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Peace Will Not Come to Europe's War Why Ukraine's New President Zelensky will be Unable to Improve Relations with Russia

by *Taras Kuzio*

Ukraine's new President Volodymyr Zelensky has promised to continue reforms, fight corruption, continue Ukraine's European integration and bring peace to the Donbas. He could be successful in the first three goals, but the latter will elude him. The president will have to share power with parliament, and he will face domestic struggle with a large number of war veterans and active civil society and nationalist groups. In the medium term, the remaining stalemate in Ukrainian-Russian relations will likely have four consequences.

On April 21, 2019 Volodymyr Zelensky was elected as President of the Ukraine, winning slightly more than 73 percent of the vote. Before, Zelensky, the lead actor in a popular TV show named "Servant of the People" (*Sluha Narodu*), had never worked in politics or government, and he ran with barely no election programme. His large vote was mainly a product of anti-establishment populism frustrated at the slow pace in the fight against corruption. Zelensky has promised to continue reforms, speed up the fight against corruption, continue Ukraine's European integration and bring peace to the Donbas. He could be successful in the first three goals, but the latter will elude him.

Before his inauguration on 2 June, Zelensky made a number of statements that will undermine his effort to bring peace to the Donbas. He said that his election could be an example to other countries in the region. Zelensky said: "Ukraine will not give up its mission to serve as an example of democracy for the post-Soviet countries. And part of this mission will be to provide protection, asylum, and Ukrainian citizenship to all who are ready to fight for freedom." Russian President Putin and other Eurasian authoritarian leaders feel threatened by Western-backed regime change, which they see in the 2004 Orange, the 2013-2014 Euro-aidan Revolutions, and the 2011-2012 Moscow protests. They will continue to seek to block Ukraine's European integration which Zelensky vowed to pursue during his June visit to Brussels.

Answering Putin's challenge about issuing passports to residents of the Donetsk Peoples Republic (DNR) and Luhansk People's Republics (LNR), Zelensky offered to provide asylum to "the Russian people who suffer most of all." He said: "We are perfectly aware of what a Russian passport actually provides. This is the right to be arrested for peaceful protest. This is the right to have no free and competitive elections. This is the right to completely forget about the natural human rights and freedoms." Zelensky did not believe Russian authoritarianism would be attractive to Ukrainians. If Crimea and occupied Donbas had remained part of Ukraine "they would have already had more freedoms and powers than they will ever have under the authority of the Russian Federation", he said. These statements will make Zelensky's already difficult task of seeking to advance peace and improve relations with Russia even more difficult.

Zelensky follows in the path of Leonid Kuchma who also claimed after being elected in 1994 that he would improve relations with Russia, both campaigning against “nationalist” opponents Leonid Kravchuk and Petro Poroshenko respectively. Kuchma learnt that even though he came from eastern Ukraine and spoke Russian (like Zelensky), this did not automatically lead to relations improving with Russia. In 1994, during Kuchma’s first year in office, three declared nuclear powers (US, UK and Russia) signed the Budapest Memorandum which provided security assurances to Ukraine in exchange for nuclear disarmament and membership of the Non-Proliferation Treaty (NPT). It took Russia’s President Yeltsyn until 1997 to travel to Kyiv to sign a treaty on the Russian-Ukrainian border and another two years for both houses of the Russian parliament to ratify it. Today, Zelensky has to deal with a more difficult President Putin who has violated the Budapest Memorandum and the Russian-Ukrainian border treaty.

Kuchma’s and Zelensky’s inability to improve relations with Russia had, and will not have, nothing to do with who is in power in Moscow, but everything to do with Russian nationalism. The Russian state, together with a majority of the Russian people, believe Ukraine is an “artificial” and “failed” state and deny the existence of the Ukrainian people. President Putin and Russian leaders have repeatedly said Russians and Ukrainians are “one people”, while the Ukrainian language is derided as a dialect. Russia does not view Ukraine as a sovereign and independent state with legitimate borders. Negative news about Ukraine takes up as much airtime on Russian television as news about Russia. A Levada Center poll found that as many Russians (56-57 percent) view the Ukrainian state in negative terms as they view the US.

Stumbling Blocks in the President’s Way

Zelensky’s goal of seeking peace will stumble on Crimea – a question Russian leaders have said was closed. Although Western governments impose sanctions against Russia on the Crimea issue, the two Minsk peace agreements focused on steps for achieving peace in the Donbas and its re-integration into Ukraine. There is no mention in the agreements of steps to be undertaken for the de-occupation of Crimea. The US has stated it will never recognize Crimea as Russian. Zelensky said that the occupation of Crimea was “completely illegal and violent”, and that the March 2014 referendum was “illegitimate”. The new president agrees with Ukrainian public opinion that Russia should pay Ukraine compensation for the damages brought about by the occupation. The same holds true for the release of 75 Ukrainian and Tatar political prisoners from Crimea as well as 25 Ukrainian seamen and security officers captured with their vessels in the Azov Sea in November 2018 and since illegally imprisoned. “We are not ready to give, present, allow to rent or use the sovereign territory of Ukraine and its citizens”, Zelensky said, and he continued that “Ukraine’s independence, sovereignty, and territorial integrity cannot be the subject of any international negotiations and agreements.”

Zelensky will find that Russians and Ukrainians look at Crimea in diametrically opposite ways. Another Levada Center poll found a high 85 percent of Russians continuing to support the annexation with only ten percent opposed. Even many Russians who claim to be in opposition to Putin, such as Alexei Navalny, support the s annexation. A similar number of Ukrainians believe Crimea should be returned to Ukraine with only 17 percent being ready to accept Russian control of the peninsula.

The Ukrainian constitution does not permit the president to negotiate away parts of Ukrainian territory. Zelensky said that “under no circumstances can we speak about exchanging Crimea for peace in the Donbas. And neither can the separation of certain areas or regions of Ukraine be a subject of negotiations.” If Zelensky took such a step he would be threatened with parliamentary impeachment and mass protests. An extensive survey of public opinion on the Crimea issue by the Democratic Initiatives Foundation concluded: “Ukrainian society is not ready to accept any initiative towards ‘normalization’ of relations with Russia if the Crimea is separated from the entire complex of Ukrainian-Russian relations. It is worth pointing out, that this attitude has not changed at any time in 2014-2018 [...]”

Another stumbling block for President Zelensky is how the Donbas war should be understood. A very high 72 percent of Ukrainians, including 62 percent in the south and 47 percent in the east of the country, believe Ukraine is at war with Russia. A similar number of Ukrainians believe Russia is seeking to destroy Ukrainian independence. Russian leaders on the other hand, deny that Russia is involved in the Donbas war and continue to claim it was a ‘civil war’ between Ukrainians.

Zelensky agrees with Ukrainian public opinion, as well as Western governments, NATO, EU, and the Parliamentary Assembly of the Council of Europe, that there is not a “civil war” but the annexation of Crimea and a war in the eastern Ukrainian regions around Donetsk and Luhansk. The I and II Corps of DNR and LNR, respectively, numbering 35,000 troops in total, are under the jurisdiction of the Russian southern Military District, with command and control in the hand of Russian military intelligence (GRU) officers. The OSCE has recorded modern Russian military technology in the DNR and LNR which the Ukrainian military does not possess. Russia also stations large concentrations of forces (2 divisions) to the east and northeast of Ukraine’s eastern border. Russian forces also conduct electronic warfare and artillery activities to support DNR and LNR troops.

President Zelensky said he will continue his predecessor’s support for Ukraine’s NATO and EU membership ambitions, and he supports holding referenda. The Ministry of Foreign Affairs, Ministry of Defence and Security Service of Ukraine (SBU) come under the president, but the foreign policy direction of Ukraine is decided by parliament. All the other ministries fall under the Cabinet of Ministers. This includes the Ministry of Internal Affairs which controls the 50,000-strong National Guard and police force. Ukrainian presidents only have influence in parliament and government if their party gains a large number of seats, leads a parliamentary coalition and nominates a prime minister. The *Sluha Narodu* (Servant of the People) party is new and will not achieve a majority in the October parliamentary elections, so President Zelensky will have to negotiate with other parties to form a coalition.

In February 2018, a very high majority of 334 voted to change the Ukrainian constitution (with only 35 opposed) to include the “strategic course of the state to achieve Ukraine’s membership in the European Union and North Atlantic Treaty Organization.” President Zelensky will never receive sufficient votes in the upcoming elections to change the constitution. Nevertheless, Russia will expect Zelensky to drop the goals of NATO and EU membership – just as it did in 2010 when President Viktor Yanukovich dropped the NATO goal and changed Ukraine’s foreign policy to a “non-bloc status.” Thus another obstacle to improving relations with Russia will be Zelensky’s unwillingness or inability to change Ukraine’s course towards NATO and EU.

Differing ideas of the Minsk Agreement

Russia participates in the Minsk peace process and the Normandy format (France, Germany, Ukraine, Russia), denying it is involved in the war in the Donbas while at the same time obstructing peace by supplying military equipment to the DNR and LNR. A final difficulty is how Russia and Ukraine differ over what should be the correct sequencing of stages to achieve peace in eastern Ukraine. Russia interprets the Minsk agreement with constitutional changes enshrining autonomy for the DNR and LNR and local elections being undertaken before there is de-militarisation. Ukraine and Western governments seek demilitarisation and the withdrawal of Russian troops to enable the holding of free and fair local elections. These steps would boost confidence in Kyiv to change the constitution. When in September 2015 Ukraine’s parliament discussed changing the constitution to give the DNR and LNR “special status”, there was a riot and three National Guards officers were killed by grenades thrown by army veterans. Ukraine has an active and mobilised civil society, war veterans who together with their families account for a fifth of voters, and nationalist groups who – although being unpopular at the ballot box – are active in street protests.

Different interpretations of sequencing in the Minsk agreements have made it impossible to agree on where to station UN peacekeepers. President Putin has said they should stand on the conflict line, thereby freezing the Donbas conflict, like in Moldova's Trans-Dniestr and Georgia's Abkhazia and South Ossetia. Ukraine and Western governments propose peacekeepers standing on the Russian-Ukrainian border, thereby fulfilling a Minsk agreement to return the border to Ukrainian control. Moscow understands that the DNR and LNR would not survive without Russian financial, economic and military assistance.

One stalemate, four consequences

Zelensky and Putin will both serve terms in office until 2024 – a time during which Russian-Ukrainian relations will continue to be poor and with domestic Ukrainian factors and Russian nationalism and identity preventing a major improvement in relations. 80 percent of Ukrainians hold a negative view of Putin and do not believe any breakthrough in relations or peace will happen while he remains in power. Zelensky will attempt to revive the Minsk peace process and put forward new peace initiatives, which Europe and the US should support. Whether the US and UK, signatories to the Budapest Memorandum, will agree to join the Normandy Format, as Zelensky proposes, is unclear, while Russia will be opposed to such a step anyway.

The unlikelihood of Russian-Ukrainian relations improving will have four consequences. Firstly, it will mean continued poor relations between Europe and the US vis-à-vis Russia for the medium term. Secondly, Russia's continued occupation of the Crimea and military aggression in the Donbas will mean the continued need for Western sanctions. Thirdly, Russia's loss of soft power influence in Ukraine could lead to a temptation to greater reliance on hard power and thus periodic crises, such as in the Azov Sea in November 2018, when Russia rammed and captured Ukrainian vessels and seamen in violation of international law. Fourthly, Russia will continue to seek to deny Ukraine access to the Black Sea, and one future flashpoint may arise over control of water supplies to Crimea from the Kherson region in the North of the peninsula.

For Russia, financially sustaining Crimea is more expensive than other frozen conflicts Moscow controls in Moldova and Georgia, and this financial burden will become an issue that will reduce Putin's popularity as living standards continue to decline in the face of a stagnant economy and the continuation of sanctions against Russia. Trans-Atlantic unity and European resolve will be tested by the need for continuing current sanctions against Russia and whether fresh sanctions will be necessary if Russia continues to exercise hard power along Ukraine's southern coastline and the Azov Sea.

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