

HOW RUSSIA MISJUDGED THE WEST PART 12

What Minsk Means

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Russia and the West offer a hybrid solution to hybrid war.

Editor's Note: How do Russia and the West see one another? What are the experts' views on the confrontation between Russia and the West? How do the pundits explain the Russo-Ukrainian war and Russia's Syrian gambit? What are the roots of the mythology about Russia in the West, and why has the West failed to predict and understand Russia's trajectory? This is the 12th essay in a series that seeks to answer these questions. Click [this link](#) to read part 11.

The Minsk-2 Agreement, brokered by the Merkel-Hollande tandem in negotiations with Putin and Poroshenko and signed on February 11-12, 2015,¹ with the goal of structuring an exit from the Russo-Ukrainian war, has become a test not only of Moscow's and Kyiv's ability to find a political solution for the conflict that unraveled the post-Cold war order, but also of Western unity and readiness to formulate a response to the new challenges.

After the seemingly unending violence in the Donbass, the West and Russia offered what we might call a hybrid solution to the hybrid war in Ukraine. The key premises of the two Minsk accords already defined the future problems. First, the aggressor and revisionist state was accepted as a peacemaker and a broker; its demands were also allowed to become the framework of the truce.

Second, the Western mediators (Berlin and Paris), under pressure from Moscow, agreed to turn the war and peace issue into an attempt to legitimize Moscow's efforts to modify Ukrainian statehood. (The Minsk agreements—together with the October 2015 "Normandy Four" clarifications—are based on a tradeoff: on one side of the exchange are Moscow's promise of a ceasefire, the withdrawal of troops, weaponry and equipment, and restoration of Ukrainian border control; on the other side, Kyiv's acceptance of Russia's influence over a constitutional reformatting of the Ukrainian state, entailing integration of the separatist enclaves into the Ukrainian state as independent entities).

Third, the West assumed that sanctions plus diplomacy would lead to a political solution and restore the European security status quo.

It was an attempt to make a compromise between incompatible interests: the Ukrainian choice to move toward Europe, and the Kremlin's desire to keep Ukraine in its embrace. Ukraine lacked the resources to defend its choice, and the West lacked both the willingness and the resources to help it, without making far reaching concessions to the Kremlin.

The West engaged in the Minsk process believing in the power of its persuasion, in reason, in the mechanism of give-and-take, and in the parties' desire to find a win-win solution. Russia engaged in the process with other goals in mind: that the deal would help it to preserve its gains and help it not only control Ukraine but also force the West to endorse its understanding of the new European and global order. The Kremlin has succeeded thus far in winning its *hybrid war*; why shouldn't it succeed now in guaranteeing a *hybrid peace*?

When Moscow discovered (to its surprise) that Ukrainians were ready to fight back, that its foray would be bloody, and that the West's sanctions had begun to bite, the Kremlin dropped its "Novorossiia" project and the attendant goal of bringing southeast Ukraine (beginning with industrial Kharkiv and

Dnipropetrovsk) under Russian control, it decided to turn to a less ambitious agenda: preserving the separatist “republics” as a means of politically and diplomatically influencing Ukraine from inside. Besides, Moscow still gets to play the Ukraine card in its perpetual game of poker with the West.

One gets the impression that the Western approach was designed to strengthen East European security and fortify the EU border while at the same time leaving Ukraine on the other side of it, in a geopolitical grey zone. On the other end of the bargain, Moscow was implored to behave and treat Ukrainians with kid gloves, and threatened with sanctions for any attempt to restart the military actions. But even in the situation of military de-escalation Moscow has other means to undermine the Ukrainian state. The Australian observer John Besemeres wrote, “The Donbas front could always be reactivated and destabilization of other regions renewed. But there are other ways of exerting severe pressure. Trade boycotts, ‘energy diplomacy,’ and the manipulation of prices to exert political pressure, and other coercive economic mechanisms deriving typically from Russia’s dominant position in the old Soviet patterns of ‘imperial preference’ have all been used frequently.”² Moscow could also just wait for the “rotten Ukrainian apple” to fall down, hoping for the Ukrainian reforms to fail and turmoil to create a chance for a new attempt to bring Kyiv back into its “area of interest” (with the consent of the West, which should be experiencing Ukrainian fatigue by now).

The Minsk agreements, apparently, have been the best the West could achieve following a model of “economic sanctions plus diplomacy,” with America playing an observer role, having outsourced Ukraine to Germany. Chancellor Merkel, the key Western architect of Minsk-2, succeeded in dumping Germany’s traditional *Ostpolitik* (which was a courageous, and for many unexpected, step) and guaranteeing European unity on the sanction regime, much to the Kremlin’s shock. At the same time Berlin demonstrated the limits of the West’s readiness to confront Russia and to embrace Ukraine. The Minsk accords allowed the West to save face (at least somewhat and for some time) and de-escalate tension, but due to its contradictory nature it could not yield a sustainable resolution.

James Sherr gave [devastating analysis](#) of the Minsk-2 agreements:

Instead of a diplomatic process reinforced by Western pressure, we have ended up with a series of political retreats under Russian pressure. By combining a cease-fire with provisions of a political settlement, both accords [Minsk-1 and Minsk-2] violate sound diplomatic practice.... The West appears to have lost sight of its original objectives: the restoration of Ukraine’s sovereignty, territorial integrity and internationally recognized borders. After Minsk, the West no longer linked the lifting of sanctions to these objectives, but to the implementation of Minsk.

And “Minsk-2 is a house full of booby traps”, warned Sherr.

It was apparent from the very start that Minsk trade-off was unacceptable for the Ukrainian side; nor was the Russian side prepared to stop undermining the Ukrainian state. The accords did not give Ukraine the Western territorial guarantees or substantial aid (including military assistance) it needed to pursue its transformation and security. What it did was give all the parties involved a pause—and not very long one—before resuming their efforts to test one another’s strength and endurance.

Minsk Process: How to Combine Incompatible?

The Minsk process demonstrated Ukraine’s military and civic resilience, which defied the Kremlin’s expectations. Moscow’s readiness to shift to a political format proved that the Western sanctions were taking their toll. At the same time, the process confirmed the Kremlin’s ability to exert pressure on the liberal

democracies by raising the stakes, by bluffing, and by eking out tactical advantages. Vladimir Putin successfully imposed his terms by intentionally escalating tensions in eastern Ukraine, hoping (not without justification) that not only Kyiv but also the West would lose their nerve and back down, as they have so often done in the past.

The agreements provided a framework for a ceasefire but did not have the mechanisms to pressure and verify that were needed for sustainable stabilization. Moreover, the ambivalence of their provisions could even provoke further confrontation, and some provisions clearly undermine Ukrainian sovereignty.

The attempts to implement the Minsk accord proved what its architects either couldn't see or thought they could solve: that Moscow and Kyiv are interpreting the Minsk agreements differently, which makes it a fuzzy construct with blurred redlines and misleading principles. Its sequence of implementation became crucial. The Kremlin insists that Kyiv should first adopt a "law on the special status" of the "republics" inside of the Ukrainian state, with the concurrence of the DNR/LNR authorities (which has to be part of the Ukrainian Constitution),³ and that it should agree to election modalities that will give the separatists impact over its outcome and give them representation in the Ukrainian parliament. Only after Ukraine implements these provisions will Russia be ready to withdraw troops and weaponry and return the border to Ukraine. (An open border allowed Moscow to support the separatists with weapons and send Russian troops across the border into Ukrainian territory.) If Kyiv agrees to the Kremlin's demands, it would create independent statelets inside the Ukrainian state with the right to forge alliances with other entities outside of Ukraine (one could imagine that they would wish to join the Eurasian Union). Moscow also insists that Kyiv would take all social commitments regarding separatist regions and take responsibility for the rehabilitation of the war zone. What a strange political construct Ukraine would turn into!

Here is the Minsk deadlock: Moscow is not ready to return border control to Kyiv until it forces it to endorse its vision of the area's "special status" and its election modalities. But Ukrainians will never agree to state suicide.

However, from May to July 2015, the Minsk process, which had stalled after its endorsement, got a boost. One has the impression that the key Western actors, afraid of a new escalation and prioritizing other problems, decided to persuade Kyiv to finalize the process of "constitutional decentralization" that was Moscow's key demand. An important trigger was the U.S.-Russian dialogue on Iran and Syria. Russia's role in finalizing the Iranian deal, which was a major foreign policy priority for the Obama Administration, allowed Moscow and Washington to adopt a softer tone toward one another. Obama and Putin, for the first time after several years of frosty relations, found words of appreciation for one another. Asked by Thomas Friedman if Putin was a help or a hindrance on concluding the Iranian deal, President Obama said: "Russia was a help on this.... Putin and the Russian government compartmentalized on this in a way that surprised me, and we would have not achieved this agreement had it not been for Russia's willingness to stick with us and the other P-5 Plus members in insisting on a strong deal." Aside from this, Obama mentioned Putin's initiative on Syria as well: "That offers us an opportunity to have a serious conversation with them." President Obama might genuinely believe in capacity of the Russian leadership to compartmentalize. If so, he is mistaken: the Kremlin tradition of deal making is based on notions of interlinkage and reciprocity.

At a July 17, 2015 meeting of the Russian Security Council, Putin praised America and its leader for the first time in years. The Kremlin official statement said: "The agreement on Iran became possible thanks to the leading and constructive position of the US." This was an unusually warm reaction to the Americans. It

should not come as a surprise that, immediately after this exchange of pleasantries, Ukraine's President Poroshenko hastily (but also clearly reluctantly) supported constitutional decentralization, the Kremlin's favorite idea.

The Kremlin had to expect that the U.S.-Russian dialogue on Iran and Syria would help push the Ukrainian crisis toward Moscow's terms. Amendments to Ukraine's constitution on "decentralization" have to take into account, as Putin put it, the "positive values and genuine interests of Ukraine." The latter means that Moscow would explain to Ukrainians what their "genuine interests" are. Moscow can't agree to the very idea of elections in the Donbass on the basis of Ukrainian laws and with participation of the Ukrainian parties—not at any price!

In addition, the Kremlin is ready to offer its *security guarantees* to Ukraine. It's hard to tell whether we ought to take this as confirmation of the Kremlin's sense of irony or its confidence that the West will be forced to swallow this deal whole. In short, the Kremlin has confirmed that it will continue to seek not only to limit Ukraine's sovereignty but also to influence its form of government and statehood.

Kyiv made a number of concessions, including consent on the new demarcation line, on the separatists' participation in the negotiations. Even more important, Kyiv agreed to make amendments to the Constitution endorsing decentralization. But Kyiv continues to insist that elections in enclaves be held after the withdrawal of Russian troops, after demilitarization, in accordance with Ukrainian law and OSCE standards, and after control over the border is returned to Ukraine.

Western pressure on Kyiv has provoked anger inside Ukraine. Ukraine's President Poroshenko has been accused of "selling out" Ukraine. The Ukrainian observer [Sergei Rachmanin wrote](#),

The Minsk-2 agreement looks like a recommendation to cure the flu when the patient is sick with cancer. Putin's artillery and Steinmeier's statements push the Ukrainian authorities to unilateral implementation.... Soon the West gets a chance to forget about Ukraine. Moscow gets a permanent instrument of destabilization, financed by Kyiv. The separatists will get amnesty and legalization of their military gangs, independence and legitimacy. Kyiv...gets an illusion of truce—one that does not exclude new skirmishes and new victims.... But gradually people will start raise questions that authorities will hardly answer.... Why is the border not ours, when Ukraine did not return the occupied territory...."

The accusations that the West has been pursuing the appeasement policy are not fair. The Western actors involved in the peace process are prepared to confront Russia with new sanctions in case of a new Russian incursion. But so far they have not been ready to build a mechanism that would force the Kremlin to close the border with Ukraine and stop supporting the separatists; this should be a crucial step toward peace. Moreover, the Western mediators don't know what to do with a new fact: the separatist "republics" have been turned into quasi-states under Russian control with formidable military resources and Russian currency. How could one expect them to be integrated into Ukraine?

The Kremlin is not satisfied with the way the Minsk accord has been implemented either. President Putin constantly accuses Kyiv of "not complying." Moscow believes that the West has been playing on the Ukrainian side. As the pro-Kremlin observer [Alexei Chesnakov says](#), "The EU prefers to use Minsk-2 not as an instrument for pressure on Kyiv...but as an instrument to pressure Moscow. Europe closes its eyes to the fact that Kyiv does not fulfill the Minsk agreements.... European partners accuse Moscow of not fulfilling them and apply sanctions."

By September 2015 it became apparent that Kyiv had exhausted its potential for concessions. The law on the “special status” of the enclaves has provoked serious clashes on the Ukrainian political scene, and it failed to get endorsement in the Rada. Any attempt on the Ukrainian side to include the “special status” of the enclaves in the Constitution before withdrawal of the Russian troops, demilitarization of the enclaves, and closure of the border with Russia would entail a double suicide: of the Ukrainian state and of the Ukrainian President responsible for Minsk process. It became clear that Ukrainian society would hardly agree to further concessions to Moscow, even under Western pressure. It is Russia’s turn to deliver, Ukrainians say. The Western peace strategy has met with insurmountable obstacles.

The Western mediators failed to persuade or force Moscow to be forthcoming. At the same time the West could not surrender Ukraine because that would have meant a surrender of its principles and an acknowledgement of its defeat, which could tempt illiberal states to continue to test Western power. The new U.S. sanctions against Russia endorsed in December 2015 for not complying with Minsk-2 and the extension of the EU sanctions for six months demonstrated that the West has put the blame on Moscow.

During November-December 2015 the new escalation of fighting in Donbass (with participation by tanks and heavy weapons) proved that the Kremlin and its proxies resumed their attempts to force Kyiv to accept the Kremlin “peace plan.” The separatists declared a decision to hold local elections [on February 20, 2016, for the LNR, and on April 20, 2016, for the DNR] regardless of Kyiv’s position. (Soon the Kremlin decided to “forget” about these elections, wishing to avoid being the side that could be accused of violating the Minsk accord.) The new skirmishes initiated by the separatists meant that Moscow has returned to the tactics it has enjoyed success with before: military pressure to force the other side to make concessions.⁴

The situation remains ambiguous. On the one hand, the worsening economic situation in Russia, the lack of readiness on the part of society to make sacrifices for war, and Moscow’s eagerness to form a new anti-terrorist front with the West are all signs that the Kremlin could soften its position on Ukraine. On the other hand, the Syria crisis and the Western inability to deal with it, the refugee crisis in Europe, growing European frustration with Chancellor Merkel (the driving force behind the European unity on the Ukrainian crisis), and Obama’s lame duck term are creating in Moscow the impression that the West is in disarray and therefore ready to accommodate Russia. In February 2016 James Sherr wrote, “Russia clearly has decided that a more aggressive change in dynamics now suits its interests.” Anyway, a combination of new softness and new toughness could be a new tool by which the Kremlin could achieve the same goal: finding ways to control the Ukrainian trajectory.

Thus, we are far from the end of the story. Confronted with deadlock, the West has been tempted to agree to play along with Russia’s “Let’s Pretend” game, trying to persuade the world (and itself) that the Minsk process would somehow and sometime guarantee a sustainable truce (we promise!).⁵ Russia, for its part, pretends that it longs for peace. Ukrainian leaders have to pretend, too, as it remains neither at war nor at peace. A broadly shared willingness to pretend hardly makes for a durable peace settlement.

The impression is that all sides hope to freeze the conflict, leaving it open for a future solution. The Report of the pro-Kremlin Center of the Political Conjecture, in discussing possible scenarios for the conflict, mentions freezing the process for the next 3-5 years as the most “realistic” scenario, because it “demands less

expense (political as well).” Russia’s plan, which is supported by some Western forces, is to sustain a frozen conflict that “will torpedo Ukrainian integration into Europe and will create permanent instability inside Ukraine.... [B]ut under the impact of domestic and external factors Ukraine may have to accept this scenario,” wrote the Ukrainian weekly *Zerkalo Niedeli*.

The question is what form the freezing would take: a Ukrainian version of Transdnistria, financed by Russia? But in this case separatists have to declare their independence from Kyiv, and Moscow does not want that. Or would it be Transdnistria Plus, which would mean that the separatists would be forcibly integrated into Ukraine and financed by the Ukrainian state. (But on what political terms, and what would Russia’s impact on the next stage of developments be?) The latter scenario—a “Finlandized” Ukraine left drifting between Russia and Europe—would be the equivalent of planting a bomb inside the Ukrainian state and leaving the remote trigger in the Kremlin’s hands.

I think that freezing the Donbass conflict is an unsustainable option. First, the Russian side views permanent tensions in the Donbass as a way of both undermining Ukraine and squeezing deliverables out of the West. Second, the Russian System needs pretexts to keep society locked into a war mentality. Third, the separatist regimes in the Donbass can’t function in a normal peacetime mode; the separatists also need tension to legitimize themselves. At the current historical moment freezing may look like the only solution, but the danger of a rapid thaw at any moment will remain.

Moscow has been testing all paths simultaneously, including contradictory ones, mixing war and peace, negotiation and pressure. Moscow’s Syrian adventure, which began in September 2015, meant that the Kremlin wanted to distract attention from its war in Ukraine, downgrade the conflict, and turn it into an internal Ukrainian conflict. It is an admission of its failure to expand further into the southeast and to force Ukraine to return to the Russian pocket. But Moscow is stubborn in pursuing its Minsk formula, and it is skillful in the game of pretending. The Kremlin decision to withdraw its “main forces” from Syria in March 2016 has been interpreted by some observers as a sign that Russia will turn to Ukraine again.

Carl Bildt, former Prime Minister and Foreign Minister of Sweden, does not see the current Minsk accords succeeding: “A half-baked deal that temporarily freezes the conflict today and leaves it open to flare up again tomorrow is in no one’s interest—least of all Russia’s. If the country wants a shot at the reforms it desperately needs, a true settlement in Donbas will be essential.”

James Sherr also doubts that the Minsk agreements will be ever implemented: “So long as Europe clings to the mantra that ‘there can be no military solution,’ Russian military force will be the arbiter of this process. At some point, the appetite for a final, conclusive settlement—call it ‘Yalta-2’ or what you will—might prevail over the determination to maintain the rigors of the sanctions regime. So, at least, the Kremlin hopes. In its eyes, the logic of Minsk and the logic of Yalta are connected.... Russia holds all the cards and has powerful incentives to use them. These are dangerous incentives, and they pose perils for Europe as well as Ukraine.”

David Kramer is skeptical too: “The Minsk ceasefire agreement is a badly flawed document that makes no mention of Crimea, places significant burden on the Ukrainian side for passing legislation on decentralization and elections in the DNR and LNR, delays Ukraine’s regaining control over its border until the end of this process, and treats the parties too equally when the Russian side is clearly at fault for having invaded Ukraine in the first place. I also regret that the United States has stayed on the sidelines during this whole process and left the Germans

and French to deal with this. The problem is that the Minsk deal is the only one on the table.”⁶

Ukrainians consider the Minsk accords as a temporary deal that they were forced to strike at the expense of their national interests. They view “Minsk” as a synonym for “Munich.” “The Minsk process is just a cease-fire. But real dialogue about peace and the conditions of the co-existence still is ahead,” says [Ukrainian observer Kost Bondarenko](#). Another influential Ukrainian expert, Vladimir Gorbunin, believes that a new negotiation format will be inevitable when Ukrainian domestic politics and the constitution are excluded from the negotiation process. In his view the current accord format has a “[genetic defect](#)” that will make the agreements illegitimate in the eyes of Ukrainians. We have to take into account what Ukrainians are thinking. The emergence in eastern Europe of a nation with “Versailles syndrome” will be destabilizing for European stability. But Ukrainians have to decide whether they are ready to integrate the occupied territories and bear the immense costs of its integration.

So far Moscow does not want serious escalation there but is ready for sporadic outbursts of tension. Even more important, the Kremlin views the “Donbass issue” as a trump card to be played in the process of negotiations with the Western capitals about the new world settlement.

Anyway, the Minsk accord can’t be implemented as designed, and the negotiations will continue through 2016. The negotiations, which already appear to be hopeless, could either imitate the search for a solution or bring about a new peace agreement that would include an enforcement mechanism (which is crucial).

The Ukraine conflict continues to be not only a major geopolitical but also a major civilizational confrontation of our times. It will impact not only the European security order, but also the world order, as well as the role of the West in charting its own future.

¹[Minsk-2](#) was preceded by the [Minsk-1 accord](#) signed on September 5, 2014, which failed to achieve a ceasefire. On October 2, 2015, the “Normandy Four” (France, Germany, Russia and Ukraine) specified the Minsk agreements in an attempt to unlock the peace process.

²John Besemeres, “Ukraine: Out of Sight” (December 2015), manuscript.

³Meanwhile, the Minsk-2 agreement does not demand consultation with the separatists on constitutional amendments; they have to be discussed with the new authorities to be elected after the withdrawal of the Russian troops and demilitarization.

⁴In December 2015-January 2016 the Kremlin initiated number of steps (the appointment of Putin’s emissary Boris Gryzlov as the Russian representative in the Minsk Contact group on conflict resolution and of Dmitry Kosak as the Russian Representative to the DNR and LNR) aimed at rid of sanctions and demonstrating a readiness to close the Ukrainian chapter. [Boris Gryzlov](#): “My participation is dictated by the Russian leadership goal to broaden the horizon for more effective decisions based on compromise.... According to the Minsk accord...the changes in the Ukraine constitution and the election law should be coordinated with Donbas.” So much for readiness for concessions on Moscow’s part.

⁵German expert [Stefan Meister](#) wrote, “With the February 2015 cease fire agreement in Minsk over the war in eastern Ukraine, Russian leaders came a good deal closer to their goal of sucking Ukraine back into their sphere of influence.... The EU has very little with which to counter this....” Jan Techau was [equally pessimistic](#) when he concluded that “Russian hard power prevailed over Western principles.”

⁶Discussion of the Minsk process with David Kramer, January 2015.

Published on: April 11, 2016



Lilia Shevtsova is a member of TAI’s editorial board. The author wishes to thank Daniel Kennelly for his editorial assistance with this series of essays.