

Ukraine: Running out of Time

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Executive Summary

Ukraine's provisional government faces an uphill struggle to make it to the 25 May presidential election. Shaken by separatist agitation and distracted by Russian troops on its borders, it has not asserted itself coherently and has lost control of the eastern oblasts (regions) of Donetsk and Luhansk, which have voted for independence in contentious referendums. It appears incapable of keeping order in much of the south east, where separatists, supported and encouraged by Moscow, threaten the state's viability and unity. Kyiv and the presidential candidates should reach out to the south east, explaining plans for local self-government and minority rights, and for Ukraine to be a bridge between Russia and Europe, not a geopolitical battleground. With relations between Moscow and the West deeply chilled, the U.S. and EU should continue tough sanctions to show Russia it will pay an increasing cost for destabilising or dismembering its neighbour, while pursuing parallel, vigorous diplomacy to reach understandings that avoid the worst and respect mutual interest.

The situation has consistently worsened since late February, as much of the optimism from the Maidan protests that brought down the Yanukovich government has faded. Following Russia's annexation of Crimea, "volunteers" and quite possibly special forces (Spetsnaz) dispatched by the Kremlin have seized the initiative in the south east. The separatists' objective seems to be to provoke sufficient disruption and bloodshed so that President Vladimir Putin can assert, if he chooses, what he says is Moscow's right to protect Russian speakers anywhere – in the worst case scenario by carving off what would in effect be a new autonomous entity embracing almost a third of the country and many of its most viable economic resources, which might eventually be absorbed into the Russian Federation. All this deepens the crisis between the West and Russia, making the rapprochement necessary to resolve it much more difficult.

The chaos in the south east seriously threatens the presidential election. The government formed in February after months of street demonstrations and fighting barely functions, consists mostly of veterans of a discredited political system and new faces with little or no government experience. Communication within government institutions seems weak, with the public as a whole almost non-existent. Moscow's depiction of a country in the thrall of a fascist coup, dominated by ultra-right militias, has persuaded the Russian public and for lack of alternatives has taken root in parts of Ukraine.

Kyiv must urgently talk to its own people, especially in the south east, where, unlike Crimea, ethnic Russians are not a majority, and even some leading members of the Yanukovich-era ruling party denounce calls to break up the country. Language, self-government and corruption – the latter of immense public concern – should be high on the government agenda and publicised as such. So too should preparing the population for the inevitable pain of deep reforms required to save an economy wrecked by two decades of endemic corruption and incompetence.

Military efforts to restore order in the south east have underlined both the government's weakness and the pressing need for a solution through dialogue, not force. Such a solution is made more difficult by the competing prisms through which the crisis is viewed. For much of Ukraine and the West, a popular uprising in support of a more

European-oriented Ukraine is being stymied by Russian revanchism; for Russia, the Maidan revolution was another calculated move, since the collapse of the Soviet Union, to surround and threaten Russia with enemies and humiliate it.

President Putin appears to consider that a West-leaning Ukraine government born of mass protests would set a dangerous example at home and thwart his ambition of establishing dominant Russian influence over as much of the former Soviet republics as possible. Russia is changing fast, and buoyed by overwhelming public support after the annexation of Crimea, Putin is rapidly creating an avowedly conservative ideology that consciously rejects many of the principles and concepts of Western democracy. In bringing Ukraine to its knees, however, Russia may also have lost its neighbour as a cultural and political ally in the long term.

A mid-April four-party – Russia, Kyiv, U.S., EU – Geneva agreement to calm the situation was ignored by the separatist forces, so is a dead letter. Nevertheless, the effort should be renewed as soon as possible. Ukrainian leaders – particularly presidential candidates – should commit to forming a post-election government of national unity with important representation from the south east and emphasise, as the guiding principle for rapprochement, that they want their country to link, not divide, Russia and Europe. They should also say forthrightly that they do not desire NATO membership and will guarantee continuation of Russia's important defence industry and other ties to the south east, indeed to all Ukraine.

The dysfunction within the provisional government has complicated a slow and often fragmented Western response. The U.S. and EU need now to convey a consistent, firm, united and measured message, recognising – even if not accepting – Moscow's take on the crisis's origins. Its components should be political support for Kyiv to conduct elections, and political, financial and expert support for a national unity government to carry through the necessary stabilisation measures; measures to make Ukraine viable for foreign investment; further sanctions, to bite deeper into Russia's economy if it does not change course; and quiet high-level talks with Moscow and facilitation of Kyiv-Moscow talks with a view to calming the situation and allowing Ukraine's future to resolve itself organically over a period of years.

It is important to recognise that the new Russian readiness to use force to change borders, first evident a half-dozen years ago in Georgia, now clearly requires a firm deterrent response including sanctions and reassuring NATO members of the commitment to fulfil collective security obligations. Those actions must, however, be paralleled by diplomatic steps to lessen the confrontation. On the ground in Ukraine today, Russia has immediate advantages of escalation; over time, the West likely has the economic and soft-power edge. A successful, democratic Ukraine, substantially integrated economically in the West, but outside military alliances and a close cultural, linguistic and trading partner mindful of Russian interests would benefit all. Finally, as Kyiv and its international supporters look to the future, all should keep in the centre of their attention that Ukraine is a profoundly damaged country. This damage goes far beyond separatism and is the fruit of the poor governance and massive corruption that, over the past two decades, has all but destroyed it.

Recommendations

To the provisional government of Ukraine and the government that comes to power after elections:

1. Reach out immediately to the south and east, stationing senior officials and at least one deputy premier there with the explicit task of engaging in a dialogue with citizens, in both major cities and the countryside. Consider holding emergency cabinet sessions in major south-east cities to address local grievances on the ground.
2. Declare and explain in particular plans for local self-government and minority language rights.
3. Address as a priority the allegations of high-level corruption in the current administration; and replace the ad hoc, understaffed anti-corruption bureau with a well-funded extensive and functional agency that is subject to public oversight and can win public confidence.
4. Distance itself publicly and as rapidly as possible from the extremist and anti-democratic ideology of the Svoboda (Freedom) Party and Right Sector.
5. Declare Ukraine's commitment to military neutrality, perhaps using wording similar to Article 11 of the Moldova constitution, which proclaims permanent neutrality and that foreign troops may not be stationed on its territory.

To all candidates in the 25 May presidential election:

6. Pledge to form immediately after elections a geographically, politically and linguistically broad-based government of national unity to manage both national dialogue and economic reform and seek a fair reconciliation with Russia.

To the government of the Russian Federation, the EU and its member states, and the U.S.:

7. Declare full and unqualified support for Ukraine's territorial integrity, and for its right to hold a free and fair presidential election on 25 May.
8. Emphasise that the present situation can only be resolved by diplomatic means and encourage all parties to de-escalate rhetoric.
9. Discuss modalities, possibly including Russian observation, that would reassure all that the elections can be held freely and fairly throughout Ukraine and produce results that are nationally and internationally credible.
10. Express support for a post-election government of national unity and willingness to work jointly on measures by the IMF and other international organisations to help stabilise the Ukrainian economy.
11. Provide funding for and extend the mandate and size of Organisation for Security and Cooperation in Europe (OSCE) monitoring operations in Ukraine; and submit any allegations of abuse of minorities to the OSCE for investigation and possible mediation.
12. Insulate, to the greatest extent possible, divisions over Ukraine from other bilateral and multilateral mutual concerns.

To the EU, its member states and the U.S.:

13. Give Ukraine strong political, economic and financial support to assist its stabilisation, including the conduct of elections this spring. The EU should prepare and offer a program of specific help in identifying and beginning to apply deep reforms, including anti-corruption measures; it should also speed up judicial reform.
14. Take concrete measures to ensure that Kyiv offers a viable investment environment; consider offering political risk insurance to companies that invest in or do business with Ukraine.
15. Begin to plan and allocate funds so as to assist the Ukrainian authorities in making nationwide, root and branch, security sector reform an immediate post-election priority.
16. Engage Russia in quiet discussions and encourage similar Kyiv-Moscow discussions with a view to reducing tension; allowing Ukraine's future to develop organically, free of external pressure; and envisaging the country as a bridge between Russia and the rest of Europe, not a geopolitical battleground.
17. Prepare and implement, in the event such understandings are not reached, further economic and financial sanctions that will bite deeply into the vulnerable Russian economy.
18. Make it clear to Moscow that any efforts to undermine or sabotage the 25 May presidential election will be met by new and comprehensive sanctions.
19. Reassure NATO countries on Russia's borders of the full commitment to collective security under Article 5 of the 1949 NATO Treaty.

To the government of the Russian Federation:

20. Withdraw troops from the border with Ukraine, as well as any paramilitaries who have infiltrated from Crimea or elsewhere.
21. Use its influence to persuade Russian speakers in the south east to end occupations of towns and buildings they have seized and disband their self-declared regional entities and militias. Russia should also distance itself from the self-proclaimed Donetsk republic's takeover of all security and armed forces in the region.
22. Re-engage in discussions with Ukraine authorities, the EU and U.S. to pursue and implement political understandings as outlined above.
23. Refrain from any measures that could be construed as impeding, hindering or sabotaging the conduct of the 25 May election.
24. Present all evidence and claims of atrocities carried out against Russian speakers in Ukraine to an international body, such as the office of the OSCE's High Commissioner for National Minorities, for an open and transparent enquiry.

Kyiv/Brussels, 14 May 2014

Ukraine: Running out of Time

I. Introduction

Demonstrations on Kyiv's Independence Square (Maidan Nezalezhnosti) began on 21 November 2013 in protest at President Viktor Yanukovich's decision, probably made under Russian pressure, not to sign an association agreement with the European Union (EU). Crowds took to the Maidan, first in the thousands and finally in the hundreds of thousands, and remained until 21 February 2014, when the Yanukovich government collapsed. Initially the demonstrators were university students, artists, intellectuals and some of the country's most prominent civil society activists and organisations. They were joined by mainstream opposition members of parliament calling for the release of former Prime Minister Yulia Tymoshenko, then by radical activists who had little interest in either parliamentary democracy or the EU.

There were several turning points in the evolution of the protests. One was on 30 November, when riot police dispersed the crowd with extreme violence.¹ Intimidation failed; the numbers escalated, along with their demands, which now included the government's resignation. In the last weeks of savage fighting, 100 protesters died; approximately the same number are still missing. In this final phase, the most visible group was one of the smallest, the extremist fighting group Right Sector. It has since been designated by Russian official propaganda as proof of the ultra-radical, "Nazi" nature of the demonstrations. According to a leading sociologist, however, Maidan "was driven by the middle class, which rejected Yanukovich as a symbol of the rules of the game". It was "at heart a revolt against both government and the opposition".² Yet, it has resulted in a government strongly influenced by politicians who have a long track record of service in previous, largely discredited administrations.

Negotiations mediated by the foreign ministers of France, Germany, Poland and the EU foreign affairs high representative led to an agreement signed by opposition leaders and President Yanukovich on 21 February.³ Late that evening or in the early hours of the following morning, the president fled the capital and the agreement was rejected by the Maidan protesters.

This report, Crisis Group's first on Ukraine, concentrates on the interim government as it scrambles to find its footing in a dangerous and confusing environment. It examines pro-Russian unrest in the south east, the highly disruptive actions of Ukrainian far-right groups and Russian and Western (EU, U.S. and NATO) policies toward Ukraine and each other. It offers recommendations with respect both to stabilising Ukraine and reducing the risks of a new, Cold War-type confrontation in the

¹ "I realised then that these people [the government] can do anything they want with us", said a businessman who joined that night. "There was no way to compromise. We had to fight". Crisis Group interview, Kyiv, 4 March 2014.

² Crisis Group interview, Yehven Hilbovitsky, Kyiv, 5 March 2014.

³ Key points included the return of the 2004 Constitution, followed by constitutional reform, and balancing the powers of president and parliament, all to be completed by September 2014. The presidential election was then to be held no later than the end of the year. The full text can be found at <http://bit.ly/1hoOo9P>.

wider European region between a surprised and shaken West and a newly assertive Russia. Research was conducted in April in Kyiv and central regions of Ukraine and through extensive telephone interviews with interlocutors in Kharkiv, Donetsk, Dnipropetrovsk and elsewhere.

II. The New Government

On 27 February, Arseniy Yatsenyuk was approved as acting prime minister by parliament. He told Ukrainians that his role was that of a “kamikaze”: he would introduce deeply unpopular and painful economic policies to start pulling the economy out of crisis, he said, and could well be thrown out of office before the 25 May date set to elect a new president.⁴ A few hours earlier heavily-armed, Russian-speaking men had taken over the local parliament building in Simferopol, the capital of the Crimea region, hoisting the Russian flag and holding the building until members of the local legislature voted for a new leader and a referendum on the peninsula’s future.⁵ Within two weeks, Crimea was part of Russia,⁶ the Ukrainian army had lost its bases, equipment and most of its troops stationed there, and the south east of the country was in the grip of pro-Russian demonstrations. The government has been working in extreme crisis mode ever since.

Early in March, in Kyiv, Ukrainian security and government specialists with experience in both government and analytical institutions laid out the prevailing worst-case scenario: a “horseshoe” of Russian pressure and subversion, spreading along the country’s eastern and southern borders and its Black Sea coast and on to Moldova.⁷ They expressed hope that the situation would improve over the coming month. It did not. A main problem was the government’s own incapacity. Senior Western diplomats in Kyiv speak of “disarray” and even desperation in its upper echelons and describe its signals, if given at all, as confused. A hesitant and sporadic “anti-terror operation” first launched in mid-April has since had occasional successes but also a number of setbacks that have done nothing to improve the government’s image.

Most importantly, in the view of many sympathetic observers, the government has failed totally to communicate: among its own members, with the populace at large, with the Ukrainian military stranded in Crimea and with harried and often beleaguered local administrators. Across the south east, local officials complained, some-

⁴ “Новые члены правительства – это политические камикадзе, – Яценюк” [“The new members of the government are political kamikaze – Yatsenyuk”]. <http://bit.ly/1smwWyo>. All those in the new government, Yatsenyuk added, would foreclose all personal political prospects for decades to come.

⁵ Ukrainian sources later claimed that the men were part of a Russian military Spetsnaz (special assignments or special forces) team commanded by Colonel Igor Strelkov, who subsequently emerged as the “commander” of the Donbass People’s Militia, the separatist force that entrenched itself in Slovyansk. Strelkov subsequently told Russian TV that he had come to the town with his group of fighters at the request of “volunteers” he had worked with in Crimea during the February annexation. These volunteers, originally from the south east, asked him to do the same thing in the Donetsk and Luhansk regions, he said. Asked by Russian TV whether he is an officer of the Russian “special forces”, as the intelligence and security organisations are known, Strelkov answered: “Of course not. I have been in the reserves for a long time”. Russian TV Vesti, 29 April 2014, <http://bit.ly/1jzOk23>.

⁶ The referendum was held on 16 March. The Crimean authorities claimed that turnout was 83.1 per cent, of whom 96.77 per cent voted “yes”. See <http://referendum2014.ru>. The Council of Europe’s Venice Commission concluded in its 22-24 March hearings that the referendum was not permissible under Ukraine’s constitution, and the circumstances under which it was held were not in line with European standards. The numerous concerns with the referendum it expressed included the massive public presence of paramilitary forces, an excessively short period between the decision to call the referendum and the vote and that Crimea’s legislature had adopted a declaration on independence five days earlier. See <http://bit.ly/1giMVw1>.

⁷ Crisis Group interviews, political and security specialists, Kyiv, 4 March 2014.

times publicly, at receiving neither guidance nor advice from the central government. Many finally went over to the rebels.⁸

The consequences of the lack of government outreach became clear on 12-13 April, when separatists in the Donetsk region seized as many as ten towns.⁹ More towns and municipalities have been seized since. On 29 April, interim President Oleksandr Turchynov denounced the “inaction, helplessness and times criminal treachery” of the law enforcement services of Donetsk and Luhansk, and admitted that the two oblasts were essentially no longer under government control.¹⁰ Kyiv needs urgently to work with local administrations to identify trigger issues that have brought people onto the streets – local self-government and the status of the Russian language in some areas, fear of political extremism and corruption, the latter an issue of enormous political importance everywhere – and embrace them before separatists establish ownership of them.

“Information Resistance”, a widely-read, Facebook-based analytical review that is regarded as among the most detailed and reliable sources of military news, has been particularly blunt in its criticism of the government’s communication failure. “If the presidential administration wants to avoid panic”, it wrote early in the crisis, “it has to understand that its own murderous silence over many days, starting with the invasion of Crimea, has caused the most demoralisation among the population, army and navy”.¹¹ While the state remained silent, Russian media, professional, highly popular and available almost everywhere, filled the information vacuum.

Allies and critics alike admit the government has an almost impossible task. The country has been run for so long by deeply corrupt leaders, a prominent civil society activist noted, that there are few clean people reformers can call on for help. “They are either clean, or they are experienced”, she said, “never both”.¹² The feeling is growing that the government is running out of time. “I have been telling Turchynov and the others – ‘guys, you’re going to end up badly, you’ll be swept away by a second wave of revolution, every one of you, if people do not see clear reforms’”, an opposition leader, Vitali Klitschko, told angry demonstrators in late March. “People are much more aggressively inclined now”.¹³ Turchynov’s big mistake, said another observer, “was that he treated the Maidan process not as a genuine uprising but [as] an opportunity to seize power”. Now that he has power, he seems unable to control the pro-

⁸ Crisis Group interview, Donetsk local government official, Kyiv, 15 March 2014. By April many of the officials, and most of the police, had either gone over to the protesters or assumed a neutral position.

⁹ Over the next few weeks, the mayor of one seized town, Slovyansk, alternately welcomed the armed men and denounced them. After the separatists detained her for a few days, she announced her full support for the movement on Russian TV; she was finally dismissed from office on 30 April. *Slavgorod*, a Russian-language paper published in Slovyansk, 30 April 2014, <http://slavgorod.com.ua/News/Article/927>.

¹⁰ “Турчинов обвинил в бездействии и предательстве силовиков Луганской и Донецкой областей” [“Turchynov accused the power officers of Luhansk and Donetsk of inaction and treachery”], glavred.info, 29 April 2014. Power officers (*siloviki*) mean in this case the police and other law enforcement forces.

¹¹ <https://www.facebook.com/dmitry.tymchuk/posts/475150145946979>, 27 March 2014.

¹² Crisis Group interview, civic activist and government adviser, Kyiv, 6 March 2014.

¹³ “Russian roulette: The invasion of Ukraine (Dispatch twenty)”, Vice News, 31 March 2014.

cesses by which to use it.¹⁴ The Turchynov administration is seen by many in Kyiv and abroad as an instrument of ex-Prime Minister Yulia Tymoshenko's ambitions.¹⁵

A. *The Presidential Election and 11 May "referendums"*

The polls scheduled for 25 May are intended to be the final step in normalisation. Candidates include two far-right leaders, Svoboda's Oleh Tyahinbok and Right Sector's Дмитро Ярош; several members of Yanukovich's erstwhile Party of Regions; and at least two figures associated to varying degrees with the Maidan. These are Petro Poroshenko, a former politician and now a billionaire businessman, and Tymoshenko. The ex-prime minister, however, is viewed with considerable distrust by many Maidan activists, who regard her as part of the elite responsible for the current mess. Her relatively warm relations with Putin during her time as prime minister may also have undermined her standing among electors. Poroshenko received an important boost when the highly popular Klitschko, until then considered the front-runner, stood aside in his favour. Polls published in late April show Poroshenko leading Tymoshenko by over 30 percentage points.¹⁶

The highly contentious and informal referendums held by separatist organisations in Donetsk and Luhansk oblasts on 11 May, however, have seriously affected the chance of fully nationwide presidential polls. Both referendums asked electors to approve their region's independence from Kyiv. They were conducted without external observers or official voting lists, and were illegal under Ukrainian law. Both claimed high turnouts and "yes" votes of over 90 per cent.¹⁷ The declared results deviate sharply from available polling data.¹⁸ On 12 May, both regions declared independence, while Donetsk appealed to Moscow to be incorporated into the Russian Federation.¹⁹ The same day, Donetsk separatist leaders announced they would take control of all armed and security forces in the oblast, expelling those who refused to pledge allegiance to the new state and destroying any armed groups that resisted. The new

¹⁴ Crisis Group interview, Kyiv, 5 March 2014.

¹⁵ Crisis Group interviews, senior western diplomats, Kyiv, April 2014. President Turchynov, Prime Minister Arseniy Yatsenyuk, the first deputy prime minister in charge of security and military issues, Vitaliy Yarema, Interior Minister Arsen Avakov and the head of the National Security Council, Andriy Parubiy, are all members of Tymoshenko's Batkivshchyna party, as are several other cabinet members. And though the government is described correctly as being largely composed of people from western or central Ukraine, Turchynov and Avakov, as well as Tymoshenko herself, are from the east.

¹⁶ See, for example, the 24 April surveys conducted jointly by the Ukrainian pollsters SOCIS, KIIS, RATING and Razumkov Centre, at <http://bit.ly/1lmgxu>.

¹⁷ For Luhansk results, see International Panorama, 12 May 2014, <http://bit.ly/SUMG0t>. For Donetsk, see "Жители Донецка на референдуме проголосовали против войны" ["Residents of Donetsk voted against war"], 12 May 2014, <http://bit.ly/1iGVgFu>. Figures given by Russian and other news agencies varied by a few percentage points. In general, however, the extremely high turnout and support for independence were reminiscent of the Crimea vote (for full details see footnote 6). There, turnout and support for a break with Ukraine played a decisive role in Putin's decision to accept the peninsula's reintegration into Russia, the president himself later recalled.

¹⁸ See "Despite concerns about governance, Ukrainians want to remain one country", Pew Research Institute, <http://bit.ly/1iLACH>, and "Public Opinion Survey, Residents of Ukraine, 14-26 March 2014", carried out by Baltic Surveys/The Gallup Organisation on behalf of the International Republican Institute, <http://bit.ly/1jhz08n>.

¹⁹ "Луганские сторонники федерализации заявили о суверенитете региона" ["Luhansk supporters of federalism declare the region's independence"], 12 May 2014, <http://bit.ly/1hIaGdo>.

military commander of the self-appointed state, Colonel Igor Strelkov, also called for Russian military assistance.²⁰

Well before the referendums, prominent separatists made it clear they were totally opposed to the presidential election.²¹ Developments after the referendums could jeopardise still further the chances of holding a vote in these two regions, which together constitute some 12 per cent of Ukraine's population. Although conditions for the election are far from ideal, it is vital it takes place as planned and nationwide. The polls are needed, above all, to produce a new leader with enough public support to steer the country through a process of national reconciliation and painful economic reform. The establishment of a broad-based government of national unity must be the new president's priority immediately after assuming office, particularly given that the election's legitimacy may be disputed in parts of the country.

Ideally, too, the vote will result in a president that President Putin recognises. Putin has consistently maintained since Crimea's annexation that he did not view the government or acting president in Kyiv as legitimate. It was instead the product of a coup d'état. He further stated that he would not recognise any elected Ukrainian president if he deemed that the election campaign was accompanied by the same "terror" that prevailed during Yanukovich's overthrow.²²

In its response to the referendums, the Kremlin noted the high turnout and expressed its "understanding" for the two regions' "yes" votes, added that it hoped the results of the referendums would be implemented in a "civilised" manner, but appeared to stop short of endorsing the vote.²³ Any further indications that Russia is attempting to prevent the presidential election from happening should automatically trigger additional and far-reaching sanctions.²⁴

²⁰ Strelkov declared himself supreme commander of the Donetsk People's Republic and requested Russian military assistance. See <http://bit.ly/1oJGYJs>. Strelkov also ordered the arrest of top members of the Kyiv government, and several senior U.S. officials. His call for Russian assistance could prove important, as he has previously insisted that he – and President Putin – are not inclined to help Ukrainian separatists until they take active measures to help themselves. See <http://bit.ly/1l5nIDK>.

²¹ "There's no talk of elections these days. The SE [south east] is already prepared to ignore the junta-elections", Posting, 27 April 2014 at <http://bit.ly/1nBnkSt>. This is believed to be Colonel Strelkov's personal site.

²² Under these circumstances he would continue to view the latter as the country's legitimate ruler. This in turn would keep open his option of invoking, if desired, Yanukovich's 1 March appeal for Russian intervention to restore order to the south east. See, for example "Владимир Путин ответил на вопросы журналистов о ситуации на Украине" ["Vladimir Putin answered journalists' questions on the situation in Ukraine"], 4 March 2014, <http://bit.ly/RIOk53>.

²³ <http://bit.ly/1lpTywC>, 12 May 2014.

²⁴ In Its Foreign Affairs Council Conclusions (FAC) adopted on 12 May the EU stated that "The European Union will pay particular attention to all parties' attitude and behaviour towards the holding of free and fair Presidential elections when deciding about possible future measures." Available at http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/142561.pdf. In its previous Council Conclusions the EU referred to "any further steps by the Russian Federation to destabilise the situation in Ukraine" as a possible ground for "additional and far reaching consequences for relations in a broad range of economic areas between the European Union and its Member States, on the one hand, and the Russian Federation, on the other hand." See Council Conclusions on Ukraine 17 March available http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/141601.pdf and 14 April available http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/142223.pdf.

B. *Weak Security Organs*

The government inherited security, police and defence structures that had by accident or design almost ceased to exist under the deposed president. “Almost all top and middle echelons of security and intelligence were removed by Yanukovich” and replaced by people personally loyal to him.²⁵ They were also deeply penetrated by their Russian counterparts. One result, specialists believe, was the absence of any warning of military activity in and around Crimea in the build-up to Moscow’s take-over. The Russian troop deployment there probably took weeks to plan, but Ukrainian security services did not report it. “We do not know if there was a deliberate plan to destroy defence capabilities, carried out at Russia’s behest”, said a senior security specialist, “but the result was the same”.²⁶

Another consequence of the security institutions’ weakness was that the border with Russia was left open for “three long days”, after the first signs of tension in the south east. This allowed alleged Russian provocateurs to cross without hindrance.²⁷ Events in March and April showed, however, that pessimism about the readiness and reliability of the security and police was considerably understated.

From the start of the crisis, regional governors found themselves working with hostile, demoralised or studiously neutral security and police. “We have new governors in the east”, said a member of parliament soon after pro-Russian demonstrations started, “but they are paralysed until they have a reliable police commander”.²⁸ In early March, the newly appointed head of the Donetsk region, Sergey Taruta, called for fast action on personnel appointments to his region: “There is a certain sabotage on the part of the power services there”, he said. “We therefore need help”.²⁹

The situation steadily deteriorated in Donetsk. By mid-April, Taruta’s offices had been occupied by separatists, some armed, and the number of towns and cities completely or partly under separatist control was continuing to grow. The Ukrainian State Security Service (SBU) publicly noted the absence of cooperation by the Donetsk police in its “counter-terror” operations.³⁰ In late April, security specialists warned the government that the vast majority of the Donetsk regional police force could not be trusted.³¹ A few days later, police stood by as a small group of separatist activists took over the regional TV centre, turned off Ukrainian networks and replaced them

²⁵ Crisis Group interview, Ukrainian security analyst, Kyiv, 4 March 2014.

²⁶ Crisis Group interview, Kyiv, 18 March 2014.

²⁷ Crisis Group interview, military/security specialist, 5 March 2014. Apparently justified concerns about the porousness of the border continued after those first days. Interior Minister Avakov assured the public over a week later that the border with Russia had now been “practically closed”, something that Crisis Group interlocutors suggested was unlikely. The fundamental border problem, its length and lack of protection, however, stemmed from history. “We have close to 2,000 kilometres of border with Russia”, a security specialist noted, “and it is indeed badly policed. But until February, Russia was a close ally. Our leaders did not feel the need either for a military defence plan or strong border demarcation”. Crisis Group interview, Kyiv, 18 March 2014. According to the CIA World FactBook, Ukraine has 1,576km of borders with Russia, and a further 891km with Belarus.

²⁸ Crisis Group interview, Kyiv, 8 March 2014.

²⁹ <http://bit.ly/1qxcgocF>, 5 March 2014. The mayor of Kharkiv had complained a week earlier of mass resignations by demoralised police officers.

³⁰ “The Anti-Terror Centre of the SBU notes the absence of cooperation from the Donetsk police”, 22 April 2014, <http://bit.ly/1leqmWC>.

³¹ “The main thing right now is to forestall any public defection of the Donetsk police [in its entirety to separatists]”. Crisis Group telephone interview, 25 April 2014.

with Russian programming.³² In early May, police were photographed raising the flag of the separatist Donbass Popular Militia over the regional state administrative building in Donetsk city.

The Russian troop build up along the border that began to cause serious alarm in Kyiv government offices and embassies around 20 March,³³ Ukrainian and Western military analysts said, resulted in more and more security officials in the south east “sitting on the fence, waiting to see who wins”.³⁴ Far-reaching security sector reform nationwide, especially for the police and state security service, is an urgent requirement if Ukraine is to be stabilised.³⁵ It will need to address not just capacity building and ideological disaffection, but also rule of law and the endemic corruption that has infected the security organs along with virtually every other arm of government. The EU should consider providing such a long-term program.

C. *Military Command Paralysis*

The military is possibly in even worse shape than the security and intelligence services. If Ukrainian troops tried to resist any Russian invasion, most Western specialists agree, they would be defeated quickly.³⁶ During his brief but chaotic tenure – he was fired on 25 March – Acting Defence Minister Admiral Igor Tenyukh was widely assailed as passive and uncommunicative. One of his few public statements caused widespread alarm: as tension grew in the south east, he told parliament the country had only 6,000 “really combat-ready” troops.³⁷ Other elements of the armed forces were in an equally diminished state, he said. Three days later he sought to launch a public fundraising campaign for the armed forces by SMS.³⁸

Tenyukh probably had little to work with. Security specialists sympathetic to the new government say that Yanukovich’s two defence ministers both had close ties to Russia, including at various points in their adult lives Russian citizenship.³⁹ But Tenyukh was especially criticised for his failure to support the thousands of Ukrainian troops blockaded in Crimean bases after Russian forces took over. Units there

³² “In the Donbass unknown armed people switched off broadcasting of Ukrainian channels”, 28 April 2014, <http://bit.ly/1l5pxR1>.

³³ “A week ago there were lots of Russian troops along the border, but they did not have all the elements necessary for offensive action”, a defence attaché explained. “Now they do”. Crisis Group interview, Kyiv, 21 March 2014.

³⁴ Crisis Group interviews after 17 March 2014. Some of the officials had always been on the fence, a specialist noted. “Others have got back on”. Crisis Group interview, Kyiv, 19 March 2014.

³⁵ The EU has started preliminary work for the deployment of a possible civilian CSDP mission in the field of civilian security sector reform including police and rule of law. See FAC Council Conclusions adopted on May 12, 2014. Available at http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/142561.pdf.

³⁶ Crisis Group interviews, Western military official, 24 April 2014; military specialist, Western ambassador, Kyiv, 18 April 2014.

³⁷ See <http://bit.ly/1lpUBNd>. Tenyukh’s declaration came as a shock to a number of defence attachés. One recalled that when he heard it, his head reeled. “The figure was almost certainly classified”, he said. “If not, it should have been. There was no need to make life so easy for enemy intelligence”. Crisis Group interview, Kyiv, 21 March 2014. Some Western specialist sources believe army combat strength is considerably higher than Tenyukh’s estimate. NATO sources, however, put total strength at around 10,000 at best. Crisis Group interview, 18 April 2014.

³⁸ “Olexandr Turchynov: ‘Mobile operators will provide possibility to support Ukrainian Armed Forces and National Guard by SMS’”, defence ministry, 14 March 2014.

³⁹ Crisis Group interview, Kyiv, 4 March 2014.

complained, at times publicly, at lack of instructions from their commanders. By the time the decision was taken to withdraw from Crimea, well over half the soldiers had gone over to Russian forces that offered both higher pay and guaranteed housing for their families.⁴⁰

Diplomats describe the military leadership as dysfunctional: senior officers and officials are usually hard to contact and rarely able to articulate exactly what assistance they need. Western countries speak of sending military advisers to help the defence ministry identify its requirements.⁴¹ Western military attachés closely involved in advising the new military command say they are not sure if they are dealing with supporters of the current government or with Russian infiltrators put in place under Yanukovych, and Western military officials say their ability to provide intelligence support is considerably constrained by their conviction that this would fall immediately into Russian hands.⁴² The high command's disarray was on display in the failure of the mid-April "anti-terrorist operation". Due to the conventional military weakness resulting from all these deficiencies, many security planners are working on and advocating preparations for partisan warfare in the event Russian forces cross the border.⁴³

D. *The Ukrainian Far Right: The Perfect Enemy*

Two far-right organisations play an important and deeply negative role in post-Yanukovych political life. The Svoboda (Freedom) party is a member of the coalition government, and its leader, Oleh Tyahinbok, participated in negotiations with Western mediators to end the Maidan demonstrations. Svoboda won over 10 per cent of the popular vote and 37 seats in the 2012 parliamentary elections. Despite its extremist origins and the anti-Semitic remarks attributed to Tyahinbok, the party is viewed with some indulgence in intellectual and religious circles: a prominent Church official remarked that it was "maturing" as it grappled with the duties of office.⁴⁴ (It had in fact been told by its coalition partners to temper its extremist actions and statements.)⁴⁵

Svoboda inflicted significant and long-term damage on the new coalition from the start. It played a major role, along with members of Tymoshenko's Batkivshchina party and others, in recalling a 2012 Law on Languages that gave minorities the right to use their mother tongue in areas where they were more than 10 per cent of the population. When originally passed, the law had been widely criticised for in essence giving regional language rights to only one minority, Russian speakers, but the haste to repeal it was viewed as a sign of the new government's ultra-nationalist bent.⁴⁶ Act-

⁴⁰ According to the deputy chief of the Ukrainian General Command Centre, at <http://bit.ly/1jTYnPo>. Later figures put the attrition much higher. Defence Minister Tenyukh was quoted on 25 March as saying that, of more than 18,000 troops in Crimea at the start of the crisis, 4,000 wished to be evacuated to Ukraine proper. See <http://bit.ly/1pV6qm>.

⁴¹ Crisis Group interview, Western defence official, Brussels, 24 April 2014.

⁴² Crisis Group interviews, Western military attachés Kyiv, 21 March 2014; Brussels, 18 April 2014.

⁴³ Crisis Group interviews, military attachés, Western military specialist, Kyiv, 13 April 2014.

⁴⁴ Crisis Group interview, Kyiv, 9 March 2014. The following week, a group of Svoboda members of parliament, using physical violence and videotaping the incident, forced the head of Ukraine's 1st TV channel to resign. They were angered by his decision to carry live Putin's 18 March speech on Crimea.

⁴⁵ Crisis Group interview, civil society leader, Kyiv, 21 March 2014.

⁴⁶ "On 23 February under the barrels of assault rifles in a Verkhovna Rada building surrounded by toughs from Right Sector, 'revolutionaries' and intimidated deputies ... voted for the repeal of the Ukrainian law on 'the fundamentals of state language policy'". "Киевские власти приняли реше-

ing President Turchynov refused to sign the repeal motion, and the law remains in force. The damage was done, however: the attempted repeal is widely viewed as one of the prime causes of the unrest that resulted in Crimea's secession.⁴⁷ Since then Svoboda has been active in pushing a lustration law that shows every sign of being undemocratic, divisive and unenforceable.

Right Sector emerged directly from the Maidan demonstrations, where it was in the vanguard of street fighting toward the end of the three-month protest. On 22 March, it announced its transformation into a political party and the intent of its leader, Dmitro Yarosh, to stand for the presidency. The group includes nationalist veterans who fought in Chechnya against Russian troops in the 1990s,⁴⁸ while some more recent recruits, movement leaders say, are from organised football hooligan gangs.⁴⁹ If anything, Right Sector is even more radical than Svoboda. It rejects democracy, has no interest in the EU and routinely describes the mainstream Maidan protesters as part of the system, or part of the problem. It is equally dismissive of Svoboda, which it accuses of abandoning ultranationalist ideas in favour of organised crime.⁵⁰ Some leaders have reportedly spoken of purging Svoboda when the appropriate time comes.⁵¹

Right Sector has become a powerful propaganda tool for Moscow, featuring daily in statements from Moscow or by pro-Russian activists in Ukraine. Nearly all clashes in and around separatist-held towns have been attributed to it, though evidence is usually sparse. Right Sector was reported in late April to be forming a military force in the south east, and is routinely alleged, mostly in the Russian media, to be involved in the government's anti-terror operation.⁵²

Many Western diplomats are deeply disturbed at government tolerance of far-right groups, especially Right Sector. "They are a gift to the Russians", said a senior diplomat. The extremists are also channeling widespread anger at the deposed regime and suspicion that its successor will, as during the 2004 Orange Revolution, ultimately betray supporters. "We need them now to break this discredited, Soviet regime. Only violence will do that. I can't see Mr Yatsenyuk doing this. They [Right

ние уничтожить русский язык в Украине", ["The Kiev government has decided to destroy the Russian language in Ukraine"], Russian-speaking Ukraine (online at <http://r-u.org.ua/?p=10848>), 17 April 2014.

⁴⁷ Much less attention was paid, in Russia or Europe, to a demonstration in Lviv, western Ukraine's main city. On 26 February, participants announced they would speak only Russian "in a gesture of solidarity with the eastern and southern regions" and as a protest against Svoboda's provocative and dubious statements and actions. "No to nazis! The people of Lviv tomorrow will speak Russian", Dumskaya.net, 26 February 2014, <http://bit.ly/1jzWKqc>.

⁴⁸ "A Step to the Right", *Reporter* (magazine), <http://bit.ly/1pWc5C>. One of its leading Chechnya veterans, Aleksandr Muzychko, was shot dead in a clash with interior ministry operatives in western Ukraine on 25 March 2014.

⁴⁹ Crisis Group interview, Right Sector official spokesman, Kyiv, 9 March 2014. The football gangs include the Donetsk Ultras, D88. See *Reporter*, op. cit.

⁵⁰ Crisis Group informal conversations, Right Sector members, Kyiv, 13 March 2014.

⁵¹ *Reporter*, op. cit. The author, who had infiltrated the movement for his magazine during the Maidan events, quoted a leader telling Sector fighters not to get into conflict with other activist movements like Svoboda yet: "We will need our strength to settle things with these weaklings after our victory".

⁵² For example, Russian TV reported that Right Sector fighters had arrived by helicopter in Sloviansk on 2 May. See <http://bit.ly/1jbhxB6>.

Sector] know how to use violence”, explained an expensively dressed, well-spoken doctor and active supporter of the group.⁵³

Some analysts believe Right Sector has a chance to capture Svoboda’s support base in the presidential election, particularly those who feel Svoboda has gone mainstream. Right Sector may also self-destruct, however. “These people are very situational; they are not big thinkers”, a Right Sector cadre remarked, “and rightist movements have a habit of splintering”.⁵⁴ Criticism from top government leaders, as well as Catherine Ashton, the EU’s high representative for foreign affairs and security policy,⁵⁵ of Right Sector’s menacing and violent behaviour are welcome, albeit belated. But Ukraine’s political leadership needs to distance itself from Right Sector and Svoboda, while at the same time urgently addressing the phenomena that nourish the far right – particularly the sense that the country is run by a massively corrupt, self-perpetuating oligarchy.

The government needs to make it clear that it (or its post-25 May successor) is not just reshuffling the elites but will make profound changes in the political system, including through civil society supervision of government behaviour and establishment of an independent, powerful and transparent anti-corruption mechanism. This would return to prominence some of the principles of the now almost forgotten Maidan movement. The 17 April Geneva agreement reached by Kyiv with Russia, the EU and U.S. (see below) included disarmament of radical groups. Though the agreement has largely been ignored, it is in the government’s interest to disarm Right Sector as soon as possible. The enormous cost of not confronting the group – in terms of image and propaganda advantages offered to separatists – compels a firm stance.

⁵³ Crisis Group interview, Kyiv, 8 March 2014.

⁵⁴ Crisis Group interview, Kyiv, 15 March 2014.

⁵⁵ See, for example, “Ukraine: Ashton condemns Right Sector pressure on parliament, urges all parties to surrender illegal weapons”, EU Neighbourhood Info Centre (ENPI), 31 March 2014.

III. Separatist Threats: Unrest, Anti-Terror Operations, Novorossiia

A. *Unrest in the South and East*

Since the start of the crisis, separatist activity has been concentrated in the south and east, particularly the oblasts (regions) of Donetsk, Luhansk, Dnipropetrovsk and Kharkiv. These are Ukraine's industrial heartland, with a population of over seven million. They are also the areas that on 18 March Vladimir Putin singled out as "historically Russian lands", given to Ukraine by the Bolsheviks after the 1917 revolution.⁵⁶ A month later, at the height of separatist seizures of towns in Donetsk oblast, he referred to the area and several adjoining regions as "Novorossiia" (New Russia), a historical term adopted by the separatist movement for what it would like to see as an independent entity.⁵⁷ This triggered a burst of further separatist activity around the idea of creating such a Novorossiia.

In the largest eastern oblast, Donetsk, the majority of the four million inhabitants is Russian-speaking, according to the 2001 census. Many are not ethnic Russians, however. None of the south-east oblasts have an ethnic Russian majority, according to the same census. In 2001, 74.9 per cent of Donetsk residents identified themselves as native Russian speakers, while 38 per cent gave their nationality as Russian.⁵⁸ In Luhansk, the figures are approximately the same: 68.8 per cent native Russian speakers, 39 per cent ethnic Russians; the figures for Kharkiv were 44.3 and 25.6 per cent respectively.

Moreover, some remaining leaders of former President Yanukovich's Party of Regions (PR), probably still the largest political organisation in the south east and a fierce critic of the new government, do not support the violent unrest. In February, as violence continued in Kyiv, PR leaders tried to damp down talk of troubles in their region. Dnipropetrovsk Governor Dmitry Kolesnikov told a Russian state news agency that "the region has always been known for its ability to solve problems peacefully, by negotiation". He continued, "there is no social base for radical protest moods here",⁵⁹ though he warned that provocateurs were trying to stir up trouble. In April, as separatist unrest spread and more cities were seized in the south east, PR leaders continued to speak against such actions.⁶⁰ Leading separatists in turn dismissed the PR as traitors.⁶¹

⁵⁶ See <http://kremlin.ru/news/20603>. Donetsk is a major coal, steel and agricultural area; Dnipropetrovsk, known for steel, manganese and tyres, is, along with Kharkiv, the centre of the Ukrainian defence industry; Luhansk is known for oil refining, natural gas, petrochemicals and light machinery.

⁵⁷ Putin used the term during his four-hour, 17 April 2014 phone-in, call-on program: "Novorossiia: Kharkiv, Donetsk, Luhansk, Kherson, Nikolayev, Odessa, were not part of Ukraine in Tsarist times; they are all territories that were transferred to Ukraine in the 1920s by the Soviet government. Why they did that God only knows". See <http://kremlin.ru/news/20796>. Putin's words triggered calls by separatists for a new autonomous republic with the same name. See for example <http://vk.com/pgubarev>.

⁵⁸ The figures for Dnipropetrovsk are 32 per cent native Russian speakers, 17.6 per cent ethnic Russians.

⁵⁹ See <http://bit.ly/1mPtrms>, 21 February 2014.

⁶⁰ PR presidential candidate Mikhail Dobkin dismissed the wave of "people's governors" in major south-eastern cities in late April. "Dobkin announced that he attaches no significance to the separatist elections of people's governors", unian.net, 22 April 2014, <http://bit.ly/1lpYEJb>.

⁶¹ Donbass People's Militia, <http://vk.com/pgubarev> posting, 16 April 2014.

The most recent polls do not indicate widespread fear among the majority of Russian-speakers or ethnic Russians. They do, however, show a sharp divide in perceptions of Russia between the west and centre of the country, on the one hand, and the south and east on the other. Thus, while over 90 per cent of inhabitants in the west and centre were strongly opposed to Russian intervention to protect Ukraine's Russian speakers, the figures for the south and east were 51 and 49 per cent respectively.⁶² Ukrainian observers argue that this is largely a result of the Russian propaganda that has blanketed the south east since the fall of the Yanukovich government, as well as the new government's neglect of information policy.⁶³ The figures underline yet again the urgent need for Kyiv to reach out immediately to the south east, listen to grievances, explain policies and find ways to bring the region into a national discussion of the country's future.

"People in the east do not necessarily want to be annexed", said a long-time observer. "They were not happy with Yanukovich, who did nothing for the economy. But they are sitting watching TV every evening, hearing that fascists have taken over the capital. Nothing is being done to counter Russian propaganda".⁶⁴

Pro-Russian agitation in the area started in late February and developed momentum in early March.⁶⁵ Its leaders are "not usually the old political elite", a well-placed official in Donetsk commented, "more the people who would like to be the next elite".⁶⁶ The Russian media and foreign ministry support the activists. The ministry described anti-government protesters as "peaceful demonstrators who came out onto the streets to express discontent at the destructive position of people calling themselves the Ukrainian government".⁶⁷

Russian volunteers arrived almost immediately. On 23 February, a Russian organisation, the Eurasian Youth Union, published an online appeal for volunteers to go to Ukraine and help in the struggle against the Kyiv "junta". It called on "strong young people with at least basic military training" to step forward; listed contact details in Donetsk and Kharkiv; and urged discretion when crossing the border. "You are just tourists", it reminded the volunteers.⁶⁸

Tactics were often non-violent, especially at the start of the unrest. In the countryside, demonstrators blocked train tracks or roads to halt Ukrainian military convoys. In border areas, they blockaded guard installations and weapons stores. Protests turned violent in Donetsk and Kharkiv on the nights of 13-14 March; one person died on 13 March, two the following night. The events were covered at length by official Russian media. After each incident, the foreign ministry issued sharp statements,

⁶² "Public Opinion Survey", *op. cit.*

⁶³ Crisis Group interviews, Western ambassador, Kyiv, 15 March 2014; Ukrainian academics, Kyiv, 4 and 12 March 2014.

⁶⁴ Crisis Group interview, Western diplomat, Kyiv, 20 March 2014.

⁶⁵ The leaders of the movements identified here as pro-Russian offer a number of self-identifications. Sometimes they refer to themselves as supporters of federalisation, a very loose confederation proposed by Moscow in mid-March. When they seize buildings or military equipment, however, they often raise the Russian tricolour.

⁶⁶ Crisis Group telephone interview, 15 March 2014.

⁶⁷ "Заявление МИД России в связи с трагическими событиями в Донецке" ["Declaration of the Russian foreign ministry in connection with the tragic events in Donetsk"], *mid.ru*, 14 March 2014, document number 551-14-03-2013.

⁶⁸ See <http://bit.ly/1hIcRgA>. The Eurasian Youth Union was founded by Alexander Dugin, chair of Moscow State University's sociology of international relations department. For more information, see below, FN 73.

echoing President Putin's 4 March declaration that Russia had a duty to protect lives in the event of a breakdown of law and order.⁶⁹ A week after the violent demonstrations, pro-Russian activists announced creation of a "partisan unit" in the south east that, according to Russian TV, would protect the region from the illegitimate government. The unit claimed to have some 300 assault rifles and a limited quantity of anti-tank rockets.⁷⁰

The demonstration pace dropped toward the end of March, after the arrest of several prominent leaders. An experienced Ukrainian observer of the Russian security services cautioned against complacency. The movement's Russian handlers were "looking for ways to address the cadre weakness" in the south east, he said. "They will try again".⁷¹ They did so in early April. First, some of the activists' Moscow supporters sounded a note of urgency. A militantly nationalist website in Moscow, described by some separatists as a valuable source of support, *odnako.org*, called on demonstrators to follow Luhansk's example and seize weapons. "Only those ready to take a gun in their hands", the site advised, are capable of defending the rights of south-east Ukraine.⁷²

On 11 April, Professor Alexander Dugin, a department head at Moscow State, Russia's premier university, and a prominent radical right ideologist, warned in an appeal to the "heroes of Donetsk and Luhansk" that Russia would not respond if demonstrations in the south east were "limp". "Russian troops will intervene there", he warned, "only in response to the deployment of the Ukrainian army to crush the popular uprising. No Ukrainian army, no Russian forces".⁷³ That evening, the Donbass Popular Militia, one of the main pro-Russian groups, published a list of towns

⁶⁹ <http://bit.ly/RIOk53>.

⁷⁰ The TV station was Rossiya 24. The interview, posted on 22 March 2014, is available at <http://vk.com/pgubarev>.

⁷¹ Crisis Group interview, Kyiv, 16 March 2014.

⁷² See <http://bit.ly/1pZCoS>. The site is run by Mikhail Leontiev, an influential Russian nationalist pundit who presents a TV program of the same name on the main state channel. In January, he was appointed vice president for external communications of Rosneft, the world's largest publicly-traded petroleum company. Rosneft's president, Igor Sechin, has been close to Putin since the early 1990s. Sechin was added to the U.S. sanctions list on 29 April. Some EU member states say privately that they would like to add Rosneft to the sanctions list. Moscow-based websites were not the only sources of support for the south-eastern separatists. Immediately after the Crimean referendum, a Crimea-based web and video portal, *Krimfront.info*, embraced their cause. In a long interview with a separatist leader, the site's presenter announced that the struggle continues in the south and east. The "people of the Donbass, Malorossiya and Novorossiya are waiting for the moment when they can conduct their own people's referendum and choose their path of development, because in Ukraine power is in the hands of a nazi junta". See vk.com/pgubarev, 20 March 2014.

⁷³ Dugin, Facebook page, 11 April 2014, www.facebook.com/alexandr.dugin?fref=ts. Dugin is extremely well-connected in the political elite – a deputy speaker of parliament and editor of the official armed forces newspaper are prominent members of his political grouping. He has been advising the separatist movement in Ukraine, on 29 March 2014, for example, assuring the acting leader of the Donbass People's Militia that he and his movement "constantly" had access to "the first figures" in the country. The Kremlin was, he said, determined "to fight for the freedom and independence of southeastern Ukraine". The claim can be found on vk.com/pgubarev, 29 March, in a long televised address to the leader of the Donbass People's Militia. (The reference to top-level contacts is at approximately 6mins 40sec.) While the Russian government and separatists regularly denounce the Kyiv regime as fascist or Nazi, Dugin is a strong proponent of what he calls the Conservative Revolution, which is to a large degree rooted in the tradition of twentieth-century European far-right thinking. For this, and his views on the Waffen-SS see "Conservative Revolution" [консервативная революция], a long article that can be found on his website, arcto.ru/article/21.

in the oblast that should “rise up” the next day. At least ten did so; they met little resistance, and there was no indication that the government had taken any action in response to the list.⁷⁴

While many nationalist commentators in the Russian media and internet have energetically supported events in the south east, the Ukrainian government has alleged that a prominent commentator, Alexander Boroday, is actively involved as a political adviser in military operations there, especially around Slovyansk, one of the towns seized on 12 March. The government claims his voice and telephone number were reportedly picked up on phone intercepts discussing apparent covert military operations with a man identified as Colonel Igor Strelkov.⁷⁵ Boroday is associated with Den TV, founded by one of the best-known Russian radical nationalists of the past 30 years, Alexander Prokhanov. On 21 February, as the Yanukovich regime was coming to an end but before operations to annex Crimea had begun, Boroday presented a commentary on Den TV, “How to divide up Ukraine”, suggesting that Russia should seek in “some way or another” the recovery of the east and south of the country.⁷⁶

Contacted by a Russian TV station, Boroday dismissed the alleged intercept as a fake. He stated that he had been in the south east “quite recently” and knew some of the activists in Slovyansk. He noted that he was also an adviser to the Russian-appointed Crimean president and insisted that he had never worked for the Russian or any other security service.⁷⁷

B. *An Anti-Terror Operation Falters*

On 13 April, the Kyiv government launched what it described as an anti-terror operation in Donetsk. Its first target was Slovyansk, a major rail and road communication hub with a population of about 100,000. Military jets overflew the area, and army helicopters landed in a nearby airport, but in early comments to the media, the commander, General Vasiliy Krutov, seemed daunted by the task ahead. He said his men were facing highly-trained special forces, with experience in many global hotspots, who “alas are operating extremely professionally”.⁷⁸ The operation quickly ran into problems. Three senior state security officers were injured and one killed in an ambush outside Slovyansk. An eyewitness said the attackers, in military uniforms, had suffered no losses.⁷⁹ Recordings described by Ukrainian officials as intercepted telephone conversations between Colonel Strelkov and presumed Russian special forces in the area, indicated these forces carried out the attack.⁸⁰ Six Ukrainian light

⁷⁴ The list can be found on the V Kontakte – a Russian equivalent of Facebook – page of Pavel Gubarev, one of the militia leaders. Maps were also provided for several target towns. See vk.com/pgubarev, 11 April 2014.

⁷⁵ “СБУ Украины публикует перехват ‘разговора’ диверсантов” [“Security Service of Ukraine publishes intercept of ‘saboteurs’ conversation”], BBC Russian Service, 14 April 2014.

⁷⁶ <http://bit.ly/1l5wZvl>. Den TV was founded by one of the best-known Russian radical nationalists of the past 30 years, Alexander Prokhanov.

⁷⁷ Dozhd’ TV, Moscow, 18 April 2014, available at <http://bit.ly/1eAcaR>.

⁷⁸ See <http://bit.ly/1jbkt0D>. The remark about hotspots suggests that General Krutov had some knowledge of the make-up of Colonel Strelkov’s group, details of which were only made public on 26 April.

⁷⁹ “Russian roulette: The invasion of Ukraine (Dispatch 25)”, Vice News, 15 April 2013.

⁸⁰ “Security Service of Ukraine publishes intercept”, op. cit.

armoured vehicles were blocked in the neighbouring town of Kramatorsk, which separatists had also seized.

Though the separatists had frequently called on civilians to block or impede military movements, the Ukrainian vehicles were not accompanied by police or others trained in crowd control. The troops were taken into custody and Russian flags raised over their vehicles. The government's response further reinforced its reputation for confusion. Even after separatists had posted a video of the captured armoured vehicles, the defence ministry denied anything had happened. Shortly thereafter, a pro-government Rada deputy said the whole incident was a "partisan" ruse – Ukrainian troops had put Russian flags on their vehicles to trick their way through enemy lines. The next day, however, acting President Turchynov said he would disband the Ukrainian unit whose equipment had been captured, and those who had handed over their weapons would be tried for cowardice.⁸¹ The operation continued off and on, with no success, for two weeks.

Government forces seized, then abandoned, several checkpoints around Sloviansk, citing lack of reinforcements, but even these modest operations excited Kremlin ire. The death of several separatists in clashes led to a sharp escalation of tension. In harshly worded statements, President Putin, Defence Minister Sergei Shoigu and Foreign Minister Sergei Lavrov warned that the situation was at a dangerous point. New exercises were announced on the Russian side of the border, explicitly linked to Ukrainian events, and fighter jets allegedly violated Ukrainian airspace.⁸² Separatists, particularly in Donetsk, continued to seize government sites without opposition. Warned by political leaders in the south east that irretrievable loss of control over the region was imminent, the government made a more vigorous push in early May, but it too showed signs of slowing down after a few days. Separatist demonstrations in Odessa ended in tragedy on 2 May, when over 40 people, mostly pro-Russian activists, reportedly died in a burning government building during street fights with pro-government groups.⁸³

A probably more significant though indirect Russian response to the Ukrainian military actions was the sudden appearance at a press conference in Sloviansk of Strelkov, identified as commander of the Donbass People's Militia. He had previously been described by Ukrainian officials as a colonel in the Russian special forces (Spetsnaz) – a characterisation that Western military officials privately supported.⁸⁴ Russian officials have suggested he is a volunteer with counter-insurgency experience. Strelkov gave few details of his background but said that he headed a unit of volunteers formed in Crimea and composed of Ukrainians and Russians with combat experience in Chechnya, Central Asia, Iraq, Yugoslavia and "even Syria".⁸⁵ His surfacing indicated that Russia may intend to turn the disorganised militia into a more

⁸¹ See <http://bit.ly/1l5zX38>. Other sources, including Information Resistance and the state security service, asserted that most troops did not surrender their weapons. Only those members of the unit that decided to stay with the separatists did so. The others were allowed to leave with their weapons but without their APCs. See Tymchuk Facebook page, 17 April 2014.

⁸² "Time allocates the priorities", *Red Star* (official Russian Armed Forces newspaper), 24 April 2014, <http://bit.ly/1qxmMPp>; "Commander of the Sloviansk self-defense: the defence observers are career intelligence operatives", 26 April 2014, <http://bit.ly/1hIeSJA>.

⁸³ "EU calls for independent probe of Odessa deaths", Reuters, 3 May 2014.

⁸⁴ Crisis Group interview, Western military official, Brussels, 16 April 2014. For Strelkov's first public appearance in Sloviansk on 26 April 2014, see <http://bit.ly/1ggc2kd>.

⁸⁵ "Ukraine crisis: Key players in eastern unrest", BBC, 8 May 2014.

permanent and serious force. It may also presage a more vigorous effort to break off the south east bit by bit.⁸⁶

⁸⁶ Prior to events in south-east Ukraine, Strelkov stayed out of the public eye. In April 2013, however, he participated in a roundtable discussion in Moscow on lessons from the war in Syria. Among the concepts discussed were wars of “controlled chaos”. Such conflicts, a summary of the roundtable noted, start with a political crisis, along the lines of a “coloured revolution”. This often turns into a bloody “intra-state conflict”, and, depending on circumstances, can end with “external aggression or the occupation of the victim state”. See <http://bit.ly/1iH2Rnl>. Among the issues Strelkov emphasised were Russia’s demographic vulnerability and the need for any state under pressure to firmly control its borders. “War in Syria, the lessons for Russia”, *anna-news.info*, 6 June 2013, <http://bit.ly/1on8HlJ>.

IV. External Interventions

A. *Russia*

The annexation of Crimea and the continuing pressure on Ukraine took the world by surprise. These actions are, however, consistent with a worldview President Putin has demonstrated since he came to power. This has been substantially influenced by the trauma of the Soviet Union's collapse, particularly for its scattered Russians; what he regards as the West's deliberate humiliation and deception of Russia throughout the 1990s; a deep distrust of NATO; and the intolerability, in his view, of further NATO expansion eastwards.

He first alluded to several elements of this worldview in the March 2000 biography produced for his initial presidential campaign; they came to the fore in a speech he delivered in reaction to NATO's 2008 Bucharest summit, and then during the war with Georgia a few months later. They recurred in his 18 March 2014 speech marking Crimea's return to Russia. His assertive response to the outside world and especially toward everything that he considers a sign of Western hegemony is now being incorporated into an ideology marked by a vigorous defence of traditional Russian moral and political values that he believes are under attack from Western immorality, as well as Western efforts to impose its version of democratic government universally.

Putin's suspicion of NATO dates back to the reunification of Germany in 1990, when the organisation, he later recalled, "deceived us in the most primitive way possible", by promising it would not expand into the Baltic states and other parts of the former Warsaw Pact.⁸⁷ The 2008 NATO Bucharest summit's announcement that Ukraine and Georgia would eventually join the organisation infuriated Putin, who warned NATO leaders that further expansion would be a threat to Russia.⁸⁸ Two days later, in a closed-door speech leaked to the accompanying media, he reportedly addressed U.S. President George W. Bush directly: "You understand, George, Ukraine is not a state. What is Ukraine? One part is eastern Europe. The other part, and a significant one, was donated by us". According to the Russian newspaper *Kommersant*, Putin then "very transparently hinted that if Ukraine was accepted into NATO, it would cease to exist. That is, to all intents and purposes he threatened to start the process of seizing Crimea from Ukraine".⁸⁹

The Georgia war was a watershed. It triggered an enormous spike in Putin's popularity and was followed a few weeks later by an announcement that Russia had its own sphere of privileged interests.⁹⁰ It also marked the point when military force

⁸⁷ "Владимир Путин: даю вам честное партийное слово" ["I give you my honest Party word"], *Kommersant*, 30 August 2010. Western officials deny there was any such undertaking and say the idea of NATO expansion into the former Soviet bloc took shape well before the collapse of the Soviet Union. See, for example, Robert B. Zoellick, "Two plus four: The lessons of German unification", *The National Interest* (fall 2000), no. 61.

⁸⁸ *Kommersant*, 5 April 2008.

⁸⁹ *Kommersant*, 7 April 2008.

⁹⁰ This sphere of interests was subsequently identified by figures close to the Kremlin as the states of the Collective Security Treaty Organisation (CSTO), plus Ukraine. See, for example, Vyacheslav Nikonov, www.aif.ru/politics/world/6162. The interests should be protected by all means, including military, he noted. The CSTO currently consists of Armenia, Belarus, Kazakhstan, Kyrgyzstan and Tajikistan, in addition to Russia.

again became an explicit tool of foreign policy.⁹¹ A Russian official recalled recently: “The main conclusion that we drew from the war was that there would be no serious reaction” from the West.⁹² Russia subsequently pushed ahead with plans to entice former Soviet states back into the Eurasian Union and the Customs Union, which would considerably tighten economic and political links. Increasingly in the past few years, Putin has articulated a vision of Russia and its values that is more nineteenth century conservatism than Soviet nostalgia: proudly non-Western and anti-liberal, and prone to view any large-scale manifestation of opposition to his rule, such as the major demonstrations of December 2011 to mid-2012, as the work of Western forces and governments.⁹³

His associates and aides now stress that he is the leader not only of Russia, but also of what they call the global “neo-conservative” movement that defends the “traditional, eternal” values “often forgotten in the West”.⁹⁴ During a 17 March 2014 phone-in, he cited two European supporters of “conservative values”: the French Front National’s leader, Marine Le Pen, and Hungary’s prime minister, Victor Orban.⁹⁵

The Maidan events brought these themes into focus. Putin and other officials regularly cite, and almost certainly believe, a Western-fomented plot aimed primarily at weakening Russia’s security by creating an ideologically hostile state along its borders. Speaking immediately after the annexation of Crimea, Putin returned to his vision of the clear and present threat of NATO. Had Crimea not chosen Russia, as he put it, there was a real risk of a NATO base on the peninsula in the foreseeable future. The consistency and depth of Putin’s suspicion of NATO – something that much of the Russian elites share – needs to be weighed carefully in any discussion of international responses to the assertive Russian policy. Offers of NATO membership to Ukraine or other former Soviet republics could immediately turn them into a target.

⁹¹ Though the right to use force in the pursuit of external policy aims was never renounced after the break-up of the Soviet Union, it had not been exercised for many years. Deployment of military power in Georgia was much noted and applauded by the Russian foreign policy establishment. “After the August 2008 events, military force became an acceptable instrument in Russian foreign policy”, the country’s premier think tank remarked. “Доклад “Россия и мир: 2009” [“Report “Russian and the World”], IMEMO, page 4. A leading academic wrote that the Georgia war was viewed as a demonstration to the West of Russia’s determination to defend its interests, “by force if necessary”, and revenge against the U.S. for the humiliations of the past twenty years. The newfound assertiveness was undermined in 2009, when Russia amended the defence law to permit its forces to be used overseas in a number of instances, including the protection of Russian citizens. “В Государственную Думу направлен законопроект, направленный на создание правового механизма, обеспечивающего возможность Президенту оперативно использовать формирования Вооружённых Сил за пределами страны” [“A draft law has been sent to the state дума, aimed at the creation of a legal mechanism allowing the president to use military formations in an operative manner beyond the country’s borders”], www.kremlin.ru/news/5152.

⁹² Crisis Group telephone interview, Russian official, Moscow, 27 February 2014.

⁹³ One of the right-wing groups that unites many of the thinkers prominent in the discussion of Ukraine’s future was founded in response to the 2012 widespread anti-government demonstrations in Moscow. Called the anti-orange committee, a deliberate nod to the 2004 events in Kyiv, it includes once peripheral, now mainstream political commentators like Alexander Prokhanov, founder of Den TV, Alexander Dugin, Mikhail Leontiev of Rosneft and Odnako.

⁹⁴ See, for example, a long interview on TV channel 1 with Kremlin spokesman Dmitry Peskov, 18 April 2014, <http://bit.ly/1gwVEXb>. Support of these values probably accounts for his popularity in the West, the presenter, Vladimir Solovev, commented.

⁹⁵ “Direct line”, with Vladimir Putin, 17, April 2014, <http://kremlin.ru/news/20796>.

The annexation of Crimea elevated President Putin's popularity ratings to levels higher even than after the 2008 war with Georgia. Personal approval has reached 80 per cent, while 74 per cent of respondents in a survey conducted on 21-24 March 2014 by the Levada Centre, widely viewed as Russia's most objective pollsters, said they would support the government in the event of war with Ukraine.⁹⁶ Given the traditional closeness of Russians and Ukrainians, this is a remarkable figure.

The continuing subversion of Ukraine is a warning to the West – and any former Soviet republics that are in Putin's view too close to the West – that there is a high price to pay for ignoring Russia's interests. It also signals Moscow's determination to assert itself after what Putin and many other Russians feel has been more than twenty years of deliberate isolation and humiliation. "If you compress a spring all the way down, sooner or later it will bounce back with force", Putin said in the address marking Crimea's return.⁹⁷

B. How Far Will Putin Go in the South East?

The Russian government maintains that military intervention in Ukraine would be legally justified on one of two grounds: either an appeal for help by the man it considers the country's legitimate president, Viktor Yanukovich; or on the basis of Article 102, paragraph 1-d of the Russian constitution.

On 4 March, Putin told journalists he had received an appeal from Yanukovich three days earlier, calling on Russia to intervene in the south east to end the "chaos and anarchy" that followed the victory of the Maidan demonstrators.⁹⁸ Putin, as noted, has said he will not recognise Ukraine's 25 May presidential election if he concludes it was conducted in an atmosphere of lawlessness.

Moreover, the president obtained authorisation for Russian troops to intervene in Crimea by applying to the Federation Council, the upper house of parliament that has the constitutional right to approve deployment of Russian armed forces outside the territory of the Federation.⁹⁹ In a letter to the council, Putin noted "the extraordinary situation in Ukraine, the threat to the lives of citizens of the Russian Federation, our compatriots, the personnel of the military contingent of the Armed Forces of the Russian Federation deployed in the territory of Ukraine". He informed the council of the need to use Russian troops there "pending normalisation of the social and political situation in that country".¹⁰⁰ The request was quickly approved.

Since then, Putin has consistently expressed the hope that he will not be forced to again deploy troops in Ukraine but has never completely ruled out the option. Thus, he recalled on 17 April that he had been given permission by the Federation Council to use troops in Ukraine, but "I very much hope that I will not have to take advantage of this right".¹⁰¹ He has also noted a number of differences between Crimea and the south east: their national and ethnic compositions, for example. Though he did not offer details, Crimea is approximately 58 per cent ethnic Russian, a considerably

⁹⁶ See <http://bit.ly/SVoGrH>.

⁹⁷ See <http://kremlin.ru/news/20603>.

⁹⁸ "If we see lawlessness starting in the eastern regions, if people ask our help", he told a press briefing on 4 March, "then we reserve the right to use all available means for the protection of these people". See <http://kremlin.ru/transcripts/20366>.

⁹⁹ For the full text of Article 102, see <http://bit.ly/1imipON>.

¹⁰⁰ "Putin's letter on use of Russian army in Ukraine goes to upper house", <http://bit.ly/1nBzcUz>.

¹⁰¹ "Direct Line", op. cit.

higher figure than that in any of the contested south-eastern oblasts.¹⁰² Putin also emphasised that he decided to allow Crimea's incorporation into Russia only after he saw that "nearly everyone" had voted in its referendum to rejoin.¹⁰³

President Putin is widely and plausibly viewed as a leader who achieves his aims step by step, often pausing to consider the next move. His overall aim seems clear: demoralise and destabilise the Ukrainian state to the point where it either surrenders to Russia's demands or is reduced to chaos and the status of a near failed state. This would be a warning to any other country in what Moscow considers its sphere of influence that might be tempted to opt for the West.

There are a number of ways this might be achieved. The situation is already so chaotic that there is a risk the presidential election will either be postponed or not result in the legitimisation and renewal the country so badly needs. The unrest in the south east, Strelkov recently noted, means that Ukraine now has its own Chechnya there "and a lot of little Abkhazias and Ossetias".¹⁰⁴ Putin could keep the government constantly off balance by maintaining a large troop concentration along the border and giving the separatists – noisy but, judging by the small size of their demonstrations and poll results,¹⁰⁵ not overwhelmingly popular – the chance to organise politically, hold their own referendums and either enforce the confederalism that Russia proposed in mid-March or break off the south east into an autonomous entity (Novorossiia) that Moscow could then decide whether to incorporate or leave notionally independent like Abkhazia.

At the moment there would seem to be no need to invade: the south and east are already comprehensively destabilised. And while Putin has stressed the need for an overwhelming demonstration of support for merger with Russia, the key Russian on the ground, Colonel Strelkov, has recently betrayed some frustration with the lack of intensity of separatist activities and occasional condescension for the militia fighters under his command in Slovyansk.¹⁰⁶

Putin may well not be pursuing a rigid tactical plan. Which of the above possibilities he pursues, or indeed whether he eases the pressure on Kyiv and agrees to dial back the crisis, may depend to a considerable extent on how he assesses the Western reaction and the cost of a long-term confrontation. What is clear is that the mood in official Moscow is still grimly determined. On 12 May, as Ukraine was struggling to respond to the referendum fallout, the Russian government announced that it would switch to a system of prepayment from Ukraine for natural gas. "No more nannying, tomorrow switch [Ukraine] to prepayment", Prime Minister Dmitry Medvedev instructed the head of Gazprom, the state-owned natural gas giant.¹⁰⁷ Ukraine does not have the resources for such payments.

A similarly dark undertone was reflected in a report published in early May by the Izborsky Club, a grouping of radical right-wing nationalists. The report was written

¹⁰² "All Ukrainian population census, 2001 data", State Statistics Committee of Ukraine, <http://bit.ly/iiH54iF>.

¹⁰³ See <http://kremlin.ru/news/20796>.

¹⁰⁴ Posting, Live Journal, 5 May 2014, <http://bit.ly/1jUdh7G>.

¹⁰⁵ "Public Opinion Survey", op. cit.

¹⁰⁶ Strelkov posts his comments in a blog on Russia's "live journal" site. Though usually written under a pseudonym, he has on occasion used his own name, both his nom de guerre, Strelkov, and his real family name, Girkin.

¹⁰⁷ "Медведев поручил «Газпрому» перевести Украину на предоплату газа с 13 мая" ["Medvedev instructed Gazprom to switch Ukraine to prepayment of gas from 13 May"], <http://bit.ly/1oJR791>.

by an unidentified group of specialists led by Sergei Glaz'ev, Putin's adviser for Eurasian integration.¹⁰⁸

The paper held out no hope for a swift end to turmoil in Ukraine. "The whole tragedy of the current situation is that it is practically impossible for Russia to put the 'Ukrainian crisis' behind it, as Kiev is sinking ever deeper into neo-Nazi darkness", it noted. It also called on the Russian political class to consolidate its leadership at home, by "urgently" conducting "a widespread campaign to neutralise the 'fifth column' within the country." The term refers to those who criticise the regime from a western liberal-democratic viewpoint. The report also stressed the need for a "purge" of the country's elites and a tightening of relations with the East, notably "Communist China".¹⁰⁹

C. *The International Reaction*

The most striking feature of the international reaction to the Ukraine crisis has been its lack of coordination. The main players all viewed the events through the prism of their own institutions or immediate perspectives – and most often their own limitations. The common feature has been that one or several influential members of each institution have been able to prevent or dilute any resolute action. Russia's veto has meant there could be no role for the UN Security Council. A number of EU member states consistently urge a more cautious approach.¹¹⁰

Possibly the biggest surprise has been the response of the Organisation for Security and Cooperation in Europe (OSCE). Long viewed as a body that could do little without Russian permission, it deployed a large number of monitors with unexpected speed, and is prepared, funds permitting, to increase its numbers further.¹¹¹ Efforts should be made to extend the mandate for this operation, its duration and size.

NATO officials express quiet satisfaction that thanks to the crisis, the Alliance again has a *raison d'être* that returns it to the centre of world affairs. They also noted that it can do nothing to protect Ukraine directly and will find it difficult to provide aid to a military that is in a state of advanced neglect and possibly disintegration. They acknowledged that they and member states seriously underestimated Russia's determination to impose its will on another European state and, on a technical level, the quality of its new generation of Spetsnaz. Moreover, they failed to notice any military movements around Crimea prior to the annexation. To describe Western oversights in this field as a major intelligence failure, several officials have noted, would not be an exaggeration.¹¹² Those conclusions also prompted concerns from small NATO members on Russian borders, leading the U.S. and other NATO mem-

¹⁰⁸ "Ukraine: Between the West and Russia, <http://bit.ly/QCe7up>. Leading figures in the Club include Dugin, Prokhanov and others mentioned in this report. The Club's site does not give a date for the report, but the official Armed Forces newspaper *Red Star* published extracts on 7 May 2014.

¹⁰⁹ *Ibid.*

¹¹⁰ Spain, Italy, Finland, Greece and Cyprus have consistently opposed strong responses to Russian actions, and France and Germany have at times been ambiguous, while some Baltic states, the UK, Poland and Sweden have pushed for hard-hitting economic sanctions. Crisis Group interviews, senior Western diplomats, Brussels, March-April 2014.

¹¹¹ In late April, the OSCE had 120 observers on the ground and was open to the possibility of increasing to 500. "The Facts", OSCE Monitoring Mission to Ukraine, 28 April 2014.

¹¹² Crisis Group interviews, Western officials, Brussels, 21-22 April 2014.

bers to seek to reassure them by deploying small contingents into those countries and increasing the frequency of force rotations, military exercises and ship deployments.¹¹³

Though the crisis may generate some institutional renewal for NATO, it offers much less to Ukraine and other non-NATO Russian neighbours. Germany, a Western official well versed in NATO issues noted, “will not go a step further” on alliance enlargement. Article 5 of the 1949 North Atlantic Treaty states that an armed attack against one or more parties to the treaty will be considered an attack against them all; there is, for obvious reason, no appetite to take on such military commitments with respect to countries the defence of which by conventional means would be at best problematic.¹¹⁴ This disappoints a number of countries that had believed they were promised membership at least in the indefinite future.¹¹⁵

Given the desperate state of Ukraine’s armed forces, any discussion of membership would serve only to inflame relations with Russia and encourage dangerous illusions on the part of Kyiv. A clear statement from both NATO and Ukraine that membership is not an issue could at least undermine an argument that Russia uses to justify the pressure it has been applying on its neighbour. This, coupled with a commitment to military neutrality similar to that enshrined in the constitution of Moldova, another former Soviet republic, might help reorient the discussion to Kyiv’s economic, political and cultural links with both Western Europe and Russia.

If NATO’s potential role is limited, the EU still could do a lot in addition to sanctions. So far it is moving cautiously, probably in part due to the fact that it is viewed in some quarters, particularly Moscow, as a party in the current conflict. EU officials continue to fear that some member states will dilute any proposed firm response.

On 21 March, the Ukrainian government signed the political provisions of an association agreement. These amount to 21 of the 1,378 pages of the full document.¹¹⁶ The document received a cool reception in some Kyiv diplomatic circles. An ambassador described its value as neutral. Another diplomat expressed concern that it would heighten Ukrainian expectations while in fact providing nothing concrete.¹¹⁷ EU officials said the quick signing of an essentially symbolic agreement was the new Ukrainian government’s idea, as it needs more time to prepare for the painful economic changes that will come with the full agreement.¹¹⁸

The EU has a three-stage plan for sanctions on Russia. The first, largely symbolic, halted negotiations with Russia on a number of issues, including easing visa regimes. The second banned travel and froze assets in the EU for a small group of Russian and Russian-Crimean officials and was meted out in two segments. In May the EU also decided to broaden the legal basis for the restrictive measures to include more

¹¹³ See, for example, “NATO increases its operations in response to Russia’s threat to Ukraine”, Wall Street Journal, 16 April 2014.

¹¹⁴ The Baltic states’ NATO membership affords them greater security from Russian pressure than most other neighbours. None, however, completely rule out some political or more direct pressure from Moscow.

¹¹⁵ See, for example, “NATO increases its operations in response to Russia’s threat to Ukraine”, Wall Street Journal, 16 April 2014.

¹¹⁶ “EU and Ukraine sign 2 % of association treaty”, EU Observer, 21 March 2014.

¹¹⁷ Crisis Group interviews, Kyiv, 21 March 2014.

¹¹⁸ “EU and Ukraine sign”, op. cit.

senior Kremlin figures.¹¹⁹ Among the Russians was Rosneft's Igor Sechin. A third stage of sanctions will in theory be deployed if Russia continues, in the EU's view, to destabilise Ukraine and depend on Russia's "attitude and behaviour towards the holding of free and fair Presidential elections";¹²⁰ these would probably target key sectors of the economy. However, there is some doubt that the member states could ever agree to such measures.¹²¹

D. *Does Ukraine Have a Future?*

If it does not fall victim to secessionists, Ukraine could still become a lively and prosperous link between eastern and western Europe, thanks not only to its geographical location but also to its history and culture, which look both east and west. Moreover, whatever Russian plans may be at the moment, it is not in Moscow's long-term interest to have a broken, resentful and strongly anti-Russian state on its borders. Many of the most seemingly divisive problems in the current over-heated atmosphere are surmountable. The Yanukovich government introduced a flawed law on minority languages that can and should be improved. Bilingualism for a great number of Ukrainians is second nature, and should be encouraged. Politicians across the spectrum, including the far right, say they want the country to stay out of military blocs. A statement to this effect could help defuse the situation.

At this point, however, the EU needs a broader approach. It should work in partnership with the U.S. to frame a vision for Ukraine, a strategy and a clear roadmap for solving the crisis. Brussels and Washington need to convey a consistent and united message to Ukraine and Russia, both in terms of any new sanctions and on the reform and rehabilitation of Ukraine's devastated economy and political system. They should offer political support for Kyiv's insistence on presidential elections as soon as possible; and provide political, financial and expert support for a national unity government to carry through the necessary stabilisation measures, especially a vigorous program of dialogue and reconciliation with the south east.

Brussels and Washington should jointly elaborate further sanctions aimed at Russia's economy and financial system if it does not change course. They should not lose sight of the ultimate target: a successful, independent and democratic Ukraine that is substantially integrated economically in the West, but outside military alliances, and is a close cultural, linguistic and trading partner mindful of Russian interests, but not subservient to them.

In the immediate future, the main international players – Russia on one side, the U.S. and EU on the other – should engage in diplomatic triage: calm, discreet consultations to identify where in the world both countries can play a constructive role together, rather than in opposition. The Geneva meeting between Foreign Minister Sergei Lavrov and his U.S., Ukrainian and EU counterparts resulted in a series of proposals that were ignored on both sides. The process should nonetheless be resumed as soon as possible.

¹¹⁹ See Council Decision 2014/265/CFSP of 12 May 2014 amending Decision 2014/145/CFSP. A total of 61 people are targeted by these restrictive measures. At the same time, two entities in Crimea and Sevastopol are subject to an asset freeze.

¹²⁰ Foreign Affairs Council Conclusions 12 May available at http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/142561.pdf.

¹²¹ Crisis Group interviews, EU ambassadors, Brussels, 29 April 2014.

Russia may take a long time to abandon its current posture. Its hard line has proven remarkably popular at home. It will be difficult for President Putin to roll back, even if he wanted to. At the moment there is no sign that he does. Russia's economic situation was deteriorating even before intervention in Crimea. It faces an enormous bill to develop Crimea and create compatible infrastructure with the rest of the country. Gradually, perhaps, economic realities may induce Moscow to modify its stance.

V. Conclusion

The crisis in Ukraine is the logical legacy of twenty years of mismanagement and massive corruption. It is becoming increasingly clear that key state institutions were almost totally destroyed – a factor that will further complicate and impede efforts to rebuild the country and reform its economy. The government brought into power on a wave of Maidan euphoria has shown little ability as yet to respond to the crisis. A newly assertive Russia, on the other hand, has shown skill and ingenuity in subverting the south east. Its chances of success – imposing a confederation that essentially undermines Ukraine as a unitary state, or going further in the direction of breaking the south east off – are high. The initiative is very much in the hands of President Putin. The separatists in the south east, armed and with a core of Russian military expertise, are continuing to seize towns in Donetsk as the Kyiv government looks helplessly on, with little time left to turn the situation around.

The West and international institutions have been for the most part several steps behind each Russian move. While they impose and modestly expand incremental sanctions toward Russia, Russia's allies and agents in the south east destabilise the central state. The international community needs to realise that Russia has become a different place, with a starkly different and potentially aggressive view of the world, and devise new ways to reach understandings and manage relations with it.

If it is to survive, the Kyiv government needs immediately to open a public dialogue with the south east. Ukraine and the West would do well to emphasise the demographic differences between that region and a predominantly ethnic Russian Crimea. Though there is no indication that NATO would offer Ukraine membership or that its armed forces could be in any condition to join for many years under any circumstances, Kyiv and leading Ukrainian politicians, including presidential candidates, should make clear that their preference is for the country to remain outside of all military alliances.

The president that assumes power after the election must establish a national unity government, politically, geographically and linguistically diverse and with appeal across the country. Kyiv should disarm and marginalise the extremist groups like Right Sector that are essentially serving Moscow's propaganda interests. It needs also to make a demonstrable start on a self-government law that shows it is attentive to the needs of the regions and begin to put in place a high-profile, totally transparent anti-corruption structure to address the issue that, almost as much as the risk of war, preoccupies the country. For any of this to have an effect on the country's mood, the government will have to explain to its people, publicly and constantly, what it is doing, how it is trying to make a change and what problems it is facing.

This is a ferocious set of challenges. Ukraine will need outside assistance in all fields: money and the specialists who can help in using it wisely; advice in nearly every area of government; monitors to observe human and linguistic rights; as well, ideally, as some logistical and intelligence support for its armed forces. The EU, U.S. and NATO should see that Ukraine gets all this, as a necessary but not sufficient element of a comprehensive strategy to avoid what otherwise risks descending into a much wider and dangerous confrontation with Russia. That comprehensive strategy must also mix and match other measures, including reassurances for allies and diplomatic probes for new understandings with Russia that are complemented by ones that impose serious costs on it for behaviour to date.

President Putin, meanwhile, can claim a victory of sorts in Ukraine. The country has been brought to its knees, with more than a little help from its own former pres-

ident, Viktor Yanukovich, whom Moscow supported and advised. But it may well be that, for a generation at least, Ukrainians will look on Moscow as a powerful, dangerous neighbour, not a friend or ally. This is a change that many Ukrainians, and Russians, could never have imagined.

Kyiv/Brussels, 14 May 2014

Appendix A: Map of Ukraine



Appendix B: Linguistic Map of Ukraine



Russian as native language

Less than 5%
 5-24%
 25-74%
 75+%

Ivano-Frankivsk
 Lviv
 Khmelnytsky
 Kirovohrad
 Rivne
 Ternopil
 Vinnytsia
 Volyn
 Zakarpattya

Cherkasy
 Chernihiv
 Chernivtsi
 Kyiv
 Poltava
 Sumy
 Zhytomyr

Dnipropetrovsk
 Nikolayev
 Kharkiv
 Kherson
 Luhansk
 Odessa
 Zaporizhzhya

Autonomous Rep. of Crimea
 Donetsk