

The Donbas War at Eight Years: Autopsy of a Failed Peace Process

Paper prepared for the 63rd Annual Convention of the International Studies Association, Nashville, TN, March 28–April 2, 2022. Panel TVA16: “Diplomacy and Power Projection”, Tuesday, March 29.

DRAFT – COMMENTS WELCOME

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Abstract:

Despite persistent diplomatic pressure from the outside world, the ceasefire agreements signed in Belarus in September 2014 and February 2015, known as “Minsk I” and “Minsk II”, did not succeed in bringing the Donbas conflict to a peaceful resolution. The diplomatic endeavors failed to lay the basis for a functioning ceasefire and a resolution of the underlying political issues. On February 21 this year, Russia formally recognized the self-proclaimed “people’s republics” of Donetsk and Luhansk as “independent states”, and shortly after, on February 24, Russia embarked on a large-scale invasion of Ukraine. In order to get a better understanding of why and how the Minsk process failed, we need to take a closer look at the complex nature of the conflict, the process through which the Minsk agreements came into being, the vague and ambiguous language of the agreements, and practical challenges related to the timing and sequencing of the measures listed therein. Theoretical insights from the “negotiation studies” literature may add to our understanding of the diplomatic processes that took place prior to the signing of the Minsk agreements as well as the political and practical difficulties that the parties have been facing in the subsequent implementation phase.

Introduction

The main purpose of this paper¹ is to explore and explain why Russia and Ukraine, despite significant support and pressure from the international community, failed to settle the Donbas conflict through negotiations and diplomacy. In order to get a better understanding of the underlying causes of the failure – and the current war – we need to take into consideration not only the origin, nature, and trajectory of the conflict, but also the diplomatic processes that preceded and succeeded the signing of the Minsk agreements. We also need to take a closer look at the contents and terminology of the agreements, and political developments in the period between 2015 and 2022 that may have contributed to the agreements' ultimate demise.

Highly relevant in this regard is also the interplay between diplomacy and military power – a topic that figures centrally in parts of the International Relations literature (see for instance Barkawi 2015). Insights from the increasingly rich “negotiation studies” literature (Zartman 2019a, Hampson and Troitskiy 2017, Odell 2013, Schechter 1998) may also add to our understanding of not only the diplomatic processes that took place prior to the signing of the Minsk agreements, but also the political and practical difficulties that the parties have been facing in the implementation phase.

Based on empirical evidence derived from a variety of Ukrainian, Russian, and Western sources (agreements and memoranda, statements by political leaders, expert analyses, news media reports, interviews, etc.), and drawing on insights from theoretically oriented works dealing related topics (the interplay between military power and diplomacy, Russian and international negotiation practices, and challenges related to the negotiation and implementation of ceasefire agreements), this paper aims to advance our understanding of why the Minsk process failed to bring peace to the Donbas.

The paper is divided into four sections. In the first section, I introduce some basic ideas and concepts derived from the theoretical literature mentioned above. In the second section, I discuss the Donbas conflict's nature and the contents of the Minsk accords. This is followed, in the third section, by a synthesizing discussion of factors that may explain the failure of the Minsk process. The findings are summarized in the fourth and final section.

¹ This paper is a revised, updated, and compressed version of an article previously published in *Post-Soviet Affairs* (2020/2), entitled “Destined for deadlock? Russia, Ukraine, and the unfulfilled Minsk agreements”.

War, diplomacy, and interstate negotiations

The large and growing “negotiation studies” literature may be a good starting point for discussions related to the interplay between diplomacy and military power, and the practices and pitfalls of ceasefire negotiations, such as those that have been carried out between Russia and Ukraine over Donbas. Many of the insights and concepts found in this literature are relevant to the topic of this paper, that is, the diplomatic efforts to end the war in Donbas.

Equally relevant are past observation dealing with the interplay between diplomacy and military power, such as this one made in the 18th century by Prussian King Frederick the Great, who said that “diplomacy without arms is like music without instruments”. Obviously, as instruments of foreign policy, military force and diplomacy can mutually support each other. A militarily powerful actor may try to capitalize on battlefield gains and use them to force a militarily weaker counterpart to accept a negotiated settlement that favors the former rather than the latter.

It should be emphasized, however, that asymmetries in military power are not always static. As an armed conflict progresses and evolves, the battlefield momentum may shift. This may in turn affect the dynamics of ceasefire negotiations and the negotiators’ willingness to compromise or make political concessions.

In a sophisticated typology of negotiation objectives, published in 1964, the Swiss-born sociologist Fred Charles Iklé described the phenomenon of “negotiations for side effects”, that is, a situation in which governments enter into and carry out negotiations for purposes other than that of achieving an implementable agreement (Iklé 1964: 43–58). While creating a public perception that they are committed to negotiations, the negotiating parties may try to use the process simply to obtain information that they can benefit from, or use as a propaganda tool, for instance to influence third parties, including domestic or foreign audiences.

A third observation is that negotiations typically go through several stages. In the “diagnostic phase” (Odell 2013: 384), parties conduct separate preparations and approach their counterpart(s) to explore the possibility of formalized discussions. Once at the negotiation table, they embark on the “substance phase”, during which they jointly search for common

ground, with or without the help of external facilitators. The purpose of this stage of a negotiation process is to lay the formula for the “detail phase” (Odell 2013: 384), also known as the “endgame” or “closure phase” (Zartman 2019b: 3), during which negotiators try to bring the process to a closure in the form of a mutually acceptable written agreement.

If and when agreement is reached and a protocol is signed, the process is by no means over. Then starts the fourth – and often most difficult – stage, which we can call “the implementation phase” (see Randolph 1966: 347). Though formally not a part of the negotiation process, the implementation phase is a critical part of the whole exercise. Ultimately, the success or failure of the implementation phase determines the success or failure of the negotiated settlement.

As time goes by and conditions change, previously agreed-upon terms may come to be seen as renegotiable. The provisions of a signed agreement may be applied in a selective manner, or just ignored – partly or fully. A potentially relevant feature of Russian negotiating behavior is, as noted in previous times by U.S. arms control negotiators, the Russian tendency to view the signing of an agreement not as the end result of a negotiation, but rather as a stage in an extended process (Schechter 1998: 108–109).

At any point during an armistice or peace negotiation, the involved parties may find it to be in their interest to opt for a no-deal alternative, particularly if they believe that that time is on their side, or that a military victory may be within reach. Warring states may also use the tool of military escalation in an effort to worsen the no-deal option for the adversary (Odell 2013: 383). If one or more of the parties believe that they can obtain their objectives more effectively or rapidly by other means, this may lower the perceived costs of a non-settlement (Hampson and Troitskiy 2017: 7).

Relevant is also the concept of theory of “ripeness” (for a detailed discussion, see Zartman 2000: 225–250). Parties that find themselves in a mutually hurting stalemate are more likely to compromise than parties that believe that they can win a decisive military victory, which they often think they can do in the early stages of a conflict. On the other hand, as an armed conflict progresses and the warring parties inflict increasingly painful losses on each other, they may become less willing to compromise, due to the involved political costs. Proponents of “early intervention” negotiations and proponents of “ripe moment” negotiations seem to

have at least one thing in common, namely a deep concern for what happens in the period between the outbreak of hostilities and the moment of “ripeness” (Jackson 2000: 337).

When the parties are in the endgame phase of a negotiation, they face the difficult task of turning their understanding into a written agreement. All are well aware that the devil is in the details, and this stage of the process often involves intense tugs-of-war over wording and terminology. Calls may be made for the inclusion of *precise formulations*, which leave little room for interpretation. At the same time, the parties know that the process as such may flounder if they insist on specific formulations that their counterparts find unacceptable.

In some situations, negotiators may instead choose to opt for *ambiguous formulations*, since this may aid the process towards a consensus. This phenomenon is known in the literature as “constructive ambiguity” (see for instance Troitskiy 2019: 241). The problem with the ambiguity approach is, of course, that irreconcilable differences in the interpretation of a signed agreement may delay, prolong, or undermine the agreement’s implementation.

The Donbas conflict and the Minsk agreements

Let us now turn to the case at hand – the conflict in the Donbas region of Ukraine. What kind of a conflict was it? Was it a civil war or a foreign invasion?

The official Russian position is that the Donbas conflict is, and has been, an internal conflict between the central authorities in Kyiv and the self-proclaimed republics of DNR and LNR, which did not recognize the country’s post-Maidan leadership. Representative of this view is Russian defense commentator Viktor Litovkin’s assertion in 2015 that the conflict in eastern Ukraine was “[...] a civil war between the nationalist power, which lead the country as a result of a coup, and Donbas militias, which refuse to live in a country which deprives them of their right to speak their own language [...]” (*Nezavisimoe Voyennoe Obozrenie*, July 10, 2015, cited in Tsyganok 2017: 510–511). Given such an interpretation, Russia is not a party to the conflict, and, as argued by Vladimir Putin, “the conflict can only be resolved through contacts between Kyiv and representatives of DNR and LNR” (*Rossiia 24*, July 18, 2018).

Ukrainian authorities, for their part, have on numerous occasions rejected the Russian attempts to frame the Donbas conflict as an intrastate conflict, claiming that Russia’s political

and military role in it is both central and undeniable. For instance, at the 2016 Munich Security Conference, President Petro Poroshenko took issue with Moscow's "civil war" rhetoric. "Mr. Putin," he said, "there is no civil war in Ukraine – that is your aggression" (*Newsader*, February 14, 2016).

My take on this is that the interstate dimension of the Donbas conflict was not a secondary issue, but rather one of its defining features. Without Russia's financial, organizational, and military support, it is highly doubtful that the Donbas militants would have been able to sustain the insurgency over time and to seize, expand, and retain control over significant parts of Ukraine's easternmost territory. From the very beginning of the conflict, Donbas was heavily penetrated by Russian allies, agents, and operatives, who were either supporting or directly controlling the insurgents. Ukraine's eastern border became a frequently used crossing point for Russian arms supplies, Russian paramilitaries, and regular Russian troops.

Since the outbreak of armed hostilities between Russian/separatist forces and Ukrainian government forces in the east Ukrainian oblasts of Donetsk and Luhansk in the spring of 2014, numerous efforts have been made to establish a viable ceasefire and a process towards political normalization. The intensity of the diplomatic efforts to end the war has varied over time, much like the intensity of the fighting itself. Following the signing in September 2014 of a 12-point ceasefire agreement, known as "the Minsk Protocol" (Trilateral Contact Group 2014), the level of violence gradually subsided, but only temporarily.

In January 2015, the forces of the self-proclaimed "people's republics" of Donetsk and Luhansk (usually abbreviated as DNR and LNR) embarked on a new offensive, aimed at retaking territory lost to Ukrainian government forces in the summer of 2014. Heavy clashes followed, and the number of civilian and military casualties surged. Again, the parties were brought to the negotiating table in Minsk. The Minsk summit in February 2015 culminated in the signing of a new package of measures, aimed at revitalizing the first Minsk Protocol.

The "Minsk II" agreement (Trilateral Contact Group 2015) encompassed 13 articles, many of which were carryovers from the first Minsk agreement (ceasefire, heavy weapons withdrawal, monitoring and verification by the OSCE, release and exchange of hostages and illegally detained persons, pardon and amnesty for militants, disarmament and pullout of illegal/foreign armed groups, and measures to improve the humanitarian and economic

situation in ORDLO²). But Minsk II also contained a number of new clauses and provided more detail on the “decentralization of power” issue, as well as the modalities for local elections and the restoration of Ukrainian border control (the latter was made contingent on the former, as per the document’s article 9). Unlike Minsk I, Minsk II provided specific timeframes for the implementation of many of the agreed-upon measures.

For instance, the document stated that the ceasefire should be effective from “00:00 midnight on 15 February 2015,” that the pullout of heavy weapons should commence “no later than the second day after the start if the ceasefire and finish within 14 days,” and that dialogue on the modalities of local elections should start “on the first day after the pullout.” It also stated that the exchange of prisoners should take place “on the fifth day” after the pullout (Trilateral Contact Group 2015).

Furthermore, it stated that the Ukrainian Parliament “within 30 days” should adopt a resolution specifying the geographic parameters of the special legislation regime mentioned in the Minsk Memorandum. The restoration of Ukrainian border control was to start “on the first day after the local elections” and end “by the end of 2015,” on the condition of fulfillment of the agreement’s article 11 (constitutional reform and decentralization).

By the fall of 2015, it had become clear that the deadlines set in the second Minsk agreement could not be met. Ceasefire violations were still frequent, and the security environment did not allow for the holding of local elections under Ukrainian law. In an effort to bring new momentum to the Minsk II implementation process, German Foreign Minister and OSCE Chairperson-in-Office, Frank-Walter Steinmeier, launched an initiative in the fall of 2015, which came to be known as the “Steinmeier formula.” The essence of his proposal was, simply put, to provide for (1) the swift holding of local elections in ORDLO, observed and validated by the OSCE’s Office for Democratic Institutions and Human Rights (ODIHR); (2) the subsequent entry into force of a new Ukrainian law on “special status” for said areas; and (3) the restoration of Ukrainian government control of the border with Russia.

² “ORDLO” is a Ukrainian acronym denoting the government-uncontrolled parts of the oblasts of Donetsk and Luhansk. The term first appeared in Ukrainian legislation in October 2014, shortly after the signing of the first Minsk agreement. It was later replaced by the term “temporarily occupied territories”

The Steinmeier formula, which can be seen as a “a slimmer, simplified version of the Minsk agreements” (Miller 2019), was discussed at various Trilateral Contact Group meetings in Minsk as well as at the “Normandy four” meeting in Berlin in October 2016. President Poroshenko was skeptical about the formula, and particularly about a version written by Foreign Minister Lavrov, which Putin allegedly had referred to at the Berlin meeting (*UAWire*, September 26, 2019). Serious discussions about the formula gradually subsided, but they were reinvigorated three years later, after the Ukrainian presidential elections and the coming to power of Volodymyr Zelensky.

Zelensky’s election campaign had been based, in part, on a promise to end the war in Donbas. Shortly after his inauguration, he made his first moves towards this aim. In a telephone conversation with Putin in July 2019, he discussed measures to de-escalate the situation in Donbas, including prisoner exchange, and the feasibility of a new summit in the Normandy format. When Zelensky in October 2019 announced that he had taken the controversial step of officially signing up Ukraine to the Steinmeier formula, this implied that the final obstacle to a Putin-Zelensky-Merkel-Macron summit had been squared away (Miller 2019).³

The much-anticipated Normandy summit took place in Paris on December 9, 2019, and resulted in the signing of a two-page declaration in which the parties reconfirmed their commitment to the Minsk agreements and the Steinmeier formula. Some progress was made on troop disengagement, prisoner exchange, and demining, but there was little or no movement on the difficult political issues that constitute the core of the conflict (local elections, the “special status” issue, and the lack of Ukrainian border control).

Today – more than seven years after the signing of the second Minsk agreement – it can be noted that none of the 13 measures listed in the agreement has been fully implemented. Some of the agreement’s provisions were partially implemented, whereas most of them remained wholly unimplemented. And as of February 2022, the Minsk agreements are essentially “overtaken by events”, that is, the Russian invasion of Ukraine.

³ The “Steinmeier formula” had been discussed at different junctures by the Trilateral Contact Group (Russia, Ukraine, and the OSCE). As late as the group’s meeting on 18 September 2019, Ukraine’s representative, Leonid Kuchma, expressed his unwillingness to endorse document (Kaftan 2019). Two weeks later, he signed a Ukrainian letter of approval addressed to the OSCE’s Special Representative in Ukraine, Martin Sajdik. Similar letters were submitted by Russia’s Contact Group representative, Boris Gryzlov, and by “DNR” representative Natalia Nikonorova and “LNR” representative Vladislav Deynogo.

Why did the Minsk process fail?

When it comes to the underlying causes of the parties' failure to implement the Minsk agreements, the available sources allow for different interpretations. Some (including Max Bader, Ian Bond, and Hrant Kostanyan, all cited in Dempsey 2017) tend to see the non-implementation of the Minsk agreements primarily as a result of the agreements' design. Others, such as Mikhail Troitskiy (2019: 247), rejects the notion that the Minsk II agreement was "pre-destined" to fail, and argues that "considerable chances existed for the agreement to be clarified and implemented." Following the latter line of reasoning, impediments to the implementation process may be found not only in the text of the agreements, but also in political and legal measures that have taken place in the past seven years, in Kyiv as well as in Moscow. Let us take a closer look at these factors, starting with the agreement-specific ones.

Agreement-specific explanations

(1) Vague and ambiguous language

At the negotiating table in Minsk, the parties had been struggling to locate "islands of agreement" (Wittke 2019: 285) in an ocean of disagreement. The efforts were complicated by Ukraine and Russia's widely diverging views of the conflict's nature and causes, and of who should or should not be present at the table as "parties." The Ukrainian government had, very reluctantly, accepted to conduct direct talks with the leaders of DNR and LNR. Russia saw its role purely as that of an impartial third-party "mediator" on a par with Germany and France and was not willing to acknowledge any responsibility for the conflict as such, or admit to the presence of Russian troops and arms on Ukrainian soil. Finding a common language under these circumstances proved to be a tremendously challenging task.

If the parties had chosen to insist on precise and unambiguous formulations compatible with their respective views of the conflict, it is possible that the negotiations could have failed to produce a mutually acceptable agreement. Instead, the parties decided to opt for loose formulations that allowed for more than one interpretation. The Ukrainians would certainly say that the agreed-upon withdrawal of "all foreign armed formations, military equipment, as well as mercenaries" (article 10 of Minsk II) can and should be interpreted as a reference to Russian regular troops and paramilitaries on Ukrainian soil. The Russians, for their part,

would take this as a reference to Ukrainian government forces and volunteers. Similarly, the parties seem to have had quite different understandings of what a Ukrainian “constitutional reform” (article 11) should entail. Needless to say, the vagueness and ambiguity of the language included in the Minsk agreements did not make the implementation easy.

(2) The “sequencing trap”

Another major obstacle to the Minsk agreements’ successful implementation has been the problem of how to sequence the various measures listed in them, particularly the military and political measures. As noted by Boulègue (2016: 4–5), Russia’s preferred roadmap to peace in the Donbas would start with political measures such as the enactment of a general amnesty law in DNR/LNR, the holding on local elections on DNR/LNR terms, validated by Kyiv, and the adoption of a “special status” law, enshrined in the Ukrainian Constitution. Without full implementation of these measures, the military provisions of the agreement may, in Russia’s view, not be implemented.

Conversely, the Ukrainian side would ideally have liked to see a full implementation of the agreements’ military provisions (ceasefire, withdrawal of illegal forces, exchange of prisoners, and restoration of Ukrainian border control) before implementation of the political measures (including local elections and “special status” legislation). Kyiv’s argument has been that it is near impossible to conduct OSCE-observable local elections in the separatist-held regions without a functioning ceasefire and in a situation where Ukraine’s eastern border is controlled by Russian/separatist forces.

This issue has also figured centrally in recent Russian-Ukrainian discussions about the Steinmeier formula, which outlined a sequence of events in which local elections and the granting of “special status” for ORDLO precede the restoration of Ukrainian border control. Thus, the Steinmeier formula has much in common with Russia’s preferred model.

(3) The agreements’ legal status

A third issue relates to the Minsk agreements’ legal status and authority, or lack thereof (Zadyraka 2016). Minsk I and II were not signed by the heads of state of Russia and Ukraine, or even the heads of international agencies. Nor were they signed at the level of foreign

ministers. The agreements were signed by a former Ukrainian president, acting as a diplomat with the rank of ambassador, by Russia's ambassador to Ukraine, and by the unelected leaders of the two self-proclaimed "republics." The fifth signatory was the OSCE's Special Representative on Ukraine. Ambassadors Kuchma, Zurabov, and Tagliavini were all members of the Trilateral Contact Group, whereas Zakharchenko and Plotnitskiy were not. No titles were added to the signatures of the two latter.

The process leading up to the signing of the Minsk agreements did not follow the procedures laid out in the Ukrainian Constitution or the Law on International Treaties, and as such, they are political arrangements rather than international treaties. This does not necessarily mean that they are "illegal" or "non-binding." As pointed out by Wittke (2019: 265), the creation of hybrid political-legal documents like these is actually a quite common international practice, as are semi-formalized groups and ad hoc frameworks for conflict resolution. This is particularly the case in conflicts where a formalized peace settlement is beyond reach.

Compared to Minsk I, the Minsk II agreement enjoys a somewhat higher degree of authority and status, stemming, in part, from the fact that it was endorsed in the form of a UN Security Council resolution, adopted shortly after its signing in February 2015.

Agreement-unrelated explanations

(4) Ukraine's "de-occupation" law

In January 2018, the Ukrainian Parliament made a move to "rebrand" the conflict in Donbas (Miller 2018). In a new piece of Ukrainian legislation, popularly known as "the Donbas de-occupation law," the lawmakers made clear that Russia exercised "general effective control" in the territories outside Kyiv's control. The term "temporarily occupied" became a part of the standard vocabulary, and Russia was designated as "the aggressor state". The Ukrainian "anti-terrorist operation" (ATO), which until then had been led by the Ukrainian Security Service (SBU), came to an end on April 30, 2018, and responsibility for the new "Joint Forces Operation" was transferred to the Armed Forces of Ukraine.

Interestingly, the new law contained no explicit references to the Minsk accords. Such references occurred in earlier drafts, but were removed ahead of the second reading of the

law, after heated debates in the parliament. Some of the lawmakers saw this move as a “proof of Ukraine’s withdrawal from the Minsk accords” (Wesolowsky and Polyanska 2018). Others were less inclined to go so far, and emphasized that Ukraine stood by its Minsk commitments.

(5) Russia’s “passport expansionism”

An additional obstacle to the implementation of the Minsk agreements arose in the spring of 2019, when Vladimir Putin introduced a simplified procedure for the granting of Russian citizenship to residents of DNR and LNR. As noted by former Ukrainian Prime Minister Yevhen Marchuk, this initiative was clearly aimed at undermining the Minsk accords” (*Den*’, May 8, 2019). Also the European guarantors of the Minsk II agreement, Germany and France, saw Putin’s decree as going “against the spirit and aims” of the Minsk process (Gutterman 2019).

Russia’s “passport expansionism” in Ukraine has many similarities with the way in which this instrument has been used elsewhere in the post-Soviet space, most notably in Abkhazia, South Ossetia, and Transnistria. In the case of the Donbas, the move is likely to aggravate the already strained relations between Kyiv and Moscow, and further complicate the process towards peace in the region. In addition, it may give Russia a reason to maintain, and even increase, its military presence in Donetsk and Luhansk, for the purpose of “defend[ing] Russia’s citizens” (Socor 2019).

(6) Russia’s formal recognition of the “people’s republics”

In 2021–2022, the Russia-Ukraine relationship went from bad to worse. Russia started massing troops and military equipment near the Ukrainian border, and deployed forces to neighboring Belarus, allegedly for the purpose of “military exercises”. It became increasingly clear that Russia was in the process of preparing for a new incursion into Ukraine, potentially more large-scale than the one in 2014. From the territory of the “people’s republics” of Donetsk and Luhansk, ceasefire violations became more frequent and more severe.

In mid-February 2022, the Russian Duma urged President Putin to recognize DNR and LNR as “self-sustained, sovereign and independent states” (Zoria 2022). The recognition followed shortly after, on February 21. Almost simultaneously, Russia started to conclude “bilateral

agreements” with the new quasi-states and began to openly deploy military forces to their territory, allegedly to protect their citizens against “Ukrainian aggression”. The Minsk agreements were now officially dead, and Russia put the blame squarely on Ukraine. The Russian Ministry of Foreign Affairs issued a statement in which it accused the Ukrainian side of having “sought to solve the conflict in Donbas by force” (Ministry of Foreign Affairs of Russia 2022). Three days later, Russia started a large-scale invasion of Ukraine.

Concluding remarks

In the period between April 2014 and February 2022, the conflict in Donbas claimed more than 14,000 lives, of which more than half were lost *after* the conclusion of the “Minsk II” ceasefire agreement. In this eight-year period, the war was largely limited to the territory of the self-proclaimed “people’s republics” in eastern Ukraine, which constitutes approximately 2.5 percent of Ukraine’s land territory. Today, Ukrainians face a much bigger and more existential war, in which Ukraine’s survival as a sovereign and independent state is at stake.

The long-term geopolitical impacts of Russia’s unprovoked and unlawful invasion of Ukraine are hard to assess at this stage. The humanitarian repercussions of the war are certainly massive, with large numbers of civilian and military casualties, refugees, and internally displaced people. The amount of damage done to Ukraine’s infrastructure and civilian property is also horrific, particularly in the northern, eastern, and southern parts of the country. And, perhaps most importantly, the war has caused irreparable harm to the bilateral relationship between Russia and Ukraine, not to mention Russia’s relationship with the West.

As for lessons that may be learned from the unsuccessful diplomatic efforts to resolve the Donbas conflict by peaceful means, one of the most striking features of the Minsk process is the apparent tension between the short-term goal of stopping the fighting and the longer-term goal of reaching a lasting political settlement. The use of ambiguous language may have served the first purpose, but it may simultaneously have undermined the second by allowing the parties to believe that they are owed things that are, objectively speaking, incompatible.

Given the generally pro-Russian terms of the second Minsk agreement, it is tempting to raise the question of how Kyiv could agree to it in the first place. The answer to this question seems to be that Ukraine in February 2015 had no good alternatives to a negotiated settlement. The

most realistic alternative to a negotiated settlement at that point in time would have been a large-scale war with what appeared to be a militarily superior counterpart. Since then, the Ukrainian military has risen to the challenge and undertaken a comprehensive modernization, with the support of Western partners. This may in turn have had an impact on the perceived attractiveness of no-deal (or less-than-wholehearted implementation) alternatives.

Russia and Ukraine will probably continue to blame each other for the failure of the Minsk process. What is clear, however, is that the international community is now overwhelmingly on Ukraine's side. Russia, on the other hand, finds itself increasingly isolated from the rest of the world, politically as well as economically. Despite being militarily inferior to Russia, at least on paper, Ukraine has in the past few weeks demonstrated an unprecedented willingness and ability to defend the country's territory and stand up to Russian bullying. Having the rest of the world on its side may also make it easier for Ukraine to prevail, despite the many hardships that the country will have to endure in the time that lies ahead.

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