



საქართველოს სტრატეგიისა და საერთაშორისო ურთიერთობების კვლევის ფონდი
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**Ukraine - Peace Process for Conflict
Regulation**

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The Russian Federation annexed Crimea in March 2014 and it severely aggravated the situation in the Donetsk and Luhansk districts of Eastern Ukraine in April 2014 which escalated into a military standoff. With this, the ground for the latest conflict in the post-Soviet space was laid, entailing the death of 14 000 people and turning 2,000 000 people into [IDPs](#). While it is true that active military confrontation has not been carried out from the beginning of 2015, the situation is, however, far from being stable. Small-scale military clashes and shootings continue up until now. At the same time, the risk of large-scale military escalations increases from time to time as happened recently at the beginning of 2021.

International society regards Crimea, as well as the occupied territories of the Luhansk and Donetsk districts, as an integral part of Ukraine. The Russian Federation has been under sanctions for the occupation of Crimea and the military aggression it carries out in Eastern Ukraine; however, the situation with regard to conflict regulation is different in essence.

In the case of Crimea, no type of negotiation format has ever been created and Moscow itself, categorically, excludes such a possibility in the future as well. The peace process for the purpose of settling the Luhansk and Donetsk conflicts has been underway since 2014 with the involvement of the OSCE and other international actors; however, it has never brought about any substantial results other than a partial de-escalation of the situation in the conflict zone.

Peace Process for Conflict Regulation

For today, the regulation process for the Donetsk and Luhansk conflicts is based on the Minsk II agreement which was formalized on [February 12, 2015](#). The political supervision over the execution of this agreement falls within the scope of the “Normandy Format” in which Germany, France, the Russian Federation and Ukraine are involved.

The “Normandy Format” was created in June 2014 when the leaders of Germany, France, Russia and Ukraine [met](#) within the framework of the events related to the 70th anniversary of the deployment of troops in Normandy by the Allied Forces. It was the first instance after the start of the Russia-Ukraine conflict that a meeting of the leaders of the two countries was held. The decision to form a [tripartite contact group](#) was taken at the meeting.

Within the framework of the tripartite contact group, the [Minsk I](#) agreement was formalized on September 8, 2014 which envisaged the necessary steps for a ceasefire as well as the regulation of the conflict. However, the main purpose was to stop the armed hostilities and achieve a de-escalation of the situation. The aforementioned agreement did not bring tangible results as large-scale military activities are still underway in the conflict zone. Hence, it became necessary to activate peace talks and take additional measures. To this end, the [Minsk](#)

[II](#) agreement was formalized in February 2015. In principle, it was exactly with this agreement that the new *status quo* was established in the conflict zone, something which is retained up until now. The separation of the opposing parties and the de-escalation of the situation in the conflict zone were achieved. The mechanisms for monitoring the situation on the ground and for a de-escalation were put in place. However, when it comes to the steps envisaged by the same agreement for the purpose of a full-scale regulation of the conflict, no progress has been achieved in this regard.

Overview of the Minsk II Agreement

It is worth taking into account that the Minsk I as well as the Minsk II agreements were formalized against the backdrop of an ultimately tense situation in the conflict zone. More specifically, acute military clashes were unfolding near Ilovaisk (August-September 2014) for the purpose of securing the Donetsk Airport (January-February 2015) and in Debaltsevo (January-February 2015). Additionally, there was quite solid evidence for the [participation](#) of Russian regular forces in these clashes; however, the efforts of the international community were not enough to make Russia back down. Therefore, the Ukrainian side found itself in quite a complicated situation which forced it to make concessions.

The Minsk II agreement can be divided into several conditional parts:

1. Measures to be undertaken for the purpose of the ceasing of hostilities and the separation of forces;
2. Mechanisms for situation verification and monitoring on the ground;
3. Measures to be undertaken for the purpose of rebuilding trust between the sides of the conflict;
4. Steps to be undertaken for the purpose of a full-scale regulation of the conflict.

The de-escalation of the situation in the conflict zone can be regarded as the major result of the agreement. However, the [reports](#) of the OSCE Special Monitoring Mission prove that the ceasefire agreement is being violated practically every day. Talks of any other positive results of the Minsk II agreement would be an overstatement.

Stemming from the substance of the agreement, it was apparent right at the beginning that it significantly enhanced Russia's position in certain aspects and that the implementation of the agreement would be a hard task to accomplish. From this perspective, the following points of the Minsk agreement should be underlined:

- Despite the fact that there was solid evidence that Russia participated in combat activities in Eastern Ukraine, the Minsk II agreement does not mention Russia at all. For

instance, in the second point of the agreement which talks about the separation of the forces of the opposing sides, only the Ukrainian Armed Forces and the paramilitary units of certain regions of the Luhansk and the Donetsk districts are mentioned. Moscow uses this circumstance as an argument that it is not a party to the conflict but is rather a mediator;

- The 4th point is concerned with the start of the dialogue regarding the modalities of holding local elections in certain regions of the Luhansk and the Donetsk districts. The parties to the dialogue are not mentioned in the agreement but the signatories of the Minsk II agreement are the leaders of the occupied Luhansk and Donetsk districts. Therefore according to this point, the Ukrainian position does not look quite favorable;
- The 9th point talks about regaining control over the state border (the state border between Russia and Ukraine) in the entire conflict zone by the Ukrainian government which should start on the second day of the local elections and end after the full-scale regulation of the conflict. Stemming from the situation on the occupied territories, the victory of the pro-Russian forces in these elections is inevitable in the case of holding local elections. Hence, by holding the elections, it becomes possible to establish the legitimacy of the regimes which exist there and this will hinder the full-scale regulation of the conflict rather than assist it;
- The 11th point is concerned with the implementation of constitutional reform in Ukraine where the country's decentralization, including the adoption of standing legislation regarding the special status for certain regions of the Luhansk and the Donetsk districts, is the key issue. The implementation of this point entails essential threats to the sovereignty of Ukraine as it may invoke tensions in the relations between Ukraine's central government and certain Ukrainian regions.

Therefore, it is of no surprise that the Minsk II agreement did not bring along any progress with regard to a full-scale regulation of the conflict. International mediators had certain initiatives in 2015 so as to make the agreement happen between the sides of the conflict concerning the holding of local elections in certain regions of the Luhansk and the Donetsk districts. These initiatives are [known as](#) the Morel Plan (Pierre Morel, the chairperson of the working group on political issues of the tripartite contact group) and the Steinmeier Formula (the then Minister of Foreign Affairs of Germany). However, none of these initiatives were followed with any real steps.

Current Situation with Regard to Conflict Regulation – Positions of the Parties

The Russian Federation firmly holds onto the position that the Minsk II agreement will be implemented. When speaking of the issue, Russian officials underline that the Minsk agreements are approved by the UN Security Council which further enhances their legitimacy in the process of conflict regulation.

At the same time, the main objective of Moscow is to depict the situation in Luhansk and Donbas as an internal problem of Ukraine. For this purpose, the Russian side puts emphasis on the need for the start of a direct dialogue between Kyiv and the Luhansk and the Donetsk occupied territories.

Luhansk and Donetsk have been one of the main subjects of Russian propaganda for a long time. In the propaganda directed towards an international audience, the emphasis is made on Kyiv's intention to leave the Minsk agreement. Hence, they are trying to portray Ukraine as a non-constructive party. On the other hand, the propaganda directed towards Russia's internal audience places the emphasis on the fact that Russia should proclaim these regions, like Crimea, as its own territory. It should be mentioned that Moscow carries out purposeful policies in this regard. At the same time, the process of distributing Russian passports in Luhansk and Donetsk has been activated. From the spring of 2019 alone, [over 500,000 Russian passports have been distributed](#) in these occupied territories. Western countries [are aware](#) of Russia's intentions to annex Luhansk and Donetsk; however, there are no valid mechanisms in place to halt this process. Western attention is still focused on crisis management in the conflict zone which overall leads to a prolonging and not a solution of the problem should the situation on the ground escalate.

The Ukrainian side, naturally, is aware of the difficulties related to the implementation of the Minsk agreement. The modernization of the Minsk agreement and the inclusion of new actors in the face of the US, Canada and Great Britain is regarded as one option as the president of Ukraine himself stated in an [interview](#) with the *Financial Times*. In the same interview, the president also spoke of the possibility of creating a new format.

[According](#) to the Minister of Foreign Affairs of Ukraine, Dmytro Kuleba, the position of President Zelensky does not mean that Ukraine wants the dissolution of the “Normandy Format” as Russia wants to depict it. According to him, the Ukrainian side believes that the format can bring results but it becomes necessary to look for alternatives when the situation falls into a stalemate. Minister Kuleba believes that the stalemate is supported by Moscow itself which violates the first point of the Minsk II agreement related to a ceasefire.

Paris and Berlin as parties to the “Normandy Format” are also aware that the present situation is quite complicated and that the chances of finding a way out are scarce. [According to the existing information](#), they divided the Minsk II agreement into separate clusters and elaborated complex measures for the purpose of implementing the issues within these clusters. The first version of these new initiatives was presented to the parties of the conflict in November last year and then again in February 2021 – an updated version of the same initiatives. The Ukrainian side also has its own draft but, as it appears, it is in its essence opposite of the stance taken by Russia which drastically reduces the possibility of reaching progress in the process of conflict regulation.

Conclusion

The process of the regulation of the Luhansk and the Donetsk conflict has been in a stalemate for a long time. To make changes to the existing format and the already reached agreements, there is a need for a consensus between the parties which is hard to imagine stemming from the situation on the ground. The Russian Federation acquired a tangible advantage in the peace talks from the beginning. It incorporated such formulations into the agreement which serve its own interests and made the peaceful resolution of the conflict practically impossible.

Overall, it can be unequivocally said that the Luhansk and the Donetsk conflict spots, as well as the process of their regulation, represent the continuation of Moscow’s policies in classical terms which it also implements in other conflict spots in the post-Soviet space.

These policies aim at the following main objectives:

- At the initial stage, Moscow should contribute to the deepening of the conflict and its military escalation;
- During the military escalation phase, Moscow should provide military-political support for its ally so as to attain the desired outcome;
- At a certain point, Moscow should be able to form a favorable conflict regulation format which implies that it should undertake the function of a mediator and have a leading role in the negotiations concerning the regulation of the conflict;
- Within the peace talk process, Moscow should not allow for tangible progress so as to leave the conflict unresolved in the long run;
- Against the backdrop of the unresolved conflict, Moscow should create new political, military, and economic mechanisms with which it would maximally increase the level of the subordination of its allied party in the conflict;

- At the same time, Moscow should impose increasing pressure on the opposing side of the conflict and try to provoke and discredit the opponent within the eyes of the international community.

The situation around the Luhansk and the Donetsk conflict, unfortunately, proves that Moscow has been successfully able to attain the abovementioned objectives.