

As Russian attacks against Kyiv, Mariupol, other cities continue, some progress in peace talks. But toughest issues remain



Ukrainian President Volodymyr Zelenskyy calling Saturday for peace negotiations with Russia

Four weeks ago, on Feb. 21, Russian President Vladimir Putin signed executive orders formally recognizing the independence of the “People’s Republics” created by pro-Russian separatists in portions of the Donetsk and Luhansk regions of eastern Ukraine in 2014. He also signed treaties of friendship, cooperation and mutual assistance with both “republics” and, after doing so, deployed additional troops to those areas. Three days later, he announced a “special military operation” in eastern Ukraine to protect the people who, he said, “have been facing humiliation and genocide perpetrated by the Kiev regime.” But it was not in fact just a “special military operation” in the Donbas. Frustrated and angered by the continuing refusal of the U.S. and NATO to provide Russia the security guarantees it requested in December and the refusal of Ukraine to fully implement the measures he and the leaders of Ukraine, France and Germany agreed at Minsk in February 2015 to end the conflict between Ukrainian forces and the pro-Russian separatists in eastern Ukraine, Putin had launched nothing less than a full-fledged, multi-pronged invasion of Ukraine from Belarus in the north, Crimea in the south, and Russian territory adjacent to eastern and northeastern Ukraine.

Since the war began more than three weeks ago, the leaders of the EU and its member states – most notably, French President Emmanuel Macron and German Chancellor Olaf Scholz – have spoken with Putin by phone on several occasions and have repeatedly urged him to stop the attack and agree to a ceasefire. On Feb. 24, the day the invasion began, Macron, who had been in frequent contact with Putin prior to the invasion in an effort to resolve the dispute between Russia and Ukraine in regard to the implementation of the Minsk agreements, called him and urged him to stop the advance and agree to a ceasefire. He made it clear that if the invasion continued, Russia could expect tough economic and financial sanctions. On Feb. 28, at the request of Ukrainian President Volodymyr Zelenskyy, who had agreed to begin discussions that day with Russia aiming at a ceasefire, Macron spoke with Putin again and, in a call that lasted an hour and a half, urged him to end the offensive against Ukraine and agree to a ceasefire.

According to the Elysée, he asked that Russia stop all strikes and attacks on civilians and their places of residence, preserve all civilian infrastructure, and ensure safe passage of civilians on roads and highways. Putin for his part made it clear he wanted Russia's security concerns addressed, which, he said, included recognition of Crimea as part of the Russian Federation, recognition of the independence of the self-proclaimed "republics" in eastern Ukraine, adoption by Ukraine of formal international neutrality, "demilitarization" and "denazification," and the removal or replacement of the government.

The discussions that began on Feb. 28 were the result of both the efforts of Macron and Scholz and other EU leaders and those of Israeli Prime Minister Naftali Bennett, who met with Putin in Moscow and subsequently spoke by phone on several occasions with him and with Zelenskyy. The Russian and Ukrainian negotiators – the Russian team led by former minister of culture and presidential adviser Vladimir Medinsky, the Ukrainian team led by Defense Minister Oleksiy Reznikov – met for almost five hours in Gomel, Belarus. According to a statement from Zelenskyy's office after the talks concluded, "their main goal was to discuss a ceasefire and the end of combat actions on the territory of Ukraine. The parties have determined the topics where certain decisions were mapped out. In order for these decisions to be implemented as a roadmap, the parties are returning for consultations to their capitals. The parties discussed holding another round of negotiations where these decisions can develop."

On March 3, Macron spoke with Putin again in a call that lasted 90 minutes. According to a readout of the call from Putin's office, he told Macron that "Attempts to buy time by dragging out the negotiations only lead to additional demands on Kiev in our negotiating position." He reiterated that "Russia intends to continue the uncompromising fight against militants of nationalist armed groups" and wants "the demilitarization and neutral status of Ukraine so that a threat to the Russian Federation will never emanate from its territory." He said the "operation" was going "according to plan." According to his office, Macron told Putin, "You are lying to yourself. It will cost your country dearly, your country will end up isolated, weakened and under sanctions for a very long time." According to a French official, "Without making a prediction, we should expect the worst is yet to come. President Macron said so yesterday as well. There is nothing in what President Putin said today that should reassure us. He showed great determination to continue the operation."

Also on March 3, the Russian and Ukrainian representatives met again, this time in Belovezhskaya Pushcha near Brest in Belarus. The negotiators agreed in principle on the need for "humanitarian corridors" protected by temporary ceasefire agreements to allow civilians to flee from areas under attack. According to Medinsky, the head of the Russian team, "The Ministries of Defense of Russia and Ukraine have agreed on the format of maintaining humanitarian corridors for the exit of the population, and on the possible temporary ceasefire in the humanitarian corridor area for the period of the release of the civilian population. I think this is a significant progress." Ukrainian presidential adviser Mykhailo Podoliak said, "The second round of talks is over. Unfortunately, Ukraine does not have the results it needs yet. There are decisions only on the organization of humanitarian corridors. The only thing I can say is that we discussed the humanitarian aspect in sufficient detail, because quite a lot of cities are now surrounded. There is a dramatic situation with medicines, food, and evacuation."

On March 4, Scholz spoke by phone with Putin for an hour and reiterated Macron's message of the previous day urging Russia to halt its military action and allow access to areas where there

was military activity for those providing humanitarian assistance. According to the Russian readout of the call, Putin told Scholz there would be a third meeting of the Russian and Ukrainian negotiators in the next few days and that Russia was “open to dialogue with the Ukrainian side, as well as with all those who want peace in Ukraine. But on condition that all Russian demands are met.” On March 6, Macron spoke again with Putin in a call that lasted for an hour and 45 minutes and again urged Russia to respect international humanitarian law, ensure the safety of the civilian population, and allow the delivery of humanitarian assistance. He underscored the importance of a negotiated end of the conflict that would be acceptable to Ukraine. According to a French official, Putin made it clear that Russia will achieve its objectives “either through negotiation or through war.”

On March 7, the third round of talks between Ukraine and Russia took place in the Brest region of Belarus, after which Podoliak said “We have achieved some small positive results concerning the logistics of humanitarian corridors.” Medinsky said he expected the corridors, slightly adjusted to reflect the changing situation on the ground, would soon start functioning and the Russian ministry of defense announced later it would cease fire in the vicinity of corridors providing safe passage out of Kyiv, Kharkiv and Mariupol. But Ukraine said the designated corridors were unacceptable since, in most cases, they went to Belarus or Russia.

On March 10, the first high-level meeting between Ukraine and Russia took place when Ukrainian Foreign Minister Dmytro Kuleba and Russian Foreign Minister Sergey Lavrov met on the sidelines of a diplomatic forum in Antalya, Turkey. In the meeting, arranged at Ukraine’s request with the assistance of Turkish President Recep Tayyip Erdogan, who spoke with Putin, and Turkish Foreign Minister Mevlut Cavusoglu, who spoke with Lavrov, the ministers discussed the situation in Ukraine for an hour and a half. Kuleba had set out three key demands prior to the meeting – a ceasefire, dealing with the humanitarian crisis in the cities, and withdrawal of Russian forces. After the meeting, he tweeted that “I insisted on the urgent need to allow humanitarian help for Mariupol and a 24-hour ceasefire. Unfortunately, FM Lavrov seemed to have come to talk, not to decide. I hope he will convey Ukraine’s requests back in Moscow.” He said, “the broad narrative he [Lavrov] conveyed to me is that they will continue their aggression until Ukraine meets their demands, and the least of these demands is surrender...but this is not what they are going to get.” He said Ukraine is open to “diplomatic solutions” but it couldn’t “stop the war if the aggressor country does not want to do so.” Lavrov for his part, after noting there had been some progress made in the three meetings of Ukrainian and Russian representatives that had taken place in Belarus, said Russia had presented Ukraine with its proposals to end the conflict and was prepared to continue discussions. But he made it clear in a press conference after the meeting, “We will define Ukraine’s destiny by ourselves.”

In a press conference after the meeting, Cavusoglu said the meeting was, at best, only a very small first step toward ending the war: “There is no point in expecting miracles from this meeting....There were no expectations, including from myself, that all the demands would be taken into consideration.” Nevertheless, it was important, he said, that “the contacts on this level have begun. These were the first negotiations on the ministerial level.” He said he hoped that contacts “between the parties will continue along with measures to increase mutual trust and eventually this will lead to a result. As we have already said, there is no other option.” He said he hoped it would eventually be possible to “transfer the dialogue to the level of the leaders” of Russia and Ukraine.

Also on Mar. 10, Macron and Scholz spoke with Putin in a three-way phone call. According to a source in the German government, Macron and Scholz “demanded an immediate ceasefire from Russia” and “insisted that any solution to this crisis must come through negotiations between Ukraine and Russia.” The French government confirmed the call and said the EU leaders would be discussing the conflict in Ukraine at the informal meeting of the European Council that would take place at Versailles later that day. At that meeting, the EU leaders agreed on a Declaration which said, “Russia, and its accomplice Belarus, bear full responsibility for this war of aggression and those responsible will be held to account for their crimes, including for indiscriminately targeting civilians and civilian objects. In this respect we welcome the decision of the prosecutor of the International Criminal Court to open an investigation.... We demand that Russia ceases its military action and withdraws all forces and military equipment from the entire territory of Ukraine immediately and unconditionally, and fully respects Ukraine’s territorial integrity, sovereignty and independence within its internationally recognised borders..... We are committed to provide support for the reconstruction of a democratic Ukraine once the Russian onslaught has ceased. We are determined to increase even further our pressure on Russia and Belarus. We have adopted significant sanctions and remain ready to move quickly with further sanctions.” And after noting Ukraine’s “European aspirations and the European choice of Ukraine, as stated in the Association Agreement” and Zelenskyy’s submission on Feb. 28 of Ukraine’s application for membership, the EU leaders “invited the Commission to submit its opinion on this application in accordance with the relevant provisions of the Treaties. Pending this and without delay, we will further strengthen our bonds and deepen our partnership to support Ukraine in pursuing its European path. Ukraine belongs to our European family.”

Up to that point, there was little reason to think the negotiations between Russia and Ukraine were addressing issues other than the implementation of the humanitarian corridors and were occurring more frequently than the occasional meeting in Belarus. But the first signs that progress was being made came in comments by Putin on Mar. 11 in a meeting with Belarusian President Alexander Lukashenko and then, the next day, in another three-way phone call between Macron, Scholz and Putin. In his meeting with Lukashenko, Putin spoke of “the progress of the negotiations, which are now being held almost on a daily basis. There are certain positive shifts there, as our negotiators have reported to me.” And according to the Russian readout of his phone call with Macron and Scholz, which lasted for 75 minutes, Putin “gave a detailed account of the series of talks held via videoconference by Russian and Ukrainian representatives over the past days. In this connection the three countries’ leaders reviewed some issues pertaining to the agreements being worked out concerning the implementation of the earlier Russian demands.” That was the first public mention of the fact that agreements were being worked out concerning Russia’s demands.

On March 13, Podoliak, Zelenskyy’s adviser, expressed a relatively positive outlook for the talks, which, as Putin indicated in his call with Macron and Scholz, had continued, after the meetings in Belarus, by video and were scheduled to resume the next day: “We will not concede in principle on any positions. Russia now understands this. Russia is already beginning to talk constructively. I think we will achieve some results literally in a matter of days.” In a tweet, he said Russia was listening to Ukraine’s proposals: “Our demands are – the end of the war and the withdrawal of troops. I see the understanding and there is a dialogue.” Leonid Slutsky, a member of the Russian negotiating team, likewise gave an upbeat assessment of the talks: “According to

my personal expectations, in the coming days this progress may grow into a joint position of both delegations, into documents for signing.”

Last Monday, the negotiators discussed for the first time a 15-point draft agreement that would, most notably, involve Ukraine abandoning its ambition to join NATO and, while allowing it to obtain other guarantees of its security, would not allow any states to establish bases or introduce weapons in the country. Later, Podoliak blogged, “The parties actively express their specified positions. Communication is taking place yet it’s hard.” Later, he tweeted that “a technical pause has been taken in the negotiations until tomorrow. For additional work in the working subgroups and clarification of individual definitions. Negotiations continue...” In his nightly address, Zelenskyy said the talks that day had been “pretty good,” while Russian television said the talks had made “substantial progress.”

The talks resumed last Tuesday and understandably, given the number of issues under consideration, continued on Wednesday. After Tuesday’s meeting, Podoliak tweeted, “We’ll continue tomorrow. A very difficult and viscous negotiation process. There are fundamental contradictions. But there is certainly room for compromise. During the break, work in subgroups will be continued.” Also last Tuesday, Zelenskyy, addressing the leaders of a new Joint Expeditionary Force, a UK-led initiative involving ten North Atlantic states, eight of which (all but Sweden and Finland) are NATO members, made it clear that Ukraine doesn’t expect to become a member of NATO and won’t try to become a member: “It is clear that Ukraine is not a member of NATO; we understand this. For years we heard about the apparently open door but have already also heard that we will not enter there, and these are truths and must be acknowledged.” Zelenskyy, who had already suggested that Ukraine could adopt a position of international neutrality, raised for the first time the possibility of Ukraine obtaining security guarantees other than those that would accompany membership in NATO.

The talks continued last Wednesday and, later that day, Zelenskyy said, “The meetings continue and, I am informed, the positions during the negotiations already sound more realistic.” But, he said, “efforts are still needed, patience is needed.” After Wednesday’s meeting, Podoliak said security guarantees were being discussed that would involve “a rigid agreement with a number of guarantor states undertaking clear legal obligations to actively prevent attacks” on Ukraine: “Our position at the negotiation is quite specific – legally verified security guarantees; ceasefire; withdrawal of Russia troops.” Medinsky, Russia’s chief negotiator, said, “Ukraine is offering an Austrian or Swedish version of a neutral demilitarized state, but at the same time a state with its own army and navy.”

In a Russian television interview Wednesday, when asked for his assessment of the talks, Lavrov said, “I base my opinion on the assessments provided by our negotiators. They state that the talks are not going smoothly (for obvious reasons). However, there is hope for a compromise. The same assessment is given by a number of Ukrainian officials....The rhetoric has changed because more reasonable thinking is paving its way to the minds of the Ukrainian leaders....Neutral status is being seriously discussed in a package with security guarantees. This is exactly what President Vladimir Putin said at one of his news conferences: there are multiple options out there, including any generally acceptable security guarantees for Ukraine and all other countries, including Russia, with the exception of NATO expansion. This is what is being discussed at the talks. There is specific language which is, I believe, close to being agreed upon....Hopefully, the

first attempts at a businesslike approach that we are seeing now will prevail and we will be able to reach specific agreements on this matter even though simply declaring neutrality and announcing guarantees will be a significant step forward.”

On Friday, Macron called Putin and spoke with him for 70 minutes. According to the Russian readout, they discussed “the state of things at the negotiations of the Russian and Ukrainian representatives... Within this context, the fundamental approaches of the Russian side to working out possible agreements were set forth.” Macron’s office said he had expressed his “extreme concern” over the situation in Mariupol and urged “a lifting of the siege and humanitarian access to the city” with “concrete and verifiable measures” to ensure the safety of its citizens. Meanwhile, the talks between the Russian and Ukrainian representatives continued. Podoliak, the head of the Ukrainian team, tweeted, “Negotiation status. The statements of the Russian side are only their requesting positions. All statements are intended, inter alia, to provoke tensions in the media. Our positions are unchanged. Ceasefire, withdrawal of troops and strong security guarantees with concrete formulas.” He said Russia’s position had become more “adequate” but the talks could go on for several weeks. The key issues, he said, involve security guarantees and the “political resolution of disputed territories.” “This process,” he said, “may drag longer. There are some concessions that we definitely aren’t going to make. We cannot give away any territories.” But he suggested it might nevertheless be possible to agree on a ceasefire: “What can happen in days is a ceasefire.” Medinsky, the head of the Russian delegation, said the two teams were “halfway there” in regard to Ukraine’s neutral status and were making progress on the issue of demilitarization, but there were “nuances” in regard to security guarantees for Ukraine: “The nuances related to what security guarantees Ukraine receives in addition to the existing ones, in case of refusal to join the NATO bloc.”

On Saturday evening, the same day Putin held a gigantic rally in Moscow to celebrate the anniversary of the formal incorporation in 2014 of Crimea into the Russian Federation, Zelenskyy gave a video address in which, after summarizing the situation in the various regions of the country, he urged Russia to agree to begin formal peace talks: “Negotiations on peace, on security for us, for Ukraine – meaningful, fair and without delay – are the only chance for Russia to reduce the damage from its own mistakes. We have always insisted on negotiations. We have always offered dialogue, offered solutions for peace. Not only during 23 days of invasion. And I want everyone to hear me now, especially in Moscow. It’s time to meet. Time to talk. It is time to restore territorial integrity and justice for Ukraine. Otherwise, Russia’s losses will be so huge that several generations will not be enough to rebound. ... The war must end. Ukraine’s proposals are on the table.”

The talks continue and are making progress toward an agreement that would cause Russia to agree to a ceasefire and subsequently withdraw its forces. Perhaps most importantly, in terms of Russia’s proclaimed need for a security guarantee, Zelenskyy signaled two weeks ago and reiterated last week that Ukraine is prepared to abandon its aspiration, embedded in its constitution, to become a member of NATO and accept an international status as a non-aligned and neutral state. And in response to Russia’s demand for “demilitarization,” it is reportedly prepared to accept a reduction in the size of its military, agree that it won’t allow other states to have bases and deploy weapons in the country, and agree that it won’t obtain and deploy offensive weapons that could threaten Russia. The negotiators have reportedly also made progress on several other issues such as the acceptance by Ukraine of Russian as an official

language in the heavily Russian-speaking areas of eastern Ukraine. And Russia has dropped its insistence that Zelenskyy and his government leave office.

But Russia has two demands that will be very difficult, if not impossible, for Ukraine to accept – formal recognition of the two “people’s republics” in eastern Ukraine as independent states and, even more difficult, formal recognition of Crimea as an integral part of the Russian Federation. Ukraine likewise has some demands that will be difficult for Russia to accept – most notably, its demand for a guarantee, not by NATO but by one or more other states, of *its* security as a neutral and non-aligned state that has a reduced military with no offensive weaponry. It was perhaps the continued disagreement over those issues that prompted Putin’s comments in his phone call with Scholz last Friday. According to the Russian readout, he “provided an assessment of the talks between Russian and Ukrainian representatives held via videoconference. It was noted that Kiev was seeking every opportunity to try to prolong the negotiation process by making new unrealistic proposals. Nevertheless the Russian side is ready to continue searching for ways out in the spirit of its well-known principled approaches.”

Despite the fact that both Russia and Ukraine have demands that will be very difficult for the other to accept, there are some signs of continuing progress in the negotiations. On Sunday, Turkish Foreign Minister Cavusoglu, who attended the meetings last week, told a newspaper, “There is convergence on the two countries’ positions on the critical issues. We observe that they almost agreed on the first four articles [of the 15-point peace plan], but decisions on some issues need to be given at the leaders’ level.” When asked if a ceasefire could be expected, he said, “If the parties do not retreat from their current positions, we can say that we hope for a ceasefire. There are open channels between the leaders.” President Erdogan’s spokesman likewise said the two sides were nearing agreement on several key issues – most notably, in regard to Ukraine’s ambition to join NATO, its neutral status and subsequent “demilitarization,” and acceptance of Russian as an official language. But both suggested that a meeting between Putin and Zelenskyy to formally agree on a ceasefire and discuss a peace agreement won’t take place until all of the issues, including the two most difficult ones – Ukraine’s recognition of Crimea as Russian and the two “republics” in eastern Ukraine as independent – are resolved.

In the nearly four weeks since Russia invaded Ukraine, it has waged a war against Ukraine’s citizens living in and around Kharkiv, Kherson, Dnipro, Mariupol and other cities, and now Kyiv and Odesa as well. The attacks, many of them involving artillery and missiles fired not at military targets but simply into the cities from a distance, have killed and injured many thousands of Ukrainian men, women and children. The UN estimates they have displaced 6.5 million Ukrainians within the country and caused an additional 3.5 million to flee and seek refuge in adjacent EU member states. The attacks obviously constitute crimes against humanity and are rightly being investigated by prosecutors of the International Criminal Court as war crimes. Those in the future who look back on what has happened in the last three weeks will no doubt debate whether the EU and NATO could have, and should have, done more to defend the people of Ukraine, despite the fact that Ukraine isn’t a member of either organization. But regardless of what future historians may say, the most urgent priority now is to stop the attacks and end the war. Russia and Ukraine need to agree on a ceasefire – now.

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