

# Ukraine: On The Current State Of Negotiations

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## The Ukrainian negotiating position

Russia and Ukraine have set out their respective conditions and demands for ending the war and sent their representatives into direct negotiations in Istanbul. On 29 March Volodymyr Zelensky declared that Ukraine was ready to become a neutral state, belonging to no military bloc, and to reaffirm its status as a non-nuclear state. In exchange it would require guarantees of its national sovereignty and territorial integrity from a set of states capable of enforcing such guarantees. Not a “scrap of paper”, as Zelensky described the 1994 Budapest Declaration, which proved unenforceable when it was violated in 2014 by the Russian Federation, itself one of the signatories and guarantors. Zelensky further clarified his country’s position in an interview that day with Russian journalists, saying that Ukraine’s sovereignty and territorial integrity were not negotiable, that is Ukraine would not relinquish territory or accept a foreign power on any part of its soil for the sake of a peace settlement.

Andriy Yermak, head of the President’s Administration elaborated further on the country’s stance, saying its leaders were ready to discuss with Russian leaders how to resolve the “problems” faced in Donbas. On the issue of language he reiterated that Ukrainian is and will remain the sole official language. In other words Ukraine rejects the Russian Federation’s demand for Russian to be made a second official language.

Ihor Zhovkva, advisor to the president, said Ukraine will cede no territory but it is prepared to accept as a temporary measure a withdrawal of Russian forces to the pre-24 February positions for the sake of a ceasefire. Serhiy Kyslytsia, Ukraine’s permanent representative at the UN also said that Ukraine would sign an interstate guarantee of its security only after Russia withdraws all its forces to their pre -24 February positions.

Because one part of Donbas and Crimea as a whole are in Russian hands since 2014, Zelensky’s government would either have to work out a common approach with the Russian government on how it will get back all or part of these territories or it would have to take them back by force. What it will choose to do weighs heavily on the nature of a “compromise” that Ukraine will offer Russia and what Russia will accept in order to settle the war by negotiation.

Any kind of compromise with Russia, its duration and the method of its final resolution will be assessed by the Ukrainian electorate in a referendum. That electorate includes the army, the volunteer forces, the refugees and internally displaced people. Settlement will determine in which state all these people end up: in Ukraine, the DNR, LNR or Russia and for how long. Six million people have been driven from their homes, many of which have been destroyed. No one will want to live indefinitely in a refugee camp located on or off Ukrainian territory if there is no settlement or one that cannot be implemented.

All this must have been on Zelensky's mind when he promised that any settlement would be put first to the country in a referendum. His promise is designed both to keep the Ukrainian people on his side and also to warn Russia and the Western powers not to demand the kind of settlement that the Ukrainian people will reject. Dealing with Zelensky in government is preferable for all concerned to dealing with a rejectionist "anti-capitulation" popular front. After all, Zelensky is the foremost elected representative of the people, but they are the ones holding the weapons.

### **The Russian negotiating position**

The Russian government did not respond immediately to Zelensky setting out his terms for a settlement. Rather, its censorship bureau immediately forbade the publication of his remarks to the press conference with Russian journalists.

Vladimir Medinsky heads the Russian team into the new round of talks with Ukraine. A former minister of culture and currently aide to Putin on Russian history, Medinsky is an ultra-conservative nationalist. His appointment to head the Russian team in Istanbul is a bad sign for those seeking a speedy or peaceful resolution of the war.

Russia put forward six demands to Ukraine: its adoption of neutrality, demilitarisation and "denazification", the adoption of official status for the Russian language, recognition that Crimea belongs permanently to Russia, and recognition of the Donetsk and Luhansk People's Republics as independent states encompassing the entire respective oblasts of Ukraine that they only partially occupy today.

Rumours began swirling around after the first day of talks that Russia expected to become one of the guarantors of Ukraine's security under such a treaty. The idea was immediately and widely condemned in Ukrainian social media and on radio.

### **The interaction between war fighting and negotiations**

Russian forces have failed to encircle or take Kyiv. Ukrainian army units are expelling them from the surrounding towns and villages. The Russian army is moving out of the Chernobyl nuclear power station and exclusion zone. They are moving troops and armour north across the border into Belarus. Their forces are regrouping in the east and south rather than quitting the war theatre. The regroupment is in line with Russia's temporarily scaled down objectives: to reinforce its present hold on Donbas and try to extend its occupation along the south coast to Crimea. Taking Mariupol remains critical to Russia's chances of success here. It would be a precondition for going further west all the way to Odesa, which like Kyiv is heavily fortified by Ukrainian army regulars and volunteers.

The regroupment of Russia's fighting forces may also have to do with the continuing loss of soldiers who are refusing to fight or are surrendering. An entire battalion from South Ossetia already stationed in Donbas signed a collective refusal to obey orders and they returned home. The Russians may also be expecting shortages of supplies needed for the front after having used up or lost so many munitions, weapons, land vehicles and aircraft. They cannot be replaced soon enough without China's help, which has not materialised. Western sanctions and the threat of possible reductions in Western purchases of Russian natural gas will inevitably damage the Russian industries that supply and service the front.

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**Marko Bojcun**

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