

Russia activates the talks on the Donbass

Wojciech Górecki, Wojciech Konończuk

Since the end of December 2015, at Russia's initiative, talks and contacts between politicians and high officials from Russia, Ukraine, the EU and the USA on the conflict in the Donbass have become more intensive. From official statements it appears that Russia is pushing for the provisions of the Minsk agreement to be met as soon as possible, especially for Ukraine to adopt the proposed decentralisation reforms and to hold elections in the separatist-controlled part of the Donbass in the near future. Ukraine, for its part, is drawing particular attention to the need to grant the OSCE access to the entire territory of the Donbass, including the Ukrainian-Russian border; for a total ceasefire in the region, and for elections in the region to be held in accordance with Ukrainian law.

We may assume that the uptick in the dynamics of the talks is due to new Russian proposals, hitherto undiscussed in public, which both Kyiv and the West are willing to consider; as well as to the Western partners' desire to make a breakthrough in the peace process. The current situation, of a not yet frozen conflict in the east of Ukraine and political deadlock, is not in the interests of either party in the long run. For Moscow, in a situation of deepening economic crisis, the EU sanctions are becoming more and more of an issue; these of course may be lifted if progress is made in the peace process. The challenge for Kyiv is the West's 'Ukraine fatigue', and its blaming of Ukraine for sabotaging the Minsk agreement by not accepting the decentralisation reforms and the special status for Donbass by the deadline (the end of last year).

Intensification of talks

One of the first signs of an increase in activity by the participants in the negotiations on the Donbass were the telephone conversations held in the so-called 'Normandy format' (the presidents of Russia, Ukraine, France and the Chancellor of Germany) on 30 December and 13 January. On 11 January, Kyiv was visited by Boris Gryzlov, appointed on 26 December 2015 to the post of Russia's new representative in the so-called contact group (including Russia, Ukraine, the Donbass separatists and the OSCE). Gryzlov met Ukraine's President Petro Poroshenko among others. According to Roman Bessmertny, Ukraine's representative in this format, they mostly discussed the issue of the elections in the Donetsk and Lugansk 'People's Republics', which should be held in accordance with Ukrainian law, while maintaining the freedom of the media and the activities of political parties, and under the supervision of international observers.

13 January saw the first meeting this year of the contact group in Minsk. The discussions there primarily focused on the issue of local elections in the areas of Donetsk and Lugansk

oblasts not controlled by Kyiv (no statements were issued). On the same day, Vladimir Putin spoke by phone with Barack Obama. On 14 January, the head of the German Ministry of Foreign Affairs, Frank-Walter Steinmeier, met the Minister for Foreign Affairs of Ukraine, Pavlo Klimkin, and four days later, representatives of Germany and France visited Kyiv, and met President Poroshenko.

On 15 January in Pionierskoye near Kaliningrad, President Putin's Advisor Vladislav Surkov and Victoria Nuland, the Assistant U.S. Secretary of State and the head of the Europe and Eurasia Bureau, held an unannounced meeting, whose purpose was to develop a recommendation on implementing the provisions of the Minsk agreements.

The Russian diplomatic offensive

A signal that Russia could be trying to seize the initiative in the peace process is the call to Boris Gryzlov – a leader of the ruling One Russia party, a long-time former head of the State Duma, and a close colleague of President Putin – to act as Russia's representative in the contact group. This appointment raised the status of the Russian delegation (the previous representatives have been professional diplomats, including Azamat Kulmukhametov, a former Russian ambassador to Syria). In an interview with the newspaper *Kommersant* (18 January), Gryzlov said that the purpose of his appointment was "to expand the horizons" in the search for a compromise and effective solutions; he also said that the situation around the Donbass was not a stalemate, and that his task is to raise make the participants in the peace process aware of this. He suggested that Moscow is willing to make certain concessions to Kyiv, for example, to consider the Ukrainian demand to set a new time-frame for implementing the provisions of the Minsk agreement. Ukrainian leaks from Gryzlov's talks with President Poroshenko also indicate the possibility of Moscow withdrawing its support for the current leaders of the Donetsk and Lugansk 'People's Republics', Aleksandr Zakharchenko and Igor Plotnitskiy.

The meeting between Vladislav Surkov, a leading adviser to President Putin, and one of the architects of Russian policy towards Ukraine, and Victoria Nuland was a manifestation of Moscow's search for new, more effective formats for the peace process, in accordance with its vision of a 'new concert of powers' as the optimal tool for stabilising the international situation.

The gameplay around the decentralisation of Ukraine

For the negotiations on the Donbass to continue, the Ukrainian parliament must vote through a revision of the Constitution which would introduce the decentralisation reforms. The President and the government are attempting to muster the necessary number of votes to adopt these reforms on the second reading (to be held by 2 February). The absolute minimum is 300 votes, but during the first reading (on 31 August last year) the document obtained the support of only 265 deputies. The main point of contention is including the option of granting "a special manner of operation for the local governments in certain districts of the Lugansk and Donetsk oblasts", which is a consequence of the Minsk agreement (point 11), and is opposed by part of the ruling coalition (the *Batkivshchyna* and *Samopomich* parties). According to reports in the Ukrainian media, 280 deputies are

currently willing to support the amendment. The failure of the vote would have negative repercussions for both domestic and foreign policy. On the one hand, it would allow Moscow to blame the Ukrainian side for the failure of the peace process, and would increase criticism of Kyiv from the West. On the other, it would deepen the crisis in the ruling coalition and bring about early general elections.

Conclusions

In a situation of economic crisis in Russia, deeper Western sanctions, and a further decline in oil prices, Moscow's priority is to bring about the lifting of Western sanctions (which are now politically linked to the implementation of the Minsk agreements). In addition, in the current situation, Russia would like to relieve itself of the burden of financing the occupied part of the Donbass and pass it on to Ukraine and the West (the costs are estimated at US\$1-2 billion per year at least).

Consequently, Russia is seeking to freeze the conflict in Donbass, which would lead to a complete cessation of military action (while being able to resume it in the future), the decentralisation of Ukraine, the *de facto* legalisation of Moscow-backed separatist- in local elections, and the granting of a special status to the region, which would increase its effectiveness as a tool of Russian pressure on Kyiv. If such elections are not held, Moscow would depend on Ukraine taking the blame for the failure of the talks, and on an informal decision by the EU (in effect, Germany and France) to start the abolition of sanctions against Russia, despite the failure to implement the Minsk agreements. In tactical terms, the Kremlin, by calling upon Boris Gryzlov to serve as its representative in the contact group negotiations, has raised their significance, and has strengthened its direct political control over the separatists. In strategic terms, however, Russia's objectives for Ukraine (its subordination to the political control of Moscow) have not changed.

Ukraine acceded to the new phase of negotiations on the Donbass due to Western pressure, and with understanding that the Minsk-2 agenda is now largely outdated. At the same time, Kyiv continues to oppose Russian proposals to resolve the conflict which would lead to the reintegration of the region with the rest of Ukraine under Moscow's conditions, i.e. giving the Donbass genuine autonomy. Any positive results from the current phase of negotiations will depend on the vote by the Ukrainian parliament to revise the constitution. However, it seems that there are not enough votes to support this project in parliament now, and its rejection would be seen as a major defeat for President Poroshenko. This could lead the government to postpone the vote. The failure of the Ukrainian constitutional reform announced in the Minsk agreements would be contrasted with Russia's current diplomatic activity, and would burden Kyiv with the responsibility for the protracted deadlock in the peace process.