementation of NATO Wales-2014 Summit decisions. In 2015 only the U.S. and Estonia will fulfil obligation to spend on defence at least 2% of GDP. France will slightly increase its defence spending as well as Norway, Netherlands, Poland, Romania, Lithuania and Latvia – however, none of them will meet the required 2% of GDP. At the same time, the UK, Germany, Italy, Hungary and Bulgaria will reduce their defence budgets.¹¹

Berlin 'succeeded' most of all in reducing the military budget, cutting its defence spending by \$2.5 billion in 2015 and reducing the respective rate to 1.09% of GDP that is nearly half less than NATO requirements. And this despite the fact that according to the German press **the Bundeswehr is in poor condition**, being supplied with tanks and other heavy vehicles only by 75%. Even those German army units, which should become a part of the NATO Spearhead Force, lack the battle-ready vehicles and small arms.¹² Germany plans to increase its defence spending only in 2017; but it is questionable whether Vladimir Putin is going to give Europe so much time.

Thus the inactivity of NATO in helping Ukraine corresponds to the overall context of the Alliance's degradation. For a long time NATO has been setting wrong priorities and thus has lost the control over the situation in Europe as well as the internal solidarity. For years Washington has been persuading its partners to participate in costly and meaningless operations outside Europe, and Europeans have responded with desire to become more independent from the U.S. and with infantile flirting with Russia. At the same time, the key European countries turned out to be unwillingness to pay for their own security while some new NATO members act as Russia's "Trojan horses".

The situation of the eve of World War II is repeated – Europe is too weak to resist the aggressor and the U.S. holds aloof from preventing the escalation of the conflict.

⁸ „Unterlassene Hilfeleistung“: Grünen-Politiker fordert Waffenlieferungen an Ukraine. -

http://www.focus.de/politik/deutschland/interview-mit-werner-schulz-unterlassene-hilfeleistung-gruenen-politiker-fordert-waffenlieferungen-an-ukraine_id_4505858.html.

⁹ Polish Ambassador: US could set example for Europe, by supplying weapons to Ukraine. - http://mw.ua/WORLD/polish-ambassador-us-could-set-example-for-europe-by-supplying-weapons-to-ukraine-1304_.html.

¹⁰ Britain to send army trainers to Ukraine. - <http://www.dw.de/britain-to-send-army-trainers-to-ukraine/a-18277607>.

¹¹ The Wales Pledge Revisited: A Preliminary Analysis of 2015 Budget Decisions in NATO Member States. - http://www.europeanleadershipnetwork.org/the-wales-pledge-revisited-a-preliminary-analysis-of-2015-budget-decisions-in-nato-member-states_2472.html.

¹² Mehr Panzer für die Bundeswehr. - <http://www.sueddeutsche.de/politik/gedankenspiele-im-verteidigungsministerium-mehr-panzer-fuer-die-bundeswehr-1.2366682>; Von der Leyen schreibt ein Buch "ohne Tabus". - <http://www.welt.de/politik/deutschland/article137563163/Von-der-Leyen-schreibt-ein-Buch-ohne-Tabus.html>.

FOREIGN POLICY OF UKRAINE



KEY THEME ANALYSIS

KYIV HAS TO WORK PRAGMATICALLY AND CONSISTENTLY TO SEE THE INTERNATIONAL PEACEKEEPERS IN DONBAS

In the second half of February 2015 Kyiv dramatically changed its position on the issue of international peacekeeping mission for Donbas. On 3 February President Petro Poroshenko said that there was no reason for the peacekeeping mission,¹³ but just in two weeks, on 18 February he initiated the decision of the National Security and Defence Council of Ukraine to appeal to the UN and the EU for deployment of a peacekeeping operation in Ukraine.

In fact Kyiv had enough reasons to change its standpoint:

1. Russian and separatist forces captured Debaltseve and Moscow has not stopped arming the separatists, thus clearly demonstrating the lack of intention to fulfil new Minsk agreement similarly as it ignored the previous one.

2. The lack of efficient response of the EU and the U.S. to Russia's violation of new Minsk arrangement deprives Kyiv of the illusion about Western 'support' in the implementation of peace arrangements.

3. New Minsk agreement has not stopped the preparations of new Russian attacks on Ukrainian positions, particularly in the area of Mariupol. The probability of new large-scale offensive increases with the approach of spring. Kyiv almost lost the hope to regain control over the occupied areas of Donbas in the foreseeable future, for now Ukraine has to focus on protecting from further aggression.

4. Ukraine has not received arms from its Western partners, while it urgently needs them for successful defence of the territory.

5. The current OSCE mission is inefficient in the issue of control over the ceasefire as well as in the implementation of other peace arrangements.

Thus the decision on peacekeepers was actually forced and taken under the conditions of ongoing Russian aggression and Western inactivity. At the same time, it should be noted that **such situation was predictable** after the first Minsk agreements, and Kyiv lost some months because of lack of realism.

On 19 February 2015, at the meeting with European Commissioner for Neighbourhood Policy and Enlargement Johannes Hahn, **Ukrainian President Petro Poroshenko said that Ukraine considers the European Union Police**

¹³ "Si el conflicto continúa, declararé el estado de guerra en todo el país". -

http://internacional.elpais.com/internacional/2015/02/04/actualidad/1423067112_561664.html.

Mission (EUPM) the best option for peacekeeping operation in Donbas. He also emphasized that Russia as the aggressor state will not participate in the peacekeeping mission.

The EU mission indeed meets Ukraine's interests most of all and has a number of advantages:

- 1) It does not necessarily require the approval of the UN Security Council, where Russia has a veto;
- 2) The implementation of the EU decision on peacekeeping mission takes half less time (about three months) than the similar decision of the UN (at least six months);
- 3) Russian forces cannot take part in the EU mission because Russia is not a member of the European Union.

But in fact the chance to implement the "European" format of peacekeeping operation is small: Russia is strongly opposed to such option, and the EU will not dare to take decision in contradiction to Moscow's position. Although the EU peacekeeping operations is technically possible without the UN mandate (as it was in Macedonia in 2003 and in Libya in 2011), but in Ukrainian issue the EU will not act without the decision of the UN Security Council. Even the foreign minister of a friendly Poland Grzegorz Schetyna said that the peacekeeping mission for Ukraine needs a decision of the UNSC.¹⁴ But Russia would definitely veto a peacekeeping mission without participation of its troops.

Besides, the nature of the EU Police Mission does not match the scale of the current conflict and cannot be a guarantor for the separation of belligerents, which massively use heavy weapons. **Co-chair of the Greens/EFA Group at the EU Parliament Rebecca Harms, known for her sympathy to Ukraine, said: "The European Union Police Mission is not a proper tool, because it is not strong enough. You [Ukraine] need "blue helmets."**¹⁵

Thus, the option of the EU peacekeeping mission could rather serve as a leverage of pressure on Moscow – to persuade the latter to agree on more appropriate for it option of the UN mission. However, the efficiency of such leverage depends on the EU resoluteness, for one should not expect any concessions from the Kremlin, while it knows for sure that Berlin and Paris will not dare to act in contradiction to Moscow's position.

The option of the UN peacekeeping mission is more possible, although this path will not be easy as well. Besides the decision of the Security Council and therefore the Russia's consent, the UN decisions on financing and national composition of the international contingent will be needed.

Russia has clearly stated that it will not support the decision on deployment the international peacekeepers in the areas controlled by separatists. **Chairperson of the Council of the Federation Committee on Defence and Security Viktor Ozerov said that Russia may agree only on peacekeepers at the contact line between the separatists and Ukrainian troops, provided that the peacekeepers are not from the NATO countries.** Mr. Ozerov hinted that Belarusian and Russian 'peacekeepers' should take part in the mission.¹⁶ It is clear that such format of the mission would mean the actual legalization of Russian occupation under the guise of 'peacekeeping.'

If the UN Security Council fails to support the idea of international

¹⁴ Schetyna: Wyplacimy odszkodowania za Kiejkuty. Miller się kompromituje, powinien przeproszać. - <http://www.rmfm24.pl/tylko-w-rmf24/wywiady/kontrwywiad/news-schetyna-wyplacimy-odszkodowania-za-kiejkuty-miller-sie-komp,nId,1676094>.

¹⁵ Хармс: Ідея поліцейської місії ЄС - неправильний інструмент, Україна потребує "блакитних касок". - <http://www.unian.ua/world/1048028-harms-ideya-politseyskoji-misiji-es-nepravilnyi-instrument-ukrajina-potrebue-blakitnih-kasok.html>.

¹⁶ Сенатор Озеров: Москва одобрить ввод миротворцев, но не на границе с РФ. - <http://ria.ru/world/20150219/1048545459.html>.

peacekeeping mission for Donbas, then Kyiv will have nothing but to seek the official recognition of Russia as aggressor-state and the deprivation of its veto. To this aim there is a need to recognize officially the Russian occupation of a part of Ukrainian territory. While Moscow denies the presence of Russian troops in Donbas, the fact of occupation and annexation of Crimea is indisputable and is evidenced by the respective decisions of Russian state authorities. The UN member states which recognize Crimea a part of Ukraine should recognize as well a fact of its occupation and thus a fact of Russian aggression against Ukraine.

While addressing the abovementioned issues Kyiv should keep in mind that Western partners will be set to find some compromise with Moscow, in particular, they may not dare to send peacekeepers from NATO countries to Donbas. To increase the chances of positive decision of the UN, ***it makes sense to work out together with the UNSC members the idea to include the representatives of neutral countries, e.g. China, to the peacekeeping mission.*** The chance to agree on the deployment of peacekeepers in the occupied areas is small, but ***the deployment of international forces at the contact line is also a good option for it should stop further Russian military advance into the territory of Ukraine.***

It should be also kept in mind that the months, needed for decision-making on the issue of peacekeeping mission, will be spent by Russia and its proxies to expand the territory controlled by their forces. Moscow will spare no resources to move the actual contact line deeper into Ukraine. That is why **the issue of peacekeeping mission should be addressed to simultaneously with taking efforts to get arms assistance from Western partners.**

