Analyses OSW

CENTRE FOR EASTERN STUDIES 7.10.2015 www.osw.waw.pl

The meeting of the 'Normandy four: an extension of the status quo in the Donbas

Rafał Sadowski, Jan Strzelecki

On 2 October a meeting was held in Paris of the presidents of Ukraine, Russia, France and the Chancellor of Germany in the so-called 'Normandy format', devoted to resolving the conflict in eastern Ukraine and implementing the Minsk agreements of February 2015. No documents were signed during the meeting. The parties admitted the possibility of extending the Minsk agreements, which expire at the end of 2015, but no formal decision was taken. In addition, a decision was made to arrange a ceasefire and the withdrawal of heavy military equipment, and an extension of the status of the OSCE mission was announced. A key topic of the discussions was the status of the areas occupied by separatists within Ukraine and the organisation of local elections there, but no binding agreement was reached.

Russia is pushing for Ukraine to implement the political part of the Minsk agreements, in the expectation that this will deepen the internal Ukrainian crisis and allow pro-Kremlin forces to influence decisions affecting the entire country. In turn, Kyiv firmly refuses to grant special status to the separatist regions, as doing so would result in a serious domestic political crisis in Ukraine, and would not be acceptable to parliament or the public.

The talks in Paris

The talks, which lasted 4½ hours, were devoted to the implementation of the Minsk agreements, which have not been carried out according to plan, and none of whose conditions have been met. In this situation, the parties discussed the possibility of extending the operation of the agreement, whose deadline expires at the end of the year, but no formal arrangements were adopted. Although none of the parties in the conflict is interested in fully implementing the Minsk agreements (and each of them interprets the provisions differently because of their ambiguous formulation), nobody wants them to be torn up at the moment, as this would mean a collapse of the peace process, and would lead to an increase in international pressure.

The meeting set terms for the withdrawal of both sides' weapons: tanks, mortars of up to 120 mm, and small-calibre artillery (less than 100 mm), within a period of 41 days beginning on 3 October (this is a confirmation of the agreement reached on 29 September within the so-called contact group made up of representatives from Ukraine, Russia and the OSCE, with the participation of the separatists). Ukraine and the separatists' representatives say they have already started the process of withdrawing their military equipment. The meeting

in Paris also confirmed the ceasefire implemented on 1 September, based on the consensus within the contact group (the intensity of military operations in the combat zone has dropped sharply, and there have been no deaths since 1 October).

In Paris an extension of the OSCE's mandate was also announced, including an increase in the number of observers, allowing them unrestricted access to the conflict zone (especially the separatist-controlled areas), and a start to de-mining operations in the Donbas, to be conducted by the OSCE with the support from Germany and France. The operations of humanitarian organisations, including the Red Cross, are also to be resumed, and the exchange of prisoners is also to be speeded up. However, the Russians replied in the negative to the issue Ukraine raised of the release of its citizens detained in Russia.

The biggest differences relate to the political settlement of the conflict: the status within Ukraine of the territories occupied by the separatists, and the holding of local elections there. The Ukrainian side rejected pressure from Russia to adopt amendments to the Constitution, agreed with the separatists, granting special status to the areas they control, as well as special laws on the functioning of local government there and the organisation of the local elections. Ukraine does not agree to holding direct talks with the rebels or granting them amnesty, which Russia is pushing for. The only agreement during the talks in Paris concerns the holding of talks within the contact group on elections in the Donbas. Russia also forced the separatists to cancel the local elections they had scheduled for 18 October (in the so-called Donetsk People's Republic) and 1 November (in the so-called Lugansk People's Republic).

Russia's tactics

The Kremlin's representatives did not publicly confirm the agreements concluded at the 'Normandy four' summit, noting that the final decision concerning their implementation will depend on the Donetsk and Lugansk People's Republics. Kremlin spokesman Dmitry Peskov stressed that the issue of local elections in Donbas should be combined with Kyiv's implementation of the political part of the Minsk agreements, and thus the decentralisation reforms, which would include special status for parts of the Donetsk and Lugansk oblasts, as well as an amnesty for the separatists. In this way Moscow is trying to bring about the *de facto* federalisation of the country, empower the separatists and 'embed' them in Ukrainian politics. This would allow political forces loyal to the Kremlin to interfere in key decisions concerning the whole of Ukraine.

Moscow is trying to make the West withdraw its sanctions against Russia, and to persuade Germany and France to pressurise Kyiv to implement the political part of the Minsk agreements. To this end, Moscow has contributed to reducing the intensity of the rebels' military action. Russia has also moderated its aggressive rhetoric and abandoned the promotion of the 'Novorossiya' project in the media. Moscow is counting on a situation where the Ukrainian authorities do not implement the decentralisation reforms during the extension of the Minsk agreements' implementation period, and where a general ceasefire is maintained, then Western fatigue at the Ukraine situation will deepen, and contribute to the recognition of Russian demands. According to Moscow's calculations, maintaining the *status quo* in the Donbas will contribute to the deepening economic crisis in Ukraine, which should lead to the destabilisation of the socio-political situation and – as Moscow assumes

– to a rise in the importance of forces loyal to Russia.

The meeting of the 'Normandy four' was preceded by bilateral talks between President Putin and the leaders of Germany and France on the Syrian conflict; it seems likely that Russia tried to exploit this fact in order to strengthen his negotiating position and extort concessions on Ukraine. However, as the West still shows a very low level of trust towards Russia, it seems unlikely that this tactic has had the desired effect.

Ukraine's tactics

The Ukrainian government's granting special status to Donbas and an amnesty to the rebels will create an internal political conflict in Ukraine. A significant part of the population opposes granting even elements of autonomy to the region (56% according to surveys in July), as does part of the ruling coalition. In this situation, the actions taken by Kyiv, which is unable to regain control over the separatist regions, are based on postponing such decisions, which will not favour their interests. First of all, it is crucial for Ukraine that the situation in the conflict zone becomes calmer and more stable, which should give the government time to concentrate its efforts and resources on other key challenges for the country (improving the economic situation, implementing reforms, stabilising the domestic political situation).

Germany and France are looking for a compromise

On one hand, Germany and France have strongly emphasised the need to maintain the territorial integrity of Ukraine; on the other, however, they are willing to make concessions to Russia with regard to finding a political settlement to the conflict. The proposals they have put forward assume the implementation of the Minsk agreements in several stages:

- maintaining the ceasefire;

- next, the adoption by Ukraine of legislation, drawn up after consultation with the rebels, which would govern the holding of local elections in the areas they control, and an amnesty for separatists participating in the elections;

- next, the voting should take place within 90 days; starting from the date of the elections, the special status granted to the separatist areas within Ukraine will begin to operate;

- the final step will be to restore to Ukraine full control over its border with Russia, and the withdrawal of all foreign armed groups in the country.

Implementing these proposals (under the provisions of the Minsk agreements) will mean that first Ukraine meets its commitments and grants a certain degree of autonomy to the separatists, and only then the Russian-separatist side keeping its part of the bargain – but in this case, there is no clear guarantee that they will do so.

At the same time, the leaders of Germany and France have firmly rejected the possibility of making any more concessions to Russia on the issue of Ukraine in exchange for cooperation in the Middle East. Despite Russia's attempts, and given the West's very low level of trust towards Russia, it does not appear that the latter has managed to achieve the results it desired in the short term. Berlin and Paris are opposed to linking the discussion on

Russian military involvement in Syria to the settlement of the conflict in Ukraine.

Maintaining the status quo

At the meeting in Paris, discussions began about the possible extension of the implementation of the Minsk agreements. However, both Russia and Ukraine will probably just fake their full implementation, limiting themselves to those points which they find most beneficial. In the context of the expiry of the Western sanctions against Russia at the end of 2015, a new offensive in the Donbas is unlikely now. In this situation, we may expect the *status quo* in eastern Ukraine to be maintained in the coming months.