

# How Kiev and Moscow Agreed To Ignore Each Other

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If there was any hope of a breakthrough in Russian-Ukrainian relations following the release of Nadiya Savchenko, it was dashed on the Ukrainian pilot's first day back at work. Upon arriving in the Ukrainian parliament, or Verkhovna Rada, on May 31, Savchenko tore down a banner that for 18 months had called for her release. In its place, she hung a new one, demanding freedom for three dozen "Kremlin prisoners of conscience."

The more detail that emerges about the mechanics of the prisoner exchange, the clearer the picture of a standalone deal — one forged at the end of a political cul-de-sac for the Russian leadership.

"There were two stages to the process," says Savchenko's lawyer Ilya Novikov. "The first was almost immediately after sentencing on April 20, when an agreement was reached between [Russian President Vladimir] Putin and [Ukrainian President Petro] Poroshenko. No one believed it at the time, but this was exactly how things played out a month later. This second phase started on May 23, when Putin spoke with [German Chancellor Angela] Merkel,

Poroshenko and [French President Francois] Hollande in so-called Normandy format, and said he didn't want to draw the process out."

Putin was, the lawyer says, put under "incredible pressure" by U.S. Vice President Joe Biden and Secretary of State John Kerry: "Free her whichever way you want, or else. That was their message."

Sources close to the Kremlin agreed the exchange was not part of the broader Minsk peace process or an extended exchange program. Savchenko was exchanged for two Russians captured in eastern Ukraine whom Kiev says were Russian servicemen.

Several independent sources in Kiev and Moscow suggested the proposal for a two-way exchange came from Poroshenko. Initially, the Russian government was not pushing for the return of the two men, who it says were fighting as volunteers. The deal being discussed was just Savchenko's release. According to a Ukrainian government source, Poroshenko made the offer to avoid the appearance of a "grand gesture" by the Russian side.

While new swaps are expected, these will be initially limited to Ukrainians Yuriy Soloshenko and Gennady Afanasev, on account of their health; and Stanislav Klich, who was sentenced to 20 years imprisonment the day after the Savchenko exchange, who may be released following a psychiatric assessment. Ukrainian security services are said to hold around a dozen prisoners of interest to the Russian side.

In the end, the Savchenko exchange worked for everyone. Most especially, it made it easier to sell the release of a woman controversially convicted of helping kill two Russian journalists. State propaganda has spent months painting Savchenko as a sadist killer.

## **Claiming Victory**

Russian state television was certainly in a defensive mood in the days following Savchenko's release. Much of news presenter Dmitry Kiselyov's flagship agitprop program was dedicated to an argument that Putin had sent a loose cannon back to Kiev to disrupt Ukrainian politics.

This may well turn out to true, but it did not make the news any more digestible for Russian nationalists. Their fears were compounded by comments made the following day by Putin's spokesman Dmitry Peskov, suggesting Russia saw no problem returning the Donbass to Ukraine, "provided such a move was guided by humanitarian concerns."

The comments were made in response to a reporter's question and might not have implied any significant change in the Russian position. But they were picked up by the anti-Kiev lobby, and described as "unprecedented capitulation" by the man who fired the first shot in the eastern Ukrainian war.

Igor "Strelkov" Girkin is no longer the ferocious commander that he was during the most bloody stage of the Ukrainian war (for which he has been referred to a Hague tribunal). His star began to fade the moment he was driven out of Donetsk in mid-August 2014 — betrayed, he says, by Putin aide Vladislav Surkov.

Peskov's comments were important, Strelkov says, because they represented a broader trend:

"It showed that Putin is ready to give Ukraine back, if not by unconditional capitulation, then by one with a few strings attached. He's stepping back because the people around him can't stand the heat."

The Savchenko affair had been a disaster for Russia and an "obvious victory" for Ukraine, he said. "The whole process was an absurdity." The Ukrainian soldier should have been tried, he says, but "in a military tribunal" and "for crimes she really did commit." He pauses. "If it was up to me, of course, I'd deal with her in even more severe ways."

The prospect of Russia disowning eastern Ukraine would be welcomed by liberal parts of the Russian political establishment. In the past week, reforming former ministers German Gref and Alexei Kudrin made both covert and overt appeals to Putin to "tone down geopolitical tension." According to a recent investigation by the German tabloid Bild, supporting the region is costing the Russian taxpayer a minimum of 1 billion euros yearly.

Meanwhile, the West and Russia are talking again. A mid-May meeting between U.S. Assistant Secretary of State Victoria Nuland and Surkov was heralded as a significant breakthrough. Alexei Chesnakov, a close associate of Surkov's, said Nuland came to Moscow with "constructive" proposals on new security architecture. They did not include the proposals for an OSCE military police force put forward by Ukrainian foreign minister Pavlo Klimkin, he added.

Most probably, says analyst Vladimir Frolov, the proposals amounted to a new OSCE inspection regime, and perhaps lockdown of heavy artillery depots in separatist territories.

Even that prospect seems unlikely however, and Strelkov warns that battles will inevitably pick up again. "The people who are fighting Kiev have nowhere to go. The best they can hope for is a damp bed in a prison somewhere." Local commanders already have enough supplies in place for an offensive, he says.

The last week in May saw an uptick in fighting in most of the conflict hotspots — Dokuchayevsk, Avdiivka, Pisky, Yasynuvata, Zaitsevo — with the redeployment of heavy artillery along the demarcation lines. Informal positions in the grey zones around formal front lines at Dokuchayevsk and Zaitsevo were reported to have moved by three kilometers and one kilometer, respectively.

## **Diplomatic Deadlock**

Relations between Russia and Ukraine remain awful. Communication between governments, though multi-layered, is strictly restricted, and generally limited to one contact point per level. Poroshenko speaks to Putin, mostly limited to the so-called "Normandy format" (in conference with Hollande and Merkel). Foreign Minister Klimkin talks to Sergei Lavrov. And Surkov talks to Poroshenko's advisor, Ruslan Demchenko.

Some Track II diplomacy is conducted via contacts in the business world, with Ukrainian oligarch Dmytro Firtash and, to a lesser degree, Rinat Akhmetov being preferred conduits. Yuriy Boiko, the pro-Russian Opposition bloc leader is also a man in favor with the Kremlin. The problem for Russia has been that none of these contacts are particularly influential in Kiev.

The role of Putin's close friend Viktor Medvedchuk is particularly controversial. The former Yanukovich ally has a toxic reputation in his native Ukraine, but Putin is pushing the point of "doing business with us via Medvedchuk," perhaps with a view of upping the electoral pressure on Poroshenko.

There is currently no appetite within Russia to seek an alternative to Poroshenko, confirms Chesnakov, given that "no real or constructive alternative" to him exists. At the same time, there are obvious ways Russia could improve its hand in dealing with the Ukrainian president by forcing early parliamentary elections. On current calculations, this would force Poroshenko into coalition with the pro-Russian Opposition bloc. "Poroshenko is no doubt well aware of such dangers," says Frolov.

For the time being, the two sides are engaged in a diplomatic dance — creating the mirage of progress but ensuring no change. Under pressure from the West, Russia might accept new inspection regimes in separatist territories, but will not support the crucial withdrawal of tanks.

Under pressure from the West, Ukraine might prepare a new elections law for the Donbass, as per the Minsk agreements, but it will make that law contingent on cease-fires, Ukrainian law, Ukraine parties, OSCE policing and a whole host of other things that are currently undeliverable.

A source within Ukrainian government with knowledge of the negotiation process said "not a single condition" was currently in place for elections in the Donbass. The Ukrainian side was open to compromise, he said, but would not move without corresponding moves from Russia. "Doing your bit regardless is not sensible: it makes the enemy bolder."

If there is one thing both sides agree on, it is that the poor relations between them will not improve following the Savchenko exchange. "Relations have been systematically undermined by Kiev, there is no sign they will improve, and Moscow should be ready for them to deteriorate further," says Chesnakov. "The level of tension between our two countries is so high that the main agenda points are no longer so much in the political sphere as they are in military analysis."

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