

Why Russo-Ukrainian Peace Negotiations Make Little Sense Today: Six Obstacles to Compromise Between Kyiv and Moscow

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Why has there been no negotiated end to the war in Ukraine and why is there unlikely to be one in the near future? In 2023, four SCEEUS reports, summarized below, listed six key factors that prevent a truce between Kyiv and Moscow.¹

Obstacles 1 and 2: The Constitutions of Ukraine and Russia

Russia formally annexed Crimea in March 2014 and four south-eastern Ukrainian mainland regions in September 2022. As a result, there are now five administrative units of Ukraine to which both the Ukrainian and the Russian constitutions lay claim. Neither constitution can easily be changed. Ukraine seems unlikely ever to relinquish its rightful claim to its territory. A Russian reversal of the constitutional changes of 2014 and 2022, which implemented the annexations, is more politically plausible. Yet, the Kremlin fulfilling its obligations under international law, if and when such a situation arises, would not be easy to implement. It would follow rather than precede liberation of the occupied territories.

Obstacles 3 and 4: Irreconcilable Views of the two Electorates

Significant groups strictly oppose any territorial or political compromise with the enemy in Ukraine and Russia. A majority of Ukrainians want to defend the country's territorial integrity and political sovereignty. Russian hawks want to either retain or increase the war gains. The high toll the war is taking in both countries means that making concessions would pose major domestic political challenges for both governments. Even small compromises

¹ Andreas Umland, "Four Challenges Facing a Ukrainian-Russian Truce. Part I: The Constitutional Impasse," SCEEUS Report, No. 2, 2023; idem, "Four Challenges Facing a Ukrainian-Russian Truce. Part II: Two Domestic Blind Alleys," SCEEUS Report, No. 6, 2023; idem, "Four Challenges Facing a Ukrainian-Russian Truce. Part III: The Crimean Conundrum," SCEEUS Report, No. 9, 2023; idem, "Four Challenges Facing a Ukrainian-Russian Truce. Part IV: Two Strategic Challenges," SCEEUS Report, No. 13, 2023.

as a result of hypothetical negotiations would be branded treason. Large sections of the population and entire political parties would make their voices heard and become politically active to oppose them. The abortive Prigozhin mutiny or Girkin movement indicate that the ultra-nationalist, pro-war section of Russia's political spectrum is a domestic factor that a more dovish leadership in Moscow would have to reckon with.

Obstacle 5: The Crimea Challenge

For Ukraine, Crimea's liberation is a matter not only of sovereignty, but also of strategy. Kyiv needs the peninsula to secure the Ukrainian mainland, while Russia wants to keep Crimea to threaten Ukraine and control the Black Sea. Moreover, Crimea was and remains the most popular territorial acquisition that Putin has presented to the Russian nation. This not only makes a negotiated return of Crimea to Ukraine unlikely, but also creates a strategic dilemma for the Kremlin. Crimea is part of a larger economic and historical space that also includes large parts of southern mainland Ukraine. A hypothetical Russian-Ukrainian negotiation on the currently occupied territories is therefore a question of all or nothing not only for Kyiv, but also for Moscow. A peace plan in which Russia accepts Ukraine regaining its currently occupied mainland territories but leaves Crimea behind as a consolation prize for Moscow would be unacceptable to either Kyiv or the Kremlin. As an isolated exclave far away and inaccessible from Russia, Crimea would again become a costly and vulnerable acquisition for Moscow.

Obstacle 6: East-Central European Skepticism Towards Moscow

The most important factors preventing Kyiv from premature negotiations with Moscow are its historical experience of Russia and comparative interpretation of its conflict. Ukrainian history, as well as that of other Eastern or Central European states, suggests that Russia would not abide by any agreement reached through diplomatic compromise rather than military victory. Independent Ukraine has signed hundreds of agreements with Russia over the past 30 years, most of which are now invalid. Ukrainians, as well as other nations and ethnicities of the former Tsarist Empire and Soviet Union, have had many bitter experiences of Russian imperialism over the centuries, which is once again the barely disguised foreign policy doctrine of Russia. These historical lessons advise Kyiv to wait until an at least partial Ukrainian victory makes it possible for a meaningful conversation with Moscow to begin.

Conclusions

At some point, negotiations may play a useful role in Russian-Ukrainian relations. However, it will be necessary to wait until the situation on the ground and in Moscow has changed sufficiently for talks to make sense for Kyiv. An agreement that is signed before Ukraine has at least gained a significant military advantage and a stronger negotiating position would be a farce. The resulting compromise would at best bring about a postponement of but not an end to the armed conflict.

As soon as a meaningful agreement is signed between Kyiv and Moscow, its functioning must be ensured. In the light of Russia's behaviour in the post-Soviet space over the past 30 years, securing future peace will only be possible with plausible deterrence against a renewed escalation.

The provision of military support for Kyiv is therefore the right strategy in three respects: first, it will help to prepare for peace now; second, it will enable a sustainable agreement between Kyiv and Moscow at a future date; and, third, it will keep the peace intact.



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