

Ukraine Considers Talks with Putin's Proxies

Featuring Nataliya Bugayova, George Barros, and Mason Clark



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Russian President Vladimir Putin is taking advantage of converging crises, including COVID-19, to surreptitiously advance his campaign in Ukraine. Ukrainian officials agreed on March 11 to the Kremlin's demands to consider direct discussions with the Kremlin-controlled proxies in Donbas. This agreement, if finalized, could launch an irreversible process of legitimizing Russia's military intervention in Ukraine. In this episode of Overwatch, ISW Russia Team Lead Nataliya Bugayova and Russia Research Assistants George Barros and Mason Clark discuss this recent development and contextualize it in the Kremlin's campaign to regain dominant influence in Ukraine.

Kim Kagan:

This is Overwatch, a podcast brought to you by the Institute for the Study of War.

Nataliya Bugayova:

Good afternoon. I'm Nataliya Bugayova, Russia team lead here at the Institute for the Study of War. Today we'll talk about how Russian president Vladimir Putin is taking advantage of converging crises, including COVID-19 outbreak, to advance his goals under the radar. In particular, the Kremlin has accelerated its efforts to try to force Ukraine into a peace deal on Russia's terms. The Kremlin managed to get Ukrainian officials to agree on March 11th, to consider direct discussions with the Kremlin controlled proxies in Donbas for the first time in six years of Russia's war against Ukraine. This agreement, if finalized, could launch an irreversible process of legitimizing Russia's military intervention in Ukraine. It would have major implications for Ukraine's sovereignty and US national security. Ukraine and the West still have time to change course before conceding legitimacy to the Kremlin.

Today, we'll talk about the most recent inflection, these March 11th agreements. We will then pivot to the context of Putin's overall campaign to force concessions from Ukrainian president Volodymyr Zelensky, over the past 12 months. You can find our assessment at the understandingwar.org. And then we'll conclude with the implications for Ukraine and the US. I have here with me my colleagues, Mason Clark and George Barros. George, could you walk us through what happened on March 11th and its significance?

George Barros:

Sure, Nataliya. On March 11th, Ukrainian officials signed a preliminary agreement to facilitate direct talks with the Kremlin-controlled proxies in Donbas, the self-proclaimed Donetsk and Luhansk People's Republics, DNR and LNR. The protocols call for the creation of an advisory council to stabilize the situation in Donbas. The key point is that the council would not only include representatives from Ukraine, Russia, Germany, France, and the Organization for Security and Cooperation in Europe, but also representatives from the DNR and LNR. The council is supposed to be formalized during the next meeting between Russia, Ukraine and the OSCE. Direct negotiations with the DNR or LNR advanced two of the Kremlin's objectives, legitimizing its proxies, and by extension Russian aggression, and reinforcing the false narrative that Russia is an observer rather than a belligerent in the war in Donbas. The protocol also calls for additional Ukrainian force withdrawals from the frontline, even though the Kremlin has exploited previously withdrawals as recently as February. The Kremlin's ultimate goal with this council is to facilitate elections in the DNR and LNR on Russia's terms; that is, without relinquishing control over its proxies, and solidifies the special status of these proxies in the Ukrainian Constitution. Ukraine cannot hold elections in Donbas without compromising its longterm sovereignty, so long as Russia has a military and political foothold in Donbas.

Nataliya Bugayova:

Thanks George. I would like to stress that getting Ukraine to formalize this council is not an isolated effort. Rather, it's one of many steps the Kremlin has been trying to take in its campaign to achieve a Russia favorable peace deal. ISW for the past 12 months has been tracking Putin's efforts to exploit genuine aspirations of President Zelensky to end the war. Zelensky has been calling for peace talks in the Normandy format, which means Russia, Ukraine, Germany, and France since April of last year, but Vladimir Putin deliberately chose to delay the talks as he was trying to force concessions from Zelensky. Putin only agreed to the talks by December of 2019.

We've observed several phases in this campaign. First, Putin tried to court Zelensky. Kremlin and its media used optimistic rhetoric about Zelensky, and also refrained from criticizing him, while Putin continued to wave the promise of the Normandy talks. Then Putin switched to a major pressure campaign on Zelensky in about August as he tried to force concessions and weaken Zelensky's hand ahead of both the Normandy talks and also Russia-Ukraine negotiations about Russian ability to transport gas through Ukrainian territory. The deal that was expiring in January 2020. And then after Putin got both, the deal and hold the Normandy talks on December 9th, the Kremlin shifted back to try to get Ukraine to legitimize DNR and LNR through me and Sasha's advisory council.

So far, the Kremlin has achieved a number of gains, first Putin forced Zelensky to withdraw Ukrainian forces and three disengagement points along the frontline. Ukraine has also agreed to the Kremlin driven Steinmeier formula in September. This formula would grant Russian occupied region, self governance after they hold local elections. Though it's important to know that the efforts to implement the formula have stalled after a major problem backlash in Ukraine, but this new advisory console is essentially the Kremlin's way to advance the same objective.

Finally, Kremlin managed to get Zelensky to give up several high value prisoners and prisoner exchanges, including a witness in July 2014, shoot down of civilian flight MH17. Ukraine did cede ground at the Normandy talks as much as Putin wanted. However, the Kremlin used the summit effectively to dilute Ukraine's leverage on the gas deal, where Ukraine actually had an upper hand. The Kremlin in its signature way, bundled peace and energy talks. And as a result, secured it a much needed transit deal with Ukraine. The deal provided Ukraine with short term benefits such as cash, but stripped Ukraine of longterm leverage as Putin forced Ukrainian government to give up about \$20 billion in claims against Russia state owned energy giant Gazprom. Mason, could you talk about what approaches and methods the Kremlin used to secure these gains and to move Zelensky closer to the Kremlin's terms?

Mason Clark:

Sure Nataliya, the Kremlin has pursued two main means to pressure Ukraine into concessions, direct pressure on Zelensky, as well as superficial concessions and posturing. First off, Kremlin controlled proxies in Donbass have maintained regular levels of aggression against Ukrainian forces on the frontline, even while Putin frames himself as a mediator. The Kremlin run forces launched attacks on the disengagement points Nataliya discussed in January and February of 2020, despite Putin being the one who pressured Ukraine to disengage and agreed to these disengagement points himself only a few months prior. Moreover, Putin personally continues to pressure Ukraine to withdraw troops from the entire frontline to de-escalate and reduce casualties. Despite the fact that Kremlin is the one who violated previously agreed disengagement zones. The Kremlin's other main form of pressure has been to keep Ukraine on the defensive in the information space by constantly and falsely portraying Ukraine as the party stalling the negotiations, despite Zelensky's numerous steps towards peace.

Mason Clark:

Putin has directly questioned Zelensky's ability to control his government and military. Claiming in October 2019, Russian proxies could not yet withdraw from disengagement points because Putin was unsure if Zelensky could control his forces enough to ensure they withdraw as well. This prompted Zelensky to pull back further Ukrainian forces before the Russian proxies did so. The Kremlin has leveraged several other approaches. These include exploiting European desires to reach a peace deal on Ukraine to indirectly pressure Ukraine through Germany and France and disinformation to exploit crises and undermine trust in Zelensky's government. Most notably a campaign on COVID-19 that ISW previously published on in detail.

The Kremlin has also steadily increased its control over its proxy forces, expanding control of the banking and logistics infrastructure of the two separatist as proxy republics, the DNR and the LNR, illegally granting passports to Ukrainians in the occupied territories and even sending a former Russian deputy governor to run the DNR. This all suggests the Kremlin is not preparing for a genuine peace deal where Russia would relinquish control over its proxies. Finally, the Kremlin is using hybrid approaches such as the advisory council that seemingly fall under the threshold of Ukraine fully ceding ground to Russia, to push Ukraine one step closer to Russian terms each time and framing Russia as a mediator, rather than a belligerent. As a separate line of effort, the Kremlin has throughout this period, made a number of superficial concessions to advance the process.

What I mean by superficial is that the Kremlin's concessions to match Ukrainian concessions have been not just unequal, but often not real concessions, allowing the Kremlin to gain more from Ukraine while still outwardly portraying itself as a mediator and moving towards peace. For example, in the September 2019 prisoner exchange, the Kremlin framed a swap for a key witness in the shoot down of civilian airliner MH17, and Oleg Sentsov, a Ukrainian filmmaker as equal. A suspected participant to the shoot down of a civilian airliner captured in Donbass and a civilian documentary filmmaker detained by Russia after the Kremlin's illegal annexation of Crimea are not equivalent. As previously discussed, withdrawals from disengagement points on the frontline have been heavily lopsided against Ukraine, with Kremlin proxy forces often retaining their positions and continuing attacks on Ukrainian forces. The Kremlin has also attempted to frame agreeing to meet in the Normandy format in December as a Russian concession, which it does not because Russia is a belligerent in this process, not a third party.

Nataliya Bugayova:

Thanks Mason. George, let's now talk about where we see the situation heading and its implications.

George Barros:

Ukrainian and Russian officials plan to meet on March 25 to formalize the advisory council. But the meeting was held virtually due to coronavirus and did not show signs of additional agreements. Afterwards, Kremlin media continued to frame Ukraine as stalling the peace process. Going forward the Kremlin is trying to formalize the advisory council with an ultimate goal of holding elections in occupied Donbass on Putin's terms, that is without Russia giving up control over its proxies. There is a chance that this process will be slowed by pushback from Ukrainian civil society, which has prevented the Ukrainian government from making major concessions to the Kremlin in the past. The March 11 protocols triggered in ripple and both Ukraine's political landscape and civil society. At least 55 members of Ukraine's parliament, including members of Zelensky's own Servant of the People party have come out against the advisory council's creation. Several thousand Ukrainians protested the advisory council on March 14 and some Ukrainians even violated Ukraine's quarantine to protest at Zelensky's offices on March 25. Ukrainian civil society and diaspora leaders have called on Zelensky to not formalize the protocols. More recently Zelensky's chief of staff discussed the advisory council with members of the G7 and the European Union on March 26.

George Barros:

A good sign is that EU representatives reportedly reiterated their support for Ukraine sovereignty and territorial integrity. Ukrainian activists and the West are exerting political pressure that may be restraining Ukrainian decision makers from continuing with this Kremlin line of effort.

Nataliya Bugayova:

George, thank you. I would like to conclude our discussion with talking a little bit about the implications. Zelensky's trying to obviously advance peace in Ukraine, but he's approach so far is empowering Putin in Ukraine, and can also empower the Kremlin globally. Vladimir Putin has demonstrated so far that peace is not his priority with continued military campaign, with also his efforts to further integrate his proxies in Donbass as Mason talked about. As well as deliberate efforts to use talks to force concession. What Putin is trying to do is position Russia to regain dominant influence in Ukraine and Ukraine's decision making process and remove constraints such as sanctions. One of the fastest ways to do so is to force Ukraine, to voluntarily legitimize Russian proxies, and thus Russian intervention. The point I want to stress is that such legitimization would irreversibly undermine Ukraine sovereignty in four ways. First it will provide Kremlin with a permanent lever of influence inside of Ukraine's politics through his proxies. It will also strip Ukraine in large part of the leverage that has with the West and also will likely lead to the removal of sanctions on Russia. It can lead to major internal tensions between Ukrainian government and Ukrainian civil society that could actually escalate in real conflict. And finally, legitimization of DNR and LNR will also set a precedent that the Kremlin could then use to push for autonomy of additional regions in Ukraine and weaken Ukraine's government and potentially even split Ukraine.

Mason Clark:

Globally this would empower Putin in two key ways. First legitimizing the principle of Russian aggression by reaching peace and removing international constraints, such as sanctions without reversing the original aggressive behavior that caused the sanctions to be imposed. Second, it would free up key Kremlin resources, including people, time and military assets to conduct further campaigns elsewhere, empowering the Kremlin as a malign actor globally.

Nataliya Bugayova:

Thank you both Mason and George for the discussion. You can find our full assessment of the Kremlin campaign in Ukraine over the past year, as well as the most recent inflection at understandingwar.org in our recent blog post. Thank you.

Kim Kagan:

Thank you for listening to this episode of Overwatch. We look forward to your feedback on this episode and previous ones visit www.understandingwar.org to learn about ISW's work and to sign up for our mailing list.

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