Armed conflict in Ukraine: Chronological timeline of the implementation of the Minsk agreements

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Note

All views and opinions in this study are those of the authors and do not necessarily reflect the official position of DCAF.

Preface

This study examines one of the deadliest, large-scale armed conflicts in Europe since the collapse of the Soviet Union: the conflict in Ukraine since 2014. In terms of the number of participants involved, as well as the international efforts undertaken to resolve it, this conflict is more than just a regional clash.

The difficulties involved in resolving the armed conflict in Ukraine can be attributed to a number of factors directly related to: its special geopolitical situation; the long absence of state independence; and a protracted reform processes aimed at stabilizing the socio-economic situation and the domestic political situation. Moreover, the possible prospects for resolving the armed conflict are negatively affected by the insufficient effectiveness of existing international security institutions. These cannot today bring their authority and available capabilities to bear because of the violent and accumulated differences between the competing sides.

At the same time, it should be noted that due to various efforts, including global diplomacy, the the intensity of hostilities in eastern Ukraine had been significantly reduced by mid-2015. Thanks to this, international humanitarian projects were able to support the affected local population.

The Trilateral Contact Group on the peaceful settlement of the situation in eastern Ukraine, formed in 2014 in Minsk, is one of the negotiating platforms currently pushing peace negotiations. It matters because its negotiations are directly related to the decisions taken within the 'Normandy format' to resolve the conflict in eastern Ukraine (Germany, France, Russia and Ukraine)[1].

The aim of the study is to develop a better understanding of the processes taking place in eastern Ukraine. The opportunities for conflict resolution that are now available to international institutions and parties to the military conflict in Ukraine are also analysed.

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1   Ukrainska Pravda 'Normandy format' (2021), available at: https://www.pravda.com.ua/tags/normandie/ [Accessed on 20 April 2021].

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List of abbreviations

DPR   Self-proclaimed Donetsk People's Republic

LPR   Self-proclaimed Luhansk People's Republic

UN   United Nations

OSCE   Organization for Security and Co-operation in Europe

ORDLO   certain non-government controlled areas of the Donetsk and Luhansk regions

JCCC   the Joint Control and Coordination Commission on Ceasefire and Stabilization of the Contact Line

1. Preconditions for the emergence of an armed conflict in eastern Ukraine

The UN Charter has, since 1945, prohibited the use of force in relations between states, except in cases of self-defence during an armed attack.[2] It is worth mentioning that parties in a conflict try to present themselves as victims (resorting to their right to self defence) not agressors. 'Legal war' is usually being claimed, then, on both sides. The main point of a legal 'war' is to 'create virtual reality to avoid responsibility for international crimes'.[3]

As for the armed conflict in Ukraine, the specifics of external and internal influences that affect it need to be taken into account in order to properly classify it. Ukraine, in the midst of a complex multipolar political process, is gradually returning to the system of democratic values and is struggling with geopolitical challenges.

The causes of the current armed conflict in Ukraine have no easy analogues in the modern world. In Ukraine the religious dimension does not dominate as in Syria, the Central African Republic, Somalia, Nigeria and Afghanistan. Nor are there significant ethnic problems as in Nagorno-Karabakh, the Gaza Strip, the former Yugoslav republics. Military actions in Ukraine are the outcome of political wranglings. After all, Ukraine had, for many years, no state independence, and its national identity was eroding. The process of forming the 'necessary' public opinion was, then, dependent on political projects, which were implemented through the relevant information resources. As a result, the armed conflict in Ukraine differs sharply from traditional wars. It is often referred to as 'hybrid warfare', with two components: armed struggle; and humanitarian aggression. The armed struggle is relatively straightforward. The humanitarian aspect includes battles in the linguistic-cultural, informational, and confessional spheres, as well as the fight for national memory. 'Hybrid aggression' does not feature in international law. Accordingly, there are no sanctions for this kind of aggression.[4]

At the beginning of 2014, it was the south-eastern regions of Ukraine, dominated by financial and oligarchic groups which were focused on rapprochement with the Russian Federation. These certainly turned out to be the most vulnerable to the use of propaganda and force, both internal and external. This was facilitated by certain conditions that have been accumulated through all periods of Ukrainian state formation.

Regarding the armed conflict in Ukraine, each interested party interprets the conflict in a

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2   UN Charter, Arts. 2(4) and 51.

3   Day, Volodymyr Vasylenko 'Law as a weapon – 2'. All negotiations on a peace settlement should be conducted only with Russia', paragraph 20, available at: https://m.day.kyiv.ua/uk/article/podrobyci/pravo-yak-zbroya-2/, [Accessed on 19 May 2021].

4   Ibid.

different way. Russian diplomacy argues that the armed clashes in eastern Ukraine are 'an uprising of the population of the south-eastern regions of Ukraine against the new Ukrainian government that came to power after Euromaidan protests'.[5] Armed conflict in Ukraine is treated by Russia as an internal armed conflict in Ukraine.

Ukraine lost the entire Crimean region, and with external support, significant parts of two other regions were taken under the control of illegal self-proclaimed entities, which included and still includes many Russian citizens. As such Russia is considered to be party to the conflict by Kyiv and many countries around the world.[6] It is also worth noting that in 2016, the International Criminal Court in The Hague recognized an international armed conflict between Ukraine and Russia.[7]

In order to gain a better understanding of the processes taking place in Ukraine, it is important to consider, in great detail, the preconditions that contributed to the emergence and development of armed conflict in one of the largest European states. There preconditions include the multifaceted historical past, which explain the background to some complex political processes in today's Ukraine. After all, modern state-building process, as well as current domestic and foreign policy can be traced back to centuries-old ethnic, cultural and religious characteristics.

1.1. A brief digression into the history of the Ukrainian state formation

Ukraine is a state in Eastern Europe, it has a semi-presidential system of government. Ukraine shares borders with Poland, Slovakia, and Hungary to the west; Romania and Moldova to the southwest; the Republic of Belarus to the northwest, and it also borders the Russian Federation to the east and northeast. In the southeast, Ukraine has the Sea of Azov, and in the south the Black Sea. Administratively, Ukraine is divided into 24 regions, two cities with regional status (Kyiv and Sevastopol), and the Autonomous Republic of Crimea. The total area of Ukraine is 603,628 km², and the total length of the border is 16,500 km. Kyiv is the capital.[8]

According to the Ukrainian Constitution, Ukraine is a unitary state. The state language in Ukraine is Ukrainian, while the state guarantees the development, use and protection of Russian and other languages of national minorities. The President of Ukraine is the head

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5   Lenta.ru, Mikhail Tishchenko 'What was that? Why was the war in Ukraine needed' paragraph 9, (25 December 2014), available at: https://lenta.ru/articles/2014/12/25/ukraine/ [Accessed on 20 May 2021].

6   Ministry of Foreign Affairs of Ukraine 'Joint statement on the occasion of the seventh anniversary of adoption of UN General Assembly Resolution 68/262 'Territorial Integrity of Ukraine', paragraph 1, (26 March 2021), available at: https://mfa.gov.ua/news/spilna-zayava-z-nagodi-somoyi-richnici-shvalennya-generalnoyu-asambleyeyu-oon-rezolyuciyi-68262-teritorial-na-cilisnist-ukrayini [Accessed on 20 May 2021].

7   Hromadske 'The International Court of Justice recognized Russia as the occupier of Crimea and confirmed the fact of war crimes', paragraph1, (16 November 2016), available at: https://hromadske.ua/posts/zelenskogo-zvinuvatili-u-socmere-zhah-sho-v-den-vishivanki-odyagnuv-rosijsku-kosovorotku-ce-ne-zovsim-tak [Accessed on 20 May 2021].

8   European countries 'Ukraine' (2019), available at: https://travelife.today/evropa/ukraina/#h1-kratkaya-informatsiya [Accessed on 24 April 2021].

of state and he or she is elected for a five years term.[9]

Ukrainian history originates with great migrations of peoples. The first human settlements appeared in what is today Ukraine in the Early Paleolithic era (900,000-800,000 years ago). The Cimmerians emerged in the territory of Ukraine in the ninth to the seventh centuries BC. However, in the seventh century BC, the Scythians drove them off the Ukrainian steppes[10]. At approximately the same time, the Greeks began to establish their colonies in the Crimean Peninsula and along the northern Black Sea coast. By 200 BC, the Sarmatians replaced the Scythians as the dominant people on the steppes. In the third century BC, the Goths moved into the Ukraine and created their own kingdom and in 375 AD were defeated by the Huns in 375 AD. According to a various sources, the Huns had formed an alliance with the Slavic tribes the Antes and the Sclaveni. In the second half of the first millennium, there was temporary dependence, first on the Avar, and later on the Khazar Khaganates. However, by the ninth century, the Slavic tribes, united in 14 large unions, became the dominant force in Ukraine[11].

Kyivan Rus was the most famous political federation in medieval Europe, with its center located in the present-day Ukrainian lands. It prospered from the second half of the ninth to the middle of the thirteenth centuries: the lands of the Rus of Kyiv, Ukraine-Rus are frequently used in scientific and historical literature. By the middle of the eleventh century, the Kyivan Rus state was the largest in Eastern Europe: its perimeter covered some seven thousand kilometres and it covered 1.1 million square km and had a population of almost 4.5 million people. At their peak, the Kyivan Rus controlled and colonized the area from the Vistula river basin in the west to Kama and Pechora in the east, from the Black Sea in the south to the White Sea and the Arctic Ocean in the north. The ruler of the Kyivan Rus had the title of the Grand Prince of Kyiv, and belonged to the Rurik dynasty, which also had Norman roots. The Kyiv ruling family was well integrated, through dynastic ties, with all the leading monarchies of Europe.

The state of the Kyivan Rus reached its greatest extent under the rule of Volodymyr the Great and his son Yaroslav the Wise, from 978 to 1054. It was during this period that Kyiv became the main political center of Eastern Europe. Reforms were carried out in the state itself, which ensured the codification of legal norms (the legal code – 'Russian Truth'), the development of chronicles, culture and architectural masterpieces. Another serious step in state building came with the adoption of Christianity in 988 under the supervision of the Patriarchate of Constantinople. This led to the organization of the Russian Orthodox Church in the center of Kyiv.[12] In the second quarter of the twelfth century, the Kyivan Rus state began to fall apart. Its final disintegration took place in 1240 after the Mongol invasion and destruction of Kyiv.

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9   Gazette of the Verkhovna Rada 'Constitution of Ukraine' (1996), Articles 2;10; 102, available at: https://iportal.rada.gov.ua/uploads/documents/27396.pdf [Accessed on 24 April 2021].

10   Homepage, nomadic peoples "Scythians" (2008), , available at: https://nomadica.ru/ethnic/skifs.html [Accessed on 24 April 2021].

11   History of Ukraine 'Eastern Slavs: Ukrainian ancestors in the 6-9th centuries'. (Manual), paragraph 2 'Settlement of tribal unions of Eastern Slavs in Ukraine', available at: https://geomap.com.ua/ru-uh7/969.html [Accessed on 24 April 2021].

12   Voice of Ukraine 'Kyiv State', Igor Boyko (2019), available at: http://www.golos.com.ua/article/314096 [Accessed on 25 April 2021].

Next, as a result of the complex military and political events, most Ukrainian lands became part of the Grand Duchy of Lithuania. Indeed, the majority of its population (80%) was Ukrainian and the Lithuanian rulers preserved Kyivan Rus governmental and religious traditions.

As for Crimea, in the second half of the 13th century the Crimean Khanate was founded there as one of the uluses (hordes) of the Golden Horde. After its collapse, it was transformed (in approximately 1449) into an independent state of Crimean Tatars – the Crimean Khanate. Not only did it dominate the Crimean peninsula, but its authority also stretched over parts of the northern Black Sea coasts. However, it should be noted that the Christian peoples who inhabited the Crimea at that time, especially in its southern part (Greeks, Armenians, Genoese, Ukrainians, etc.) enjoyed broad cultural and religious autonomy.

The Grand Duchy of Lithuania latterly found itself in struggles against the Crusaders, the Grand Principality of Moscow as well as some internal players. As a result the Grand Duchy of Lithuania entered into an alliance with the Kingdom of Poland, signing the Union of Kreva (1385). After the Union of Lublin (1569), which formed the constitutional federal union of Lithuania and Poland (the Polish-Lithuanian Commonwealth), some ethnic Ukrainian lands came under Polish rule (Volyn, Podlasie Podolia, Bratslav and Kyiv).

In 1596 the Union of Brest was concluded that made significant changes to the religious map of Ukraine. The Greek Catholic Church was founded, which united part of the Orthodox believers of the Commonwealth under the authority of the Pope, while preserving the rites of the Eastern Christian Church.[13] It should be remembered here that as early as 1448, the Moscow state had established its metropolitan center in Moscow without the sanction of Constantinople, thus beginning its progress to church autocephaly; a different path from that of Ukraine[14].

The southern part of Ukraine, which was a sparsely populated steppe after the Mongol invasion, became the homeland of the Cossacks. Along the Dnipro river to the south towards the Black Sea (the southern regions of modern Ukraine) inhabitants of different social status from the more populated middle Dnipro regions settled. As a result, there were numerous settlements at the end of the 15th century in the south of Ukraine. These settlements had a clear paramilitary structure, united by the name of the Zaporozhian Sich or the Cossack Republic. Initially, the Zaporozhian Cossacks were outside the jurisdiction of the Polish-Lithuanian Commonwealth, but later some of them received official status as registered Cossacks. Then, by the beginning of the seventeenth century, the Cossack Republic had not only significantly expanded. It also became a serious military-political factor in the Europe of that time. Numerous successful military campaigns conducted by the hetmans of the Zaporozhian Army were included in many textbooks of martial arts of the time.[15]

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13   Media Brest.by 'The Brest Union of 1596 united the Orthodox and the Catholic Church', (2018), available at: https://mediabrest.by/facts/brestskaya-tserkovnaya-uniya-1596-goda-obedinila-katolicheskuyu-i-pravoslavnuyu-tserkov [Accessed on 25 April 2021].

14   DW 'Orthodoxy. Russian Orthodox Church (ROC)', available at: https://www.dw.com/ru/православие/a-690777 [Accessed on 25 April 2021].

15   this relates to their accomplishments as part of the Polish-Lithuanian Commonwealth troops and separately against the Crimean Khanate, the Moscow State, and the Ottoman Empire. Online Manuals '20 Zaporizhzhian Sich is a free Cossack Republic' available at: http://uchebnikirus.com/istoria/istoriya_ukrayini_vidpovidi_na_ekzamenatsiyni_bileti_lazarovich_mb/zaporizka_sich_vil-

The growing influence of the Cossack Republic led to attempts at restoring former state independence in the ethnic Ukrainian lands, which were part of the Polish-Lithuanian Commonwealth. From 1648 to 1654 Hetman Bohdan Khmelnytsky led a war of liberation against the Polish-Lithuanian Commonwealth. Despite early successes, he failed in breaking the Polish-Lithuanian Commonwealth. Therefore, in order to preserve the rebel-held territories, Bohdan Khmelnytsky concluded an alliance with the Russians to fight the Polish-Lithuanian Commonwealth collectively. As a result, in a certain part of the territory of the Right Bank of Ukraine the Hetman Republic (Hetmanate) was declared, which fell under the protection of the Moscow state. In the second half of the seventeenth century other Urkainian lands remained part of the Polish-Lithuanian Commonwealth, and also came under the rule of Moscow and the Ottoman Empire.[16] Moscow's growing influence in Ukraine came in church affairs as well. Moscow obtained from the Ecumenical Patriarch the right to temporarily administer the Kyiv metropolitanate in 1686: the Patriarch of Constantinople had had gradually less and less power after the collapose of the Byzantine Empire. This action became another channel through which Moscow extended its influence over the Ukraine of that time.[17]

The next century should be regarded as the era of European military campaigns, where Ukraine featured as a subordinate of Moscow. The Ukrainian military-political elite did not, however, abandon their aspirations for independence. For instance, Hetman Ivan Mazepa famously attempted an alliance with King Charles XII of Sweden during the Great Northern War (1700-1721): his price was Swedish assistance in the struggle for independence from Moscow.[18] Mazepa's defeat led to a further weakening of the Hetmanate, which resulted in an increase in the number of Moscow garrisons on its territory, the curtailment of traditional electoral rights in Ukrainian politics, and the forcible removal of the Ukrainian language from administrative, educational, and church life. After victory in the Northern War, not only did Moscow significantly expand its territory. It also transformed itself into the Russian Empire.

By the end of the second half of the 18th century, the Russian-Turkish wars radically changed the political map of Ukraine. Making the most of the military qualities of its allies – the Ukrainian Cossacks among others – the Russian Empire had achieved impressive results. All the present-day south of Ukraine were ceded to Russia, and the Crimean Khanate was liquidated and then, in 1783, annexed too to the empire. As for Crimea, Russia's entry into Crimea at the end of the eighteenth century led ultimately to a forced reduction of the number of indigenous ethnic groups on the peninsula. In 1795 the Crimean Tatars made up 87.6 percent of the population in the Crimea. In 1897 they were 35.6 percent, in 1920 25.0 percent, and by 1939 only 19.4 percent.[19]

na_kozatska_respublika-1.htm [Accessed on 26 April 2021].

16   Radio Svoboda, Dmytro Shurkhalo, 'Uprising that changed history: 370th anniversary of Khmelnytsky region' (2018), available at: https://www.radiosvoboda.org/a/29221974.html [Accessed on 26 April 2021].

17   Ukrainska Pravda, 'Ukraine no longer has the Moscow Patriarchate – Constantinople', (2018), available at: https://www.pravda.com.ua/rus/news/2018/11/2/7197041/ [Accessed on 27 April 2021].

18   Wikipedia, 'Union treaty between Hetman Mazepa, Charles XII and Zaporizhzhian Sich,' available at: https://ru.wikipedia.org/wiki/Союзный_договор_между_гетманом_Мазепой,_Карлом_XII_и_Запорожской_Сечью/ [Accessed on 27 April 2021].

19   HB, 'The real history. Who did Crimea belong to?', Andrei Zubov (20.05.2019), available at: https://nv.ua/opinion/realnaya-istoriya-chey-byl-krym-50022542.html [Accessed on 28 April 2021].

The victory of the Russian Empire in the war with Turkey accelerated the political agony of the Hetmanate. In 1775, pursuant to the decree of Catherine II, Russian troops destroyed the main strongholds of the Zaporozhian Sich, thus eliminating the last remnants of statehood in Ukraine.[20] The final breakdown of the old Ukrainian territories took place after the first (1772) and the second (1790) divisions of the Polish-Lithuanian Commonwealth. The Russian Empire annexed part of the southwestern Ukrainian lands to Volyn and Bessarabia inclusively. Then, the Austrian Empire (from 1868 the Austro-Hungarian Empire) took the Carpathians, Bukovyna and Transcarpathia.[21]

The long division of Ukrainian lands has left its mark on the mental characteristics of inhabitants of the regions, the consequences of which are fully felt in modern Ukraine today.

As for Russian, its policy was the irreversible assimilation of the socio-political life of Ukraine into its Empire. The abolition of Magdeburg law, the introduction of serfdom, the ban on the use of the Ukrainian language at the state level, and the restriction of political and religious freedoms significantly weakened Ukrainian national identity.[22] At the same time, Tsarist Russia promoted the integration of the military-political Ukrainian elite into its public administration. Its resources were used, meanwhile, to expand the borders of the empire, not least by military means.

Those portions of the Ukrainian lands in the Habsburg Empire had another fate. This empire was a polyethnic state entity with relatively high tolerance for national minorities. Consequently in some parts of the empire – the Carpathians (Galicia) with its center in Lviv – – Ukrainian cultural and educational organizations and political parties emerged. Moreover, Ukrainian representatives became members of the Reichsrat and provincial seym (the lower house of the bicameral parliament in Poland)[23]. Furthermore, the Greek Catholic Church became a serious social institution in the Ukrainian lands within the Habsburg Empire. This church purposefully supported, with its authority, the national aspirations of Ukrainians to achieve some form of independence[24]. Given such circumstances, by 1914, national identity was relatively strong in the Western Ukrainian lands, and the rights and political freedoms familiar in the rest of Europe were also widespread.

The First World War (1914-1918) saw Ukrainians divided between two warring empires. Under these circumstances, the Ukrainians were drafted into both the Austrian-Hungarian and the Russian armies, and hostilities, in the east, were mainly conducted in the Transcarpathian, Volyn and the Carpathian regions.[25]

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20   Ukrainian Institute of National Memory, '1775 – the destruction of the Zaporozhian Sich', (12.06.2019), available at: https://uinp.gov.ua/istorychnyy-kalendar/cherven/15/1775-ruynuvannya-zaporizkoyi-sichi [Accessed on 28 April 2021].

21   Encyclopedia of the World, 'Sections of Poland', chapter 1 'The first partition of Poland in 1772', available at: https://www.krugosvet.ru/enc/istoriya/RAZDELI_POLSHI.html, [Accessed on 28 April 2021].

22   Focus, 'Pyotr Valuev and others. How did the Russian Empire try to make Ukrainians to be Russians' (29.08.2018), available at: https://focus.ua/archivist/402828 [Accessed on 28 April 2021].

23   Radio Svoboda, 'The Greek Catholic Church is a phoenix that was destroyed, but it was constantly revived – historian Valery Lastovsky', available at: https://www.radiosvoboda.org/a/28093066.html, [Accessed on 1 May 2021].

24   St. Joseph the Betrothed Ukrainian Catholic Church, available at: https://stjosephukr.com/uk/home-2/ [Accessed on 1 May 2021].

25   Week, 'Ukrainian aspects of the First World War', available at: http://week.dp.gov.ua/osvitnia-prohrama/do91/ukrainski-aspekty-pershoi-svitovoi-viiny [Accessed on 1 May 2021].

One of the results of this war was the collapse of the Romanov and Habsburg empires. This collapse led to the self-determination of many oppressed peoples in Central and Eastern Europe, including Ukrainians. In the territory of the former Russian Empire, from 1917 to 1921, the Ukrainian People's Republic (UPR) was created, which was ultimately destroyed by the military-political of Soviet Russia[26]. As for the Western Ukrainian lands that were part of the Austro-Hungarian Empire, in 1918, with the center in Lviv, the Western Ukrainian People's Republic was founded. This entity, despite unification with the Ukrainian People's Republic in January 1919, was unable to maintain military-political control over its territory.[27]

These failures were due to: the armed aggression of neighbouring states; and the absence of influential lobbyists from Ukraine during the signing of the Treaty of Versailles (1919). The result was that the Ukrainian lands became, during the interwar period, part of: the Soviet Union – Eastern, Southern, Central Ukraine, and Crimea; Poland – the Carpathian region; Czechoslovakia – Transcarpathia; and Romania – Bessarabia and Bukovyna.

In the case of the Ukrainian lands, which were included in the USSR, their entry in 1922 was legally reduced to the status of one of the union republics – the Ukrainian Soviet Socialist Republic (the Ukrainian SSR). The Ukrainian SSR had no right to conduct an independent foreign, domestic, cultural and economic policy without the permission of the central government in Moscow. The population of the republic was under the yoke of the communist regime, which did not recognize the rights of citizens to freedom of political choice, freedom of speech or to private property. It also came down hard on any form of revival or manifestation of national identity. Consequently, the largest wave of uprisings in the USSR against the Soviet regime in the twentieth century came in Ukraine. The local population looked on the Soviets as occupiers[28]. The central government responded to unrest with repressive measures against the Ukrainian peasantry. These measures took place in 1932-1933, when under the guise of a forced increase in grain procurements at least 3.9 million people died from hunger (the Holodomor). [29]

Artificial famine, political repression, the Russification of educational systems, the ineffective communist planning of agriculture (collective economy), and the militarization of industry all became factors. These not only undermined Ukraine economically, but also significantly upset its natural ethnic and cultural-linguistic balance.

As to non-Soviet-controlled Ukrainian lands, the most significant part belonged to Poland. The political structure of Poland of that time did not provide any administrative or cultural autonomy for Ukrainians. Given a high level of national self-awareness among the local population, who carried with them the memory of the liberal Habsburg empire, illegal political organizations emerged in favour of an independent Ukrainian state. This situation

26   BBC NEWS Ukraine, 'Ten myths about the Ukrainian revolution' (13 March 2017), available at: https://www.bbc.com/ukrainian/features-russian-39254197 [Accessed on 1 May 2021].

27   Encyclopedia of modern Ukraine, Lyvyn M.R. 'Western Ukrainian People's Republic' (2010), available at: http://esu.com.ua/search_articles.php?id=16406 [Accessed on 1 May 2021].

28   Territory of Terror Museum, 'Peasant Insurgent Movement in the Early 1920s', available at: (http://www.territoryterror.org.ua/uk/history/1919-1939/ussr/srsr1/ [Accessed on 1 May 2021].

29   BBC NEWS, 'The Holodomor in Ukraine. 10 main facts about the tragedy of the 1930', (28.11.2020), available at: https://www.bbc.com/russian/features-55101316 [Accessed on 1 May 2021].

brought about armed conflicts with the Polish administration, and these had intensified significantly before the outbreak of the Second World War[30].

The situation then changed drastically for the population of the western regions of Ukraine in the light of the Ribbentrop-Molotov Pact which was signed between the USSR and Nazi Germany. As a result of this Pact, in September 1939, the Ukrainian lands of Poland, and, in the summer of 1940, the Ukrainian lands of Romania were absorbed, after military aggression, into the Soviet Union as separate districts of the Ukrainian SSR.

The Transcarpathian region, which until 1938 was part of Czechoslovakia, had an altogether different experience. After the breakup of Czechoslovakia, with the Munich agreements in October 1938, Carpathian Ukraine was proclaimed an independent republic by the Ukrainian national leaders in Transcarpathia. However, with the absence of support from more powerful states, Carpathian Ukraine ceased to exist in March 1939, and its territory was annexed by Hungary.[31] Consequently, following the Second World War, the Transcarpathian Territory was, too, annexed into the USSR as the Transcarpathian Region of the Ukrainian SSR.

Changes in Crimea are particularly worth looking at in some detail. The Crimean peninsula was, 1921-1954, a part of the Russian Soviet Socialist Republic (RSFSR) with right of autonomy (since 1945 – the Crimean region). In May 1944, the Crimean Tatars were subjected to forcible deportation and 230,000 Crimean Tatars (almost all the population)) were shipped off to Central Asia and Kazakhstan. In 1954, the Supreme Soviet of the USSR approved a decision that the Crimean region should be included in the Ukrainian SSR (since January 1991 – the Autonomous Republic of Crimea). This decision was made taking into account the historical and geographical proximity to mainland Ukraine, as well as, in order to restore the destroyed economy of the peninsula. It was only in 1989 that the USSR leadership lifted all restrictions on the return of the Crimean Tatars to their homeland.[32]

The fundamental changes that took place in the USSR after Mikhail Gorbachev came to power (1985-1991) led to the large-scale liberalization of social and political life in the Soviet Union. Irreversible processes of decentralization were launched in the union republics. Taking advantage of the global political crisis in Moscow, the Verkhovna Rada of the Ukrainian SSR proclaimed, 24 August 1991 proclaimed the republic's independence, and this was confirmed on 1 December 1991 in an all-Ukrainian referendum. 90.32% of the Ukrainian population voted for independence, including the population of the Crimea (54.19%) and the city of Sevastopol (57.07%)[33].

Ukraine had been one of the most important pillars of the Soviet economy. Despite the

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30   RT, Svyatoslav Knyazev, 'Polonization of Volhynia and Galicia: how relations between Poles and Ukrainians developed in the 20th century' (31 July 2019), chapter 'Sharp confrontation', available at: https://russian.rt.com/science/article/654673-prichini-ukrainsko-polskiy-konflikt [Посещение1 May 2021].

31   Ukrainian Institute of National Memory, 'Carpathian Ukraine' available at: https://old.uinp.gov.ua/publication/karpatska-ukraina [Accessed on 3 May 2021].

32   Zaborona, 'Unreliable': what you need to know about the deportation of Crimean Tatars and how they fought to return home' (18 May 2021), chapter «Return», available at: https://zaborona.com/ru/neblagonadezhnye-chto-nuzhno-znat-o-deportac-zii-krymskih-tatar-i-tom-kak-oni-borolis-za-vozvraschenie-na-rodinu/ [Accessed on 4 октября 2021].

33   BBC NEWS Ukraine, Diana Kuryshko, 'Referendum on Ukraine's independence in 1991: Donbass voted for' (1 December 2014), available at: https://www.bbc.com/ukrainian/ukraine_in_russian/2014/12/141201_ru_s_referendum_1991, [Accessed on 3 May 2021].

fact that 'in terms of territory it accounted for only 2.7% of the land area of the USSR and in terms of population – 18%, at the same time Ukraine produced almost 17% of the gross national product of the USSR'.[34] At the same time there were threats to emerging statehood: the inefficiency of the communist economic and financial models; the lack of high-tech production; the disproportionate share of heavy industry; coupled with the chronic consumer and food shortages that existed in the USSR at the end of the 1980s. At the time of independence Ukraine became the third largest holder of nuclear weapons in the world. These required not only political decisions, but also significant expenses for their maintenance.

As a result, the first years of Ukraine's independence were not happy. Under the presidency of Leonid Kravchuk (1991–1994), part of the old Soviet class in Ukraine went through an economic and financial crisis. For example, Ukraine finished 1993 with an inflation rate of 10256%, a world record: prices rose 102.6 times over the year. At the end of Leonid Kravchuk's term, the national GDP was only US $56 billion, or just US $1,099 per capita[35]. Kravchuk made a series of mistakes which had a serious impact on the military-political situation in Ukraine: the decisions to allow the withdrawal of nuclear weapons; and allowing a powerful Russian military infrastructure to remain in Crimea and in the city of Sevastopol.

During the presidency of Leonid Kuchma (1994–2005), a number of administrative and socio-economic reforms were carried out, which helped shape the Ukrainian state[36]. In 1996, the Constitution was adopted, which contributed to setting Ukraine's Euro-Atlantic aspirations.

During his two presidential terms, several economic reforms were carried out in Ukraine with differing levels of success. There was monetary reform, the emergence of free economic zones, the launch of the first privatizations, as well as several attempts to reform the agricultural sector. It was under Kuchma (2004) that a record GDP growth was achieved of over 10%[37]. At the same time, during Kuchma's presidency, financial and industrial groups were formed within the Ukrainian market. It should be noted that the modern business structures of Ukrainian oligarchs subsequently 'grew' out of these groups. These, in turn, led to systemic corruption in the country and the appointments of 'the right people' to government positions[38]. Furthermore, Leonid Kuchma's time in office was remembered for the tough face-offs between the president and parliament, as well as large-scale street protests with the participation of opposition politicians, journalists and civil society.

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34   Nash Format Publishing House (Kyiv, 2020), Tony Jaht, 'After the War. History of Europe from 1945', chapter 20, pp.698-699, [Accessed on 3 May 2021].

35   Informator, 'How did the economy and wealth of the oligarchs change under different presidents of Ukraine', (17.01.2019), available at: https://dengi.informator.ua/2019/01/17/kak-menyalas-ekonomika-i-bogatstvo-oligarhov-pri-raznyh-prezidentah-ukrainy/ [Accessed on 3 May 2021].

36   Informator, 'How did the economy and wealth of the oligarchs change under different presidents of Ukraine', (17.01.2019), available at: https://dengi.informator.ua/2019/01/17/kak-menyalas-ekonomika-i-bogatstvo-oligarhov-pri-raznyh-prezidentah-ukrainy/ [Accessed on 3 May 2021].

37   NV 'Curve of ups and downs. What happened to the Ukrainian economy under each of the presidents - infographics', (30.05.2020), available at: https://nv.ua/ukraine/politics/ekonomika-ukrainy-pri-kazhdom-iz-prezidentov-infografika-novosti-ukrainy-50090895.html [Accessed on 3 May 2021].

38   Nash Format Publishing House (Kyiv, 2020), Tony Jaht, After the War. History of Europe from 1945', chapter 21, p.741, [Accessed on 3 May 2021].

As for fateful political decisions for the country during the Kuchma presidency, it is important to point out the establishment, in December 1994, of the nuclear-free status of Ukraine: the Budapest Memorandum, signed by the leaders of the United States, Russia, and Great Britain. As well as this signing there was a very important treaty with Russia in 1997, which, among other things, allowed the stay of the Russian Black Sea Fleet within Ukrainian territory until 2017[39]. It should also be remembered that, at the end of the presidential term of Leonid Kuchma, a new version of the Constitution of Ukraine was adopted. From 1 January 2006, the constitution strengthened the role of parliament and significantly weakened the powers of the president.

The presidency of Viktor Yushchenko (2005–2010), who represented the national-patriotic forces in parliament, stepped up Ukraine's Euro-Atlantic integration. At the same time, the presidential elections of 2004–2005 in Ukraine were held in the context of mass protests – the Orange Revolution. Here was a series of protests and political events that took place in the immediate aftermath of the run-off vote of the 2004 presidential election. This, it had been claimed, was marred by massive corruption and those supporting the Orange Revolution contested presidential candidate Viktor Yanukovych's attempts to falsify the election results and claim victory.[40] In addition, this election campaign, for the first time saw Russian-leaning politicians employing the linguistic, religious, and cultural features of different Ukrainian regions to put pressure on the central government. The heart of this effort was the so-called Severodonetsk Congress.[41]

In the economy Viktor Yushchenko's term was marked by the abolition, by the USA, of the Jackson-Vanik amendment to the Trade Act of 1974 regarding Ukraine. This finally gave Ukraine the opportunity to join the World Trade Organization and obtain the status of a market economy country. It is also worth pointing out that the very first year of Yushchenko's presidency saw the greatest levels of foreign investment since independence[42]. By 2009, Ukraine had risen, too, significantly in the world free speech rankings. With regard to domestic politics, the main efforts were aimed at reviving national memory, opening the archives of the repressive bodies of the former USSR, and also support was given to the struggle for the autocephaly of the Orthodox Ukrainian Church. In addition, Ukraine made a serious application to receive an Action Plan for NATO membership in 2008. The country also unwaveringly supported Georgia in its armed conflict with the Russian Federation. Such actions were interpreted by Russia as being openly pro-Western. On several occasions in 2008-2009, the Russian Federation cut off gas supplies to Europe through Ukraine in the New Year holidays[43].

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39   BBC NEWS Svyatoslav Khomenko, 'The Kuchma Age. Ten ambiguous years' (9 августа 2013), available at: https://www.bbc.com/ukrainian/ukraine_in_russian/2013/08/130809_ru_s_kuchma_epoch, [Accessed on 3 May 2021].

40   Electoral biography, 'Ukraine. Presidential Elections 2004', available at: https://www.electoralgeography.com/new/ru/countries/u/ukraine/ukraine-presidential-election-2004.html), [Accessed on 4 May 2021].

41   Radio Svoboda, Oleksiy Vinogradov, 'The Severodonetsk Congress of 2004 was a rehearsal before the real Russian aggression - a political scientist', (28.11.2016), available at: https://www.radiosvoboda.org/a/28144452.htm [Accessed on 4 May 2021].

42   Radio Svoboda, Iryna Shtogrin, 'Economic Results of Viktor Yushchenko's Presidency', (18.02.2010), available at: https://www.radiosvoboda.org/a/1961243.html [Accessed on 4 May 2021].

43   BBC NEWS EU reaches gas deal with Ukraine, (1 August 2009), available at: http://news.bbc.co.uk/2/hi/europe/8179461.stm, [Accessed on 4 May 2021].

At the same time, Viktor Yushchenko`s term was marked by a difficult conflict with the Prime Minister of Ukraine Yulia Tymoshenko. This significantly weakened not only his poll ratings. It also split the national-patriotic forces before the 2010 presidential elections.

1.2. External and internal influences on Ukraine's social and political life before the armed conflict

After two rounds of the presidential election campaign in February 2010, Viktor Yanukovych defeated his main political opponent, Yulia Tymoshenko. He did so, though, by a narrow margin:48% to Tymoshenko's 45.5%. At the same time, the election results consolidated an east-west electoral division of the country. That being the case, Viktor Yanukovych was supported mainly by the southeastern regions and Crimea. Yulia Tymoshenko, on the other hand, had more supporters in the western and central regions, including Kyiv[44]. Much the same situation developed in parliament, where pro-government and opposition parties had approximately equal numbers of members. At that time, Yulia Tymoshenko was seen by voters as the leader of the national democratic forces: and Viktor Yanukovych represented, for the most part, the Ukraine's left-leaning voters.

Here was an emerging division in the country. But Viktor Yanukovych decided, nevertheless, on policies that would produce crisis in the country and build up the potential for protest.[45] The first changes concerned the executive branch. Yanukovych took the executive completely under his personal control, in violation of the provisions of the Constitution of Ukraine and the regulations of the Verkhovna Rada. As a result, in March 2010, before the parliamentary elections, a government fully controlled by the president was formed. This was headed by Mykola Azarov, as Prime Minister, and power fed vertically down from the President[46]. Subsequently, in October 2010, Viktor Yanukovych reverted the country to the pre 1 January 2006 Constitution: he did so through the Constitutional Court (which he controlled) without any input from the Verkhovna Rada. Yanukovych now had the right to appoint (with the consent of parliament) the Prime Minister and the Prosecutor General. He alone could remove them. In addition, he had significantly expanded rights to appoint and dismiss the heads of central and local authorities.[47]

The second action that led to socio-political ruptures in the country were the Kharkiv agreements. These were signed at the end of April 2010 between the then presidents of

44 NV, Dmitry Barkar, Natalia Petruk 'How did Ukrainians vote? Seven maps that explain the presidential election', (11.03.2019), available at: https://nv.ua/ukraine/politics/ekonomika-ukrainy-pri-kazhdom-iz-prezidentov-infografika-novosti-ukrainy-50090895.html [Accessed on 4 May 2021].

45 UKRINFORM, Oleksandr Radiychuk 'Lessons of 2010: how did the fourth president become a dictator', (22.05.2019), available at: https://www.ukrinform.ua/rubric-polytics/2706089-uroki-2010ogo-ak-cetvertij-prezident-stav-diktatorom.html [Accessed on 4 May 2021].

46 Penta Center 'Analytical Report: The First Month of Viktor Yanukovych's Presidency', (22.03.2010), available at: http://penta.org.ua/research/1382/ [Accessed on 4 May 2021].

47 Radio Svoboda, Yana Polyanska, Yanukovych's 'Constitutional Coup': A New Case of the Prosecutor General's Office', (06.09.2017), available at: https://www.radiosvoboda.org/a/28720493.html [Accessed on 4 May 2021].

Ukraine (Viktor Yanukovych) and Russia (Dmitry Medvedev). They amended legislation regarding the political course of Ukraine. According to the Kharkiv agreements, in exchange for lowering prices for natural gas, Yanukovych, signed a commitment to prolong, for 25 years (until 2042), the stay of the Russian Black Sea Fleet in Crimea and Sevastopol: this was done with little public discussion.[48] There were also important changes made in general foreign policy. Provisions on Ukraine's integration with NATO were withdrawn from the law 'On the Foundations of Domestic and Foreign Policy': indeed, norms were introduced into law establishing a non-aligned status for Ukraine[49]. These actions were not only condemned in parliament by the opposition. They also drew very strong criticism from the electorate, that hoped for entry into the European Union.

The third problem that began in the Yanukovych era was the authorities' repression of political opponents. Yanukovych began criminal prosecutions of the opposition through his power over the prosecutor's office and the courts. First of all, they targeted Yulia Tymoshenko and her associates. Yulia Tymoshenko was herself sentenced in 2011 to seven years in prison due to the so-called 'gas case'. These acts of repression affected not only opposition politicians, but also public activists, media representatives, entrepreneurs, and others, who were actively defending an anti-governmental position[50].

A fourth problem in Yanukovych's presidency was an ineffective economic policy, coupled with claims of corruption in the president's inner circle. The placement of officials in key positions based on the principle of personal loyalty to Yanukovych had had consequences here. The levers of control over the country's financial flows now resided within a narrow circle (the term 'family' was often used in the media to describe this group). The resulting pressure on business and their inability to defend themselves by legal means resulted in widespread protests by different social groups. Ukraine ranked one-hundred-and-seventh in the world in terms of corruption in 2013. A number of representatives of the financial and economic groups close to the authorities were accused of having links with international criminal organisations.[51]

Electoral divisions within the country continued to have grave socio-political consequences: this was particularly true as concerned the country's political vector; and the status of Russian – there was talk of making Russian a second state language. Any attempt to take a position on the part of the authorities, as a rule, led to public protests.

Ukraine was dominated in media terms by television channels that were owned by the main financial and oligarchic groups. The media then was only relatively independent. In addition, Yanukovych's presidency saw a Russian media presence grow in the cable networks. This was particularly true of the residents of Crimea and the eastern regions of Ukraine. This situation was very naturally reflected in the mood of voters during election

48   BBC NEWS Nina Kuryata, 'Kharkiv Agreements: From Peace to War', (21 April 2012), available at: https://www.bbc.com/ukrainian/ukraine_in_russian/2012/04/120420_ru_s_gas_kharkiv_contracts, [Accessed on 5 May 2021].

49   Radio Svoboda, Bohdana Kostyuk, 'Non-aligned Ukraine: a view from Kyiv', (27.12.2010), available at: https://www.radiosvoboda.org/a/2260570.html [Accessed on 5 May 2021].

50   Radio Svoboda, Victor Kaspruk, 'Political repression and a new era of totalitarianism of the Donetsk government' (18 January 2011), available at: https://www.radiosvoboda.org/a/2279857.html, [Accessed on 5 May 2021].

51   Ukrainska Pravda, Economic Truth 'The loudest business scandals of Yanukovych's time. How the world sees us (14 March 2014), available at: https://www.epravda.com.ua/rus/publications/2014/03/14/427816/, [Accessed on 7 May 2021].

campaigns.

The parliamentary elections which were held in October 2012 were not able to radically change the political status quo. The party in power, the Party of the Regions, which entered into a coalition with the Communist Party of Ukraine, had almost the same number of parliamentary seats as the national democratic forces (Batkivshchyna, Svoboda, Udar)[52]. Likewise local elections in October 2010, strengthened the position of the pro-government party ('the Party of the Regions') in the Autonomous Republic of Crimea, and in the eastern regions of Ukraine, in particular in the Donetsk and Luhansk regions.

It should be stressed that Viktor Yanukovych described himself as a supporter of political and economic rapprochement with the Russian Federation. Therefore, state humanitarian policy was generally slanted to the electoral preferences of the inhabitants of the southeastern regions, where Ukrainian national identity was significantly weaker. The Law of Ukraine 'On the Foundations of State Language Policy' was a notable normative act, which significantly intensified the political tensions in the country. The law gave special rights to the so-called regional languages, primarily Russian: the law threatened the status of Ukrainian as the state language[53].

With regard to foreign policy, during Yanukovych's term, several steps were taken in different directions. Thus, after the signing of the Kharkiv agreements with Russia (April 2010), major steps were taken, over the next three years, towards concluding an Association Agreement between Ukraine and the European Union[54]. _By October 2013, the government's European integration actions increased Yanukovych's support to the national-democratic leaning part of the electorate.

Then, in the second half of November 2013, the situation in the country changed dramatically. On 21 November 2013, the Cabinet of Ministers of Ukraine issued Order No. 905-r. This suspended preparations for the signing of the Association Agreement between the European Union and Ukraine. A week later, on 28 November, 2013, at the Eastern Partnership Summit in Vilnius, Yanukovych officially refused to sign the Association Agreement between the European Union and Ukraine[55].This decision led to massive protests across the country particularly among students. The protests spread to almost all regions, but the most organized were in Kyiv, where the so-called European Maidan (Euromaidan) began in the main square of the capital – Independence Square[56].

52   Central Election Commission, official website , 'Elections of People's Deputies of Ukraine on October 28, 2012', available at: https://www.cvk.gov.ua/vibory/vibori-narodnih-deputativ-ukraini-28-zhovtnya-2012-roku.htm, [Accessed on 7 May 2021].

53   Information of the Verkhovna Rada of Ukraine 'Law of Ukraine'On the Principles of State Language Policy» (2013, №23, p.218), available at: https://zakon.rada.gov.ua/laws/show/5029-17#Text, [Accessed on 8 May 2021].

54   Ukrainskyi Tyzhden, 'Yanukovych did not sign an association agreement with the EU', (29 November 2013), paragraphs 7,8,9, available at: https://tyzhden.ua/News/95193, [Accessed on 8 May 2021].

55   BBC NEWS, 'Vilnius Summit Ends Without Signing,' (29 November 2013), available at: https://www.bbc.com/ukrainian/ukraine_in_russian/2013/11/131129_ru_s_vilnius_29_nov, [Accessed on 8 May 2021].

56   Radio Svoboda, 'Euromaidan. Revolution from beginning to end', (2014), available at: https://ua.krymr.com/a/ukraina-ce-evropa-euromaidan-timeline/29615328.html Accessed on 8 May 2021].

1.3. Security actors and the defense sector in Ukraine before December 2013

The Security and Defense Sector of Ukraine began with the resolution of the Verkhovna Rada of Ukraine No. 1431-XII, 24 August, 1991 'On military formations of Ukraine'. This obliged 'all military formations of the Soviet Union stationed on the territory of the republic' to be subordinated 'to the Verkhovna Rada of Ukraine'[57]. At the same time, paragraph 2 of the resolution above called for the creation of 'the Armed Forces of Ukraine, the Republican Guard and the security unit of the Verkhovna Rada, the Cabinet of Ministers and the National Bank of Ukraine'[58]. The power structures of modern Ukraine began with these decisions.

As for the development of the Armed Forces of Ukraine (ZSU – Zbroini Syly Ukrainy), at the time of the independence proclamation, a Soviet military grouping with a total strength of about 980,000 service-men was deployed in Ukraine. In addition to conventional weapons, the Strategic Nuclear Forces were located in Ukraine, which had 176 intercontinental ballistic missiles, as well as about 2,500 tactical nuclear weapons[59]. As a result of the work carried out by the end of 1996, the regulatory framework and the corresponding structures of the Armed Forces of Ukraine was in place. In addition, nuclear weapons were sent to Russia within the framework of international agreements.

The issue of the Black Sea Fleet of the former USSR was resolved separately: according to the Agreement of December 30, 1991, between the member states of the Commonwealth of Independent States (CIS), the fleet belonged to the Strategic Forces of the CIS. As a result of lengthy negotiations at the highest level, the former Black Sea Fleet of the USSR in 1997 was divided between the newly created Naval Forces of Ukraine and the Black Sea Fleet of the Russian Federation. At the same time, in the territory of Ukraine, Sevastopol, Feodosia and Nikolaev remained as temporary harbours for the Black Sea Fleet of the Russian Federation, and for Russian airpower. Several Crimean airports could be used as well by Russia. According to an intergovernmental agreement, the Russian military group in Crimea received the status of a 'foreign military formation', and its number could not exceed 25,000 servicemen. In addition, under the agreement, Moscow and Kyiv agreed on a lease until May 28, 2017 (20 years). This was, then, in 2010 extended until 2042[60]. It should be noted that the Russian military infrastructure in Crimea until 2013 had a solid information bureau, which actively influenced public opinion in the region.

 At the same time, having declared the absence of potential external threats, the Ukrainian leadership carried out reforms in terms of military development. These began with a

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57   The Verkhovna Rada of Ukraine, Legislation of Ukraine, 'On Military Formations in Ukraine', Item 1, available at: https://zakon.rada.gov.ua/laws/show/1431-12#Text), [Accessed on 8 May 2021].

58   The Verkhovna Rada of Ukraine, Legislation of Ukraine, 'On Military Formations in Ukraine', Item 2, available at: https://zakon.rada.gov.ua/laws/show/1431-12#Text), [Accessed on 8 May 2021].

59   History of the Armed Forces of Ukraine since 1991), chapter 'Formation of the foundations of the Armed Forces of Ukraine'(2020), available at: https://www.zsu.gov.ua/menu/5fe440852f429b1f88ce9cbc#:~:text=Етапною%20датою%20у%20становленні%20 Збройних,Морозов, [Accessed on 8 May 2021].

60   Gazeta.ru, 'Heritage of the USSR: how Yeltsin and Kuchma divided the Black Sea Fleet' (09.06.2020), paragraphs 9,10 available at: https://www.gazeta.ru/politics/2020/06/08_a_13111717.shtml, [Accessed on 9 May 2021].

significant reduction in the number of personnel and weapons. So, in the latest edition of the Military Doctrine of Ukraine dated June 8, 2012, No. 390/2012, adopted in the pre-conflict period, that the following observation was made: 'taking into account the trends and conditions of the development of the military-political situation in the world, Ukraine believes that armed aggression, as a result which may arise a local and regional war against it is unlikely in the medium term'.[61]

As a result of this approach to reforming the defense department, the number of the Armed Forces of Ukraine (ZSU – Zbroini Syly Ukrainy) was brought, at the end of 2013, down to 165,500, including 120,900 servicemen[62]. Organizationally, the Armed Forces of Ukraine were divided into three branches: Army; Air Force; and Navy.. All were directly subordinate to the General Staff. Furthermore, the administrative structure of the Ukrainian Armed Forces included military command and control bodies responsible for work in the rear, weapons and operational support. In turn, the Command of the Army was broken down into 'North' and 'South' operational commands. The command of the Highly Mobile Airborne Forces was withdrawn from the Army and made directly subordinate to the General Staff. As for the Air Force, four tactical commands were created: 'Center', 'West', 'East', as well as the tactical group 'Crimea'[63]. The Command, headquarters, the military units of the Navy were based (deployed) mainly in the territory of Sevastopol and Crimea, with the exception of the Western Naval Base at Odessa.

In 2012, the then military-political leadership declared a change planned for 2014. The army would move from the mixed conscript-volunteer army to a professional contract-based army. 'Downsizing and abolishing conscription were intended to help solve financial problems. The Ukrainian military have long been complaining about the limited funds that are allocated to them from the budget. Most of the weapons of the Ukrainian army are still Soviet-era productions. Ukraine, significantly lagged behind developed countries by a whole generation of weapons' asexplained by Valentin Badrak, at the Kyiv Center for Army, Conversion and Disarmament studies in comments from that period to the German edition DW on the state of the Ukrainian army[64].

There were plans for development, but everything went at an extremely slow pace because of chronic underfunding. For example, in 2013 alone, less than 1% of GDP was planned for defence needs in the State budget[65]. Rearmament was consequently unsatisfactory. For instance, the T-84U tank was introduced to the Ground Forces in 1999, and the BM Oplot tank was introduced in 2009, though few units were actually purchased. As for the Air Force, new aviation equipment was not purchased at all: the Mikoyan MiG-29, the Sukhoi Su-25 Grach jets and the L-39 jet trainers were modernised. The Navy's ships were left

61   Liga Zakon, Main Legal Portal of Ukraine, Decree of the President of Ukraine 'On the Military Doctrine of Ukraine' (version 2012), Chapter 2, item 13, available at: http://search.ligazakon.ua/l_doc2.nsf/link1/U648_04.html, [Accessed on 9 May 2021].

62   Bila Knyga 2013, Ministry of Defence of Ukraine, «Armed Forces of Ukraine 2013»,' (20214), Chapter 2, page 11, available at: https://www.mil.gov.ua/content/files/whitebook/WB_2013.pdf, [Accessed on 9 May 2021].

63   Bila Knyga 2013, Ministry of Defence of Ukraine, «Armed Forces of Ukraine 2013»,' (20214), Chapter 2, page 9, available at: https://www.mil.gov.ua/content/files/whitebook/WB_2013.pdf, [Accessed on 9 May 2021].

64   DW 'How strong is the Ukrainian Army?', (05.03.2014), paragraphs 2,5, available at: https://www.dw.com/ru/насколько-сильна-армия-украины/a-17476607 [Accessed on 9 May 2021].

65   Ministry of Defence of Ukraine, official website 'Military History', paragraph 6,5, available at: https://www.mil.gov.ua/ministry/istoriya.html [Accessed on 9 May 2021].

almost as before. This situation depended, in part, on the fact that the Ukrainian Armed Forces used, for the most part, Soviet-era equipment.[66]

Against this background, the degradation of the military training system continued. That is why, over a very short period of time, the number of military schools and college-level military academies was halved from 60 to 31[67]. At the same time, it should be emphasized that on a more positive note, the participation of Ukrainian troops and personnel in international peacekeeping and security operations was expanded in 2013. For instance, about 2,000 Ukrainian military personnel took part in 13 peacekeeping operations in eight countries and in the Abyei area.[68]

During 2012-2013, the reform processes affected the functioning system of local military administration. A sharp reduction in personnel resulted. Numerous problems relating to bringing the standards of military service to a competitive level in the labor market also remained unresolved. The repercussions were particularly evident in Crimea, where wages of Ukrainian servicemen were significantly inferior to those of the servicemen of the Black Sea Fleet of the Russian Federation.

According to the Constitution of Ukraine, the President of Ukraine is the Commander-in-Chief of the Armed Forces of Ukraine. The Defence Minister of Ukraine is appointed by the President, but this has to be confirmed by a majority vote in the Verkhovna Rada. In 2013, Pavlo Lebedev was Ukraine's Defence Minister, and Volodymyr Zamana, Colonel General, the Chief of the General Staff, was the Commander-in-Chief of the Armed Forces of Ukraine. The results of a sociological survey published on 27 December, 2013, by 'Ilko Kucheriv Democratic Initiatives Foundation' became an important assessment of Ukrainian attitudes to the Armed Forces during the presidency of Viktor Yanukovych. According to this poll, the Armed Forces of Ukraine enjoyed only negative levels of trust (-1.5%).[69]

With regard to the Ministry of Internal Affairs of Ukraine (MIA) before the conflict period there had been a similar evolution. MIA was created in 1991 and grew out of the Ministry of Internal Affairs of the Ukrainian SSR, the state executive body of Ukraine. All activities of this Ministry are directed and coordinated by the Cabinet of Ministers. The MIA is headed by the Minister of Internal Affairs, who is appointed to the post upon a proposal of the Prime Minister and he can only be dismissed by the President.[70]

In 2013, the system of internal affairs bodies consisted of:

⬧ The MIA as the central executive authority;

⬧ Main departments, departments of the MIA in the Autonomous Republic of Crimea,

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66 Armed Forces of Ukraine, 'History of Ukrainian Armed forces (since 1991 р.)' Chapter 'Armed Forces of Ukraine 2006-2013 years', available at: https://www.zsu.gov.ua/menu/5fe440852f429b1f88ce9cbc [Accessed on 9 May 2021].

67 Ministry of Defence of Ukraine, official website 'The difficult fate of the Armed Forces of Ukraine: the history of formation', rubryka.com, paragraph 17, available at: https://www.mil.gov.ua/ministry/zmi-pro-nas/2018/12/06/neprosta-dolya-zbro-jnih-sil-ukraini-istoriya-stanovlennya/ [Accessed on 9 May 2021].

68 Ministry of Defence of Ukraine, official website 'Military History', paragraph 69, available at: https://www.mil.gov.ua/ministry/istoriya.html [Accessed on 9 May 2021].

69 Democratic Initiatives Foundation, Public Opinion Survey: Results of 2013, (27.12.2013), available at: https://dif.org.ua/article/gromadska-dumka-pidsumki-2013-roku [Accessed on 9 May 2021].

70 Decree of the President of Ukraine № 462/2012 of 31.07.2012 р. 'On approval of the Regulations on the Ministry of Internal Affairs of Ukraine' item 10, available at: http://search.ligazakon.ua/l_doc2.nsf/link1/U383_11.html [Accessed on 10 May 2021].

regions, and the cities of Kyiv and Sevastopol;

⚜ Police consisting of criminal police, public security police, transit police, state automobile inspection, security police, judicial police, and special police;71

⚜ Internal troops of the MIA. This includes formations, military units and units: for the protection of state facilities of significant importance; for escorting special cargo and escorting arrested and convicted persons; military units of special purpose; and special motorized military units; communication units; military institutions; educational institutions; and training units.72 'Berkut' were the special police of the Internal Troops of the MIA, which functioned at the territorial departments of the Ministry of Internal Affairs 1992-2014. (with approximately 4,000 employees).73

⚜ State Migration Service of Ukraine.

The Law of Ukraine 'On the General Structure and Number of the Ministry of Internal Affairs of Ukraine' (as amended in 2002) provided for 'the number of the Ministry of Internal Affairs of Ukraine (excluding the number of Internal Troops of Ukraine) to the number of 210,000 people'.74 By 2013, the actual number of MIA personnel stood at some 171,000, with about 30,000 internal troops.

At the same time, the reforms and transformations carried out in the period from 1991 to 2013 in the MIA did not eradicate the systemic shortcomings that the Ukrainian militsiya (domestic law enforcement service) inherited from Soviet-era internal affairs bodies. Thus, according to the Kharkiv Human Rights Protection Group, 'throughout 2013, the ministerial institutions of the Ministry of Internal Affairs continued to play the role of a 'complex' violator of human rights, since the reform of the strategic objectives, principles of work and structure of this largest law enforcement agency was never resolved by the state'.75 First and foremost, this concerned the lack of effective democratic civil control over the activities of these internal affairs bodies.

In 2013, Vitaliy Zakharchenko served as the minister at MIA. He was, according to many commentators, a member of the close circle of the Ukrainian President`s son. At that time, the Lieutenant General, Stanislav Shulyak, was the commander of the MIA's Internal Troops.

As for the State Border Guard Service (SBGS), its activities in the pre-conflict period were regulated by the Law of 19 June 2003 'On the State Border Guard Service of Ukraine (as amended in 2013)'. According to Article 6, Section II, the State Border Guard Service of Ukraine 'is a law enforcement body, which includes: a central executive body that implements state

71   The Law of Ukraine 'On Police' (1991, latest additions 2010), unofficial translation, The Verkhovna Rada of Ukraine, Article 7, available at: https://www.legislationline.org/download/id/3820/file/Ukraine_law_on_Police_1990_am_2010_Ru.pdf [Accessed on 10 May 2021].

72   The Verkhovna Rada of Ukraine, The Law of Ukraine 'On internal troops of the Ministry of Internal Affairs of Ukraine (1991, last additions 2013), Article 7, available at: https://zakon.rada.gov.ua/laws/show/2235-12#Text [Accessed on 10 May 2021].

73   Wikipedia 'Berkut (special unit of the Ministry of Internal Affairs of Ukraine)', available at: https://ru.wikipedia.org/wiki/Беркут_(спецподразделение_МВД_Украины) [Accessed on 10 May 2021].

74   The Law of Ukraine 'On the general structure and number of the Ministry of Internal Affairs of Ukraine', (2002), Article 2, available at: https://zakon.rada.gov.ua/laws/show/2925-14#Text [Accessed on 10 May 2021].

75   Kharkiv Human Rights Group Information Portal 'Human Rights in Ukraine', Oleg Martynenko 'Ministry of Internal Affairs of Ukraine and Human Rights', (14.03.2014), paragraph 1, available at: http://khpg.org/1394803915 [Accessed on 10 May 2021].

policy in the field of state border protection; territorial bodies; the Maritime guard, which consists of the Maritime Guard detachments; border detachments, separate checkpoints, aviation units; and the intelligence body of the central executive body. The maritime guard implements the state policy in the domain of state border protection. The total number of the State Border Guard Service of Ukraine is 53,000 people, including 45,000 military personnel'.[76]

Reforms here were carried out in four stages from 1991 to 2013. These reforms made it possible: to update the checkpoints along the state border; to attract foreign partners; and to purchase modern technology and equipment. These reforms cover to a certain extent the improvement of the professional qualities of SBGS personnel. Then, as a result of organizational measures to reform the SBGS, aimed at transferring part of the border defence functions to the Armed Forces of Ukraine, the military component of the Ukrainian border service was reduced. In 2013, the State Border Service of Ukraine was headed by the Army General Mykola Lytvyn.

According to legislation, the Security Service of Ukraine is a law enforcement agency that ensures state security, and which is subordinate to the President.[77] With a wide range of tasks related to counterintelligence activities, the protection of national statehood, as well as the fight against terrorism, corruption, and organized crime, the SSU traditionally had significant leverage over key government decisions. The reform of the security agencies was aimed at demonopolizing it; as well as increasing the openness of the SSU's activities for Ukrainian society.

The most significant changes in this regard took place from 2004 to 2009. On the basis of the Decree of the President of Ukraine No. 1239/2004 of 14 October 2004, a national intelligence agency, the Foreign Intelligence Service of Ukraine, was created out of one of the SSU Departments.[78] At the same time, citizen access to the archives of the security agencies of the former USSR were facilitated (particularly in the case of families with 'repressed' relatives): this marked out Ukraine from other CIS countries.

At the same time, during the presidency of Viktor Yanukovych, the SSU became notorious for a number of scandals. These included the persecution of political opponents, religious leaders, independent journalists, as well as the use of special services to put pressure on individual businessmen. In the period from 2010 to 2013, the SSU was often criticized by the national democratic forces for too much closeness with the special services of the Russian Federation.[79]

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76 The Verkhovna Rada of Ukraine, Law 'On the State Border Guard Service', Article 6, chapter 2, (2003), available at: https://zakon.rada.gov.ua/laws/show/661-15#Text [Accessed on 10 May 2021].

77 Wikipedia, 'Security Service of Ukraine' paragraph 1, available at: https://ru.wikipedia.org/wiki/Служба_безопасности_Украины#Реформирование_СБУ_в_2004—2006_годах, [Accessed on 10 May 2021].

78 President of Ukraine, official Internet representation, Decree of the President of Ukraine №1239 / 2004 'On the Foreign Intelligence Service of Ukraine', available at: https://www.president.gov.ua/documents/12392004-1943, [Accessed on 10 May 2021].

79 Ukrainska Pravda, 'Under Yanukovych in Ukraine, agents of the FSB and the GRU of Russia', (19.04.2014), paragraph1-10, available at: https://www.pravda.com.ua/news/2014/04/14/7022342/, [Accessed on 10 May 2021].

1.4. Change of political power in Ukraine through mass civil protests

Since 2009, relations between Ukraine and the European Union (EU) have developed in the format of the Eastern Partnership program. In March 2012, Ukraine and the EU initialed an Association Agreement, including a provision for the creation of a Free Trade Area. In March-April 2013, the Verkhovna Rada and the European Parliament ratified these agreements. On 17 September 2013, the Ukrainian Cabinet of Ministers unanimously approved the draft Association Agreement with the European Union. It should be noted here that the information campaign in support of EU membership, which was launched during the presidency of Viktor Yushchenko, had a significant impact: 'over the past few years, the Association Agreement with the EU has become literally a national idea for many Ukrainians'.[80] Therefore, the refusal of Viktor Yanukovych to sign the Association Agreement between the EU and Ukraine in Vilnius raised discontent and dissatisfaction among the pro-European part of Ukrainian society. Since 21 November 2013, protesters set up tents in the centre of Kyiv, which were mainly occupied by students. Thousands of protesters were supported by well-known journalists, as well as by opposition politicians from parliamentary factions. It is important to highlight the fact that the protests were of an exclusively peaceful nature, and by 29 November 2013, they had declined significantly.

Everything changed drastically on the night of 30 November 2013, when MIA Internal Troops, mainly from the special police unit 'Berkut', severely beat and dispersed several hundred students who had stayed overnight in Independence Square (Maidan).[81] Some students were still being beaten several hundred metres from the Maidan. The crackdown injured about 80 protesters, including a cameraman and a Reuters photographer. The MIA stated that the reason for the dispersal was the need to ensure the passage of equipment to prepare for the New Year holidays. They added that they were allegedly asked to clear the square by the Kyiv City State Administration. The security force officials also claimed that the protesters attacked them first.[82] There was outrage throughout the country against these acts of violence and the authorities found, to their surprise, a significant number of people turn against the government. The well-known journalist Vitaly Portnikov assessed the mood of Ukrainian society in the aftermath of the attack: 'Everything changed after the cruel beating of young people on Maidan on the night of 30 November. And even apolitical people, who earlier didn't want party flags to be brought to Maidan, were forced to realize the logic of the political struggle'.[83]

On 1 December 2013, a crowded rally took place in Kyiv. According to the BBC, about

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80   Sonya Koshkina, 'Maidan. Untold History', Kyiv, Bright Star Publishing, 2015 , p. 30, paragraph 2, [Accessed on 11 May 2021].

81   DW 'Euromaidan (Maidan)' (06.05.2021), paragraphs 1,2, available at: https://www.dw.com/uk/євромайдан-майдан/t-18417219 [Accessed on 11 May 2021].

82   NV 'Seven years of the Revolution of Dignity. We remember how it all started' (21.11.2020), Chapter 2, paragraphs 2,3, available at: https://nv.ua/ukraine/events/revolyuciya-dostoinstva-50000155.html [Accessed on 13 May 2021].

83   BBC NEWS, 'Euromaidan: how it all started', chapter – Journalist Vitaliy Portnikov, (21 November 2017), available at https://www.bbc.com/ukrainian/features-42050834, [Accessed on 13 May 2021].

half a million protesters gathered there.[84] On the same day, the protesters occupied the premises of Kyiv city council, and a Headquarters of National Resistance was set up in the Trade Unions Building, headed by the three opposition parliamentary party leaders: Vitaliy Klitschko (Ukrainian Democratic Alliance for Reform – Udar), Arseniy Yatsenyuk (the All-Ukrainian Union 'Fatherland' often referred to as 'Batkivshchyna'), and Oleg Tyagnibok (the All-Ukrainian Union 'Freedom', Svoboda). By the evening of 1 December, the protesters set up a tent camp on the Independence Square, and the opposition leaders set a series of demands: the punishment of those guilty for the beatings of students; and the resignation of the Prime Minister Mykola Azarov and his government. First December also saw the first serious clashes between protesters and the police around the Presidential Administration buildings.

On 3 December 2013, at the request of the opposition, the Verkhovna Rada voted for the resignation of the government of Mykola Azarov. The Rada, though, did not reach the required number of votes.[85] As a result, the government, remained in charge, while the socio-political situation in the country, saw radicalization on both sides. The geography of the protest and the number involved grew considerably: tents, barricades, and checkpoints appeared in the government quarter in Kyiv. Moreover, activists set up Maidan Self-Defense units, which, according to the organizers, were intended 'for the safety of the protesters'. In turn, the authorities repeatedly made attempts to clear the squares and streets of protesters in the capital: the result was violent clashes and arrests. This state of affairs continued until mid-January 2014.

On 27 December 2013, an authoritative Ukrainian sociological company, Ilko Kucheriv Democratic Initiatives Foundation, published data from a survey of Ukrainians. Among other things this survey mapped attitudes to the events in Kyiv and protest actions in other regions. '[O]nly 2.5% of the population do not know about the fact that protests, 'Euromaidans' are taking place in Ukraine. 12% of the population of Ukraine personally took part in these actions. These actions were supported by 50% of the population: 42% did not (the remaining 7% were undecided).[86] At the same time, support for Euromaidan in the regions was ambiguous: there was a correspondence with the previous electoral sympathies of Ukrainians. Thus, the highest support for Euromaidan was found in Western and Central Ukraine and Kyiv, where politicians traditionally wanted Ukraine to follow a European future.[87] Support for Euromaidan was, meanwhile, significantly lower than the national average in the East, South and Crimea.

A new wave of intensified protests began on 16 January 2014, after the pro-government parties voted in parliament for laws that, according to the opposition, posed a threat to citizens' rights to protest. At the same time, the voting procedure was manual: there was

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84   BBC NEWS, 'Ukraine unrest: Protesters blockade government sites', (2 December 2013), available at https://www.bbc.com/news/world-europe-25180502, [Accessed on 13 May 2021].

85   Ukrainska Pravda, 'Rada failed Azarov's resignation', (03.012.2013), paragraphs 1-3, available at: https://www.pravda.com.ua/news/2013/12/3/7004590/, [Accessed on 13 May 2021].

86   Wikipedia, 'Self-defence of Maidan', paragraph 1, available at: https://uk.wikipedia.org/wiki/Самооборона_Майдану#cite_note-Наказ№1_ФБ-6, [Accessed on 14 May 2021].

87   Democratic Initiatives Foundation, Public Opinion Poll: Results of 2013 (27.12.2013), paragraph 12, available at: https://dif.org.ua/article/gromadska-dumka-pidsumki-2013-roku [Accessed on 14 May 2021].

no automatic vote counting system. This gave the protesters a reason to refer to 'a coup d'etat' and a 'coup'. The adoption of these laws was also condemned in the statements of the US Department of State and representatives of the European Union. For example, the American statement said that 'Some of these laws will restrict the right to peaceful protest and freedom of speech, put pressure on independent media and obstruct the work of non-governmental organizations'.[88] At the same time, Vadym Kolesnichenko the co-author of the laws, one of the leaders of the ruling party in the Rada, called these laws 'the code of the rule of law', which will provide 'real opportunities for protecting the state sovereignty of Ukraine and national security, peace and prosperity in society'.[89]

After 16 January 2014, peaceful actions in the center of Kyiv periodically developed into violent confrontations with the security forces. There were also more frequent attempts by radical protesters to break through into the government quarter of Kyiv.

On 22-23 January, 2014, there were the first gunshot victims among the protesters. In addition, the number of injured people began to increase rapidly, both among the protesters and the security forces. In the following days, the opposition, in a number of regions, proceeded to seize the buildings of regional state administrations. In the west and in the center of Ukraine, these actions were successful, while in the southeastern regions, these attempts were thwarted by law enforcement agencies.[90]

As the protests radicalised, there were talks to reduce the number of confrontations. Negotiations, at the end of January 2014, between Viktor Yanukovych and the leaders of the parliamentary opposition resulted in some concessions from the authorities. On 28 January 2014, at an extraordinary meeting of the Verkhovna Rada, a number of laws of 16 January were abolished.[91] The Prime Minister Mykola Azarov and the Cabinet of Ministers then resigned. However, one of the fundamental demands of the protesters – the dismissal of Vitaly Zakharchenko, the MIA minister, was not fulfilled. In fact, the Cabinet of Ministers of Ukraine, officially just 'temporary acting', remained in their posts. In turn, the law 'On amnesty for participants in mass actions' which was adopted by the Rada on 29 January 2014 did not solve the problem of protests. The amnesty law demanded that the protesters vacate the streets and administrative buildings for 15 days, and only after that the law would come into force. Such norms did not suit the opposition, or the protesters, who demanded the adoption of the amnesty law with no conditions.[92]

At the same time, the next two weeks passed with further negotiations between the government and the opposition. In particular, there were demands for Ukraine's return

88   BBC NEWS, Russian Service, Svyatoslav Khomenko, 'Yanukovych Signs Laws That Disapprove of US and EU (17 January 2014), chapter 'Contrary to European Aspirations', available at: https://www.bbc.com/russian/international/2014/01/140117_yanukov-ich_signs_protest_law, [Accessed on 15 May 2021].

89   BBC NEWS, Svyatoslav Khomenko, 'Manual laws: a coup or a guarantee of prosperity?' (16 January 2014), chapter 'Surprise in Parliament', available at: https://www.bbc.com/ukrainian/politics/2014/01/140116_parliament_thursday_sx, [Accessed on 15 May 2021].

90   Radio Svobody, 'People continued to seize the regional state administration in the regions – the results of the day (24 January 2014), available at: https://www.radiosvoboda.org/a/25241666.html Accessed on 15 May 2021].

91   UNIAN, 'Rada repealed most of the dictatorial 'laws of January 16', (28 January 2014), available at: https://www.unian.net/poli-tics/877486-rada-otmenila-bolshinstvo-diktatorskih-zakonov-16-yanvarya.html [Accessed on 15 May 2021].

92   Sonya Koshkina, 'Maidan. Untold History', Kyiv, Bright Star Publishing, 2015, chapter. 'Take out the families. As soon as possible', pp. 194-196, paragraph 1,7, [Accessed on 15 May 2021].

to a parliamentary-presidential system of government and the pre-2004 Constitution. Furthermore, agreements were reached. As a result of these agreements all previously detained protesters were released on 12 February 2014 and by the morning of 16 February, protesters had unblocked a number of regional state buildings.[93]

On 18 February 2014, things changed again. There were violent clashes between protesters and security forces in the centre of Kyiv. The last assault on the barricades involved armored vehicles, stun grenades and pump-action firearms. The assault stopped only the morning of the next day and dozens were killed and wounded. On 19 February, the SSU framed this in the media as an anti-terrorist operation. This operation 'according to the law 'On the fight against terrorism', involved the SBU, the Ministry of Internal Affairs of Ukraine, the Ministry of Defence of Ukraine, the Customs Service, central and local authorities'.[94] The negotiations held on that day between the authorities and the opposition saw no agreement, and a ceasefire which was established, was violated the very next day.

Twentieth February 2014 became the deadliest day of the protests. On the morning of 20 February alone, 53 people were killed, among them 49 protesters, and four security officials. By the morning of 21 February the death toll had grown to 77.[95]

This situation caused a major stir in Ukraine. There was, for the government, no longer the possibility of a return to the situation before the protests had begun. The Verkhovna Rada, late in the evening on 20 February, adopted a resolution 'On condemning the use of violence that caused the death of people'.[96] By this document, the deputies forbade the Security Service of Ukraine to carry out anti-terrorist operations (against the protestors), and other power structures were ordered to return their units to their permanent deployment points. The next day, 21 February 2014, an 'Agreement on the settlement of the crisis in Ukraine' between the authorities and the opposition, was signed. The agreement included constitutional reform and early presidential elections in December 2014. There would be an investigation into recent acts of violence, the surrender of illegal weapons to MIA bodies, as well as the release of administrative buildings and the unblocking of streets. The diplomatic staff of France, Poland and Germany acted as the guarantor of the agreement: but the Russian ambassador refused to sign the document.[97]

After the signing of this agreement, on the night of 21-22 February 2014, Viktor Yanukovych flew to Kharkov, where he recorded his last television address in Ukraine. In this address, Yanukovych called the events of recent months in the country a 'coup' and characterised the Rada's decision as being 'illegal'. Moreover, he highlighted the fact that 'he [was] not

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93   ZN,UA, Natasha Shevchenko, 'Protesters opened passage on Grushevskogo, released four regional state administrations and they are ready to leave the Kyiv city hall', (16 February 2014), available at: https://zn.ua/UKRAINE/protestuyuschie-otkry-li-proezd-po-grushevskogo-osvobodili-chetyre-oga-i-gotovy-pokinut-kievskuyu-meriyu-138862_.html, [Accessed on 15 May 2021].

94   LB.ua, 'SSU has announced a nationwide anti-terrorist operation'. (19 February 2014), available at: https://lb.ua/news/2014/02/19/256059_sbu_obyavila_provedenii.html [Accessed on 15 May 2021].

95   Sonya Koshkina, 'Maidan. Untold History', Kyiv, Bright Star Publishing, 2015, chapter 7, 'Who was firing arms on Maidan?' p. 275, paragraph 3, chapter 9, paragraph 1, p. 289 [Accessed on 15 May 2021].

96   The Verkhovna Rada of Ukraine, Legislation of Ukraine, resolution 'On condemnation of violence' available at: https://zakon.rada.gov.ua/laws/show/1431-12#Text), paragraphs .3, 4, [Accessed on 15 May 2021].

97   Ukrainska Pravda, 'Text of the Agreement on Crisis Resolution in Ukraine', (21.02.2014), all chapters, available at: https://www.pravda.com.ua/rus/articles/2014/02/21/7015533/, [Accessed on 15 May 2021].

going to resign'.[98] He then left for Russia. Following Yanukovych, on 22 and 23 February, several government ministers, as well as the head of the SBU and the Prosecutor General, left their posts, without authorization, and left the country, destination unknown. Given that there was now no president or executive, the Verkhovna Rada took over state administration. Oleksandr Turchynov was elected as the new speaker of the Verkhovna Rada, and security forces and law enforcement agency heads were appointed. At the same time, after confirming that the president had left the country, the Ukrainian parliament dismissed Yanukovych by 328 votes. A new presidential election was scheduled for 25 May 2014. In addition, according to the law, the speaker of the parliament, Oleksander Turchinov, became interim acting president until a head of state could be elected.[99] This was also facilitated by an official statement by members of parliament from the former ruling party (the Party of Regions), who stated in the chamber that 'all responsibility for the loss of life during the clashes in Ukraine rests with Viktor Yanukovych and his inner circle'.[100]

On 27 February 2014, the Ministry of Foreign Affairs of Ukraine (MFA) issued a clarification regarding the implementation of the 'Agreement on the settlement of the crisis in Ukraine dated February 21, 2014'. It expressed the official position of the new leadership of the country regarding the events that brought about political regime change in Ukraine. In particular, the statement noted that Yanukovych did not fulfill the obligations he had undertaken, set out in the agreement, and after his self-removal, he was removed from power by a constitutional majority of the Rada. Additionally, 'a criminal investigation was initiated against Yanukovych on charges of mass murder, and he himself was put on the international wanted list'.[101]

The next day, 28 February 2014, the fourth President of Ukraine gave a press conference in Rostov-on-Don (Russia). There again he confirmed that 'he is still a legitimate president who just cannot return to Kyiv because of security considerations', and power in Kyiv was seized by 'bandit coup'.[102]

Thus, the change in the political regime in Ukraine took place under the pressure of mass civil society protests, which caused a serious political crisis in the country. Only the Verkhovna Rada retained its legal legitimacy among the ruling branches of power operating at that time. In addition, the attempts to settle the crisis caused by the protests at Maidan showed the importance of Ukraine's international partners in resolving conflicts. These factors made it possible to launch processes that stopped the clashes between the

98   BBC NEWS, Ukraine, Vitaliy Chervonenko, 'A Year Without Yanukovych: From 'I am Legitimate' to 'Levochkin is guilty', (22.02.2015), chapter 'I am Legitimate', available at: https://www.bbc.com/ukrainian/politics/2015/02/150220_yanukovych_one_year_vc [Accessed on 16 May 2021].

99   Sonya Koshkina, 'Maidan. Untold History', Kyiv, Bright Star Publishing, 2015 , chapter 7, 'Yanukovych resigned. National flag over Mizhhirya', p. 328, chapter 12, paragraph3-5, [Accessed on 16 May 2021].

100   BBC NEWS, Ukraine, Vitaliy Chervonenko, 'A Year Without Yanukovych: From 'I am Legitimate' to 'Levochkin is guilty', (22.02.2015), chapter 'I am Legitimate', available at: https://www.bbc.com/ukrainian/politics/2015/02/150220_yanukovych_one_year_vc [Accessed on 16 May 2021].

101   Ministry of Foreign Affairs of Ukraine, 'Announcement of the Ministry of Foreign Affair of Ukraine on the occasion of the crisis on the 21st of February 2014', paragraphs 3-5, (27 February 2014), available at: https://mfa.gov.ua/news/604-zajava-mzs-ukraji-ni-shhodo-vikonannya-ugodi-pro-vregulyuvannya-krizi-vid-21-lyutogo-2014-roku [Accessed on 16 May 2021].

102   BBC NEWS, Русская служба, Yuri Maloveryan, 'Yanukovych insists that he is President of Ukraine', (28 February 2014), available at: https://www.bbc.com/russian/international/2014/02/140228_yanukovich_rostov_presser, [Accessed on 16 May 2021].

protesters and the security forces and that were able to help stabilise the socio-political situation in the country.

At the same time, this period of political confrontation weakened the authority of the central government in the regions and brought out separatist sentiments among local elites in the southeast. This state of affairs led to a new crisis, which subsequently escalated into a protracted armed conflict in eastern Ukraine.

2. The start of the armed conflict in Ukraine

2.1. Events in Crimea: the loss of Ukrainian control over the peninsula

In the years after Yanukovych's victory in the 2010 presidential election in Crimea, just as in the rest of Ukraine, there had been a gradual increase in authoritarianism. However, unlike other Ukrainian regions, where new pro-government teams were formed on the basis of local elites, Crimean politicians were brusquely relegated to secondary roles. This primarily affected law enforcement agencies, as well as heads of local administrations. Crimean political scientist Andrei Nikiforov described the situation from the point of view of local elites: 'The collapse of the old elite began under Yanukovych's presidency with the delivery to the peninsula of a staff team of his compatriots, who very quickly pushed out almost all units of the political elite formed on the peninsula over the past two decades'.[103]

Thanks to this, and through administrative resources, Yanukovych's 'Party of Regions' won 80 seats out of 100, in the elections to the Verkhovna Rada of the Autonomous Republic of Crimea when the other parties won a total of only 20 seats: five seats for the 'Communist Party', 'People's Movement', 'Union'; three seats for 'Russian Unity'; two seats for 'Strong Ukraine'.[104] As for the elections to Sevastopol City Council, the Party of Regions managed to win 46 seats out of 76. However, the political spectrum of elected deputies turned out to be wider than in the Crimean parliament. At the same time, in contrast to the parliamentary elections in the Autonomous Republic of Crimea, where pro-Russian forces (the Russian Unity Party) were able to win only three seats, nine deputies from the Russian Bloc party entered the Sevastopol Rada. [105] In 2010-2012, a brutal management system was created in Crimea, which was based on the power potential of the centre. This. In turn, caused 'the formation of a political system in Crimea – rigid inside, but unstable to external challenges'.[106]

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103   Andrei Nikiforov: 'Crimea energetically fed the whole of Russia' // 'New Crimea' (25.10.2015) Available at: https://www.new.info/interview/10410/ [Accessed on 20 May 2021].

104   Central Election Commission, Website 'Local Elections of October 31, 2010', chapter 'Autonomous Republic of Crimea', available at: https://www.cvk.gov.ua/vibory_category/mistsevi-vibori/mistsevi-vibori-2010.html [Accessed on 20 May 2021].

105   Central Election Commission, Website 'Local Elections of October 31, 2010', chapter 'Sevastopol, available at: https://www.cvk.gov.ua/vibory_category/mistsevi-vibori/mistsevi-vibori-2010.html, [Accessed on 21 May 2021].

106   Vladimir Golovko, 'Occupation of Crimea. 'Russian World v. Ukraine', Kyiv (2016), chapter 1 'The day before' p. 30, paragraph 2,

A serious factor influencing the formation of public opinion in the Crimea and the city of Sevastopol was Russia's military presence in the peninsula. The Black Sea Fleet of the Russian Federation enjoyed a fairly high degree of autonomy in Crimea. This autonomy extended beyond management and its bases to independent humanitarian and social policies. Not only this: 'since the early 1990s, thousands of new servicemen and their families have been constantly arriving from Russia to the bases of the Russian Black Sea Fleet in Crimea. Tens of thousands of them later remained on the peninsula, for permanent residence, after retirement'. [107] This situation resulted in an artificial increase in the number of inhabitants of the peninsula, as well as the creation of public organisations with separate agendas.

According to opinion polls conducted in July 2013 by the authoritative Kyiv Razumkov Center, '31 percent of respondents in Crimea were ready to vote for independence from Ukraine, 36 percent of respondents, who were mostly Russian-speaking, were against. At the same time, 'Crimean Tatars are traditionally pro-Ukrainian and see their future in the Ukrainian state... Today there are more than 300,000 people – about 14 percent of the population.[108]

Given the high electoral support for Yanukovych and given too the Eurosceptic sentiments of the local population (at the end of 2013, 51% of Crimean respondents saw NATO as a threat to Ukraine),[109] Euromaidan tended to be perceived negatively in Crimea. Crimeans were involved in the actions at Kyiv on the side of the authorities, and the Crimean parliament repeatedly made statements in support of Yanukovych's actions against protesters on Maidan. Furthermore, during this period, the political activities of the pro-Russian Crimean parties (Russian Unity and the Russian Bloc) intensified. This, in turn, changed coverage of events in Kyiv in controlled media resources. It resulted, too, in paramilitary organizations, the so-called Crimean self-defense units.

The overall socio-political situation in Crimea remained calm until the second half of February 2014. On 23 February, in the city of Sevastopol, at a rally of the 'People's Will against Fascism in Ukraine', Russian businessman Oleksiy Chaly was elected 'people's mayor'. The participants of the rally held posters with the slogans 'Putin is our president', 'Russia, we are abandoned, take us back!'. Not everyone believed that the rally was voluntary. Some observers hold the view that it was organized on purpose'. [110] On 26 February 2014, both supporters and opponents of the territorial integrity of Ukraine clashed: two people died in a stampede and several dozen received injuries during mass rallies in Simferopol.[111]

[Accessed on 21 May 2021].

107 Taras Berezovets, 'Annexation: Crimea. Chronicle of the Hybrid War', Kyiv, Bright Books (2015), chapter 'Preface', 'On the Eve' p. 325, paragraph 3, [Accessed on 21 May 2021].

108 The internal quotation comes from, February 2014 and the German publication DW, and was written by Wilifried Jilge. DW Ukraine 'Hot spot Crimea: the background of the crisis' (28.02.2014), chapter 'The pro-Russian majority and the Crimean Tatars', available at: https://www.dw.com/ru/горячая-точка-крым-подоплека-кризиса/a-17466070 [Accessed on 21 May 2021].'

109 Vladimir Golovko, 'Occupation of Crimea. 'Russian World vs Ukraine", Kyiv, (2016), chapter 1 'The day before', p. 32, paragraph 2, [Accessed on 22 May 2021].

110 BBC NEWS, Russian Service, Pyotr Kozlov, Olesya Volkova, Oleg Karpyak, 'Chronicle of Annexation: 'Crimean Spring in the Memoirs of Participants', (19 March 2019), chapter 'February 23', available at: https://www.bbc.com/russian/features-47609756, [Accessed on 22 May 2021].

111 LB.ua, Nikita Gromov, 'Crimean case of February 26: unanswered questions', (26 February 2016), paragraph 1, available at: https://rus.lb.ua/news/2016/02/26/328880_krimskoe_delo_26_fevralya_voprosi.html [Accessed on 22 May 2021].

On the night of 26-27 February 2014, armed men without identification badges seized the Verkhovna Rada and the Council of Ministers of the Autonomous Republic of Crimea. They also hung the Russian flags there. On 27 February 2014, while armed men were illegally in the building, an extraordinary session of the parliament was held. There the government head was replaced by Serhiy Aksyonov, the leader of the Russian Unity Party. Furthermore, a referendum date was set for 25 May 2014. 'Meanwhile, the Central Election Commission of Ukraine stated that there is no legal basis for holding a referendum in Crimea. There is no law on holding local referendums in Ukraine'.[112] Regarding the nationality of the armed people who seized the main administrative buildings in Crimea, opinions differ. Russia denies any involvement in the seizure of the buildings, and attributes 'unknown armed men in masks to the self-defense representatives of the Russian-speaking population of the peninsula'.[113] Ukraine, meanwhile, claims that these armed men had been sent by the Russian government.

Officially Kyiv did not recognize the illegitimate change of government in Simferopol and the city of Sevastopol. However, Ukrainian troops were never ordered to use force against the separatists. The meeting of the National Security and Defense Council of Ukraine held on 28 February 2014 took into account the unsatisfactory condition of the country's security actors and their unwillingness to act effectively in the face of possible Russian military aggression against Ukraine. [114] Moreover, the situation was further complicated for the new central government by the fact that the entire management system of the security forces in Crimea was built on personal loyalty to Yanukovych: consequently instructions coming from Kyiv were often sabotaged. At the same time, the new leadership in Kyiv appealed to the international community, in particular the signatories of the 1994 Budapest Memorandum. Thus, on 28 February, the Verkhovna Rada adopted an appeal calling on Russia to stop its acts of agression, and other signatory states to guarantee Ukraine's security.[115]

In this critical situation, on 1 March 2014 the Federation Council of the Federal Assembly of Russia adopted a resolution: 'On the use of the Armed Forces of the Russian Federation in Ukraine'. This gave consent to the President to use the Russian Armed Forces in Ukraine in order to regulate the socio-political situation in this country.[116] The Russian side justified these actions to 'protect the life of citizens of the Russian Federation in the interests of their safety, as well as our compatriots and personnel of the military contingent of the Armed Forces of the Russian Federation stationed in accordance with an international

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112   BBC NEWS, Russian Service, 'Crimean Parliament Appoints Referendum on Autonomy', (27 February 2014), Paragraph 5, available at: https://www.bbc.com/russian/international/2014/02/140227_crimea_parliament, [Accessed on 22 May 2021].

113   'Crimean Spring, 'Documents and Facts', chapter 27' February (Thursday), available at: http://crimea.gov.ru/vesna [Accessed on 22 May 2021].

114   BBC NEWS, Ukraine, 'Historical National Security and Defence Council: no army, no SSU, no police', (22 February 2016), chapter 'What to do?', available at: https://www.bbc.com/ukrainian/politics/2016/02/160222_crimea_security_council_2014_az [Accessed on 22 May 2021].

115   Resolution of the Verkhovna Rada of Ukraine, 'On the Appeal of the Verkhovna Rada of Ukraine to the Guarantor States under the Memorandum on Security Guarantees in Connection with Ukraine's Accession to the Treaty on the Non-Proliferation of Nuclear Weapons'// Website of the Verkhovna Rada of Ukraine, (28 February 2014), available at: https://zakon2.rada.gov.ua/laws/show/831-vii. [Accessed on 22 May 2021].

116   Russian Newspaper, Gazeta, Federal issue №51, 'Resolution No. 48-SF Moscow of 1 March 2014 'On the use of the Armed Forces of the Russian Federation on the territory of Ukraine', (5 March 2014), available at: https://rg.ru/2014/03/05/voyska-dok.html [Accessed on 22 May 2021].

treaty in Ukraine'.[117] On the same day, the Prime Minister of the Autonomous Republic of Crimea, Sergei Aksyonov, who was not officially recognized by Kyiv, made a declaration. All law enforcement agencies stationed in Crimea were now subordinate to him.

At the same time, throughout Crimea, representatives of the 'Crimean self-defense' together with well-equipped armed men, with no identification badges blocked military units (ships), key autonomy infrastructure, and transport communications that connected the peninsula with the mainland. They were supported in this by armoured vehicles. In early March 2014, they also seized the Crimean State Television and Radio Company, where the TV transmitter was located.[118] Ukrainian TV channels were shut down, but Russian channels continued to operate and remained the main source of information for the local population. During the blockade of military facilities and administrative buildings, the term 'little green men' began to be used. It was what journalists called armed people without identification badges in the Crimea, and it became firmly entrenched in the media. The Ukrainian authorities accused the Russian Federation of using special units of the Russian armed forces and Black Sea Fleet personnel to support anti-Ukrainian forces on the peninsula. They based the accusation on the fact that: the 'little green men''s actions were coordinated and simulatenous through Crimea; the use of modern military equipment; and numerous leaked testimonies in the media. On 28 February 2014, the Ukraine MIA Arsen Avakov made a public statement about the participation of servicemen from the Russian Black Sea Fleet in blocking the airports of Sevastopol and Simferopol. He called the actions of the Russians 'a direct provocation of armed bloodshed on the territory of a sovereign state'.[119] At the same time, President Putin and Russia's top military and political leadership continued to categorically deny military interference in Crimea. When asked questions by journalists, 5 March 2014, about Russian servicemen without identificatio in the Crimea, Russian Defence Minister Sergei Shoigu stated that 'these people have nothing to do with the Russian army'.[120]

The Verkhovna Rada of the Autonomous Republic of Crimea decided, on 6 March 2014 to join the Russian Federation as a subject of the Russian Federation subject to a referendum. The resolution of the Crimean parliament, in particular, said that 'the nationalist forces that seized power as a result of the unconstitutional coup grossly violate the Constitution and laws of Ukraine, inalienable rights and freedoms of citizens, including the right to life, freedom of thought and speech, the right to speak their native language'. In the referendum, the residents of the autonomous region were asked to choose between two options: 1) 'Do you support the reunification of Crimea with Russia as a subject of the Russian Federation', 2) 'Do you support the restoration of the Constitution of the Republic

117   Russian Newspaper, Gazeta, Federal issue №51, 'Resolution No. 48-SF Moscow of 1 March 2014 'On the use of the Armed Forces of the Russian Federation on the territory of Ukraine', (5 March 2014), available at: https://rg.ru/2014/03/05/voyska-dok.html [Accessed on 22 May 2021].

118   Vladimir Golovko, 'Occupation of Crimea. "Russian World v. Ukraine', Kyiv, SOOR Media (2016), chapter 4 'March of the Green Men', p. 63, paragraph 3, [Accessed on 22 May 2021].

119   UralBusinessConsulting 'The head of the Ministry of Internal Affairs of Ukraine declared the occupation of Crimea' (28.02.2014), available at: http://urbc.ru/1068023791-glava-mvd-ukrainy-zayavil-ob-okkupacii-kryma.html [Accessed on 23 May 2021].

120   Crimean Spring, 'Documents and Facts', chapter '5 March (Wednesday)', available at: http://crimea.gov.ru/vesna [Accessed on 23 May 2021].

of Crimea in 1992 and the status of Crimea as part of Ukraine?'.[121] On 11 March 2014, the City Council of Sevastopol and the Parliament of the Autonomous Republic of Crimea adopted a declaration of state sovereignty.

On 14 March 2014, the Constitutional Court of Ukraine declared the referendum planned by the Crimean parliament unconstitutional: a territorial change can, according to the Ukrainian constitution, only be decided by an all Urkainian referendum. The next day, 15 March, the Verkhovna Rada of Ukraine decided to dissolve the Crimean parliament.[122]

Nevertheless, taking advantage of the weakness of the Ukrainian authorities and the complete lack of opposition from the security forces, the referendum took place. The new government in Simferopol announced that: '96.77 % of voters voted for reunification with Russia as a subject of the Russian Federation, 2.51% for the expansion of autonomy within Ukraine'.[123] At the same time, the Ukrainian authorities stated that the results of the referendum could not be recognized as legitimate due to the lack of legal grounds for holding it. In addition, it was emphasized that the referendum was held without international observers and without registration data from the register of voters of the Central Election Commission of Ukraine.

On 18 March 2014, the Federal Assembly of the Russian Federation included two new constituent entities of the Federation – the Republic of Crimea and the city of Sevastopol. In the afternoon meeting of the Federal Assembly Putin justified the decision of the people of Crimea as a reaction to a coup d'etat in Kyiv: where 'nationalists, neo-Nazis, Russophobes and anti-semites were the main perpetrators – it is these people who largely determine life in Ukraine to this day'. Furthermore, Putin added: 'Do not believe those who frighten you with Russia, those who shout that Crimea will be followed by other regions. We do not want the partition of Ukraine, we do not need it'.[124] Official Russian publications interpreted the process of including Crimea and Sevastopol as a new subject of the Russian Federation as the 'reunification of Crimea with Russia' and the 'correction of historical error and injustice'. They referred to the events of February-March 2014 as 'the Crimean spring'. At the same time, emphasis is given to 'the aspirations of the majority of Crimean and Sevastopol residents to become part of Russia, which was interpreted as 'free expression of will' in the referendum on March 16'.[125]

In Ukraine, at the official level, Russia's actions in Crimea are qualified as an act of armed aggression, one which led to the occupation of part of the territory of Ukraine. This is reflected in the legislation of Ukraine, where Crimea is given the status of 'temporarily

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121 Link to the draft 1189 / 30-10, 'Resolution of the Verkhovna Rada of the Autonomous Republic of Crimea on the All-Crimean Referendum', Simferopol, March 6, 2014, № 1702-6 / 14, paragraph1, available at: http://crimea.gov.ru/act/11689 [Accessed on 23 May 2021].

122 Vladimir Golovko, 'Occupation of Crimea. 'Russian World v. Ukraine', Kyiv, COOP Media (2016)', chapter 5 'Referendum that was postponed twice', [Accessed on 22 May 2021].

123 Crimean Spring, 'Documents and Facts', chapter '16 March (Sunday)', http://crimea.gov.ru/vesna [Accessed on 23 May 2021].

124 Gazeta.uz, 'Agreement on acceptance of Crimea and Sevastopol into Russia', sections 'On relations with Ukraine', 'On partition of Ukraine', available at: https://www.gazeta.uz/ru/2014/03/18/agreement/ [Accessed on 23 May 2021].

125 BBC NEWS, Russian Service, Peter Kozlov, Ales Volkov. Oleg Karpyak 'Chronicle of annexation: Crimean spring "in the memories of participants', Paragraphs 1,4 (19 March 2014), available at: https://www.bbc.com/russian/features-47609756, [Accessed on 22 May 2021].

occupied territory'.[126]

The world community, the United States, Britain, Germany, France along with most UN countries called Russia's actions an annexation, the referendum – illegal and unconstitutional, and its results – invalid.[127] In March and December 2014, the United States, the European Union, Japan, and a number of other countries (41 in total) imposed restrictive sanctions against Russia over Crimea.[128] On 14 November 2016, the International Criminal Court in The Hague stated that 'the situation in Crimea and Sevastopol is tantamount to an international armed conflict between Ukraine and the Russian Federation. This international armed conflict began no later than February 26, 2014, when the Russian Federation used the personnel of its armed forces to gain control over parts of the territory of Ukraine without the consent of the Government of Ukraine'.[129] In December 2016, at the 71st session of the UN General Assembly, Russia was called, for the first time in UN documents, an 'occupying state' and Crimea and Sevastopol – a 'temporarily occupied territory' (Third Committee).[130]

Subsequently, at the end of March 2014 and during the next two months, the Government of Ukraine withdrew military units (ships) and military equipment located at the Crimean bases. Not wanting to go to the mainland, a part of the personnel of the security subjects of Ukraine remained in Crimea. The loss of Crimea has sharply complicated the socio-economic situation in the country with the loss of numerous state and private assets. There was a violent rupture within the financial ties between the regions and the centre. In addition, due to indecisive actions in Crimea, the central government suffered significant reputational losses in the south-eastern regions of Ukraine. These problems led to an intensification of separatist sentiments in the country.

2.2. Intensification of separatist movements in southeastern Ukraine:

The beginning of the escalation in the armed conflict in eastern Ukraine (second half of March – early June 2014).

Donetsk and Luhansk regions are located in the east of Ukraine. In light of the armed conflict in the east, many Ukrainians oppose using 'Donbass' in political terms. For the sake of convenience, the previously established tradition of calling the Donbass the Donetsk

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126   Day, Volodymyr Vasylenko 'Law as a weapon – 2, paragraph 6, available at: https://m.day.kyiv.ua/uk/article/podrobyci/pravo-yak-zbroya-2/, [Accessed on 23 May 2021].

127   BBC NEWS, Russian Service, Peter Kozlov, Ales Volkov. Oleg Karpyak 'Chronicle of annexation: Crimean spring "in the memories of participants', Paragraphs 1,4 (19 March 2014), available at: https://www.bbc.com/russian/features-47609756, [Accessed on 22 May 2021].

128   Crimea Inform '5 years of occupation of Crimea in figures and facts', p. 2 available at: https://territorycrimea.ukrinform.com/pdf/01-2019-Ukr.pdf, [Accessed on 23 May 2021].

129   International Crimal Court, «Preliminary Investigation Action Report (2016)', (14 November 2016) chapter 'Ukraine', 'Crimea', p.156, available at: https://www.icc-cpi.int/iccdocs/otp/161114-otp-rep-PE-Ukraine.pdf [Accessed on 23 May 2021].

130   Crimea Inform '5 years of occupation of Crimea in figures and facts', p. 2, available at: https://territorycrimea.ukrinform.com/pdf/01-2019-Ukr.pdf, [Accessed on 23 May 2021].

and Luhansk regions is mainly used. As for the 'southeast', as a rule, this is taken to include Crimea and eight regions in the south and east of Ukraine: Odessa, Mykolaiv, Kherson, Dnipro, Zaporozhia, Kharkov, Donetsk and Lugansk.

It was exactly in these regions, in the period from March to May 2014, that attempts were made, with varying degrees of success, to remove the public authorities by force. As a rule, these attempts took place against the background of large-scale rallies, which were held to protest against the change of political regime in Kyiv. At the same time, armed groups in uniform without identification badges, assisted protesters calling for the independence of the eastern regions.[131] These anti-Ukrainian measures were accompanied by external support.

In Russian discourse, these events were called 'Russian Spring' (the term 'Novorossiya' project is also used): in Ukrainian 'the initial period of Russian occupation of part of the Donetsk and Luhansk regions'.

It is worth stressing that until 2014, no civil conflicts related to ethnic intolerance or any administrative harassment of citizens of other religions, languages or cultures had taken place in the south-eastern regions. At the same time, Ukrainians were the most numerous ethnic group, and accounted for 75-80% of the total population in these parts. In Donetsk and Luhansk regions, meanwhile, respectively, 56.9% and 58% were Ukrainian.[132] As for the system of education, culture and media, the southeastern regions, generally, had the highest levels of Russian due to the reduction of the status of Ukrainian there in previous decades. This state of affairs was commonplace in post-Soviet countries. It was a consequence of the Russification of Ukrainian territories during the years they had been part of the Russian Empire and the Soviet Union.

Regarding the socio-economic situation, Donbas region faced serious socio-economic issues. The thesis that this region 'gives more than it receives' made by its government does not stand up in economic terms. For example, in 2010 Donetsk region accounted for 12% of national GDP: but it received some 20.9% of the money given out by Kyiv. Despite these problems, the economy of Donbass was unquestionably important. Anthracite coal was mined here, which is used by all thermal power plants in the country, as well as coking coal, which, along with agricultural products, was the basis of many Ukrainian exports. Thanks to this, Donbass business owners became the richest people in Ukraine. They converted their wealth into political projects, such as the Party of Regions.[133]

In turn, in the spring of 2014, the map of protests in the regions roughly coincided with the attitude of Ukrainians to the political crisis. Experts from both the Kyiv International Institute of Sociology and the Democratic Initiatives Foundation stated that: 'Those who were in Donbass after the Maidan victory and talked to representatives of different social groups

131   Ministère de l'Europe et des Affaires étrangères, Diplomacy of France, 'Situation in Ukraine', chapter 'Origins of the conflict', paragraph 3, available at: https://www.diplomatie.gouv.fr/ru/politique-etrangere/securite-desarmement-et-non-proliferation/cri-ses-et-conflits/ukraine/, [Accessed on 27 May 2021].

132   Home, 'Take geography seriously', chapter 'National composition of the population of Ukraine', subchapter 'Ukrainians are the titular nation', available at: https://geografiamozil2.jimdofree.com/головна/населення-світу-та-україни-iii-частина/, [Accessed on 27 May 2021].

133   Prometheus Canada, 'Donbass on fire. A Guide to the Conflict Zone', Chapter 2, The Rusty Belt, p. 22, (2017), available at: https://prometheus.ngo/wp-content/uploads/2017/05/Donbas_v_Ogni_RUS_1-2_web.pdf [Accessed on 28 May 2021].

could point out the following emotional pattern. For some, the revolution caused moderate fear or optimism. For others, the opposite is true: the triumph of the Maidan provoked panic, and the arrival of the 'green men' – hope. The former later took a neutral or pro-Ukrainian position, the latter a pro-Russian one'.[134] In March 2014, according to the Rating Group, 'the idea of secession from Ukraine was welcomed by a third of the residents of Donetsk and Luhansk oblasts, and 56% rejected the idea'[135].

During March, many separatist and pro-Russian demonstrations took place in Donbass with the slogans 'Donbas is Russian land!', 'Russia, help!', 'Putin, bring in the troops!' On 1 March, during a rally in Donetsk, a demand for a 'referendum' was made and the so-called 'Donbas People's Militia' was created. On 3 May, protesters seized the Donetsk regional administration building, but two days later police regained control. On 5 March 2014, the 'People's Governor of the Luhansk Region' was announced in Luhansk. All these events were accompanied by a purposeful media campaign. As analysts of the Ilko Kucheriv Democratic Initiatives Foundation noted: 'Thanks to a purposeful information campaign, separatist groups, their slogans and posters, and seizures of administrative buildings were at the center of information news. The picture was very bright, impressive. First of all, we are talking about TV stories, given that TV is the main source of information for Ukrainians!'[136] In addition, strong support for the separatist movements was provided by the Russian media, which was widely represented in the region's cable networks.

At the same time, numerous pro-Ukrainian rallies 'For the Unity of Ukraine' were held in the Donetsk and Luhansk regions. The first took place on 4 March, and the most notorious took place on 13 March, where a local pro-Ukrainian activist was killed in a pro-Russian mob attack in Donetsk. However, pro-Ukrainian rallies (unlike pro-Russian ones) did not receive such wide coverage in the media at that time. This to some extent led to a one-sided perception of events in the region. Despite the deterioration in the situation, until the end of March 2014, the socio-political situation in Luhansk and Donetsk regions, remained tense but generally peaceful.

As for the southern regions, the rallies held in March by both supporters and opponents of the Maidan demonstrations, in Zaporozhia, Mykolaiv, Odessa, Melitopol, Dnipro and other settlements took place without seizures of administrative buildings and violent clashes. This was in part because of the low support of the southern regions (not more than 13%) for the idea of separating their region from Ukraine.[137]

At the same time, the concentration of Russian troops in the border regions with Ukraine,

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134   Foundation for Democratic Initiatives, poll 'Five years of 'Russian spring: How the myth of separatism of the majority in Donbass was formed', (12 April 2019), paragraph 4, available at: https://dif.org.ua/article/pyat-let-russkoy-vesne-kak-sformiroval-sya-mif-o-separatizme-bolshinstva-na-donbasse [Accessed on 28 May 2021].

135   Sociological group rating: 'Attitudes of Ukrainians to the state system of the country', chapter 'Attitudes to the separation of regions', (15.03.2014) available at: httpshttp://ratinggroup.ua/files/ratinggroup/reg_files/rg_ter.ustriy_ua_032014.pdf [Accessed on 28 May 2021].

136   Foundation for Democratic Initiatives, poll 'Five years of 'Russian spring', How the myth of separatism of the majority in Donbass was formed', (12 April 2019), paragraph 4, available at: https://dif.org.ua/article/pyat-let-russkoy-vesne-kak-sformiroval-sya-mif-o-separatizme-bolshinstva-na-donbasse [Accessed on 28 May 2021].

137   Sociological group rating: 'Attitudes of Ukrainians to the state system of the country', chapter 'Attitudes to the separation of regions', (15.03.2014), available at: http://ratinggroup.ua/files/ratinggroup/reg_files/rg_ter.ustriy_ua_032014.pdf [Accessed on 28 May 2021].

as well as in Transnistria and Crimea, had become a serious foreign policy factor in Ukraine.[138] These circumstances along with the Federation Council of the Federal Assembly of Russia resolution 'On the use of the Armed Forces of the Russian Federation in Ukraine' threatened possible external aggression. It also to some extent provoked separatist demonstrations in certain regions.

On 17 March 2014, the Verkhovna Rada approved the draft law 'On approval of the Presidential Decree 'On partial mobilization''. According to the explanatory note the decree was put into law because of the socio-political situation in Crimea, undisguised aggression, the capture by Russia of part of the Autonomous Republic of Crimea and the city of Sevastopol.[139] The human and material resources adopted for partial mobilization were used to staff the military units and subdivisions of the Armed Forces of Ukraine and the National Guard of Ukraine.[140] The plan was to protect Crimea and the eastern regions of Ukraine from any external aggression. In the second half of March, the Ukrainian government asked the OSCE to send a Special Monitoring Mission to Ukraine (SMM). The request was granted by all 57 OSCE participating States. On 21 March 2014, the SMM began its work in Donbas.[141]

The situation changed drastically, 6 April 2014, particularly in those areas which bordered the Russian Federation. On this day, new anti-government protests took place in Luhansk, Kharkiv, and Donetsk. These escalated and armed groups seized regional state administrative centres. At the same time in Luhansk, the Security Service of Ukraine, with its arsenal of small arms, was seized. [142] The leaders of the separatist movements simultaneously began to delegitimize the bodies of state power in the region by proclaiming 'people's mayors', 'people's councils', and 'people's republics' at rallies. The so-called Donetsk People's Republic (DPR, also known as 'DNR') was declared on 7 April, and the Luhansk People's Republic (LPR, also known as 'LPR') on 28 April.[143]

The new leaders of the separatist movements had nothing to do with the previously elected local authorities. For the most part, they relied on specially created armed groups. At the same time, political slogans were radicalized and calls for 'federalization' and for 'a referendum on changing territories', etc. began to prevail. In addition, with the growing military escalation, the socio-political situation became much more complicated. On 10 April, pro-Russian separatists in Donetsk and Luhansk regions announced a 'referendum on state independence' for 11 May. In Kharkiv, meanwhile, law enforcement agencies

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138   Mykola Lytvyn, 'Line of Contact', section, 'The situation in Luhansk region. Meeting with Akhmetov and Yatsenyuk' [Accessed on 27 May 2021].

139   Korrespondent.net, 'Rada adopts law on partial mobilization', Paragraph3, (17 March 2014), available at: https://korrespondent.net/ukraine/politics/3320501-rada-pryniala-zakon-o-chastychnoi-mobylyzatsyy [Accessed on 28 May 2021].

140   DW Ukraine 'National Guard of Ukraine (National Guard)', available at: https://www.dw.com/uk/національна-гвардія-україни-нацгвардія/t-19222650 [Accessed on 28 May 2021].

141   OSCE Organization for Security and Co-operation in Europe, OSCE Special Monitoring Mission to Ukraine, available at: https://www.osce.org/ru/special-monitoring-mission-to-ukraine [Accessed on 28 May 2021].

142   Crimean News, Tetyana Nikishyna, 'On this day in 2014, Luhansk and Donetsk found themselves under occupation, and Kharkiv miraculously escaped their fate', paragraph 16, (6 April 2012), available at: https://qha.com.ua/novosti-uk/tsogo-dnya-2014-roku-lugansk-i-donetsk-opynylys-v-okupatsiyi-a-harkiv-dyvom-unyk-yihnoyi-doli/», [Accessed on 28 May 2021].

143   Information and Analytical Center of National Security of Ukraine, 'Chronicle of the war in Donbass: from rallies to tanks', para-graph 6, (18 October 2014), available at: http://mediarnbo.org/2014/10/18/hronika-viyni-na-donbasi-vid-mitingiv/ [Accessed on 30 May 2021].

liberated the regional administration building on 8 April.

In early April, the Russian Federation increased diplomatic pressure on Kyiv. One of Moscow's demands was for the federalization of Ukraine. On 7 April, the Russian Foreign Ministry issued a statement stating that 'without real constitutional reform in Ukraine, which would ensure the interests of all regions of the country through federalization, preserve its non-aligned status [and] consolidate the special role of the Russian language, it is difficult to expect long-term stabilization of the Ukrainian state'.[144] In addition, on 17 April 2014, at an annual press conference in Moscow, Russian President Vladimir Putin issued a statement about historical right of Novorossiya (from Kharkiv to Odessa) to exist: this would have meant secession from Ukraine's eight southern and eastern regions.[145] These statements by the Russian Foreign Ministry and President Putin were seen in Kyiv as an attempt to encroach on Ukraine's territorial integrity. But there were also international voices from the other side. On 10 April, the Parliamentary Assembly of the Council of Europe (PACE) adopted a resolution removing Russia's right to vote until the end of 2014, and denying Russia its role in PACE governing bodies and election observation. These steps were taken because of the illegal annexation of Crimea and because of interference in Ukraine's internal affairs more generally. [146]

On 12 April 2014, the state authorities of the city of Slavyansk in the Donetsk region were seized by an armed and well-equipped detachment led by a Russian soldier, Igor Girkin (also known by the pseudonym 'Igor Strelkov' or Sharpshooter). Girkin had arrived from the Russian Federation. The militia members also seized a number of cities in the north of the Donetsk region: Krasnyi Lyman, Svyatogorsk, Kramatorsk and Druzhkovka. This led to the capture of some other cities in the area.[147] On the same day, Girkin's detachment came under fire from an SBU reconnaissance group. An Alpha officer was killed and three officers were wounded in the fire-fight.[148] It is believed that this was the very first armed clash between illegal armed groups and government forces in eastern Ukraine.

State authorities were eliminated in other settlements in the Donetsk and Luhansk regions. On 13 April, the cities of Yenakiieve, Makiyivka, and Mariupol came underDPR control, and on 14 April, Horlivka, Khartsyzsk, Zhdanovka, Kirovske. Thie list grew through the next month: 16 April, Novoazovsk; 18 April, Seversk; 19 April, Komsomolskoye, Starobesheve; 1 May, Krasnoarmeysk, Radimske.[149] In the Luhansk region, after the proclamation of the Luhansk People's Republic on 27 April, the separatists managed to capture all of Luhansk and some cities in the region, including the Russian border towns of Sverdlovsk, Krasny Luch, and the large industrial city of Alchevsk.

144   Interfax, 'The Russian Foreign Ministry believes that the unrest in eastern Ukraine confirms the need for federalization of the country', available at: https://www.interfax.ru/world/370020, [Accessed on 30 May 2021].

145   BBC NEWS, Ukraine, 'Five Statements by Putin on the History of Ukraine', Paragraph3 (10 November 2014), available at: https://www.bbc.com/ukrainian/ukraine_in_russian/2014/11/141110_ru_s_putin_on_history_ukraine [Accessed on 30 May 2021].

146   PACE Resolution (2014). Available at: https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=20882&lang=en, para.2

147   Prometheus Canada, 'Donbass on fire. Guide to the conflict zone', chapter 3,'Chronicles of the war April 2014', p. 35, (2017), available at: https://prometheus.ngo/wp-content/uploads/2017/05/Donbas_v_Ogni_RUS_1-2_web.pdf [Accessed on 30 May 2021].

148   Today, 'The seizure of the authorities in Ukraine and the murder of the officer Alpha was organized by GRU officer Strelkov – SSU', (14 April 2014), available at: https://ukraine.segodnya.ua/ukraine/zahvat-organov-vlasti-v-ukraine-i-ubiystvo-oficera-alfy-organizoval-oficer-gru-strelkov-sbu-513495.html [Accessed on 30 May 2021].

149   Mykola Lytvyn, 'Line of Contact', chapter 'Hybrid Tactics of the Kremlin', paragraph 2, p. 228, [Accessed on 30 May 2021].

Local law enforcement agencies did not act adequately with these developing events. As a result, any public, pro-Ukrainian speech had become impossible in terms of security. In fact, by the end of April pro-Ukrainian actions in Donbass had all but ceased.

On 13 April 2014, Acting President of Ukraine Oleksandr Turchynov signed the Decree 'On the Decision of the National Security and Defence Council of Ukraine 'On Urgent Measures to Overcome the Terrorist Threat and Preserve the Territorial Integrity of Ukraine''. [150] This Decree of 14 April announced the beginning of an Anti-Terrorist Operation in Eastern Ukraine (ATO), which was defined as: 'a set of military and special organizational and legal measures of Ukrainian law enforcement agencies aimed at counteracting the activities of illegal Russian and pro-Russian armed groups in eastern Ukraine'.[151]

On the basis of these decisions the headquarters of the anti-terrorist operation was created at SSU of Ukraine, and the relevant territory was divided into sectors: sector 'A', the north of the Luhansk region; sector 'C', the north of Donetsk region; sector 'B', the west of Donetsk region; sector 'D', along the border with Russia; and sector 'M', the areas around Mariupol. On 13 April, right before the the anti-terrorist operation began, Oleksandr Turchynov made a television statement in which he promised amnesties for those participants in riots who had not shot at Ukrainian law enforcement officers.[152] For the first two weeks of the operation, armed clashes were somewhat limited. The fighting took place mainly against Girkin's detachment, in the north of the Donetsk region, and also partly in Mariupol. Two anti-terrorist operations in Slavyansk, on 13 and 24 April, did not bring the expected results.

On 17 April 2014, a meeting of the foreign ministers of the United States, Ukraine, Russia and the European Union took place in Geneva. As a result of this meeting the 'Geneva Agreement' was reached. The agreement generally provided for: disarmament of illegal armed groups; liberation of seized administrative buildings; and amnesties for protesters and those who voluntarily lay down their arms (except for those found guilty of serious crimes). In addition, the OSCE Special Monitoring Mission to Ukraine was to facilitate the immediate implementation of measures aimed at de-escalating the situation. Here observers from the United States, the European Union and Russia would work together. The statement stressed, in particular, that 'all parties must refrain from any acts of violence, intimidation or provocation'.[153]

At the same time, Acting Minister of Foreign Affairs for Ukraine, Andriy Deshchytsia claimed that 'the anti-terrorist operation continues, its intensity will depend on the practical implementation of the Geneva agreements and the actual liberation of the seized buildings'.[154] One of the leaders of the Donetsk separatists, Denis Pushilin, stated that the

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150   The Verkhovna Rada of Ukraine, Legislation of Ukraine, Decree of the President of Ukraine 'On the decision of the National Security and Defense Council of Ukraine of 13 April 2014', 'On urgent measures to overcome the terrorist threat and preserve the territorial integrity of Ukraine', (14 April 2014), available at: https://zakon.rada.gov.ua/laws/show/405/2014?fbclid=I-wAR149uH7Z790Af3vtw8t3zKCtjj1QAxPZ9RkwB4_FhXQCl3uPiDhLKgr4OQ#Tex [Accessed on 30 May 2021].

151   Mykola Lytvyn, 'Line of demarcation", chapter 'ATO begins', 'help', p. 226 [Accessed on 30 May 2021].

152   YouTube channel, 'Address of the Chairman of The Verkhovna Rada of Ukraine Oleksandr Turchynov', available at: https://youtu.be/ [8jBxfMJTv5c, Accessed on 30 May 2021].

153   Korrespondent.net, 'Geneva statement of 17 April 2014', 'Here is the full text of the statement', available at: https://korrespondent.net/ukraine/politics/3351183-zhenevskoe-zaiavlenye-ot-17-aprelia-2014-hoda, [Accessed on 30 May 2021].

154   Ukrainian Pravda, 'Deshchitsa said that the Geneva agreements do not concern the legal 'Maidan', paragraph 2, (18 April 2014),

sepratists 'will vacate the seized buildings only after the government in Kyiv resigns'.[155] US President Barack Obama issued a statement on 24 April 2014, 'accusing Russia of failing to comply with the Geneva agreements on resolving the crisis in Ukraine. He warned that if Moscow did not change its policy, new sanctions would be imposed on Russia'.[156] At the same time, despite all the differences in approaches and despite the implementation of the agreements, the Geneva Agreement on Ukraine became the first international diplomatic attempt to resolve armed conflict in Ukraine.

One of the deadliest days in Odessa came in early May. On 2 May, several dozen people were killed in clashes between pro-Russian (most) and pro-UkrainiansSince this day, openly pro-Russian activity in the cities of southern and eastern Ukraine has declined sharply.

On 11 May, in the Donetsk and Luhansk oblasts not controlled by the security forces of Ukraine, the leaders of separatist groups organized and held so-called 'referendums on sovereignty' in violation of the Geneva agreements. As a result of this 'vote', some constitutions were adopted and the governments of the 'Donetsk People's Republic' and the 'Luhansk People's Republic' were formed. Donetsk was headed by the Russian Alexander Borodai, Luhansk by the Ukrainian Valery Bolotov. Russian Igor Girkin became 'head of the Security Council and Minister of Defense'.[157] The Central Election Commission of Ukraine stated that 'actions simulated on the territory of certain settlements of Donetsk and Luhansk regions have nothing to do with the referendum.'[158] The Prosecutor General's Office of Ukraine declared 'LPR' and 'DPR' to be terrorists. Western countries, likewise, did not recognize the legitimacy of these polls. For example, the British Foreign Office issued a statement claiming that it was regrettable that the separatists, who were bringing so much chaos to the lives of ordinary citizens, were holding their so-called 'referendum' on that day.[159]

During May, fighting continued mainly in the Kramatorsk agglomeration. The separatists actively used ambush tactics, shelling Ukrainian servicemen, sabotage and terrorist attacks. Casualties among Ukrainian servicemen spiked. These losses were also caused by the unsatisfactory provision of the Ukrainian army with modern personal protective equipment, in particular body armor and Kevlar helmets. On 2 May, anti-terrorist operation forces started using helicopter aircraft. But they almost immediately suffered losses due to the use of MANPADS (portable surface-to-air missile systems) by separatists. In total, the Armed Forces of Ukraine lost three helicopters in May. The use of surface-to-air missiles

available at: https://www.pravda.com.ua/rus/news/2014/04/18/7022951/, [Accessed on 30 May 2021].

155 Radio Svoboda, 'Separatists Say They Will Leave Only After Government Resignatioh', paragraph 1, (April 18, 2014), available at :https://www.radiosvoboda.org/a/25354116.html [Accessed on 1 June 2021].

156   DW 'Obama: Russia is not fulfilling the Geneva agreements on Ukraine' (April 24, 2021), paragraph 1, available at: https://www.dw.com/ru/обама-россия-не-выполняет-женевские-соглашения-по-украине/a-17588725 [Accessed on 1 June 2021].

157 Information and Analytical Center of the National Security of Ukraine, 'Chronicle of the war in Donbass: from rallies to tanks', chapter 'Fight and run in Donetsk' Paragraph1, (October 18, 2014), available at: http://mediarnbo.org/2014/10/18/hronika-vi-yni-na-donbasi-vid-mitingiv/ [Accessed on 1 June 2021].

158 UKRAINE CRISIS media center, 'Andrei Magera: Conducting any regional referendum contradicts the legislation of Ukraine', paragraph 1 (12 May 2014), available at: http://mediarnbo.org/2014/10/18/hronika-viyni-na-donbasi-vid-mitingiv/, [Accessed on 1 June 2021].

159 BBC NEWS, Russian Service, 'Independence Referendum' in Donbass, paragraph 3 (11 May 2014), available at: https://www.bbc.com/russian/international/2014/05/140511_ukraine_vote, [Accessed on 1 June 2021].

suggested that the Russian military were working on the other side.[160]

The situation was further complicated by the fact that the State Border Guard Service of Ukraine could no longer stand up to the separatist armed groups on its own.[161] In 2014, the eastern border of Ukraine was rather poorly developed from an engineering and technical point of view. Why? Put simply the Russian-Ukrainian border coincided with the former internal (inter-republican: USSR and RSFSR) administrative border. It was very different, then, from an external (state, well-equipped) border of the old USSR. The demarcation began only in 2010, and this weak border facilitated the illegal entry of equipment and human resources into Ukraine from Russia.

Against the background of anti-government actions, the separatists continued to strengthen illegal armed groups and organizations: the Vostok (East) Battalion (Donetsk); the Cossack National Guard of the Great Don Army; the Phantom Battalion; and the Zarya Battalion (Luhansk and region) etc.[162] The organizationally armed detachments and groups of the 'DPR' were united into the so-called People's Militia of Donbass, whereas such detachments operated under the name of the United Army of the South-East in the 'LPR'. At the same time, small groups of special forces and trucks with weapons began to actively move across the border. This was confirmed by numerous publications and stories in the media, which recorded participation in the May battles in the Donbass of Russian servicemen, in particular from the Chechen Republic.[163] In Russian press releases and media, representatives of illegal armed groups in eastern Ukraine became known as 'militias' and 'insurgents'. The actions of anti-terrorist operation forces were, meanwhile, regarded as 'punitive operations'.

From 22 May, there were regular clashes between the anti-terrorist operation forces and the separatist armed groups. By the end of May, the separatists were able to gain a foothold in Mariupol and a number of other cities in the Donetsk and Luhansk regions. On the night of 3-4 June, a few days before the inauguration of the future President of Ukraine, the separatists stormed the Luhansk border post, thus neutralising part of the border with Russia.[164] In addition, conflicts had spread to the Donbass airports. Donetsk airport was closed for passenger flights from 26 May, and Lugansk stopped functioning from 11 June 2014.

On 25 May 2014, the election of the President of Ukraine took place. As a result, Petro Poroshenko became head of state. Elections were held throughout Ukraine, including a number of districts, in the west and south of the Donetsk region, as well as in the north of Luhansk. At the same time, polling stations did not open in Crimea, or over a large part of Donbass, which at that time continued to be controlled by separatists. According to

160   Ukrinform, 'The active phase of the anti-terrorist operation began five years ago', (April 14, 2019), paragraph 3, available at: https://www.ukrinform.ua/rubric-ato/2680729-pat-rokiv-tomu-rozpocalas-aktivna-faza-ato.html, Accessed on 30 May 2021].

161   Mykola Lytvyn, 'Line of Contact', section, 'Hybrid tactics of the Kremlin', Paragraph1, p. 229 [Accessed on 30 May 2021].

162   USAD, Ukrainian Helsinki Group for Human Rights 'Armed Conflict in Ukraine: Military Support of Illegal Armed Forces 'DPR' and 'LPR' by the Russian Federation', Kyiv, (2018), chapter 'The nature of hostilities', p. 9, available at: https://helsinki.org.ua/wp-content/uploads/2018/05/New.pdf [Accessed on 3 June 2021].

163   Prometheus Canada, 'Donbass on fire. Guide to the conflict zone', chapter 3, 'Chronicles of the war April 2014', p. 37, (2017), available at: https://prometheus.ngo/wp-content/uploads/2017/05/Donbas_v_Ogni_RUS_1-2_web.pdf [Accessed on 3 June 2021].

164   Mykola Lytvyn, 'Line of Contact', section, 'New Border Capture Plan', Paragraph4, p. 244 [Accessed on 3 June 2021].

numerous international observers, the elections did not have significant irregularities and were recognized by the world community as being democratic.

This had a positive effect on the socio-political situation in the country and strengthened the position of the new Ukrainian government internationally. Western leaders were positive in their comments. In particular, US President Barack Obama in his congratulatory message 'promised full support to the new president and expressed hope for a peaceful solution to the conflict in eastern Ukraine'.[165] As for the Russian Federation, on 26 May, Russian Foreign Minister Sergei Lavrov noted that 'Moscow is ready for a dialogue with the President-elect of Ukraine Petro Poroshenko'.[166]

At the first press conference, Petro Poroshenko formulated the main directions of foreign and domestic policy for the near future. 'My first decisive steps will be to end the war, end the chaos and bring peace to a united and free Ukraine'. In addition, Petro Poroshenko supported the continuation of the anti-terrorist operation in the eastern regions of Ukraine. 'I fully support its continuation, I demand a change in its formation — it has to be shorter in time, it has to be more efficient, units and subdivisions should be better equipped, they need to have better weapons, better ammunition', he said. Regarding the settlement of the situation in Donbass, he stated that 'I intend to continue the dialogue with Moscow in any way, first of all within the framework of the already held Geneva Quartet, and if it is necessary I am ready to meet with Putin'. As to Crimea he said: 'I would like to say that the key position from which Ukraine will not back down is a tough stance on Crimea, since we consider Crimea to be occupied'. [167]

At the same time, at the end of May 2014, the situation in the country was extremely difficult. The structure of state authorities did not fully function, the economy was suffering from inflation, part of the country was beyond the control of the central government (Crimea), and full-scale hostilities broke out in a number of districts in the Donetsk and Luhansk regions. Furthermore, the security forces did not have enough resources to carry out tasks within the framework of anti-terrorist operations. The Canadian newspaper Globe and Mail mentioned at the time that 'the new president will have to not only fight' pro-Russian separatism 'but also rebuild the collapsed economy'. And the German newsmagazine Der Spiegel called Poroshenko 'a president without a state' who claimed that 'the restoration of the army and law enforcement agencies was among his top priorities'.[168]

165   Gazeta.ru, Polina Matveava 'The world congratulates Poroshenko', Paragraph5 (26 May 2014), available at: https://www.gazeta.ru/politics/2014/05/26_a_6048265.shtml, [Accessed on 3 June 2021].

166   INTERFAX.RU, 'The Russian Foreign Minister has declared his readiness for dialogue with the new President of Ukraine', Paragraph1 (26 May 2014), available at: https://www.interfax.ru/russia/378015l, [Accessed on 4 June 2021].

167   BBC NEWS, Russian Service, 'Elections in Ukraine: Poroshenko wins the first round', Paragraph5, 6, 8 (26 May 2014), available at: https://www.bbc.com/russian/international/2014/05/140525_ukraine_elections_results, [Accessed on 3 June 2021].

168   Gazeta.ru, Polina Matveava 'The world congratulates Poroshenko', Paragraph5 (26 May 2014), available at: https://www.gazeta.ru/politics/2014/05/26_a_6048265.shtml, [Accessed on 3 June 2021].

2.3. Active hostilities in eastern Ukraine: chronology and results. Establishment of international negotiating platforms for the settlement of the armed conflict (June 2014 – February 2015).

On 6 June 2014, a brief meeting of the Heads of State of Germany, France, Ukraine and Russia took place in the French town of Benouville as part of the celebrations for the seventieth anniversary of the Allied landings in Normandy. It happened at the initiative of the President of the French Republic Francois Hollande. The general result of the meeting was declarative in nature. It marked, though, the beginning of the so-called Normandy format, which was created to resolve the armed conflict in the eastern part of Ukraine.[169] On 8 June 2014, the establishment of the Trilateral Contact Group of the Plenipotentiaries of Ukraine, the OSCE and Russia (also known as the Trilateral Contract Group for the peaceful settlement of the situation in eastern Ukraine) was officially announced. It would become the working body to address operational issues which required full cooperation between the warring parties in eastern Ukraine[170].

On the battlefront, during June both parties established themselves on the ground. As of 12 June 2014, the separatists controlled about 80% of the territory of Donetsk and Luhansk regions and about six million people lived in these separatist-controlled areas.[171] In addition, uncontrolled sections of the border with the Russian Federation remained a serious problem for the anti-terrorist operation forces. Arms, ammunition, volunteer detachments, and soon heavy combat equipment were delivered across the borders here. In the Luhansk region alone, the uncontrolled section of the border ran to some 120 km.[172] Despite these circumstances, by 20 June 2014, the Ukrainian army had liberated Krasnyi Lyman, Mariupol, Schastia. It had also established itself at Donetsk and Luhansk airports. The anti-terrorist operation forces continued to use aircraft, but at the same time they were suffering heavy losses. Thus, 'militants shot down an An-30B helicopter and a reconnaissance aircraft near Slavyansk, and on June 14, an IL-76 strategic air-lifter was shot down, while landing at Luhansk airport, killing 49 Ukrainian servicemen'.[173]

169 Channel 24, Anna Brykova, 'From 2014 to the present day: what was remembered of each of the Norman meetings', chapter 'Benuville (Normandy)', 6 June 2014" Paragraph2-3, (9 December2019), available at: https://24tv.ua/ru/ot_2014_i_po_sej_den_chem_zapomnilas_kazhdaja_iz_normandskih_vstrech_n1246171, [Accessed on 6 June 2021].

170 Embassy of Ukraine in the Republic of Kazakhstan, 'The first meeting of the trilateral contact group for the implementation of the peace plan in eastern Ukraine', (8 June 2014), available at: https://kazakhstan.mfa.gov.ua/news/23961-vidbulosy-pershe-zasidannya-tristoronnyoji-kontaktnoji-grupi-z-realizaciji-mirnogo-planu-na-skhodi-ukrajini1, [Accessed on 6 June 2021].

171 Prometheus Canada, 'Donbass on fire. Guide to the conflict zone', chapter 3, 'Chronicles of the war June 2014', p. 38, (2017), available at: https://prometheus.ngo/wp-content/uploads/2017/05/Donbas_v_Ogni_RUS_1-2_web.pdf [Accessed on 7 June 2021].

172 Information and Analytical Center of the National Security of Ukraine, 'Chronicle of the war in Donbass: from rallies to tanks', chapter 'Battles on the border' Paragraph3, (October 18, 2014), available at: http://mediarnbo.org/2014/10/18/hronika-vi-yni-na-donbasi-vid-mitingiv/ [Accessed on 7 June 2021].

173 Obozrevatel, Victoria Dovgan 'Il-76 catastrophe over Luhansk: 49 angels of winged infantry were honored in Ukraine', 14 June 2020),, 14 June 2020), available at: https://news.obozrevatel.com/society/katastrofa-il-76-nad-luganskom-v-ukraine-pochtili-pamyat-49-angelov-kryilatoj-pehotyi.htm [Accessed on 7 June 2021].

On 18 June, 2014, President Petro Poroshenko announced the 'Peace Plan for the settlement of the situation in Donbass', with its 14 points.[174] Petro Poroshenko stated, in an interview, that 'the peace plan will begin with a unilateral ceasefire, and a corridor will be created for 'Russian mercenaries to leave the country'. In its turn, 'DPR' head Denis Pushilin, in an interview with the Russian TV-channel Dozhd (also known as TV Rain) called Petro Poroshenko's proposals 'absolutely meaningless… That is, it turns out: they cease fire, we disarm, and they take us unarmed. It is unlikely that this will lead to constructiveness', Pushilin said.[175]

Since 20 June, the Ukrainian side announced a unilateral ceasefire until 27 June.[176] Against the background of attempts to implement the 'Peace Plan for the settlement of the situation in Donbass' on 23 and 27 June in Donetsk, negotiations were held in the framework of the meetings of the Trilateral Contact Group on Ukraine. Some agreements were made. In particular, they concerned the extension of the ceasefire until 30 June, as well as the parties' commitment to maintain a ceasefire while European and Russian observers jointly monitored the situation in the frontline territories at the time of the ceasefire.[177]

Despite the truce and the agreements reached at the peace talks in Donetsk, the ceasefire has been repeatedly violated. According to the Ukrainian Foreign Ministry: 'During the ceasefire, which lasted from June 20, 27 Ukrainian servicemen were killed and 69 were injured'. Based on this, on 30 June, the Ukrainian side stated that the peace plan could not be implemented due to 'criminal actions of the militants'. In turn, the co-chairman of the 'government' of the self-proclaimed 'DPR' Myroslav Rudenko stated: 'that the continuation or non-continuation of the ceasefire by Kyiv will not change the situation in eastern Ukraine, because the Ukrainian side failed to comply'.[178] On 1 July 2014, Petro Poroshenko announced the resumption of the anti-terrorist operation, noting that 'we will advance and liberate our land. Not extending the ceasefire is our response to terrorists, militants and looters'.[179]

In July, the anti-terrorist operation forces changed their tactics and switched to rapid offensive operations. On 5 July, Girkin's troops were driven out of Slavyansk, and by 10 July, government troops had liberated Kramatorsk, Druzhkovka, Artyomovsk, and Konstantynivka. A few days later, Ukrainian troops secured the entire south of the Donetsk region. In addition, during July, anti-terrorist operation forces took control of a number of important settlements in the Luhansk region, in particular Severodonetsk and

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174   Volodymyr Pirig '14 points of Poroshenko's peace plan', (19 June 2014), available at: https://zaxid.net/14_punktiv_mirnogo_pla-nu_poroshenka_povniy_spisok_n1312142 [Accessed on 7 June 2021].

175   BBC NEWS Ukraine, 'Poroshenko: peace plan will begin with a ceasefire', paragraph1, chapter 'Pushylin does not trust Poroshen-ko' paragraph1, (18 June 2014) available at: ww.bbc.com/ukrainian/politics/2014/06/140618_poroshenko_plan_peace_dk, [Ac-cessed on 7 June 2021].

176   Ukrainska Pravda, 'ATO suspended for a week', (20 June 2014), available at: https://www.pravda.com.ua/news/2014/06/20/7029680/, [Accessed on 8 June 2021].

177   Lenta.ru, 'Truce in Donbass extended until June 30', Paragraphs 1,4 (27 June 2014), available at: https://lenta.ru/news/2014/06/27/armistice/, [Accessed on 8 June 2021].

178   BBC NEWS Ukraine, 'Poroshenko: We will liberate our land','Peace plan failed' paragraphs 1, 4, (1.06.2014), available at: https://www.bbc.com/ukrainian/ukraine_in_russian/2014/07/140701_ru_s_poroshenko_ato [Accessed on 8 June 2021].

179   Ukrainska Pravda, 'President Poroshenko gave the command to fire', (1 July 2014), available at: https://www.pravda.com.ua/rus/articles/2014/07/1/7030574/, [Accessed on 8 June 2021].

Lisichansk. [180] However, almost 20% of all Ukrainian cities are located in two regions of Donbass, with most of them concentrated in connurbations around heavy industry. The illegally-armed groups were mainly stationed in the large cities of the Donetsk and Luhansk regions, which for humanitarian reasons precluded direct attacks on separatist positions in densely populated neighborhoods. Here there was just too great a risk of heavy civilian casualties. Therefore, the command of the anti-terrorist operation forces usually used blocked and isolated resistance points. They cut the supply routes of resources from other countries, and established control over the main transport communications in the theater of operations.

At the same time, July was marked by a photo-video recording of rocket and artillery shelling of Ukrainian positions from the Russian Federation itself. The first shelling occurred on 11 July in the area of Zelenopole (Luhansk region). Thirty Ukrainian servicemen and border guards were killed. In this regard, on 14 July 2014, First Deputy Secretary of the National Security and Defence Council of Ukraine, Mykhailo Koval stated that the shelling was carried out with the Tornado-g missile system, which is the latest Russian updated modification of the BM-21 Grad.[181] In turn, the Russian side continued to categorically deny the participation of its troops and weapons in Donbass.

On 17 July 2014, a Malaysia Boeing-777 passenger plane flying MN-17 Amsterdam-Kuala Lumpur crashed near the settlement of Pervomaiskoye (Donetsk region). As a result, the 298 crew members and passengers on the plane died. The crash was later the subject of a lawsuit in The Hague (Netherlands). A 9M38 series military missile fired from the Buk anti-aircraft missile system of the 53rd Air Defense Brigade of the Russian Federation was believed to have shot down MN-17. It was brought to Ukraine from Russia to the territories which were controlled by pro-Russian separatists.[182] While giving an interview, the press secretary of the President of Russia Dmitry Peskov said that 'the investigation into the crash of the Boeing 777 takes place in a deliberately biased attitude towards Russia and therefore it is doomed to bias and failure'.[183] Russia has steadfastedly denied any responsibility. In late July, the G7 and the EU imposed another array of sanctions on Russia, which imposed new political, economic, and financial restrictions on those legal entities and individuals that had destabilised eastern Ukraine.[184]

During August 2014, hostilities continued along the entire line of contact, with the anti-terrorist operation forces and Ukraine had achieved important successes by the middle

180   Information and Analytical Center of the National Security of Ukraine, 'Chronicle of the war in Donbass: from rallies to tanks', sections 'The First Truce Break', 'July Offensive', paragraph1, (October 18, 2014), available at: http://mediarnbo.org/2014/10/18/hronika-viyni-na-donbasi-vid-mitingiv/ [Accessed on 8 June 2021].

181   Day, Valentin Torba, 'Five years ago, the first open attack against Ukrainian troops from the territory of the Russian Federation took place', Paragraph: Aggression, available at: https://day.kyiv.ua/ru/article/podrobnosti/pryamoe-dokazatelstvo-agressii/, [Accessed on 8 June 2021].

182   DW Ukraine 'The case of the downed MH17 is being considered in court on the merits: what is important to know', chapter 'Who shot down MH17: the results of the investigation', available at: https://www.dw.com/ru/delo-o-sbitom-mh17-razbira-jut-v-sude-po-sushhestvu-chto-vazhno-znat/a-52651823 [Accessed on 10 June 2021].

183   INTERFAX.RU, 'Peskov stated the failure of the biased investigation of MN-17', paragraphs 1,3 (October 1, 2016), available at: https://www.interfax.ru/russia/530704, [Accessed on 10 June 2021].

184   BBC NEWS Russian Service, 'Sanctions against Russia: who will suffer more?',paragraph1, (30 July 2014), available at: https://www.bbc.com/russian/international/2014/07/140730_russia_eu_sanctions_analysis [Accessed on 10 June 2021].

of the month. The situation had become critical for the separatists: Luhansk was almost completely surrounded, and the so-called 'DPR' was broken up by anti-terrorist operation forces into several isolated defence nodes.[185] The ATO command decided, on the back of these successes, to launch a full-scale offensive, and this culminated in the battle of 22-29 August for the city of Ilovaisk in the Donetsk region. However, government troops were surrounded and suffered a serious defeat, which dramatically changed the situation and exacerbated the wider socio-political situation in the country. Illegal armed groups subsequently reached Luhansk, pushed all Ukrainian troops to the Seversky Donets river and approached the outskirts of Mariupol from the east. [186]

This sharp change in the balance of power in favor of the separatists brought about new accusations against the Russian Federation. The claim was made that its regular troops had penetrated the eastern regions of Ukraine in the second half of August 2014. According to the General Staff of the Armed Forces of Ukraine: 'in the Ilovaisk region alone, since August 24, 2014, there have been approximately 4,000 Russian servicemen in 4 battalion tactical groups, as well as up to 20 tanks, up to 90 combat vehicles, up to 30 artillery units and up to 20 units of multiple rocket launcher systems'.[187] NATO Secretary General Anders Fogh Rasmussen also confirmed that the Russian military equipment had been seen entering Ukraine. In addition, in late August, the Western media actively covered the participation of Russian servicemen and military equipment in the battles in Donbas. In particular, an interview with Russian paratroopers detained on 24 August in the area of hostilities of the 98th Airborne Division of the Russian Armed Forces was widely covered. [188] In a report-study 'Putin: War' by the famous Russian opposition politician Boris Nemtsov, it was noted that 'in August 2014, at least 150 Russian servicemen were killed in Donbass'.[189] The Russian Foreign Minister made contrary claims: 'We regard all such statements (about the possible introduction of Russian troops into Ukraine) as a manifestation of the information war', Lavrov said on 26 August.[190]

Amid the escalation of hostilities in eastern Ukraine, a meeting of the Trilateral Contact Group of the Plenipotentiaries of Ukraine, the OSCE and Russia (TCG) was called. It began in Minsk in early September 2014. The participants of the TCG discussed the Peace Plan of the President of Ukraine Petro Poroshenko and the initiatives of the President of the Russian Federation Vladimir Putin. As a result of negotiations, on 5 September 2014, a

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185   Information and Analytical Center of National Security of Ukraine, 'Chronicle of the war in Donbass: from rallies to tanks', sections 'In the fierce battles of August', 'July Offensive', paragraphs 2,3,4, (October 18, 2014), available at: http://mediarnbo. org/2014/10/18/hronika-viyni-na-donbasi-vid-mitingiv/ [Accessed on 10 June 2021].

186   Information and Analytical Center of National Security of Ukraine, 'Chronicle of the war in Donbass: from rallies to tanks', sections 'In the fierce battles of August', 'Ilovaysk tragedy', paragraphs 3,5, (October 18, 2014), available at: http://mediarnbo. org/2014/10/18/hronika-viyni-na-donbasi-vid-mitingiv/ [Accessed on 10 June 2021].

187   Ministry of Defense of Ukraine, official website 'Analysis of hostilities in the Ilovaisk region after the invasion of Russian troops on August 24-29, 2014', (October 19, 2015), available at: https://www.mil.gov.ua/news/2015/10/19/analiz-illovausk--14354/ [Accessed on 10 June 2021].

188   BBC NEWS Russian service, 'Where do Russian paratroopers come from in Ukraine?' chapter 'Ivanovsky paratroopers' (August 27, 2014), available at: https://www.bbc.com/russian/international/2014/08/140827_russian_paratroopers [Accessed on 10 June 2021].

189   UNIAN, The main theses of Nemtsov's report 'Putin. War' have been published, paragraph5, (12 May 2015), available at: https://www.unian.ua/world/1076657-oprilyudneni-golovni-tezi-dopovidi-nemtsova-putin-viyna.html [Accessed on 10 June 2021].

190   BBC NEWS Ukraine, Vitaly Chervonenko, 'Who is at war in the East: a chronology of evidence of Russian troops", chapter 'Lost paratroopers', paragraph5, (2 September 2014), available at: https://www.bbc.com/ukrainian/ukraine_in_russian/2014/09/140902_ru_s_russian_army_ukraine_debate, [Accessed on 11 June 2021].

twelve-point protocol was adopted, which was later renamed 'the Minsk Agreements' (also known as Minsk-1). The protocol was signed by Heide Tagliavini (OSCE Ambassador), Leonid Kuchma (the second President of Ukraine) and Mikhail Zurabov (Russian Ambassador to Ukraine). Representatives of the self-proclaimed 'DPR' and 'LPR' also endorsed the document as private individuals.

The Trilateral Contact Group on Ukraine reached an understanding with respect to the need to implement the following steps: '**1. Ensure the immediate bilateral cessation of the use of weapons. 2. Ensure monitoring and verification by OSCE of the regime of non-use of weapons. 3. Implement decentralization of power, including by enacting the law of Ukraine on the interim status of local self-government in certain areas of the Donetsk and Luhansk regions (Law on Special Status). 4. Ensure permanent monitoring on the Ukrainian-Russian State border and verification by OSCE, along with the establishment of a security area in the border regions of Ukraine and the Russian Federation. 5. Immediately release all hostages and unlawfully detained persons. 6. Enact a law prohibiting the prosecution and punishment of persons in connection with the events that took place in certain areas of Donetsk and Luhansk regions of Ukraine. 7. Continue an inclusive national dialogue. 8. Adopt measures aimed at improving the humanitarian situation in Donbass. 9. Ensure the holding of early local elections in accordance with the Law of Ukraine on the interim status of local self-government in certain areas of the Donetsk and Luhansk regions (Law on Special Status). 10. Remove unlawful military formations and military hardware, as well as militants and mercenaries, from the territory of Ukraine. 11. Adopt a program for the economic revival of Donbass and the resumption of vital activity in the region. 12. Provide personal security guarantees for the participants of the consultations**'.[191]

In general, the essence of the Minsk Protocol can be broken down into three parts: 1) cessation of hostilities; 2) political settlement; 3) security in the conflict zone.

There was naturally controversy about the implementation of certain provisions. The TCG, adopted, 19 September, the Minsk Memorandum on the implementation of the provisions of the Protocol. In particular, the Trilateral Contact Group on joint steps has reached an understanding with respect to the following measures to strengthen the bilateral ceasefire agreement: both sides' units and armed formations shall halt at their line of contact as at 19 September 2014; the establishment of the security zone 30 km in width (at least 15 km on each side); all lethal weapons shall be moved back from the line of contact on each side; as soon as this Memorandum is approved, flights by military aircraft and foreign unmanned aerial vehicles (UAV), with the exception of UAV used by the OSCE monitoring mission, shall be banned along the line of contact; an OSCE monitoring mission consisting of OSCE observers shall be deployed in the ceasefire zone within 24 hours of the approval of this Memorandum; installation of new mines and explosive barriers within the limits of the security zone should be banned; all foreign militia members and mercenaries are to exit the territory of Ukraine under OSCE monitoring.[192] The line of contact between the warring

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191   OSCE, 'Protocol on the Results of the Trilateral Contact Group Consultations, Minsk, 5 September 2014' (5 September 2014), available at: hhttps://www.osce.org/ru/home/123258, [Accessed on 11 June 2021].

192   Past and Present, 'Minsk Protocol (2014), Minsk, 5 September 2014', (6 September 2018), available at: https://mtt.in.ua/slovnyk_minskyj-protokol-2014/, [Accessed on 11 June 2021].

parties was taken to demarcate certain areas of Donetsk and Luhansk oblasts (ORDLO), which at that moment were beyond the control of government troops.

Despite the fact that the violation of the first paragraph of the Minsk agreements — a bilateral ceasefire — occurred immediately after the signing of the protocol on 5 September 2014, large-scale actions ceased. In order to strengthen compliance with the Minsk Protocol, on 26 September 2014, the Joint Center for Control and Coordination on Ceasefire and Stabilization of the Contact Line (JCCC) was established. This included Ukrainian and Russian representatives.[193] This certainly contributed to the minimizing of hostilities. However, shelling and local clashes did not stop. At the same time, the opposing parties blamed each other for violations of the ceasefire. NATO's Supreme Allied Commander in Europe, General Breedlove, said that the truce was 'in name only' at a NATO meeting on 21 September. In particular, he claimed, 'that the number of events, and the number of rounds fired and the artillery used across the past few days match some of the pre-ceasefire levels'[194]. According to the Office of the UN High Commissioner, 957 people died in eastern Ukraine during the truce, within a month and a half of the signing of the Minsk agreements.[195]

This situation led to persistent attempts to reduce the intensity of shelling by introducing additional 'ceasefire' regimes. Until the end of 2014, 'the ceasefire regime' was announced on 7 October and 10 December, but it was not possible to ensure full combat operations.[196] The withdrawal of heavy equipment, which was not fully implemented by the end of 2014, also depended on the results of the implementation of 'silence regimes'.[197]

At the same time, one of the positive aspects of the Minsk Agreements of 2014 was the exchange of military and civilian persons detained during the armed conflict. On 5 September 2014, three days after the first Minsk Agreements, 648 Ukrainians were freed from captivity, on 28 September, 60 members of illegal formations were exchanged for 30 Ukrainian soldiers, while on 21 October, 822 people returned to government controlled territory. The first 'big' exchange took place on 26 December that resulted in an exchange of 150 Ukrainian servicemen being exchanged for 222 members of illegally-armed groups. [198] Later, the Joint Hostage Release Center, established by the Security Service of Ukraine in October 2015, gained control over all exchange issues. The centralization of exchanges significantly influenced the negotiation process as a whole due to the involvement of intelligence officers and governmental officials.

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193   Rosbalt, 'In Soledar, a group to monitor compliance with the ceasefire', (26 September 2014), available at: https://www.rosbalt.ru/ukraina/2014/09/26/1320267.html, [Accessed on 11 June 2021].

194   BBC NEWS Ukraine, Irena Taranyuk, 'Truce: a panacea for hopelessness?', Paragraph3, (25 September 2014), available at: https://www.bbc.com/ukrainian/politics/2014/09/140923_truce_what_next_it, [Accessed on 11 June 2021].

195   BBC NEWS Ukraine, Svetlana Dorosh, 'Anniversary of the Minsk Agreements: a conflict for years?', Chapter '12 points that did not stop the conflict', the last paragraph(5 September 2015), available at: https://www.bbc.com/ukrainian/ukraine_in_russian/2015/09/150905_ru_s_minsk_agreement_anniversary, [Accessed on 11 June 2021].

196   Vedomosti, Alexei Nikolsky, 'The plan of the truce in Donbass provides for the withdrawal of troops from the front line within a month' (10 December 2014), available at: https://www.vedomosti.ru/politics/articles/2014/12/10/otschet-peremiriya, [Accessed on 12 June 2021].

197   'Heavy machinery removal in Donbass will start after December 26', paragraph2, (26 December 2014), available at: https://ren.tv/news/v-mire/16770-otvod-tiazheloi-tekhniki-v-donbasse-nachnetsia-posle-26-dekabria, [Accessed on 12 June 2021].

198   Justice for Peace in Donbass, Anton Udovenko 'Chronology of prisoner exchanges: 2014-2020', chapter 'In the beginning', (May 2020), available at: https://jfp.org.ua/blog/blog/blog_articles/58?locale=ru, [Accessed on 12 June 2021].

Regarding the implementation of the political part of the Minsk Agreements, on 16 October 2014, the Ukrainian Parliament adopted the Laws 'On the Special Procedure for Local Self-Governance in Certain Areas of Donetsk and Luhansk Regions' and 'On Preventing Persecution and Punishment of Participants in Events on the territories of Donetsk and Luhansk Regions'. According to these laws, local elections were to take place on 7 December 2014 in certain areas of Donetsk and Luhansk regions (ORDLO), and a special order of self-government was to be introduced into this territory for three years. In particular, the state guaranteed the free use of Russian and other languages and the prevention of criminal, administrative proceedings, or otherwise the punishment of persons who had been participants in the events in the Donetsk and Luhansk regions.[199]

In turn, on 2 November 2014, 'local elections' were organized and held on the territory of the self-proclaimed 'DPR' and 'LPR'. These elections were considered, in Kyiv and Western capitals, to be a unilateral violation of the political part of the Minsk agreements. Thus, on 4 November, the representative of the Ukrainian Ministry of Foreign Affairs stated that 'Moscow's attempts to find any justification for these 'elections' (2 November in 'DPR' and 'LPR') in the Minsk documents were in vain. No one in the world has any doubt that their holding grossly violated the Minsk Protocol of September 5'.[200] The then OSCE Chairperson-in-Office, Swiss President Didier Burkhalter, commented on the 'elections in 'DPR' and 'LPR' in a similar vein, stating that 'the elections in the self-proclaimed DPR and LPR would run counter to the letter and spirit of Minsk Agreements , as the document provides for early elections in some districts of Donetsk and Luhansk regions in accordance with the laws of Ukraine'.[201] Regarding the positions of Russia, it was stated by the Russian Ministry of Foreign Affairs that Moscow considers the 'elections' to have taken place. 'We respect the will of the people of the south-east. Elected representatives were given a mandate to address practical issues in these regions'.[202]

These 'elections' contributed to the resumption of active hostilities at the end of November 2014. The intensity of artillery shelling increased along almost the entire line of contact. The fiercest fighting took place near Donetsk airport, which lasted until 21 January 2015 and ended with the withdrawal of Ukrainian troops from the facility. At the same time, the OSCE monitoring group began to record an increase in shelling of residential areas and human settlements, which resulted in civilian casualties. In the first ten days of February 2015, the most critical situation took place in the area of the major railway junction at Debaltsevo (Donetsk region). There a group of illegally-armed groups reinforced with heavy equipment and weapons went on the offensive to surround and destroy Ukrainian troops in Sector C. According to the estimates of the General Staff of the Armed Forces of Ukraine: 'the battles for the Debaltseve bridgehead are one of the largest clashes in the

199   Ukrainska Pravda, 'Rada voted for Poroshenko's laws on Donbass', (16 September 2014), paragraphs 3,4, available at: https://www.pravda.com.ua/rus/news/2014/09/16/7037933/, [Accessed on 12 June 2021].

200   INTERFAX.RU, 'Ukrainian authorities accuse Russia of sabotage of the Minsk agreements on Donbass', (4 November 2014), Para-graph7, available at: https://www.interfax.ru/world/405387, [Accessed on 12 June 2021].

201   News.ru, 'USA and OSCE state that elections in DPR and LPR violate Minsk agreements' (1 November 2014), paragraph1, available at: https://www.newsru.com/world/01nov2014/usaoscelgndn.html, [Accessed on 12 June 2021].

202   Today, 'Moscow recognized the terrorist election of militants' (2 November 2014), paragraphs 1,2, (2 November 2014), Para-graph1,2 , available at: https://world.segodnya.ua/world/moskva-priznala-terroristicheskie-vybory-boevikov-566013.html, [Accessed on 12 June 2021].

Donbass. Thousands of fighters, hundreds of units of equipment and heavy artillery took part in it from all sides'.[203] In order to avoid mass casualties, this situation required a rapid political settlement at the highest level.

In this tense situation, on 12 February 2015, the TCG, the OSCE and Russia signed 'Package of Measures for the Implementation of the Minsk Agreements'. This document received the unofficial name of the second Minsk agreements, or 'Minsk-2', and became a continuation of the Minsk Protocol of September 5, 2014.[204] Before the TCG meeting on the night of 11-12 February 2015, a summit of the leaders of the Normandy Quartet: France, Germany, Russia and Ukraine took place in Minsk. The meeting was to try and dampen the escalating conflict in eastern Ukraine. The general sentiment of Western diplomacy was expressed before the summit by the Minister of Foreign Affairs of Luxembourg, Jean Asselborn, who called the upcoming meeting 'almost the last step on the road to peace'.[205] After difficult sixteen-hour talks, the summit participants signed the 'Declaration in Support of the Package of Measures for the Implementation of the Minsk Agreements Approved in Minsk on 12 February 2015 of the President of the Russian Federation, the President of Ukraine, the President of the French Republic and the Chancellor of the Federal Republic of Germany',[206] thus reaffirming that a political process was needed to resolve the conflict.

As for the package of measures aimed at the implementation of the Minsk agreements, they included:

1. Immediate and comprehensive ceasefire in certain areas of the Donetsk and Lugansk regions of Ukraine and its strict implementation starting from 00.00 AM (Kyiv time) on the 15th of February, 2015.

2. Withdrawal of heavy weapons by both sides on equal distances in order to create a security zone at least 50 km wide from each other for the artillery systems with caliber greater than 100mm and more, a security zone of 70 km wide for MLRS and 140 km wide for MLRS 'Tornado-C', 'Uragan', 'Smerch' and Tactical missile systems 'Tochka' ('Tochka U'): – for the Ukrainian troops: from the de facto line of contact; – for the armed formations from certain areas of the Donetsk and Lugansk oblast of Ukraine from the line of contact according to the Minsk memorandum of September 19, 2014. The withdrawal of the heavy weapons as specified above is to start on day 2 of the ceasefire at the latest and to be completed within 14 days. The process shall be facilitated by the OSCE and supported by the Trilateral Contact Group.

3. Ensure effective monitoring and verification of the ceasefire regime and the withdrawal of heavy weapons by the OSCE from the day 1 of the withdrawal, using all technical

203   BBC NEWS Ukraine, Vyacheslav Shramovich, 'A Year Later: How to Get Out of Debaltseve', paragraph1, (5 September 2015), available at: https://www.bbc.com/ukrainian/ukraine_in_russian/2016/02/160205_ru_s_debaltseve_vj_anniversary, [Accessed on 12 June 2021].

204   RT, Alexander Bovdunov, 'Put an end to bloodshed': how the Minsk agreements changed the situation in Donbass', chapter 'Complex of measures', paragraph2, (12 February 2015), available at: https://russian.rt.com/ussr/article/480159-minskie-soglash-eniya-tri-goda-perspektivy, [Accessed on 13 June 2021].

205   DW Germany 'Summit in Minsk - the last congress from the road of war?', paragraph2, available at: https://www.dw.com/ru/саммит-в-минске-последний-съезд-с-дороги-войны/a-18247866 [Accessed on 13 June 2021].

206   Russian newspaper RGRU, "Declaration and Complex of measures to implement the Minsk agreements", (12 February 2015), available at: https://rg.ru/2015/02/12/deklaracia-minsk-site.html, [Accessed on 13 June 2021].

equipment necessary, including satellites, drones, radar equipment, etc.

4. Launch a dialogue, on day 1 of the withdrawal on modalities of local elections in accordance with Ukrainian legislation and the Law of Ukraine 'On interim local self-government order in certain areas of the Donetsk and Lugansk regions' as well as on the future regime of these areas based on this Law. Adopt promptly, by no later than 30 days after the date of signing of the document a resolution of the Parliament of Ukraine specifying the area enjoying the special regime, under the Law of Ukraine On interim local self-government order in certain areas of the Donetsk and Lugansk regions', based on the line of the Minsk Memorandum of September 19, 2014.

5. Ensure pardon and amnesty by enacting the law prohibiting the prosecution and punishment of persons in connection with the events that took place in certain areas of the Donetsk and Lugansk regions of Ukraine.

6. Ensure release and exchange of all hostages and unlawfully detained persons, based on the principle 'all for all'. This process is to be finished on the day 5 after the withdrawal at the latest.

7. Ensure safe access, delivery, storage, and distribution of humanitarian assistance to those in need, on the basis of an international mechanism.

8. Definition of modalities of full resumption of socio-economic ties, including social transfers, such as pension, payments and other payments (incomes and revenues, timely payments of all utility bills, reinstating taxation within the legal framework of Ukraine). To this end, Ukraine shall reinstate control of the segment of its banking system in the conflict-affected areas and possibly an international mechanism to facilitate such transfers shall be established.

9. Reinstatement of full control of the state border by the government of Ukraine throughout the conflict area, starting on day 1 after the local elections and ending after the comprehensive political settlement (local elections in certain areas of the Donetsk and Lugansk regions on the basis of the Law of Ukraine and constitutional reform) to be finalized by the end of 2015, provided that paragraph 11 has been implemented in consultation with and upon agreement by representatives of certain areas of the Donetsk and Lugansk regions in the framework of the Trilateral Contact Group.

10. Withdrawal of all foreign armed formations, military equipment, as well as mercenaries from the territory of Ukraine under monitoring of the OSCE. Disarmament of all illegal groups. 11. Carrying out constitutional reform in Ukraine with a new Constitution entering into force by the end of 2015, providing for decentralization as a key element (including a reference to the specificities of certain areas in the Donetsk and Lugansk regions, agreed with the representatives of these areas), as well as adopting permanent legislation on the special status of certain areas of the Donetsk and Lugansk regions in line with measures as set out in the footnote until the end of 2015.

12. Based on the Law of Ukraine 'On interim local self-government order in certain areas of the Donetsk and Lugansk regions', questions related to local elections will be discussed and agreed upon with representatives of certain areas of the Donetsk and Lugansk regions

in the framework of the Trilateral Contact Group. Elections will be held in accordance with relevant OSCE standards and monitored by OSCE/ODIHR.

13. Intensify the work of the Trilateral Contact Group including through the establishment of working groups on the implementation of relevant aspects of the Minsk agreements. They will reflect the composition of the Trilateral Contact Group.[207]

The results of the summit and the set of measures to implement the Minsk agreements adopted on 12 February by the TCG received a generally positive assessment from both the parties to the conflict and international security institutions. In particular, German Chancellor Angela Merkel said in a comment that 'we have hope now, as we have agreed on the comprehensive implementation of the Minsk Agreements'.[208] The White House statement clamed that 'this agreement represents a potentially significant step towards a peaceful settlement of the conflict and the restoration of Ukraine's sovereignty'.[209] In addition, following decisions in Minsk, the UN Security Council unanimously approved a resolution on Ukraine on 17 February. The members of the Security Council supported the package of measures to implement the Minsk agreements adopted and signed in Minsk on 12 February 2015.[210]

The presidents of the Russian Federation and Ukraine generally praised the results of the Minsk-2 agreements. However, their positions categorically differed in terms of approaches to possible changes in the state system of Ukraine and in determining the status of pro-Russian separatist leaders in the negotiation process. Thus, in a final statement to the press, Vladimir Putin noted that the long-term coordination of documents was due to the fact that 'unfortunately, the authorities in Kyiv still refuse direct contacts with representatives of the Donetsk and Luhansk people's republics'. [211] In turn, Petro Poroshenko stated, 'that despite the strong insistence of the Russian side, we did not go for any status of autonomy. We have stressed today that we will do this as part of the constitutional changes on decentralization. We also did not compromise on federalization'.[212] It was the difference in approaches between the two sides that formed the basis of conceptual differences, which further complicated the implementation of the political component of the implementation of the Minsk agreements.

Despite all the questions around the Minsk agreements, it was from the moment of signing 'Minsk-2' that the armed conflict went from an active phase to a latent one with all the signs of a long positional confrontation with no clear exit for either side. At the same time,

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207 OSCE, 'A set of measures to implement the Minsk agreements', (12 February 2015), available at: https://www.osce.org/files/f/documents/5/b/140221.pdf, [Accessed on 13 June 2021].

208 Datenschutzhinweis, «Pressestatements von Bundeskanzlerin Merkel und dem französischen Präsidenten Hollande am 12. Februar 2015», (12 February 2015), available at: https://www.bundesregierung.de/breg-de/aktuelles/pressekonferenzen/pressestatements-von-bundeskanzlerin-merkel-und-dem-franzoesischen-praesidenten-hollande-am-12-februar-2015-843864. [Accessed on 13 June 2021].

209 TASS, 'White House: The United States welcomes the new Minsk agreements on Ukraine', (12 February 2015), available at: https://tass.ru/mezhdunarodnaya-panorama/1764350 [Accessed on 13 June 2021].

210 UN News, 'UN Security Council unanimously approves resolution on Ukraine', (17 February 2015), available at: https://news.un.org/ru/story/2015/02/1258321 [Accessed on 13 June 2021].

211 President of Russia, 'Negotiations in the Normandy format', (12 February 2015), available at: http://kremlin.ru/events/president/news/47664 [Accessed on 13 June 2021].

212 DW Ukraine 'Poroshenko states: Federalization of Ukraine is out of the question', paragraph3, available at: https://www.dw.com/ru/порошенко-о-федерализации-украины-речи-не-идет/a-18251276 [Accessed on 13 June 2021].

the vast majority of the 13,000 who died during the armed conflict in Donbass, were killed before the signing of Minsk-2. In addition, the Minsk agreements remain to this day the only agreement for ending the war in Donbass.

At the same time, the starting conditions for the implementation of the Minsk agreements were extremely difficult. According to the Office of the UN High Commissioner for Human Rights as of 2 March 2015, 'the number of dead in Donbass already exceeds 6,000 people, with more than 14,000 injured'.[213] A report issued on 23 January 2015 by the United Nations Office for the Coordination of Humanitarian Affairs stated that 'the number of refugees from Donbas has exceeded 1.5 million (including: 921,640 internally displaced persons; about 600,000 refugees fled to neighboring countries)'.[214] The elimination of legitimate authorities and hostilities caused paralysis of the financial system and a socio-economic crisis in the region. The situation was also complicated by the lack of rules and procedures for the movement of residents from areas that were not controlled by the government, primarily for the payment of social benefits. As 'Donetsk and Luhansk remained under separatist control, the regional centers were temporarily relocated to other cities. In June-October 2014, the authorities of the Donetsk region were in Mariupol, then relocated to Kramatorsk. Severodonetsk became the center of the Luhansk region since September 2014'.[215] In addition, according to the Ministry of Economic Development and Trade of Ukraine for the first quarter of 2015, '19 out of 23 system-forming enterprises did not operate in the Luhansk region, and about half in the Donetsk region. The ministry estimates job losses in Donbass at 50-80%.'[216]

In these circumstances, the work on the implementation of the Minsk agreements required balanced political decisions, the influence of international institutions with the simultaneous organization of effective control over the security forces of the warring parties.

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213 BBC NEWS Ukraine, 'UN on Donbass: 6,000 people killed and more than 14,000 injured', paragraph1, available at: https://www.bbc.com/ukrainian/ukraine_in_russian/2015/03/150302_ru_s_un_report_donbas_casualies, [Accessed on 12 June 2021].

214 OCHA 'UKRAINE Situation report No.24 as of 23 January 2014', available at: https://reliefweb.int/sites/reliefweb.int/files/resources/Ukraine%20Situation%20Report%20-%20final.pdf [Accessed on 13 June 2021].

215 Prometheus Canada, 'Donbass on fire. Guide to the conflict zone', chapter 4, 'Life in conditions of war', 'ATO zone', p. 45, (2017), available at: https://prometheus.ngo/wp-content/uploads/2017/05/Donbas_v_Ogni_RUS_1-2_web.pdf [Accessed on 13 June 2021].

216 BBC NEWS Ukraine, 'A Year After the DPR / LPR Referendums: Economic Losses', Paragraph5,6, (12 May 2015), available at: https://www.bbc.com/ukrainian/ukraine_in_russian/2015/05/150512_ru_s_donbas_anniversary_referendums_loss_economics, [Accessed on 12 June 2021].

3. Implementation of ceasefire agreements agreed in Minsk

3.1. Chronology of ceasefire agreements. Attempts of the world community to influence the parties to the conflict (February 2015 – May 2019)

On 16-18 February, a group of illegal armed groups occupied Debaltseve and a number of nearby settlements despite the ceasefire imposed on 15 February. This was the first serious violation of agreements of 12 February. [217] Consequently, large-scale hostilities in eastern Ukraine ended only 18 February 2015, after the withdrawal of anti-terrorist operation forces from Debaltseve. The frontline was consolidated along the so-called 'Svetlodar arc'.

At the same time, from February to March 2015, in several stages, heavy equipment and weapons were withdrawn from the line of demarcation, in particular artillery systems with a calibre of 100 mm or more. This happened along the entire contact line: 485 km monitored by OSCE. The number of artillery shellings decreased significantly. But each party warned that 'in the event of a threat of escalation of the conflict' they would be forced 'to consider the option of returning heavy equipment to the position'. The Russian and Ukrainian foreign ministries repeatedly accused each other of violating agreements on the withdrawal of heavy equipment,[218] while the OSCE Special Monitoring Mission to Ukraine (SMM) recorded ceasefire violations, including the use of Grad missiles and artillery systems.[219]

Pursuant to paragraph 4 of the Minsk Agreements of 12 February, 2015, the Verkhovna Rada adopted a resolution 'On recognition of certain districts, cities, towns and villages

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217   Ministry of Foreign Affairs of Ukraine, «10 facts you should know about the Russian military aggression against Ukraine», (19 December2019), Fact 6: Minsk agreements are regularly violated by Russia, available at: https://mfa.gov.ua/10-faktiv-pro-zbro-jnu-agresiyu-rosiyi-proti-ukrayini [Accessed on 12 May 2021].

218   INTERFAX.RU, 'Kyiv announced the withdrawal of howitzers from Shirokino on March 7', Paragraph2.5 (21 March 2015), available at: https://www.interfax.ru/world/431369, [Accessed on 18 June 2021].

219   OSCE, 'Latest news of the OSCE Special Monitoring Mission to Ukraine based on information received as of 29 March 2015, 18:00 (Kyiv time)', paragraph7, (30 March 2015), available at: https://www.osce.org/ru/ukraine-smm/148866, [Accessed on 18 June 2021].

of Donetsk and Luhansk regions as temporarily occupied territories'. This resolution, in the framework of the Law 'On the Special Procedure for Local Self-Governance in Certain Areas of Donetsk and Luhansk Regions' was adopted on 16 October 2014 in the territory not controlled by the government. It 'introduced a special order of local self-government until the withdrawal of all illegal armed groups, Russian occupation forces and mercenaries and militia members of their military equipment from the territory of Ukraine and the return of these areas to Ukraine's control.[220] The law gave more rights and powers to local governments, but all articles defining the powers of 'certain areas' should come into force only after fulfilling a number of conditions. These were added to the law on 17 March 2015. The conditions provided for the holding of local elections in accordance with Ukrainian legislation subject to the withdrawal of all illegal armed groups and equipment from Ukrainian territory. This would, it was argued, ensure non-interference in the election process. In addition, the law provided for elections to be held under international supervision.[221]

Moscow criticized the above-mentioned resolution of the Ukrainian parliament evidenced with the comments provided by the Russian Foreign Minister Sergei Lavrov.[222] The laws passed by the Verkhovna Rada were supported by France and the United States. In particular, France called these documents 'another measure aimed at decentralizing power in Ukraine and giving Donbass greater autonomy'.[223]

At the same time, Kyiv made several attempts in 2015 to insert an international peacekeeping contingent in Donbass under the auspices of the United Nations or the European Union (EU). In particular, this issue was raised, 28 April 2015 at the Ukraine-EU summit. But it went nowhere.[224]

On 6 May 2015, four working groups were established under the auspices of the TCG on the following issues: security; political affairs; economic affairs; and humanitarian issues. The security subgroup addresses the ceasefire and the withdrawal of heavy weapons; the subgroup on humanitarian issues works on the delivery of humanitarian assistance, infrastructure reconstruction and prisoner exchanges; the subgroup on economic affairs deals with salaries payment, pensions and social benefits; the politics subgroup focuses on the resolution of political issues.

Non-compliance with 'immediate and comprehensive ceasefire' agreements has become a recurrent theme. Non-compliance disrupted further progress in the implementation of

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220   The Verkhovna Rada of Ukraine, Resolution of the Verkhovna Rada of Ukraine № 254-VIII 'On Recognition of Certain Districts, Cities, Settlements and Villages of Donetsk and Luhansk Oblasts as Temporarily Occupied Territories', (17 March 2015), available at: https://zakon.rada.gov.ua/laws/show/254-19#Text [Accessed on 18 June 2021].

221   BBC NEWS Ukraine, Svetlana Dorosh 'Anniversary of the Minsk agreements. Conflict for years? ', Chapter 'Special status and elections in Donbas ', (September 5, 2015), available at: https://www.bbc.com/ukrainian/ukraine_in_russian/2015/09/150905_ru_s_minsk_agreement_anniversary, [Accessed on 18 June 2021].

222   Vedomosti, 'Peskov: The decision of the Rada postponed the implementation of the Minsk agreements', Paragraph6, (March 18, 2015), available at: https://www.vedomosti.ru/politics/articles/2015/03/18/peskov-reshenie-radi-otodvinulo-realizatsi-yu-minskih-soglashenii [Accessed on 18 June 2021].

223   CNRUSSIAN.NEWS.CN, 'RU Comment: how will the bills adopted by the Verkhovna Rada of Ukraine affect the implementation of the Minsk agreements?"' Chapter 'Stormy reaction', Paragraph6, (April 1, 2015), available at: http://russian.news.cn/cis/2015-04/01/c_134116180.htm [Accessed on 18 June 2021].

224   'Peacekeepers or visa-free regime?', (28 April 2015), paragraphs 6,7, available at: https://nv.ua/opinion/evropeyskie-nastroeni-ya-mirotvorcy-ili-bezvizovyy-rezhim-46200.html, [Accessed on 18 June 2021].

the agreements reached in Minsk. The OSCE Special Monitoring Mission to Ukraine (OSCE SMM) continued to record almost daily ceasefire violations. Periodically, the intensity of hostilities increased, especially around Shyrokyne,[225] Avdeevka, Opytne and Pisky. The largest clash took place in June 2015 near the town of Maryanka (Donetsk region). Artillery and armored vehicles were used in a significant clash, and several dozen were injured or killed on both sides. [226] Before the battle in Maryanka, the OSCE SMM recorded the movement of DPR personnel and equipment westward from Donetsk and illegal armed groups were blamed for the escalation of the conflict.[227] The US State Department spokeswoman Mary Harf noted that 'the escalation of hostilities could lead to additional costs for Russia, which has direct responsibility for preventing attacks and enforcing the ceasefire agreement'.[228]

On 25 June 2015, PACE adopted a resolution that defined Russia's actions in Ukraine since 2014 as 'aggression', and the term 'occupied' was used in relation to Crimea. In paragraph 9.5 of the resolution, the Assembly called on the Russian Federation to 'provide the families of missing Russian soldiers with accurate information on the fate and whereabouts of their missing relatives'.[229]

On 26 August 2015, TCG agreed on another ceasefire along the entire line of contact in Donbass by 1 September. Commenting on the agreements reached, OSCE Special Representative Martin Sajdik claimed that 'the TCG considers it necessary to ensure a sustainable ceasefire on the line of contact for the first week of school'. In addition, the TCG agreed that the parties to the conflict should allow members of the International Committee of the Red Cross to visit prisoners where they are detained.[230]

On 31 August 2015, as part of the implementation of the commitments made in Minsk, the Verkhovna Rada of Ukraine adopted, on its first reading, the Law 'On Amendments to the Constitution of Ukraine (regarding the decentralization of power)'. One of the clauses of the final provisions of the Law stated that 'the nature of the local self-governance implementation in certain districts of Donetsk and Luhansk regions are determined by a separate law'. This met with considerable public resistance, and there was a violent confrontation outside parliament, with a police officer being killed.[231] Given the circumstances, the amendments to the Constitution regarding decentralization were

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225 OSCE, 'OSCE SMM Operational Report: Resumption of Intensive Fighting Around Donetsk and Shyrokine', 12 April 2015, para-graph7, (12 April 2015), available at: https://www.osce.org/uk/ukraine-smm/150921, [Accessed 18 June 2021].

226 BBC NEWS, Russian Service, 'The fighting at Marinka has subsided, the parties consider the dead', paragraph5 (4 June 2015), available at: https://www.bbc.com/russian/international/2015/06/150604_ukraine_donetsk_maryinka_fighting_osce, [Accessed on 18 June 2021].

227 OSCE, 'Spot report by the OSCE Special Monitoring Mission to Ukraine (SMM), 3 June 2015: Fighting around Marinka', (4 June 2015), available at: https://www.osce.org/ukraine-smm/162116, [Accessed on 18 June 2021].

228 BBC NEWS, Russian Service, 'The fighting at Marinka has subsided, the parties consider the dead', chapter "Mutual accusations", (4 June 2015), available at: https://www.bbc.com/russian/international/2015/06/150604_ukraine_donetsk_maryinka_fighting_osce, [Accessed on 18 June 2021].

229 European Truth, 'The text of the PACE resolution on the missing: Russia is the aggressor, Crimea is occupied', chapter 'The Assembly calls on the authorities of the Russian Federation', (25 June 2015), available at: https://www.eurointegration.com.ua/rus/articles/2015/06/25/7035273/, [Accessed on 18 June 2021].

230 INTERFAX.RU, 'Contact group in Minsk aimed at a ceasefire from September 1', Paragraph2.6 (August 25, 2015), available at: https://www.interfax.ru/world/462844, [Accessed on 18 June 2021].

231 RBC, 'The Verkhovna Rada approved amendments to the Constitution of Ukraine on decentralization', (August 31, 2015), available at: https://www.rbc.ru/politics/31/08/2015/55e428f89a794759de3ab1b8, [Accessed on 18 June 2021].

postponed indefinitely.

On 29 September 2015, the TCG signed a document on the withdrawal of heavy weapons with a caliber of less than 100 mm: this was a supplement to the Package of Measures dated 12 February 2015. According to the document, weapons with a caliber of less than 100 mm must be removed some 15 km from the line of contact by both sides. Withdrawal of weapons was supposed to be carried out in two stages: first tanks would be withdrawn, then artillery and mortars. At the same time, the withdrawal would begin only after a complete ceasefire in the Donbass.[232]

On 2 October 2015, against the background of the decisions taken to withdraw heavy weapons from the lines of demarcation of hostilities in the Donbass, the Normandy Quartet met in Paris. The political outcome of the meeting was an agreement on the postponement of the implementation of the Minsk agreements until 2016. French President Francois Hollande underlined that 'the participants of the meeting discussed the recommendation not to promote elections in the territories of Donbass that are not controlled by the government without applying the norms of Ukrainian legislation'. The initiatives of the German side on the implementation of the Minsk agreements were also considered. These initiatives were later called the 'Steinmeier formula'.[233] President Petro Poroshenko confirmed at a press conference that 'from October 3, the withdrawal of weapons with a caliber of less than 100 millimeters will begin in Donbass, which should take 41 days'. In addition, the President noted that 'the Ukrainian side in the talks insisted on guarantees of access for experts of the OSCE Special Monitoring Mission to the Ukrainian-Russian border, as a major factor that will help to restore Ukraine`s control over the eastern border with Russia'.[234] Decisions were made on assisting with the opening of checkpoints in Donbass for the movement of civilians across the line of contact and mine clearance; this would enable international and humanitarian organizations to operate freely in the Donbass. Agreements were also made over the release of detainees, including prisoners who were being held in Russian Federation territory.

At the end of November 2015, the opposing parties announced a fifteen-kilometre withdrawal of weapons with more than a 100 or 82 millimetre calibre from the line of demarcation.[235] However, in its report of 29 November 2015, the OSCE SMM continued to record isolated violations of the withdrawal of heavy equipment at various points of contact. Furthermore, the OSCE noted cases where its representatives were denied access to verification sites. This naturally made it significantly more difficult to monitor the movement of equipment.[236] At the same time, despite all the problems associated with

232   BBC NEWS Ukraine, 'Poroshenko: we do everything to ensure that the Minsk agreements are implemented', Paragraphs 5,6, (30 September 2015), available at: https://www.bbc.com/ukrainian/ukraine_in_russian/2015/09/150930_ru_s_poroshenko_minsk_withdrawal, [Accessed on 18 June 2021].

233   NV, 'Steinmeier's Formula. What does it mean for Ukraine and why is it being discussed again? (10 December 2019), available at: httpshttps://nv.ua/ukraine/politics/chto-takoe-formula-shtaynmayera-itogi-normandskoy-vstrechi-2019-novosti-ukrainy-50043610.html, [Accessed on 18 June 2021].

234   Crimea. Realia, 'The war will end when the last piece of Ukrainian land is released – Poroshenko', Paragraphs 7,11, (October 3, 2015), available at: https://ru.krymr.com/a/27284985.htmll, [Accessed on 18 June 2021].

235   Radio Svoboda 'ATO Forces have completed the withdrawal of weapons in Sector M – Headquarters', Paragraphs 1,2 (6 November 2015), available at: https://www.radiosvoboda.org/a/news/27349938.html [Accessed on 19 June 2021].

236   OSCE, 'Latest news from the OSCE Special Monitoring Mission to Ukraine based on information received as of 19:30, 29 November 2015', Paragraphs 4,5,7, (29 November 2015), available at: https://www.osce.org/ru/ukraine-smm/205591, [Accessed on 19

the withdrawal of heavy weapons, the number of combat casualties was reduced. Thus, the Chief of the Ukrainian General Staff Viktor Muzhenko noted, 7 December 2015 that 'our losses have significantly decreased. Before we lost five to ten people a day. Then for the entire period from the beginning of October we lost as much as we could have lost in a day or two. I'm talking about combat casualties'.[237]

On 16 December 2015, the TCG reaffirmed, in Minsk, their commitment to a comprehensive, sustainable and unlimited ceasefire in connection with the upcoming New Year holidays. At the next briefing, the spokesperson of the Russian Ministry of Foreign Affairs Maria Zakharova noted that at the meeting of the TCG 'the whole range of issues on the agenda was discussed: security, political, and humanitarian issues. New demining agreements were reached, and a proposal for a complete ceasefire during the New Year and Christmas holidays was also supported'.[238] On 22 December, the TCG announced that the ceasefire would take effect 'from 00:00 on the night of 22 to 23 December 2015'. These agreements made it possible to avoid an escalation of the conflict at the end of that year.

Paragraph 6 of the agreements was, though, a complete failure. This related to the release and exchange of all hostages and unlawfully detained persons based of the principle 'all for all'. The parties exchanged detainees only at the end of August under the 12 to 12 formula. Another exchange took place on 30 November, 2015. With the help of the President of France and the Chancellor of Germany, a Ukrainian officer was successfully released in exchange for Russian Major Vladimir Starkov. According to the humanitarian working group, as of 15 December, 'DPR' and 'LPR' had 139 military and civilian Ukrainian prisoners.[239]

In addition, during 2015, the security forces of the warring parties significantly increased their capabilities. The Ukrainian government embarked on large-scale military reform, which made it possible to eliminate shortcomings in the tactical equipment of Ukrainian servicemen. They also began the integration of irregular paramilitary organizations into Ukrainian law enforcement agencies. In turn, disparate separatist armed groups were reorganized. The 1st Army Corps 'DPR' and the 2nd Army Corps 'LPR' were created. According to the Security and Defense Council of Ukraine these 'are controlled by the Southern Military District of the Armed Forces of the Russian Federation'.[240]

With regard to the general situation in the region by the end of 2015, the UN Human Rights Council reported on the situation in the conflict zone in Donbass on 9 December 2015: 'more than 10,000 people have been killed and about 21,000 injured in the armed conflict. Nearly three million people in the conflict zone face numerous difficulties every

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237 Censor.net, 'Muzhenko: the truce in Donbass is mostly observed. Our losses have decreased significantly', paragraph4, (7 December2015), available at: https://censor.net/ru/news/364019/mujenko_peremirie_na_donbasse_v_osnovnom_soblyudaetsya_nashi_poteri_znachitelno_snizilis, [Accessed on 19 June 2021].

238 Lenta.ru, 'The parties to the conflict agreed on a complete ceasefire in the Donbass for the New Year', paragraph2, (16 December 2015), available at: https://lenta.ru/news/2015/12/16/donbass//, [Accessed on 19 June 2021].

239 LB.ua, Nikita Gromov, 'Negotiations in Minsk on the exchange of prisoners did not bring results', (15 December 2015), paragraphs 3,6, available at: https://rus.lb.ua/society/2015/12/15/323583_peregovori_minske_obmenu.html [Accessed on 19 June 2021].

240 Vedomosti 'Ukraine has published data on the management of the Donbass army from Russia', paragraph1, available at: https://www.vedomosti.ru/politics/articles/2015/08/28/606599-ukraina-obnarodovala-dannie-ob-upravlenii-armiei-donbassa-iz-rossii [Accessed on 19 June 2021].

day. These include deficiencies in medical care or the struggle to pay compensation for destroyed property. About 800,000 people living along the line of confrontation found themselves in a particularly difficult situation'.[241]

At the same time, the results of the year 2015 marked conceptual differences in the political approaches of the parties to the implementation of the Minsk agreements. Nor did these approaches change significantly over the next six years. Thus, the Ukrainian position provides for the fulfillment of the political conditions of the agreements, only after the withdrawal of all foreign troops from Donbass and the government retaking taking control of the eastern border with Russia. The political conditions concerns primarily the conduct of elections. Kyiv refuses direct talks with pro-Russian separatists: Kyiv considers only Russia to be a party to the conflict. The paragraph on the need to move from a unitary system of government to a federal system is also considered unacceptable by the Ukrainian authorities. Russia, for its part, denies any role in the conflict and insists on talks being held between Ukraine and the leaders of the self-proclaimed 'LPR' and 'DPR'. The Russians also demand that elections be held in territories not controlled by Kyiv before the transfer of border control to Ukraine. As for Germany and France – the third part of the 'Normandy format' – their position is determined by their support for the sanctions imposed in 2014 against Russia for non-compliance with the Minsk agreements.[242]

In 2016, the search for solutions for the conflict in Donbass continued in the format of the Minsk agreements. In the first quarter of 2016, a number of meetings of the TCG were held in Minsk to address humanitarian, political and economic issues. The hope was also to restart the release of detainees, and to firm up the ceasefire. In particular, at TCG meetings: on 13 and 27 January, as well as on 17 and 24 February, a number of initiatives were taken. There was an attempt to release 50 detainees on both sides; and permits were asked for the admission of International Red Cross personnel to prisoners in territory not under the control of the Ukrainian authorities. In addition, agreements were reached in the economic working group on the rehabilitation of railway infrastructure and water supply systems.[243] Moreover, issues relating to the possibility of enshrining the special status of Donbass in the Ukrainian constitution were considered.[244] There was also preparatory work done aimed at organizing comprehensive demining of territories and infrastructure facilities. [245] On 2 and 30 March, 2016, within the framework, an agreement was reached to stop military exercises any closer than 15 kilometers from the line of contact in Donbass. Then

241   DW Ukraine 'UN report: Three million people suffer from the conflict in Donbass', paragraphs 3,4, available at: https://www.dw.com/ru/доклад-оон-от-конфликта-в-донбассе-страдают-три-миллиона-человек/a-18903594 [Accessed on 19 June 2021].

242   VP Foreign Policy, Gevorg Mirzayan 'How did Minsk Reach Kyiv: Why Ukraine Needs Third Agreements', sections 'Kyiv's Position', 'Russia's Position', 'EU Position', available at: http://www.foreignpolicy.ru/analyses/kak-minsk-do-kieva-doshel-zachem-ukraine-nuzhny-treti-minskie-soglasheniya/ [Accessed on 19 June 2021].

243   LB.ua, 'Donbass Contact Group Approves Release of 50 Prisoners', (13 January 2016), paragraphs 4,5,6, 7, available at: https://lb.ua/news/2016/01/13/325464_kontaktnaya_gruppa_donbassu.htm [Accessed on 19.06 2021].

244   C NEWS Ukraine, Tatiana Melnichuk 'In Minsk, Ukraine was required to consolidate the status of Donbass', paragraph1, (27 September 2016), chapter 'Prisoners were not released', paragraphs 2,3, available at: https://www.bbc.com/ukrainian/ukraine_in_russian/2016/01/160128_ru_s_minsk_meeting, [Accessed on 19 June 2021].

245   Today, 'Two agreements on Donbass can be signed next week – Gryzlov', paragraph1, (24 February 2016), paragraphs 2,3, available at:
https://politics.segodnya.ua/politics/dva-soglasheniya-po-donbassu-mogut-byt-podpisany-na-sleduyushchey-nedele-gryzlov-694518.html, [Accessed on 19 June 2021].

12 demining zones were established along the line of contact.[246] Through all this, non-compliance with immediate and comprehensive ceasefire agreements proved a recurrent theme. Thus, it was stated that 'a large number of violations of the ceasefire in Donetsk and Luhansk regions continue to be recorded' in the report of 20 April 2016 of the OSCE SMM to Ukraine. 'More and more weapons are missing in the withdrawal areas where they were taken earlier'.[247]

On 29 April 2016, the TCG in Minsk agreed on establishing another ceasefire on the entire line of contact in Donbass. This was informally called the 'Easter truce'. Following the meeting, the OSCE Special Representative Martin Sajdik stated that 'full compliance with the ceasefire will take effect on Saturday, April 30, 2016, at 00:00'. In addition, it was stated that the parties had not been able to agree on the conditions for the release and exchange of detainees.[248] The ceasefire reduced the intensity of hostilities and the shelling of positions on both sides. It lasted until the end of June 2016. On 29 June, active hostilities resumed, in particular around Debaltseve , particularly at Lohvynove and Nyzhnie Lozove. As a result of the clashes, both sides suffered losses significantly above those recorded during the ceasefire.[249] A report submitted by the United Nations Office for the Coordination of Humanitarian Affairs in August 2016 highlighted the spike in civilian casualties, with eight people killed and 65 injured in July.[250]

On 26 August 2016, the TCG confirmed the intentions of the parties to introduce a ceasefire from 1 September with the beginning of the new school year. These intentions were supported by the leaders of France and Germany.[251] The step was also welcomed by the United States and the OSCE, the US noting that 'a sustained ceasefire, as well as full access to the OSCE Monitoring Mission, are a 'critical' condition for the parties to comply with the Minsk agreements'.[252] Furthermore, a new truce in Donbass was announced for 15 September 2016, following a meeting between President Petro Poroshenko and the Foreign Ministers of Germany and France in Kyiv. At the same time, participants claimed that the observance of the ceasefire is the main condition for the leaders of the 'Normandy Four' meeting.[253] In general, the adoption of decisions of this kind has helped to reduce the number of ceasefire violations.

At the same time, during the summer of 2016, in the framework of consultations between

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246   Lenta.ru, 'Donbass agreed to stop combat exercises and start demining', paragraph1 (2 March 2016), available at: https://lenta.ru/news/2016/03/02/donbasscontact/, [Accessed on 19 June 2021].

247   OSCE, 'Report on the work as of April 20, 2016', (20 April 2016), available at: https://www.osce.org/ru/ukraine-smm/235111, [Accessed on 19 June 2021].

248   RBC, 'Minsk agreed on a complete ceasefire in Donbass for Easter', (29 April 2016), paragraph3, available at: https://www.rbc.ru/politics/29/04/2016/57236dac9a794711d38bc0f2, [Accessed on 19 June 2021].

249   Facebook, Yuri Butusov (1 July 2016), available at: https://www.facebook.com/butusov.yuriy/posts/1251789694861324, [Accessed on 19 June 2021].

250   TASS, Mikhail Sokolov 'UN: the number of victims of the conflict in Ukraine in July was a record for the year' (11 August 2016), available at: https://tass.ru/mezhdunarodnaya-panorama/3527706, [Accessed on 19 June 2021].

251   BBC NEWS Ukraine, 'ATO Headquarters: militants violated the truce six times', paragraph1, (27 September 2016), paragraphs 1,8, available at: https://www.bbc.com/ukrainian/rolling_news_russian/2016/09/160901_ru_n_ato_shellings, [Accessed on 19 June 2021].

252   INTERFAX.RU, 'The United States welcomed the truce in Donbass', (3 September 2016), paragraph 7, available at: https://www.interfax.ru/world/526496, [Accessed on 12 June 2021].

253   DW Ukraine 'German and French Foreign Ministers: A new truce in Donbass begins on September 15', paragraph 2, available at: https://www.dw.com/ru/главы-мид-фрг-и-франции-новое-перемирие-в-донбассе-начинается-15-сентября/a-19550912 [Accessed on 19 June 2021].

the foreign ministers of the Normandy Quartet and meetings of the TCG, proposals were developed to separate the parties along parts of the line of contact. As a result, the so-called 'Framework Decision of the Trilateral Contact Group relating to disengagement of forces and hardware' was signed on 20 September 2016. [254] According to this Decision, the Ukrainian Armed Forces and 'LPR' and 'DPR' armed formations were to begin withdrawing equipment and personnel from the Petrovske, Zolote and Stanytsia Luhanska settlements. Thus 'cultivation of forces and means should be carried out by their withdrawal from the occupied positions, for the purpose of the creation of sites of cultivation, as a rule, not less than 2 km in width and 2 km in depth'.[255] During the activities carried out on both sides, it was possible to conduct it in Petrovske (1 October 2016) and Zolote (7 October 2016). Attempts to withdraw forces and weapons in the Stanytsia Luhanska area proved unsuccessful.[256]

On 19 October 2016, another meeting of the leaders of the 'Normandy Quartet' took place in Berlin. It was decided there that the efforts of the 'Quartet' in the near future would be focused on developing a roadmap for the implementation of the Minsk agreements, based on proposals from Germany and France. Participants also discussed the deployment of the OSCE armed police mission in Donbass and the search for a mechanism for holding local elections under Ukrainian law. In addition, the parties discussed the'Steinmeier formula', which looked at the criteria by which the legitimacy of elections in certain areas of Donbass might be determined. In the meeting it became more apparent that there were disagreements between the parties in their approaches to the implementation of the road map. Thus, following the meeting, President Petro Poroshenko said that 'compliance with security conditions, ceasefire, withdrawal of foreign troops, coordination of military equipment development regimes, ensuring uninterrupted access of OSCE representatives, dismissal of deputies should provide for the transition to political units'.[257] The Russian side continued, meanwhile, to insist on the implementation of paragraph 9 of the Minsk agreements without the implementation of additional security conditions for the elections.[258] The documents following the meeting in Berlin were not accepted nor signed by Russia.

From 18 December, there was an intensification of hostilities with the use of 122-mm artillery shells and 120-mm and 62-mm mines. In press reports, these battles were referred to as 'fighting in the area of the so-called Svetlodar Arc'.[259] As a result of the aggravation of the situation at the end of December 2016, the total losses of killed and wounded on

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254   OSCE 'Framework Decision of the Trilateral Contact Group on Force and Measurement', paragraphs 2,3 (21 September 2016), available at: https://www.osce.org/ru/cio/266271, [Accessed on 19 June 2021].

255   OSCE, 'Diligence: OSCE Monitors Parties Implementing Framework Decision in Eastern Ukraine', (16 October 2016), available at: https://www.osce.org/ru/cio/266271, [Accessed on 19 June 2021].

256   Ukrainska Pravda, 'Due to the shelling, breeding in the village of Luhansk did not take place again', (26 November 2016), available at: https://www.pravda.com.ua/rus/news/2016/11/26/7128060//, [Accessed on 19 June 2021].

257   Voice of America, 'Ukraine has proposed the creation of a road map for the Minsk agreements', paragraph 11, (20 October 2016), available at: https://www.golosameriki.com/a/normandy-format-ukraine/3559035.html, [Accessed on 20 June 2021].

258   BBC NEWS Ukraine, Stanislav Khomenko, 'Where will the road map lead, or what was agreed in Berlin', chapters 1,2 paragraph12, (October 20, 2016), available at: https://www.bbc.com/ukrainian/ukraine_in_russian/2016/10/161020_ru_s_berlin_talks, [Accessed on 20 June 2021].

259   NB, Maria Kabatsiy 'Clash on the Svetlodar Arc: Details of the battle were reported in the operational headquarters', paragraphs 2, 4.5 (19 December 2016), available at: https://nv.ua/ukraine/events/stolknovenie-na-svetlodarskoj-duge-v-operativnom-shtabe-soobshchili-ob-okonchanii-boev-335896.html, [Accessed on 20 June 2021].

both sides mounted to several dozen.

On 21 December, 2016, the TCG in Minsk announced the agreements reached between the parties to the conflict 'to move to a complete ceasefire in connection with the upcoming holidays from 00:00 on December 24'[260]. In addition, lists for the exchange of illegal detainees were agreed upon at the TCG meeting. All the participants in the negotiations acknowledged that they had failed to fulfill any of the political points of the Minsk agreements in 2016. In this regard, it was announced that the TGC would continue to work in 2017 as well.

As part of the agreements reached at all levels, on 27 December 2016, a total of 306 hostages and detainees were exchanged on the line of contact.[261] In addition, several dozen people, including citizens of the Russian Federation, were exchanged and released through diplomatic channels at different points in 2016.

As for the general situation in the region by the end of 2016, the 16th report of the Office of the UN High Commissioner for Human Rights looked at the human rights situation in Ukraine. In its report of 8 December it stated that 'since April 2014, more than 32,000 Ukrainians have been victims of the conflict in the Donbass. During the 2.5 years of the war – until November 15, 2016 – 9,733 people died and almost 23,000 were injured. Among them, more than 2,000 people were killed, including civilians, including the victims of the MH-17 crash.'[262] In turn, given the increase in combat capability of the Ukrainian Armed Forces since the beginning of the armed conflict in Donbas, and given too a sharp increase in the number of servicemen serving under contract, the Ukrainian government refused to mobilize in late 2016. This circumstance had a positive effect on the general socio-political and economic situation in the country.

The year 2017 began with an outbreak of hostilities in mid-January and early February near the village of Avdiivka (Donetsk). Artillery was actively used during the battles, which led not only to an increase in combat casualties, but also to the disruption of the city`s life support infrastructure.[263] In this regard, on 1 February 2017, members of the UN Security Council 'condemned the use of weapons prohibited by the Minsk Agreements on the line of contact in the Donetsk region, which brought about deaths and injuries, including civilians, and stated the need for strict compliance with resolution 2202 (2015), confirming the 'Package of measures to implement the Minsk agreements'.[264] The deteriorating situation in Donbass provoked accusations between Ukraine and Russia. The President of Russia stated at a press conference on 2 February in Budapest, 'regarding today's aggravation, our

260   OSCE, 'Press release of the Special Representative of the OSCE Chairman-in-Office, Ambassador Martin Sajdik, on the occasion of the next round of meetings held within the Trilateral Contact Group (21 December 2016), available at: https://www.osce.org/ru/cio/290786, [Accessed on 20 June 2021].

261   Justice for Peace in Donbass, Anton Udovenko 'Chronology of prisoner exchanges: 2014-2020', chapter 'Calm and big exchange on December 27', (May 2020), available at: https://jfp.org.ua/blog/blog/blog_articles/58?locale=ru, [Accessed on 20 June 2021].

262   DW Ukraine 'UN report: Almost 10,000 people died during the conflict in Donbass', paragraphs 2,3, available at: https://www.dw.com/uk/доповідь-оон-під-час-конфлікту-на-донбасі-загинули-майже-10-тисяч-людей/a-36694980 [Accessed on 20 June 2021].

263   BBC NEWS, Russian Service, "The Battle of Avdeevka: What the Parties Are Trying to Achieve", (31 January 2017), available at: https://www.bbc.com/russian/features-38803131, [Accessed on 20 June 2021].

264   INTERFAX.RU, 'UN Security Council calls for resumption of ceasefire in eastern Ukraine', (1 February 2017), paragraphs 2,3, available at: https://www.interfax.ru/world/547867, [Accessed on 21 June 2021].

position is well-known: it was provoked by the Ukrainian side'. President Petro Poroshenko put all the blame for the escalation of the conflict in Donbass, instead, on Russia: 'Russian militants are shelling Avdiivka, not giving the opportunity to restore electricity. The world must be more active in putting pressure on Russia to cease fire'[265].

The priority of the TCG, in the first quarter of the year, was aimed at protecting civilian infrastructure, as well as returning to a comprehensive, sustainable and unlimited ceasefire under the agreements of 21 December 2016.[266] The result of the TCG's work in Minsk was a new ceasefire agreement on 18 February 2017, which would begin 20 February 2017. In addition, on 19 February, 2017, the ceasefire initiative was supported by the foreign ministers of Ukraine, Russia, France and Germany in the 'Normandy format' talks at Munich. These decisions made it possible to reduce tensions around Avdiivka. Violations along the entire demarcation line fell back to average after this period of escalation.[267]

On 29 March 2017, the TCG agreed on a new ceasefire from 1 April 2017, for Easter and the 'memorial days'.[268] The ceasefire reduced the intensity of shelling, but it was not more generally successful. For example, at the next TGC meeting in Minsk on 13 April 2017, the OSCE Chairman-in-Office in Ukraine said in a press release that 'unfortunately, despite the temporary improvement in the conflict zone, the situation remains far from satisfactory'.[269]

Conceptual disagreements over the implementation of the political part of the Minsk agreements, especially approaches to holding elections in territories that were not controlled by Kyiv, began to tell. The participation of leaders and authorized representatives of the Normandy Four states started to decrease. This was particularly true after the meeting of foreign ministers in Munich on 19 February 2017. There the participants noted the lack of progress in the implementation of the Minsk process. Negotiations in the Normandy format during 2017 were mainly reduced to telephone talks or consultations. Despite all disagreements and contradictions, the negotiators expressed agreement 'on the necessity of the Minsk agreements to achieve peace in eastern Ukraine'.[270]

On 21 June 2017, the TCG agreed on a full ceasefire along the entire line of contact for harvest, from 24 June to 31 August. In the press, this truce was called 'Bread truce'.[271] Although the truce helped to reduce the intensity in fighting, clashes continued. In mid-

265 BBC NEWS, Russian Service, 'What's Happening in Donbass: Versions of Putin and Poroshenko', (2 February 2017), sections: 'Version of Russian President Vladimir Putin', 'Version of President of Ukraine Petro Poroshenko', available at: https://www.bbc.com/russian/features-38849216, [Accessed on 21 June 2021].

266 OSCE, 'Press release of the Special Representative of the OSCE Chairman-in-Office in Ukraine, Ambassador Martin Sajdik, on the occasion of the next round of meetings held within the Trilateral Contact Group (17 January 2017), available at: https://www.osce.org/ru/cio/294226, [Accessed on 21 June 2021].

267 RBC, 'The first day of the truce in Donbass', (20 February 2017), available at: https://www.rbc.ru/politics/20/02/2017/58aae-6f09a79476402f8c453, [Accessed on 21 June 2021].

268 Ukrainska Pravda, 'TCG agreed on a ceasefire from April 1 – Olifer', (29 March 2017), paragraph 3, available at: https://www.pravda.com.ua/rus/news/2017/03/29/7139682/, [Accessed on 21 June 2021].

269 OSCE, 'Press release of the Special Representative of the OSCE Chairperson-in-Office, Ambassador Martin Sajdik, on the occasion of the next round of meetings of the Trilateral Contact Group', (13 April 2017), paragraph11, available at: https://www.osce.org/ru/chairmanship/333896, [Accessed on 21 June 2021].

270 Izverstiya, all news with the tag 'Normandy Format', (meetings of 2017), available at: https://www.osce.org/ru/chairmanship/333896, [Accessed on 21 June 2021].

271 OSCE, 'Press release by the OSCE Chairperson's Special Representative to Ukraine, Ambassador Martin Sajdik, on the occasion of the next round of Trilateral Contact Group meetings on 21 June 2017' (22 June 2017), paragraph 4, available at: https://www.osce.org/ru/chairmanship/333901, [Accessed on 21 June 2021].

July, through a note from the Ministry of Foreign Affairs, Ukraine issued a statement blaming the breakdown of the ceasefire on the separatists: 'in just three days on July 18-20, Ukraine lost 11 military personnel, 15 military personnel and two civilians were injured'.[272] A negative assessment of the implementation of the 'bread truce' conditions was given in the note of the Federal Foreign Office of Germany: 'we have already seen several attempts to introduce a truce, recently – from June 24 in connection with the harvest. After a short period of reduction of hostilities, it should be underlined: apparently, the parties to the conflict do not have enough will for a long-term ceasefire'.[273]

During August 2017, the TCG carried out preparatory work on the introduction of another regime of 'silence' in the conflict zone in Donbass. On 22 August, during a telephone conversation, the Normandy Four leaders (Germany, Russia, Ukraine and France) strongly supported the 'expected decision of the Trilateral Contact Group on August 23 to declare a ceasefire on the occasion of the beginning of the school year'.[274] On 23 August, following the decisions of the TCG, the OSCE Special Representative for Ukraine, Martyk Sajdik, issued a press release stating that 'the Trilateral Contact Group reaffirms its full commitment to an indefinite ceasefire at the beginning of the school year. August 25, 2017'.[275] This truce was informally called the 'school truce of 2017'. At the same time, already on 13 September, 2017, at the next Skype conference of the TCG, its members announced numerous ceasefire violations.[276]

In 2017, the option of introducing the UN International Peacekeeping Mission to Donbass was considered at the political level. But the practical implementation of this proposal by stakeholders were diametrically opposed. Thus, the option proposed by President Petro Poroshenko was to deploy a UN peacekeeping mission throughout Donbass. This included the border with Russia, which Ukraine did not then control.[277] The idea of deploying a UN mission in Donbass was also supported by Western countries. In particular, on 17 September 2017, the US State Department adviser stated that 'such a force (UN mission) should have a broad mandate to ensure, peace and security throughout the occupied territory of Ukraine, including the border with Russia, to avoid deepening or legitimizing the split in the middle of Ukraine'.[278] Russian President Vladimir Putin suggested to the UN that peacekeepers should only be on the line between Ukraine and the self-proclaimed

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272 Embassy of Ukraine in the Russian Federation, 'Statement of the Ministry of Foreign Affairs of Ukraine on the aggravation of the situation in Donbass', (21 July 2017), paragraph3, available at: https://russia.mfa.gov.ua/ru/news/7584-zajava-mzs-ukrajini-shho-do-zagostrennya-situaciji-na-donbasi, [Accessed on 21 June 2021].

273 Dsnews, Germany Recognized Failure of Bread Truce (21 July 2017), available at: https://www.dsnews.ua/world/v-ger-manii-priznali-proval-hlebnogo-peremiriya--21072017193900, [Accessed on 21 June 2021].

274 INTERFAX.RU, 'The Normandy Four Leaders Supported the Decision on the Truce in Donbass', (22 August 2017), paragraph2, available at: https://www.interfax.ru/world/575952, [Accessed on 21 June 2021].

275 OSCE, 'Press release by the OSCE Chairperson's Special Representative in Ukraine, Ambassador Martin Saijik, on the occasion of the next round of Trilateral Contact Group meetings' (23 August 2017), paragraph2, available at: https://www.osce.org/ru/chair-manship/336346, [Accessed on 21 June 2021].

276 Segodnya, Sergei Martynets 'Ukraine called on Russia to punish those responsible for violating the ceasefire in Donbas', (13 September 2017), paragraph2, available at: https://politics.segodnya.ua/politics/ukraina-prizvala-rossiyu-nakazyvat-vi-novnyh-za-narushenie-peremiriya-na-donbasse-1055353.html, [Accessed on 21 June 2021].

277 UKRINFORM, 'Poroshenko: UN Peacekeepers Is Not the Only Way to Turn the World to Donbas', (15 September 2017), para-graph4, available at: https://www.ukrinform.ua/rubric-ato/2305750-porosenko-mirotvorci-oon-ci-ne-edinij-sposib-povernuti-mir-na-donbas.html, [Accessed on 21 June 2021].

278 UKRINFORM, 'State Department: UN Peacekeeping Mission with the Improvement of Ukraine's Integrity', (14 September 2017), available at: https://www.ukrinform.ua/rubric-polytics/2304780-derzdep-mirotvorca-misia-oon-spratime-vidnovlennu-cilisnos-ti-ukraini.html, [Accessed on 21 June 2021].

'DPR' and 'LPR', 'and in no other territories'.[279] Given these disagreements, the introduction of a peacekeeping mission to Donbass was not developed.

On 14 December 2017, the Russian side unilaterally decided to withdraw its officers from the Joint Center for Control and Coordination of Ceasefire and Stabilization of the Line of Demarcation (SCCC). The Russian Foreign Ministry called the reason for the recall 'significant difficulties faced by Russian officers due to the position of the Ukrainian authorities'. The statement also noted that 'Kyiv categorically objected to any documentary regulation of the SCCC. Attempts to resolve this issue at the bilateral level, either at the site of the Minsk Contact Group, or in the 'Normandy format' were unsuccessful'.[280] On 19 December 2017, Russian officers left Ukraine.

On 20 December 2017, the TCG in Minsk agreed to establish a full ceasefire along the entire line of contact from 00:00 on 23 December 2017 in connection with the upcoming Christmas and New Year holidays. In addition, the TCG in Minsk confirmed the need to exchange hostages before the New Year holidays and to continue its work in 2018.[281]

Within the framework of the agreements reached through all channels on 27 December 2017, a large exchange of detainees captured by the parties to the armed conflict in eastern Ukraine took place. This was done along the line of contact, in the presence of OSCE and Red Cross representatives. As a result, 73 people were released from Ukraineand 233 people were released from Ukrainian detention by pardon.[282] The TCG's 'all for all' principle was not though achieved in 2017.

With regard to the general implementation of the Minsk agreements in 2017, there were not the desired results. During the year, the parties failed to develop common approaches to a roadmap. First of all, there was the key issue related to the conduct of elections in the territory not under the control of the Ukrainian government. The OSCE monitoring mission stated that 'in 2017, there were more cases of violations of the silence regime than in 2016: about 400,000 against 300,000'. In 2017, 85 civilians were killed and 384 were injured, which was definite progress compared to 2016, when 88 civilians died and 354 were wounded. The main causes of death remain artillery shelling, mines and other explosive devices.[283]

The year 2018 did not bring any special changes in the implementation of the Minsk agreements. At the same time, the government of Ukraine at the legislative level has made a number of changes in the format of force operations in eastern Ukraine.

279   RBK, 'Mission Impossible: Why Did Putin Return to the Idea of Peacekeepers in Donbass', (5 September 2017), chapter 'Russia's New Proposal', paragraph 2, available at: https://www.rbc.ru/politics/05/09/2017/59ae76d39a794772aa3f7b00, [Accessed on 21 June 2021].

280   Ministry of Foreign Affairs of the Russian Federation, 'Commentary of the Information and Press Department of the Russian Foreign Ministry on the Situation around the JCCC in Ukraine', (18 December2017), paragraph 3, available at: https://www.mid.ru/ru/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/2993360, [Accessed on 21 June 2021].

281   Ukrainska Pravda, 'A New Year Truce was agreed in Minsk', (20 December2017), paragraph 1, available at: https://www.pravda.com.ua/rus/news/2017/12/20/7166218//, [Accessed on 21 June 2021].

282   DW Ukraine 'Report of the UN: 10 thousand people lost theie lives to the conflict in Donbas', paragraphs 2,3, available at: https://www.dw.com/uk/доповідь-оон-під-час-конфлікту-на-донбасі-загинули-майже-10-тисяч-людей/a-36694980 [Accessed on 20 June 2021].

283   BBC NEWS Ukraine, Vyacheslav Shramovich, 'How many people died in Donbass in 2017?', chapter 'Truce and civilian losses' (29 December2017), available at: https://www.bbc.com/ukrainian/features-russian-42510140, [Accessed on 21 June 2021].

On 18 February 2018, the Verkhovna Rada adopted the Law 'On Specifics of State Policy to Ensure State Sovereignty in the Temporarily Occupied Territories in Donetsk and Luhansk Oblasts' (the so-called Law on the Reintegration of Donbass). The keynote of the law was the recognition of Russia as an aggressor state in relation to Ukraine. Also, according to the law, 'the temporarily occupied territories are the territories of Ukraine, within which the armed forces and the occupation administration of the Russian Federation have established and exercise general control'. What had begun as an anti-terrorist operation was now transformed into 'measures to ensure national security and defense, to repulse and deter the armed aggression of the Russian Federation'.[284] Commenting on the law, President Petro Poroshenko claimed that 'this law does not violate Ukraine's international obligations, including the Minsk agreements, as the Russian Federation claims'.[285] The adoption of the law provoked a negative reaction in Russia. The press-secretary of the President of the Russian Federation stated that 'the law on the reintegration of Donbass does not contribute to the implementation of the Minsk agreements, there are fears that it may provoke 'hot heads' in Kyiv to return to the use of force'. [286]

Regarding the establishment of ceasefire regimes in 2018, the first agreement was reached only in early March. Thus, on 2 March, following a meeting of the TCG, it was stated that 'an agreement has been reached on a complete and unlimited ceasefire in Donbass from 00:00 on March 5'. The statement specifically stressed 'the importance of a strict ban on fire in the direction and from the settlements, as well as the placement and use of heavy weapons in and near the settlements'. In the press, this truce was called the 'spring truce'.[287] However, it was not fully implemented. For instance, by the end of the first day, the press centre of the anti-terrorist operation headquarters announced 'three targeted shellings of its fortifications'.[288] In turn, the Russian side reported that 'one of the members of the State Duma of the Russian Federation, in the positions of the Pyatnyshka battalion, came under fire from Ukrainian mortars'.[289]

Just three weeks later, on 26 March, the TCG announced an agreement to cease fire from 00:00 on 30 March. The truce was called the 'Easter truce of 2018'. Irina Gerashchenko, the Ukrainian representative in the humanitarian working group of the TCG, commenting on the next agreement on the latest 'silence' regime in Donbass, stated that 'a truce was declared 12 times during the war. Unfortunately, none of them were observed. But during the truce, the intensity of the shelling decreased significantly, so there were many fewer

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284   Ukrainska Pravda, on behalf of Poroshenko: How to change the war on the deoccupation of Donbass, (20 February 2018), section Russia-occupier, areas of hostilities and security zones', available at: https://www.pravda.com.ua/articles/2018/01/18/7168828/, [Accessed on 25 June 2021].

285   Sputnik, 'The leader of Ukraine instructed to prepare proposals for changing the format of the military operation in Donbass by April 1', (21 February 2018), paragraph3, available at: https://m.sputnik.by/politics/20180220/1033780391/poroshenko-pod-pisal-zakon-o-reintegracii-donbassa.html/, [Accessed on 25 June 2021].

286   BFM.RU 'Peskov assessed the law on reintegration of Donbass', (21 February 2018), available at: https://www.bfm.ru//news/378100/, [Accessed on 25 June 2021].

287   DW Ukraine 'TCG announced a truce in the Donbass on March 5', (2 March 2018), paragraphs 1,3, available at: https://www.dw.com/uk/ткг-оголосила-про-перемиря-на-донбасі-з-5-March/a-42807228 [Accessed on 25 June 2021].

288   LB.ua, 'Since the beginning of the day, the militants have violated the spring truce in Donbass three times', (5 March 2018), paragraph 1, available at: https://lb.ua/news/2019/03/15/422051_es_vvel_sanktsii_protiv_vosmerih.html [Accessed on 25 June 2021].

289   LB.ua, 'Russian State Duma deputy came under fire in Donbass', (5 March 2018), paragraph 3, available at: https://rus.lb.ua/society/2018/03/05/391832_deputat_gosdumi_rf_popal_pod_obstrel.html [Accessed on 25 June 2021].

dead and wounded'.[290]

On 30 April, in the framework of fulfilling the requirements of the Law 'On the specifics of the state policy on ensuring state sovereignty in the temporarily occupied territories in Donetsk and Luhansk regions', the anti-terrorist operation was transformed into a Joint Forces operation (JFO). From that moment on, the authority to lead military and law enforcement units in Donbass passed from the Ukrainian Security Service to the General Staff. The Joint Operational Headquarters became the direct governing body of the Environmental Protection Agency.[291]

At the same time, the poor results of the TCG in Minsk were also caused by the lack of progress in the Donbass negotiations in the format of the Normandy talks. On 11 June, after a sixteen-month break, the heads of the foreign ministries of Ukraine, France, Germany and Russia met in Berlin. Before the meeting, German Foreign Minister Heiko Maas emphasized that 'the Minsk process is being stalled and the agreements are not being fulfilled. Already this year, up to a thousand ceasefire violations have been recorded'. [292] The talks in Berlin reached an agreement on demining the territory in the conflict zone, as well as issues related to the release of illegally detained persons and the implementation of agreements on the deployment of troops in certain areas. However, the main topic was the possibility of deploying a UN peacekeeping mission in Donbass. Once again the different attitudes of the parties emerged. Ukrainian Foreign Minister Pavlo Klimkin called for the deployment of peacekeepers throughout the Donbass, including a section of the border with Russia outside Kyiv's control that is more than 400 kilometers long. The Russian side rejected the proposals and 'insisted on providing peacekeepers only with the function of accompanying OSCE representatives'.[293]

On 27 June, the TCG in Minsk agreed on another ceasefire from 00:00 on 1 July, which coincided with the start of the harvest. On 11 July 2018, at the next meeting of the TCG in Minsk, it was noted that 'the security situation in the region has improved since the beginning of the so-called 'bread truce' but the regime of silence has not become fully-fledged'. According to OSCE SMM Chairman Ertugrul Apakan, who is also the coordinator of the security working group, the intensity of the shelling decreased by almost 80% in the first week as compared to the previous period.[294] In turn, Alexander Hug, the principal deputy chief OSCE monitor, said in an interview with a Ukrainian radio channel that 'one of the reasons why the truce is being disrupted is a lack of trust. In order to promote trust, heavy weapons do not need to be placed in contact. All signatories have pledged

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290   avdeevka.city, 'Gerashchenko on a new truce in the Donbass: it was announced 12 times already', (5 March 2018), paragraph2 , available at: http://avdeevka.city/news/view/gerashhenko-o-novom-peremirii-na-donbasse-obyavlyalos-uzhe-12-raz [Accessed on 25 June 2021].

291   DW Ukraine 'ATO will become JFO: what will be different with the change of the format of the operation in Donbass", (30 April 2018), chapter 'From ATO to JFO', available at: https://rus.lb.ua/society/2018/03/05/391879_nachala_sutok_boeviki_trizhdi.html [Accessed on 25 June 2021].

292   Crimea Realities, 'Meeting in the Normandy format': results for Ukraine', chapter 'Do everything possible to cease fire', paragraphs 6,7 (12 June 2018), (12 June 2018), available at: https://ru.krymr.com/a/29286849.html [Accessed on 25 June 2021].

293   Radio Atalyk, 'Normandy Format has not agreed on the UN mission', paragraph 6 (12 June 2018), available at: https://rus.aza-thabar.com/a/29287138.html [Accessed on 25 June 2021].

294   INTERFAX. Ukraine, 'With the beginning of the bread truce in Donbas, the number of shellings decreased by 80%', (11 July 2018), paragraph2, available at: https://interfax.com.ua/news/general/517455.html, [Accessed on 26 June 2021.]

to implement agreed measures to end the violence'.[295] It is worth noting that during the 'bread truce', the OSCE SMM recorded the shelling of nine settlements.

On 23 August, the TCG in Minsk agreed on a new truce starting at 00:00 on 29 August, which was called the 'school truce of 2018'. Although the introduction of the ceasefire regime has traditionally led to a reduction in the intensity of shelling on both sides, it has not been possible to achieve their complete cessation. Since its beginning on 29 August, when the comprehensive ceasefire regime began to operate, OSCE SMM observers recorded more than 70 violations. [296]

On 11 November 2018, the elections of 'people's councils' (parliaments) and 'heads' of territories took place in the self-proclaimed 'DPR' and 'LPR'. This provoked an angry reaction from Kyiv. President Petro Poroshenko called them 'fake', and the Security Service of Ukraine (SSU) instituted criminal proceedings against their organizers.[297] German Chancellor Angela Merkel and French President Emmanuel Macron called the 'elections' in the self-proclaimed 'DPR' and 'LPR' illegal. They stated that 'the so-called elections undermine the territorial integrity and sovereignty of Ukraine and contradict the Minsk agreements, as all elections in Donbass must be held in accordance with OSCE standards and Ukrainian law'.[298] In a similar vein, statements were made by the authorized representatives of the United States, NATO and the European Union. Moscow took another tack. In particular, the press secretary of the President of Russia noted that 'we understand the fact of holding these elections. You know that we are talking about two republics that have been rejected by Ukraine and are under a state of absolute embargo. The Minsk agreements are not being implemented by the Ukrainian side'.[299]

On 26 November 2018, tensions between the two countries escalated again, after Russia fired on and seized three Ukrainian naval vessels off the Crimean Peninsula. Each country blamed the other for the incident (Russia accused the Ukrainian ships of illegally entering its waters)[300], while the Verkhovna Rada voted to impose martial law in the country for 30 days on 26 November in the regions bordering Russia.[301] In order to release 24 captured sailors and three ships, Ukraine filed a lawsuit against Russia with the United Nations International Tribunal for the Law of the Sea.[302] In March 2019, the G7 and the European Union 'imposed sanctions against eight Russian citizens for attacking Ukrainian Navy

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295 INSHE.TV, 'OSCE names reasons for violence during 'bread truce', paragraph 3 (7 July 2018), available at: https://inshe.tv/import-nt/2018-07-08/350168/ [Accessed on 26 June 2021].

296 INTERFAX. Ukraine, 'Since the beginning of the school truce in Donbass, the OSCE SMM has recorded more than 70 violations', (29 July 2018), paragraph 1, available at: https://interfax.com.ua/news/general/527552.html, [Accessed on 26 June 2021.]

297 Gazeta.ru, 'Poroshenko in Paris advised residents of Donbas not to go to the polls', paragraphs 3,5 (10 November 2018), available at: https://www.gazeta.ru/politics/news/2018/11/10/n_12273793.shtml/, [Accessed on 26 June 2021].

298 DW Ukraine 'Germany and France consider elections in Donbas illegal', paragraph 2, available at: https://www.dw.com/ru/германия-и-франция-считают-незаконными-выборы-в-донбассе/a-46253693 [Accessed on 26 June 2021].

299 INTERFAX. 'Peskov found it difficult to say whether Putin will congratulate the winners of the elections in DPR and LPR', (12 November 2018), paragraph3, available at: https://www.interfax.ru/russia/637506, [Accessed on 26 June 2021].

300 Jasutis G. Crimea: between Annexation and Reunification. (November 2018). Geneva Academy of IHL and Human Rights, available at: https://www.genevaacademy.ch/joomlatoolsfiles/docmanfiles/Crimea%20between%20annexation%20and%20reunification.pdf

301 Izvestia, 'Ukraine has entered into force martial law', paragraph2, (29 November 2018), available at: https://iz.ru/817925/2018-11-29/na-ukraine-vstupilo-v-silu-voennoe-polozhenie [Accessed on 25 June 2021].

302 DW Ukraine 'From the Interior Ministry to the ECHR: what lawsuits Ukraine has filed against Russia in international courts', (10 June 2020), chapter 'The struggle for the sea in international courts', available at: https://www.dw.com/ru/от-мус-до-еспч-какие-иски-подала-украина-против-рф-в-международные-суды/a-49106409 [Accessed on 25 June 2021].

ships near the Kerch Bay'.[303]

By the end of the year, contacts between the Ukrainian and Russian sides in the 'Normandy format' were minimized. Bilateral relations had been influenced by the upcoming presidential election in Ukraine. Thus, in mid-November, Vladimir Putin stated that 'meeting in the Normandy format now, during the election campaign, which is taking place in Ukraine, is now more or less meaningless'.[304] The implementation of the Minsk agreements was effectively paused, particularly its political part and the release of illegally held persons.

On 27 December, the Special Representative of the OSCE Chairman-in-Office in Ukraine and the TCG, Martin Sajdik, issued a press release stating that 'the parties will resume their ceasefire commitments on the occasion of the New Year and Christmas holidays from 00:00 on 29 December'.[305] Summing up the results of the New Year's truce in Donbass, which lasted from December 29 to January 14, the special representative of the OSCE Chairman-in-Office Martin Sajdik said on January 17 that no human casualties were recorded during this period. However, according to Sajdik, in the last days, after 14 January, there was 'a growing trend of the number of ceasefire violations'.[306]

As to the general results of the TCG push to comply with the ceasefire agreements in Donbass, they were as follows. In 2018, according to the UN, 55 civilians died in Donbass (half the number of 2017), while 224 were injured. The Ukrainian military estimates its casualties at 100 dead and more than 500 wounded. Pro-Russian separatists report 162 dead and 310 wounded. In total, more than 4,700 people have died in separatist-held areas since the beginning of the conflict.[307] 2018 was the only year in five years of armed conflict in which there was no exchange of illegally detained persons captured in the disputed area, including those convicted under Ukrainian or Russian law.

The year 2019 was a year of radical political changes in Ukraine, primarily because of the spring elections for the Presidency. In the early part of the year the Verkhovna Rada at the initiative of President Petro Poroshenko, adopted the law 'On Amendments to the Constitution of Ukraine', 7 February.[308] According to the explanatory memorandum to the Law, 'enshrining at the constitutional level the legal certainty of Ukraine's course to EU and NATO membership should mobilize Ukrainian society and Ukrainian authorities and

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303   LB.ua, 'EU imposed sanctions against eight Russian citizens for attacking Ukrainian ships', (15 March 2019), paragraph1, available at: https://lb.ua/news/2019/03/15/422051_es_vvel_sanktsii_protiv_vosmerih.html [Accessed on 25 June 2021].

304   BBC NEWS Ukraine, Olga Malchevskaya, 'Marchuk: Russia has instructed not to solve anything in Minsk' chapter "Truce and civil losses", (29 December2017), chapter 'Move the Minsk talks from the deadlock', paragraph3, available at: https://www.bbc.com/ukrainian/features-russian-46439986, [Accessed on 26 June 2021].

305   OSCE, 'OSCE Special Representative Sajdik and Head of SMM Apakan Welcome Renewal of Commitment to Silence in Eastern Ukraine' (27 December 2018), paragraph 2, available at: https://www.osce.org/ru/chairmanship/407861, [Accessed on 26 June 2021].

306   NAVINY BY, 'OSCE: no one died during the New Year's truce in Donbass', paragraph1, (17 January 2019), available at: https://navi-ny.online/new/20190117/1547746831-obse-vo-vremya-novogodnego-peremiriya-na-donbasse-nikto-ne-pogib, [Accessed on 26 June 2021].

307   Delo.ua, 'The UN named the number of dead since the beginning of the conflict in Donbas', paragraph 2, (22 January 2019), available at: https://delo.ua/econonomyandpoliticsinukraine/v-oon-nazvali-chislo-pogibshih-s-nachala-konflik-349503/, [Accessed on 26 June 2021].

308   The Verkhovna Rada of Ukraine, Legislation of Ukraine, 'On Amendments to the Constitution of Ukraine (on the strategic course of the state to gain full membership of Ukraine in the European Union and in North Atlantic Treaty', (19 February 2019), available at: https://zakon.rada.gov.ua/laws/show/2680-19#Text [Accessed on 26 June 2021].

promote reforms aimed at achieving the criteria of full membership in the EU and NATO'.[309]

As for the election campaign, the topic of the armed conflict in Donbass proved key. A sociological survey conducted by the Ilko Kucheriv Democratic Initiatives Foundation in December 2018 showed that the main way in which the country was moving in the wrong direction was 'prolonging the war in eastern Ukraine'.[310] Positive changes included: strengthening the defense sector; obtaining a visa-free regime with the European Union; and the gains of international courts in gas disputes with Russia. After a two-round elections, in which these issues had played their part, a well-known Ukrainian comedian, Volodymyr Zelensky, was elected President. His inauguration took place on 20 May 2019.

3.2. Chronology of ceasefire agreements. Attempts of the world community to influence the parties to the conflict (May 2019 – June 2021)

Volodymyr Zelensky began his presidency with much better conditions than those of his predecessor in 2014. The economy, has, since 2016, shown steady growth, and the reforms in all spheres of socio-political life have laid a solid foundation for the further development of the country. Despite all the achievements of the previous government, most Ukrainians continued to believe that the country's main problems remained unresolved: not least corruption and the unreformed judicial branch of government. What Ukrainians wanted most of all though was the 'rapid end of the war in eastern Ukraine'. Public opinion formed around the idea that 'Poroshenko deliberately did not want the end of the war' and demanded from Volodymyr Zelensky 'quick' and 'innovative solutions'. In this way the new head of state became a hostage to his election promises. Moscow benefited and there were Russian hopes that,, the new administration would take a less rigid position than Poroshenko.

Several attempts were made to use the unimplemented 2016 agreements on the dilution of forces along parts of the line of contact. On 5 June 2019, at a TCG meeting, an agreement was reached on the deployment of forces and funds from 10 June near Stanitsa, at the village of Lugansk. OSCE Special Representative Martin Sajdik expressed, at the end of the meeting, hope that 'the deployment of forces near Stanitsa could demonstrate real progress in resolving the conflict in Donbas'.[311] On 30 June 2019, the OSCE SMM was able to report that 'The Armed Forces of Ukraine and the armed formations have left other

309   Ukrainska Pravda, 'Rada enshrined in the Constitution the course of the EU and NATO', (7 February 2019), paragraph 7, [Accessed on 26 June 2021].

310   Democratic Initiatives Foundation, poll 'Results of 2018: public opinion', paragraph 8, (28 December 2018), available at: https://dif.org.ua/article/pidsumki-2018-gromadska-dumka Accessed on 26 June 2021].

311   INTERFAX. Ukraine, 'Breeding of forces and means on the site Stanitsa Luganskaya can begin not earlier than June 16', (10 June 2019), paragraph 8, available at: https://interfax.com.ua/news/general/592784.html, [Accessed on 27 June 2021].

positions in the deployment area near Stanitsa Luhanska'.[312]

In June 2019 changes in the political situation in Europe led to the Russian delegation returning after a five-year absence to the PACE. On 26 June, 2019, PACE supported a resolution proposing the confirmation of the credentials of the Russian delegation without any restrictions or additional conditions.[313] It should be noted that Moscow did not fulfill any of the points of the seven resolutions adopted by PACE on Ukraine, points that became the basis for the imposition and continuation of sanctions against Russia.[314] This return was seen by Russia as a diplomatic victory.

On 18 July 2019, the TCG announced another agreement between the parties 'to reaffirm its full commitment to a comprehensive, sustainable and unlimited ceasefire, starting from July 21, 2019 at 00 hours 01 minutes Kyiv time'. The TCG statement also stressed 'the importance of refusal of forward movements as well as reconnaissance-subversive activities; no firing'.[315] The first day of the truce coincided with the holding of early parliamentary elections in Ukraine. It is worth noting that the ceasefire reduced the shelling and casualties on both sides. Thus, at the next meeting of the TCG in Minsk on 21 August, the OSCE Special Representative Martin Sajdik noted that 'the truce, which entered into force on July 21, 2019, continues to yield results. Compared to other recommitments to ceasefire announced earlier, this one has been the most effective. The average number of ceasefire violations continues to be significantly lower than before the ceasefire took effect'.[316]

Negotiations on the exchange of illegally detained persons and hostages were unfrozen: these were individuals who had been captured in the conflict zone in Donbas or convicted under the national legislation of Ukraine or Russia. The intensification of the process was also facilitated by the order of the UN International Tribunal for the Law of the Sea in Hamburg on 25 May 2019. Through provisional measures the tribunal demanded that the Russian Federation immediately return the captured sailors and warships to Ukraine.[317] As a result, on 7 September 2019, there was an interstate exchange under the formula 35 to 35. Twenty-four Ukrainian sailors who had been detained by the Russian Coast Guard in the Kerch Strait and 11 political prisoners, including the well-known director Oleg Sentsov, arrived in Kyiv. Among the prisoners transferred to the Russian side was Volodymyr Tsemakh, a key witness to the downing of Malaysian Airline Flight MH17 in Donbass. The

312   OSCE, 'OSCE SMM Operational Report: Notices of Completion of Force and Facility Completion at Stanitsa Luhanska' (30 June 2019), paragragh 2, available at: https://www.osce.org/ru/special-monitoring-mission-to-ukraine/424364, [Accessed on 27 June 2021].

313   See PACE Resolution 2292 (2019) Challenge, on substantive grounds, of the still unratified credentials of the parliamentary delegation of the Russian Federation

314   DW Europe 'Return of the Russian delegation to PACE: triumph, despair and demarches', (26 June 2019), paragraph 1, available at: https://www.dw.com/ru/возвращение-российской-делегации-в-пасе-триумф-отчаяние-и-демарши/a-49369522 [Accessed on 27 June 2021].

315   OSCE, 'Statement of the Trilateral Contact Group' (18 July 2019), paragraph 2, available at: https://www.osce.org/ru/whoweare/425930, [Accessed on 27 June 2021].

316   OSCE, 'Press release of the Special Representative of the OSCE Chairman-in-Office in Ukraine, Ambassador Martin Sajdik, on the occasion of the next round of meetings held within the Trilateral Contact Group 21 June 2017', (August 21, 2019), paragraphs 2,3, available at: https://www.osce.org/ru/chairmanship/428420, [Accessed on 27 June 2021].

317   BBC NEWS Ukraine, 'UN tribunal orders Russia to release Ukrainian sailors and return ships', chapter 'Truce and civilian casualties', (25 May 2019), paragraph 3, available at: https://www.bbc.com/ukrainian/news-russian-48408213, [Accessed on 27 June 2021].

extradition of Tsemakh caused dissatisfaction among the Ukrainian public. It also became a fact in European public life with 40 members of the European Parliament, addressing an open letter to Volodymyr Zelensky with a request not to allow the extradition of Vladimir Tsemakh to Russia.[318]

Attempts were made through various channels to restore the work of the 'Normandy format' at the highest level in recognition of the changes in Ukraine. Positive signals in this regard also came from Moscow. On 28 June, a spokesman for the Russian president said in an interview with Russia-24 (VGTRK) that, given there was a new president in Ukraine it made sense to talk about resuscitating the 'Normandy format'.[319] The desire to revive the 'Normandy format' was reaffirmed at a meeting on 14 July in Paris between the foreign policy advisers of the leaders of Ukraine, Germany, France and Russia.[320] The idea of the meeting was supported by President Volodymyr Zelensky. Thus, on 6 August, after the deaths of four Ukrainian servicemen in Donbass after separatist shelling, Zelensky called on the President of France, the Federal Chancellor of Germany and the President of the Russian Federation to hold talks in the 'Normandy format' as soon as possible.[321] Moscow set as a condition for a meeting of the country leaders of the 'Normandy format': the so-called Steinmeier formula had to be fixed in writing following the work of the TCG in Minsk on 18 September.[322]

Given these circumstances, the main topic of negotiations in the fall of 2019 was the possibility of implementing the so-called Steinmeier formula. This formula was not part of the Minsk agreements, but it was considered as one of the options for their activation. The formula had been proposed by the German Foreign Minister in 2015-2016 for discussion in the 'Normandy format' but it only built up a head of steam in 2019. Its essence was briefly described by the then head of the Ministry of Foreign Affairs, Vadim Pristaiko in an interview: 'the moment the OSCE says that the elections were fair and transparent, in accordance with the high OSCE standards, this status will become permanent. That's all, nothing more, no ideas'.[323] In the case of the implementation of the Steinmeier formula on Russian terms, there was the real danger that Ukraine's position would crumble. Ukraine, it will be remembered, had, for five years, insisted that there would only be local elections in Donbass, after Ukrainian Anti-Terrorist Operation/Joint Forces Operation forces had gained access to the uncontrolled sections of the Ukrainian-Russian border.[324] Thousands

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318   DW Russia, 'Russia and Ukraine exchanged prisoners', (26 June 2019), paragraphs 3,5, available at: https://www.dw.com/ru/россия-и-украина-обменялись-заключенными/a-50335741 [Accessed on 27 June 2021].

319   I NTERFAX in Russia, 'The Kremlin considered it possible to revive the Normandy format with the arrival of Zelensky', (28 June 2019), paragraph 2, available at: https://www.interfax.ru/russia/667126, [Accessed on 28 June 2021].

320   ZN, UA Russia, 'The meeting of advisers of the 'Normandy format' countries did not cause controversy, but brought no results', (14 July 2019), paragraph 2, available at: nikov-stran-zn.ua/POLITICS/vstrecha-sovetnormandskogo-formata-ne-vyzvala-protivore-chiy-no-ni-k-chemu-i-ne-privela-323663_.htmlhtml [Accessed on 27 June 2021].

321   ZN, UA, 'Zelensky called on Macron, Merkel and Putin to hold a meeting in the 'Normandy format', (6 August 2019), paragraph 1, available at: https://zn.ua/POLITICS/zelenskiy-prizval-makrona-merkel-i-putina-skoree-provesti-vstrechu-v-normandskom-for-mate-326091_.html [Accessed on 28 June 2021].

322   Vedomosti, 'Kremlin raises stakes in talks on the first meeting between Putin and Zelensky' (15 September 2019), paragraph 1, available at: https://www.vedomosti.ru/politics/articles/2019/09/15/811287-kreml-povishaet-stavki [Accessed on 28 June 2021].

323   ZN, UA Russia, 'Pristaiko showed Steinmeier's formula', (23 September 2019), paragraph 6, available at: https://zn.ua/POLITICS/pristayko-pokazal-formulu-shtaynmayera-330662_.html [Accessed on 27 June 2021].

324   Voice of America, Nikolai Vorobyov 'Zelensky on the 'Steinmeier`s formula': there will be no capitulation", (15 October 2019), para-graph 5, available at: https://www.golosameriki.com/a/zelensky-about-steinmeier-formula/5125042.html [Accessed on 28 June 2021].

of protests against Russia's unilateral demands began to take place throughout Ukraine. Protesters expressed fears that 'elections held in the presence of Russian troops in Donbass would destroy Ukraine's politics, etc'.[325] Volodymyr Zelensky stated that the 'Steinmeier formula', and the details of its implementation, would be considered at a meeting of the leaders of the 'Normandy format'.

On 1 October, 2019, the President of Ukraine said at a briefing in Kyiv that 'we agree on the text of the Steinmeier formula..., also known in society as the 'law on the special status of Donbass'... [it will begin] to operate on a permanent basis provided ... when there are local elections, conducted in accordance with the Constitution of Ukraine and the legislation of Ukraine, as well as after the publication of the OSCE report, that the elections were held in accordance with OSCE standards and international standards for democratic elections.[326] On 2 October, the press published a letter dated 1 October from Leonid Kuchma, Ukraine's representative in the TCG, to OSCE Special Representative Martin Sajdik, stating that 'the Ukrainian side accepts the text of this formula'.[327]

Moreover, the deployment of forces and means on the line of contact at Zolote (Lugansk region) and Petrivske (Donetsk region) was another condition for holding the summit of the 'Normandy format'. On 13 November, the OSCE Special Monitoring Mission in Ukraine issued a report 'on the completion of the withdrawal of forces and funds from the agreed Petrivske area'[328], and on 26 November of the same was confirmed for Zolote.[329]

On 9 December 2019, after a three-year break, a summit of the leaders of the 'Normandy format' was held in Paris. The outcome was coordination on of a number of issues that, in the opinion of the meeting participants, could intensify the implementation of the Minsk agreements. First of all, urgent measures were suggested for stabilizing the situation in the conflict zone. This included the maintenance of the ceasefire until the end of 2019, as well as support for agreements on the deployment of forces and funds in three additional areas until the end of March 2020. The parties expressed their readiness to facilitate the release and exchange of detainees before the end of the year on a one-on-one basis. As for political issues, the parties to the talks agreed 'the need to incorporate the 'Steinmeier formula' into Ukrainian legislation in accordance with the version agreed by the'Normandy format'and the Trilateral Contact Group'.[330]

The biggest differences between Ukraine and Russia remained the issue of returning

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325   Radio Svoboda, Alexey Minakov, 'Five conclusions about the action: No capitulation!', (6 October 2019), available at: https://www.radiosvoboda.org/a/30202063.html [Accessed on 28 June 2021].

326   UKRINFORM, 'Zelensky: We agree on the text of the 'Steinmeier formula', (1 October 2019), paragraphs 2, 3, 4, available at: https://www.ukrinform.ru/rubric-polytics/2791154-zelenskij-my-soglasovyvaem-tekst-formuly-stajnmajera.html, [Accessed on 28 June 2021].

327   UKRINFORM, 'Steinmeier Formula': published a letter addressed to Sajdik, signed by Kuchma' (2 October 2019), paragraph 2 , available at: https://www.ukrinform.ru/rubric-polytics/2791512-formula-stajnmaera-opublikovali-pismo-na-ima-sajdika-podpis-annoe-kucmoj.html, [Accessed on 28 June 2021].

328   OSCE, 'OSCE SMM Operational Report: Receipt of Reports of Completion of Withdrawal of Forces and Funds at the Petrovsky Breeding Area' (13 November 2019), paragraph 6, available at: https://www.osce.org/ru/special-monitoring-mission-to-ukraine/438800, [Accessed on 28 June 2021].

329   UKRINFORM, 'OSCE Mission Verified Troop Breeding in Zolote", (26 November 2019), paragraph 3, available at: https://www.ukrinform.ru/rubric-ato/2826022-missia-obse-verificirovala-razvedenie-vojsk-v-zolotom.html, [Accessed on 28 June 2021].

330   President of Ukraine Volodymyr Zelensky, Official Internet Representation of the Paris Summit, (10 December 2019), available at: https://www.president.gov.ua/ru/news/zagalni-uzgodzheni-visnovki-parizkogo-samitu-v-normandskomu-58797, [Accessed on 29 June 2021].

the border area with Russia back over to the Ukrainian government. After the Normandy Four summit, DW noted that 'Moscow insists on the Minsk agreements, which clearly state that the withdrawal of illegal armed groups and mercenaries, as well as the return of government forces to control the border will begin the day after the local elections in Donbass under Ukrainian law. At the same time, Kyiv insists that free elections are impossible without border control and the withdrawal of militia members.[331] It was also decided that before the next meeting in the 'Normandy format' the parties should agree on preconditions for the elections. After the meeting in Paris, Chancellor Angela Merkel expressed hope for a compromise, noting that the Minsk agreements are not a 'petrified document' and that 'flexibility' would be needed for their implementation.

The December meetings of the TCG in Minsk were influenced by the agreements agreed in Paris by the leaders of the 'Normandy format'. On 18 December, the TCG adopted a statement 'on its commitment to the full and comprehensive implementation of the ceasefire adopted on 17 July 2019, supported by the implementation of all necessary measures to support the ceasefire'.[332] On 23 December 2019, the Special Representative of the OSCE Chairman-in-Office in Ukraine and in the TCG, Ambassador Martin Sajdik, made a statement, noting that 'the Trilateral Contact Group has reached an agreement on mutual release and exchange of persons until the end of the year'.[333]

Despite preliminary agreements on an exchange in the format of 'all for all', only 76 illegally detained persons and prisoners were returned to Ukraine on 29 December, while the Ukrainian side handed over 124 detainees to the representatives of the self-proclaimed 'DPR' and 'LPR'. It might be worth noting that 'not everyone agreed to return to the occupied territories – 14 people remained in the territory controlled by Kyiv'.[334]

Still by the end of 2019 the ceasefire did not hold. For example, according to the Memory Book of the Ministry of Defense of Ukraine, in December 2019 alone, nine representatives of the security forces of Ukraine died. At the same time, losses on the part of the self-proclaimed 'DPR' and 'LPR' were not published for that period. However, at the request of Radio Liberty (Radio Svoboda), the Office of the United Nations High Commissioner for Human Rights (OHCHR) reported that, as of 31 October 2019, 'UNHCR has recorded 155 deaths or injuries to civilians related to the conflict: 25 dead and 130 injured, which is 40.4 percent less than in the same period in 2018 (51 dead and 209 wounded), and which is also the lowest number of civilian casualties during the entire conflict'.[335]

The beginning of 2020 did not bring fundamental changes to the situation in the conflict

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331 DW, 'What did the Normandy Format (not) agree at the summit in Paris', 10 December 2019), available at: https://www.dw.com/ru/о-чем-не-договорились-на-саммите-нормандской-четверки-в-париже/a-51610064 [Accessed on 29 June 2021].

332 OSCE, 'Press release of the Special Representative of Sajdik after the meeting of the Trilateral Contact Group in videoconference format 18 December2019' (19 December 2019), available at: https://www.osce.org/ru/chairmanship/442555, [Accessed on 29 June 2021].

333 OSCE, 'Press release of the Special Representative of Sajdik following the meeting of the Trilateral Contact Group in videoconference format 23 December2019' (24 December 2019), available at: https://www.osce.org/ru/chairmanship/442960, [Accessed on 29 June 2021].

334 Justice for Peace in Donbass, Anton Udovenko 'Chronology of prisoner exchanges: 2014-2020', chapter 'Thaw', (May 2020), paragraph 4, available at: https://jfp.org.ua/blog/blog/blog_articles/58?locale=ru, [Accessed on 29 June 2021].

335 Radio Svoboda, 'The UN counted the victims of hostilities in Donbass among civilians and combatants, section, 'How has the percentage of civilian casualties changed?', (14 November 2019), available at: https://www.radiosvoboda.org/a/oon-zvit-ghertvy-donbas/30272212.htm [Accessed on 29 June 2021].

zone. In January-February, the Trilateral Contact Group focused on monitoring the ceasefire and discussing possible areas of deployment. However, no final agreement was reached. In addition, the political working group of the TCG continued to discuss issues related to the special status of certain areas of Donbass, as well as the implementation of the 'Steinmeier formula' in Ukrainian legislation. The end of February was marked by an increase in the intensity of the fire, which brought about an increase in combat casualties and suffering among the local population. Ceasefire violations were raised by the Special Representative of the OSCE Chairman-in-Office in Ukraine, Ambassador Heidi Grau, after a regular meeting at the TCG in Minsk on 26 February 2020. In particular, the ambassador stated that 'we all witnessed an exceptional spike in ceasefire violations in the Luhansk region last week, including the use of Minsk-prohibited weapons. Once again, the civilian population has paid a heavy price. It is unacceptable'.[336]

On 11 March 2020, the meeting of the TCG in Minsk was attended by the Head of the Office of the President of Ukraine, Andriy Ermak and the Deputy Head of the Administration of the President of the Russian Federation, Dmitry Kozak. Following the meeting, a protocol was signed on the establishment of an Advisory Council as part of a political working group. In particular, the protocol stated that 'the Council consists of 10 representatives from Ukraine, 10 representatives from certain areas of Donetsk and Luhansk regions of Ukraine (ORDLO) with a decisive vote'.[337] It was assumed that the establishment of the Advisory Board would later be agreed with the French and German sides. Dmitry Kozak commented on the idea of this kind of a council, stating that 'a new mechanism has been created for a dialogue platform with the participation of countries of the 'Normandy format', the conflicting parties'.[338] In Ukraine the idea of an Advisory Council with representatives from territories not under Kyiv's control provoked fierce political and social opposition. A public e-petition was registered on the official website of the President of Ukraine.[339] As a result of these actions, the idea of establishing an Advisory Board with the participation of representatives of the temporarily occupied territories of Ukraine was left to wither both in Ukraine and among the Western partners of the 'Normandy format' countries.

On 16 April 2020, within the framework of previously reached agreements, another exchange of detainees took place: this time chosen to coincide with the Orthodox Easter. As a result of the exchange, 20 people returned to government-controlled territory. In turn, Kyiv handed over to the self-proclaimed 'DPR' and 'LPR' 13 people, most of whom had received sentences from Ukrainian courts 'for participation in the activities of a terrorist organization'.[340] These proved to be the last prisoner exchanges between the two sides.

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336   OSCE, 'Press release of the Special Representative of Sajdik following the meeting of the Trilateral Contact Group in videoconference format 26 February 2020', paragraph 3, (27 February 2020), available at: https://www.osce.org/ru/chairmanship/447334, [Accessed on 30 June 2021].

337   ZN, UA Russia, 'New Minsk Protocols. Document', (13 March 2020), paragraph 2, available at: https://zn.ua/POLITICS/novye-minskie-protokoly-dokument-347861_.html [Accessed on 30 June 2021].

338   Radio Svoboda, 'New Minsk: the beginning of direct talks with the militants?', Section, 'Russia's version: Representatives of unrecognized republics will participate as equal participants in the negotiations', paragraph 1, (14 November 2019), available at: https://www.radiosvoboda.org/a/30485608.html [Accessed on 30 June 2021].

339   UKRINFORM, 'The protocol signed on March 11 in Minsk does not legitimize ORDLO – Zelensky', (6 April 2020), paragraph 2, available at: https://www.ukrinform.ru/rubric-polytics/2913405-podpisannyj-11-marta-v-minske-protokol-ne-legitimiziruet-ordlo-zelenskij.html, [Accessed on 30 June 2021].

340   DW Ukraine, 'Whom Kyiv released from prisons for exchange in Donbass', (17 April 2020), paragraph 1, available at:

Due to quarantine restrictions and in order to prevent the spread of COVID-19, the meetings of the TCG have been carried out by videoconferencing since April 2020. Until the end of June 2020 the main issues had been areas with deployed forces and funds, as well as the possibility of implementing the 'Steinmeier formula' in Ukrainian legislation.

On 27 May, at a meeting of the TCG, the OSCE representatives noted increasing violations of the ceasefire, which had 'injured five children in May'.[341] TCG meetings, then, tried to improve the effectiveness of ceasefires. The intensification of this process was also facilitated by the meeting of the political advisers to the 'Normandy format' on 4 July 2020 in Berlin. In particular, the Ukrainian side noted at the summit that 'the parties agreed on the need for real measures to ensure a full and comprehensive ceasefire'.[342] The head of the Russian delegation, Dmitry Kozak, said in turn, that 'we are close to taking a concrete set of additional measures at the next TCG meeting, not a declaration of commitment to a ceasefire that is not working, but specific mechanisms that ensure the implementation of this declaration'.[343]

On 22 July 2020, following the meeting of the TCG, the Special Representative of the OSCE Chairman-in-Office in Ukraine, Ambassador Heidi Grau, announced that 'the Trilateral Contact Group, with the participation of representatives of certain districts of Donetsk and Luhansk regions of Ukraine to strengthen the ceasefire, aimed at ensuring a comprehensive, sustainable and unlimited ceasefire from 00:01 (Kyiv time) on 27 July 2020 …. for the entire period until a full comprehensive settlement of the conflict of the relevant ceasefire orders'.[344] The new additional measures included, in particular, 'a ban on offensive and reconnaissance and sabotage operations, as well as a ban on the use of any type of aircraft by the parties; ban on the use of any fire, including sniper'. It was also forbidden to place heavy weapons in settlements and their environs, especially on civilian infrastructure, including schools, kindergartens, hospitals and premises open to the public. In addition, one of the clauses of the agreements provided for the obligation to apply disciplinary measures for ceasefire violations.[345]

The agreement within the framework of the TCG of 22 July was called a 'breakthrough' by the Office of Volodymyr Zelensky. But the official website of the President of Ukraine stated that 'a complete and comprehensive ceasefire is a basic prerequisite for a political settlement'.[346] Russia's response to the TCG agreement of 22 July was more

https://www.dw.com/uk/кого-київ-звільнив-з-тюрем-для-обміну-на-донбасі/a-53167103 [Accessed on 2 July 2021].

341 OSCE, 'Press release of Special Representative Grau following the meeting of the Trrilateral Contact Group in videoconference format 27 May 2020' (28 May 2020), available at: https://www.osce.org/ru/chairmanship/453288, [Accessed on 2 July 2021].

342 President of Ukraine Volodymyr Zelensky, Official Internet Representation 'Ukraine, France and Germany have demonstrated their readiness to make every effort to implement the agreements of the 'Normandy Format' reached in Paris and to bring the summit in Berlin closer,' (4 July 2020), paragraph 4 , available at: https://www.president.gov.ua/ru/news/ukrayina-franciya-ta-ni-mechchina-prodemonstruvali-gotovnist-62021, [Accessed on 2 July 2021].

343 Izvestia, Kozak spoke on the results of negotiations between the advisers of the 'Normandy Format', paragraph 3, (4 July 2020), available at: https://iz.ru/1031396/2020-07-04/v-berline-vyrabotali-mekhanizm-dlia-realizatcii-peremiriia-v-donbasse [Accessed on 2 July 2021].

344 OSCE, 'Press release of Special Representative Grau following the next meeting of the Trilateral Contact Group 22 July 2020' (23 July 2020), available at: https://www.osce.org/ru/chairmanship/453288, [Accessed on 2 July 2021].

345 Gazeta.ru, 'Breakthrough in Minsk: will they stop shooting in Donbass', paragraph 10,11 (23 July 2020), available at: https://www.gazeta.ru/politics/2020/07/23_a_13163557.shtml, [Accessed on 2 July 2021].

346 President of Ukraine Volodymyr Zelensky, Official Internet Representation 'Breakthrough in the Minsk Process: TCG reached an agreement on a complete and comprehensive ceasefire on the contact line from July 27', (22 July 2020), paragraph 3, available

restrained. Thus, the press secretary of the President of Russia Peskov stated that 'at the level of the 'Normandy format' (to consolidate the agreement) — this is one thing, and any guarantees from Russia — in this case, I do not think we could talk about it. Because Russia is not a party to the conflict in southeastern Ukraine'.[347] However, despite the fact that the ceasefire regime continued to be periodically disrupted, the shellings and casualties, especially in the summer-autumn period of 2020, decreased significantly compared to the same period in 2019. At a December briefing, the Ministry of Defence of Ukraine reported that 'according to official Ukrainian data, in the first hundred days of silence, three Ukrainian servicemen were killed and 11 were injured. There is no reliable information about the losses of the separatists'.[348]

At the same time, one of the main political conditions for a peaceful settlement of the situation in Donbass was holding of elections under Ukrainian law in certain parts of the Donetsk and Luhansk regions (ORDLO). On 15 July 2020, the Verkhovna Rada adopted Resolution № 3809 'On calling the next local elections in 2020 (October 25, 2020)'. Paragraph 2 of this Resolution stipulated that 'elections of deputies to the Verkhovna Rada of the Autonomous Republic of Crimea, deputies of local councils and village, settlement, city mayors in the temporarily occupied territories of the Autonomous Republic of Crimea, Sevastopol and in certain districts, cities, towns and villages of Donetsk and Luhansk regions are not appointed and are not held'. In addition, paragraph 4 of the resolution determined the conditions under which elections could be held in territories not controlled by Kyiv. In particular, the Resolution stated that 'elections of deputies of local councils and village, settlement, city mayors, not appointed in accordance with paragraphs 2, 3 of this Resolution, will be called in the manner and terms established by separate laws, provided: termination of temporary occupation and armed aggression of the Russian Federation against Ukraine, namely: withdrawal of all illegal armed formations controlled and financed by the Russian Federation, Russian occupation troops, their military equipment from the territory of Ukraine; restoration of full control of Ukraine over the state border of Ukraine...'[349] In turn, the Russian Federation reacted negatively to the Ukrainian parliament's decision not to hold elections in these areas until control of the eastern section of the Russian-Ukrainian border was restored. Thus, at the meeting of the OSCE Permanent Council on 23 July 2020, the Permanent Representative of the Russian Federation, Alexander Lukashevich called Ukraine's actions 'destructive', claiming that the decision of the Verkhovna Rada on local elections 'does not correspond to paragraphs 4, 9, 11 and 12 of the 'Minsk package of measures' of February 12, 2015, approved by the UN Security Council, and calls into question the very possibility of further political

at: https://www.president.gov.ua/ru/news/proriv-u-minskomu-procesi-v-tkg-dijshli-zgodi-shodo-povnogo-62389, [Accessed on 2 July 2021].

347   Novaya Gazeta, Olga Musafirova, 'Zelensky is being pressured from all sides. Is it possible to return peace to Donbass without betraying the national interests of Ukraine?', chapter 'Vladimir Zelensky is learning to be president. And he believes that this is a fresh and original decision - to disarm the army and ban it from responding' (23 July 2020), available at: https://novayagazeta.ru/articles/2020/07/28/86434-na-zelenskogo-davyat-so-vseh-storon, [Accessed on 2 July 2021].

348   At present, Vladimir Runets, 'The longest truce. How successful were Kyiv's initiatives to end hostilities in the Donbas?', paragraph 20, (29 December2020), available at: https://www.currenttime.tv/a/itogi-zelensky-donbass/31023078.html, [Accessed on 2 July 2021].

349   The Verkhovna Rada of Ukraine, Legislation of Ukraine, Resolution of the Verkhovna Rada of Ukraine 'On calling the next local elections in 2020', items 1,2 4, (15 July 2020), available at: https://zakon.rada.gov.ua/laws/show/795-20#Text [Accessed on 3 July 2021].

settlement'.[350]

On 11 September 2020, a regular meeting of advisers of the countries of the leaders of the 'Normandy format' took place in Berlin. There it was planned that there would be discussions related to the settlement of political differences for the full implementation of the Minsk agreements. However, according to reports to the press after the meeting, it was understood 'that a breakthrough on the problematic issues was not achieved'. It was noted, though, that 'the most important decision to be made after the meeting in Berlin is the continuation and observance of the regime of silence in Donbass'.[351]

With regard to the meetings of the TCG, during late 2020, issues related to the agreements reached on 22 July in support of a comprehensive, sustainable and unlimited truce were on the agenda. First of all, it concerned the de-escalation of the conflict in the Shuma settlements[352] and Vodyane[353] with the participation of OSCE representatives. There was the identification of new areas for the deployment of forces and assets, as well as the humanitarian demining of vital areas in the conflict zone.

It should be pointed out that, 5 November, the Ukrainian delegation at the TCG discussed the so-called five points of the Action Plan for Donbass. In Ukraine these had the potential to create conditions for elections in certain areas of the Donetsk and Luhansk regions (ORDLO). In particular, paragraphs 1 and 2 of this Plan provided for: 'withdrawal of foreign troops, illegal armed groups and mercenaries from the territory of Ukraine in early 2021, as well as the abolition of a number of decisions and documents that granted Russian citizenship to the inhabitants of these territories'.[354] The Ukrainian side's proposals did not find support from Russian officials. Commenting on the five points of the Donbass Action Plan the press secretary of the President of the Russian Federation mentioned that 'as far as I understand, this is a completely different substance, which differs from the content and approach fixed in the Minsk agreements'.[355] On 13 November, Ukraine made the case for a single document on the implementation of the Minsk agreements on the basis of the five points of the Donbass Action Plan. This was done at a regular meeting of advisers to the leaders of the 'Normandy format.[356] However, although approved by Western partners, its further development was hampered by Russia.

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350   459052.pdf, 'Reply of the Permanent Representative of the Russian Federation A.K. LUKASHEVICH at the meeting of the OSCE Permanent Council on 23 July 2020', paragraphs 4,5 (23 July 2020), , available at: https://www.osce.org/files/f/documents/8/a/459052.pdf [Accessed on 3 July 2021].

351   INTERFAX RU, 'Advisers of the Normandy Format will continue to prepare for the summit', (12 September 2020), paragraph 3, available at: https://www.interfax.ru/world/726637, [Accessed on 3 July 2021].

352   LB.ua, 'Trilateral Contact Group held an extraordinary meeting', (9 September 2020), paragraphs 4,5, available at: https://lb.ua/news/2020/09/09/465592_tristoronnya_kontaktna_grupa_provela.html [Accessed on 3 July 2021].

353   Ukrainska Pravda, 'TCG extraordinary gathered due to aggravation in the Donbass', (30 October 2020), paragraph 1, available at: https://www.pravda.com.ua/rus/news/2020/10/30/7271860/ [Accessed on 3 July 2021].

354   UNN, Ukrainian National News, Donbass Action Plan News Agency: Ukraine has announced 5 main points, points 1.2 (5 November 2020), available at: https://www.unn.com.ua/uk/news/1901191-plan-diy-po-donbasu-ukrayinska-storona-ogolosila-5-golovnikh-punktiv [Accessed on 3 July 2021].

355   DW Ukraine, 'Donbas Action Plan" by Kravchuk: skepticism prevails in assessments', (10 November 2020), chapter 'The Kremlin reacted negatively to Kravchuk's plan', available at: https://www.dw.com/ru/plan-dejstvij-po-donbassu-ot-kravchuka-v-kieve-preobladaet-skepsis/a-55552204 [Accessed on 3 July 2021].

356   Rubryka, 'Activation of the Normandy format: representatives of Germany and France supported the position of Ukraine to develop a single document for the effective operation of the TCG', (13 November 2020), available at: https://rubryka.com/ru/2020/11/13/aktyvizatsiya-normandskogo-formatu-predstavnyky-nimechchyny-ta-frantsiyi-pidtrymaly-pozytsiyu-ukrayiny-shhodo-napratsyuvannya-yedynogo-dokumenta-dlya-efektyvnoyi-roboty-tkg/ [Accessed on 3 July 2021].

On 15 December 2020, the Verkhovna Rada extended the 2014 law 'On the special order of local self-government in certain districts of Donetsk and Luhansk regions' until the end of 2021. This document provided that local self-government in certain districts of Donbass region would be put into effect only 'after fulfilling all the conditions set out in Article 10 of the law, in particular with regard to the withdrawal of all illegal armed groups and their military equipment and militants and mercenaries from the territory of Ukraine'.[357] The Russian side reacted negatively to the decision of the Ukrainian parliament. Such actions do not provide an opportunity to 'enshrine in Ukrainian law the special status of Donbass and the Steinmeier formula'.

At the end of 2020, most agreements from the Paris summit remained unfulfilled. The communiqué partially resolved the issue of releasing detainees, as well as of establishing a more effective ceasefire in Donbass. At the same time, the process of further settlement of the conflict came to a standstill due to differences in approaches to the implementation of the 'political points' of the Minsk agreements. In particular, the head of the Foreign Ministry of Ukraine Dmitry Kuleba during a joint press conference with German Foreign Minister Heiko Maas in June 2020 noted that a direct dialogue with the 'DPR and LPR is unacceptable'. Meanwhile, Kuleba emphasized that 'we are opposed by Russian commanders. Not Donetsk, nor Luhansk, but Russian commanders who command military corps'.[358] In turn, in an interview with TASS, Deputy Chief of Staff Dmitry Kozak articulated Russia's point of view: 'if President Zelensky's team conducts a consistent, direct and honest dialogue with Donbass, there is a prospect of resolving the conflict. And in a fairly short time'.[359] The TCG did not agree on the deployment of forces in the three new areas along the line of contact, nor on the completion of the release of all detainees on an all-for-all basis. Regarding the observance of the agreements on maintaining the ceasefire regime, according to the OSCE, the number of shellings in Donbass in 2020 decreased by 55% compared to 2019. According to the report of the UN Human Rights Monitoring Mission, 'during 2020, 70 cases of death or injury of civilians were recorded as a result of artillery shelling, fire from small arms and light weapons, as well as strikes from unmanned aerial vehicles: eight dead (five women and three men) and 62 wounded (30 men, 23 women, six girls and three boys)'.[360]

On 21 January 2021, the TCG held its first meeting in the new year by videoconference. In a press release issued by the Special Representative of the OSCE Chairman-in-Office in Ukraine and in the TCG, Ambassador Heidi Grau noted that 'despite some alarming trends, the ceasefire, according to the OSCE Special Monitoring Mission, is generally maintained'.[361] At the same time, since the end of January, the OSCE had begun to record increases in

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357   DW, 'The Verkhovna Rada extended the law on the special status of Donbas for a year', (15 December 2020), paragraphs 4,5, available at: https://www.dw.com/uk/verkhovna-rada-na-rik-prodovzhyla-diiu-zakonu-pro-osoblyvyi-status-donba-su/a-55945250 [Accessed on 3 July 2021].

358   news-life, 'Direct dialogue with 'DPR' and 'LPR' is inadmissible', (3 June 2020), paragraphs 1, available at: https://news-life.org/247094581 [Accessed on 3 July 2021].

359   TASS, 'The last meeting of the contact group on Donbass will be held on December 16', (15 December 2020), chapter 'The way to freeze the conflict', paragraph 2, available at: https://tass.ru/mezhdunarodnaya-panorama/10266251 [Accessed on 3 July 2021].

360   Facebook, 'UN Human Rights Monitoring Mission', (23 February 2021), paragraph 3 , available at: https://www.facebook.com/594386514060729/posts/1837191006446934/?d=n [Accessed on 3 July 2021].

361   OSCE, 'Press Statement of Special Representative Grau after the regular Meeting of Trilateral Contact Group on 21 January 2021' (21 January 2021), paragraph 5, available at: https://www.osce.org/ru/chairmanship/476341, [Accessed on 3 July 2021].

the intensity of shelling on the line of contact with more deaths on both sides. In the combat zone, sniper fire was noted, as well as the use of weapons prohibited by the Minsk agreements. In February 2021 alone, according to the Ministry of Defense of Ukraine, ten servicemen were killed and 25 were wounded. In terms of total losses, February 2021 had become the 'deadliest' since the beginning of the ceasefire 27 July 2020.[362]

The situation on the line of contact did not improve in March either, as the number of losses on both sides continued to escalate. The situation became inflamed on 26 March, when four Ukrainian servicemen were killed and two were injured from shelling near the village of Shumy in the Donetsk region. In this regard, Volodymyr Zelensky instructed the representatives of Kyiv in the TCG to initiate an emergency meeting, as well as to urgently discuss the aggravation of the situation in Donbass at the level of advisers to the leaders of the 'Normandy format'.[363] On 30 March 2021, the press service of the Elysee Palace reported that 'The President of France, the Chancellor of Germany and the President of Russia held a joint conversation in the format of a video conference. As a result, the leaders of France and Germany noted that Russia needs to commit itself to ensuring a ceasefire in the Donbas and to help overcome the crisis in compliance with the Minsk agreements'.[364] The complexity of the situation on the line of contact was flagged up by the weekly OSCE monitoring data from 2 to 5 April. In particular, the OSCE recorded a significant number of ceasefire violations, especially in the Donetsk region.[365] It is also worth noting that another aggravation of the situation in Donbass coincided with an increase in the concentration of Russian troops to conduct military maneuvers on the border with Ukraine. This circumstance has caused serious concern in Ukraine, the European Union and NATO.[366]

Against this background, on 7 April 2021, a regular meeting of the TCG took place. Following the meeting, the Special Representative of the OSCE Chairman-in-Office in Ukraine noted that 'during the meeting, its participants reaffirmed their commitment to a ceasefire'.[367] Russia's plenipotentiary representative to the TCG , Boris Gryzlov, stated, though, that 'the emergency meeting of the TCG, initiated by Ukraine, ended in vain'.[368] The press secretary of the President of Russia, also blamed the Ukrainian side for the escalation on the line of contact: 'there is a situation in Donbass which is associated with increased activity of provocative actions by the armed forces of Ukraine'.[369]

362 Gazeta.ua, '11 fighters who lost their lives in February fighting the war - history and photos', (1 March 2021), paragraph 1, available at: https://gazeta.ua/ru/articles/donbas_11-bojcov-pogibshih-v-fevrale-na-fronte-istorii-i-foto/1017021 [Accessed on 3 July 2021].

363 INTERFAX, 'Ukraine has decided to urgently discuss the aggravation in the Donbass with the 'Normandy Four', (26 March 2021), paragraph 1, chapter 'The death of four Ukrainian soldiers', available at: https://www.interfax.ru/world/758138, [Accessed on 3 July 2021].

364 hromadske, 'Merkel and Macron held a conversation with Putin: called on him to help stabilize the situation in Donbas', (30 March 2021), paragraph 2, available at: https://hromadske.ua/ru/posts/merkel-i-makron-proveli-razgovor-s-putinym-prizvali-ego-sode-jstvovat-stabilizacii-situacii-na-donbasse, [Accessed on 3 July 2021].

365 Economy of Ukraine, Natalia Mironova, 'Military aggravation in Donbass: the reaction of the world community and what to expect from Russia', (8 April 2021), paragraph 1, available at: https://thepage.ua/economy/vojna-na-donbasse-2021-obzor-zarubezhnoj-pressy, [Accessed on 3 July 2021].

366 DW, 'Comment: Putin wants to force Ukraine to capitulate', (9 April 2021), paragraphs 2, available at: https://www.dw.com/ru/kom-mentarij-putin-vynuzhdaet-ukrainu-kapitulirovat/a-57143668 [Accessed on 3 July 2021].

367 OSCE, 'Press Statement of Special Representative Grau after the extraordinary Meeting of Trilateral Contact Group on 07 April 2021' (7 April 2021), paragraph 3, available at: https://www.osce.org/ru/chairmanship/483005, [Accessed on 3 July 2021].

368 Gazeta.ru, 'Dialogue blocked: emergency meeting on Donbass ended in nothing' (7 April 2021), paragraph 1, available at: https://www.gazeta.ru/politics/2021/04/07_a_13550756.shtml [Accessed on 3 July 2021].

369 TASS, 'Peskov called the situation in Ukraine dangerous for Russia', (11 April 2021), chapter 'Intensification of provocations by

During April-June 2021, the main agenda of the TCG meetings was aimed at reaching agreements on stopping the escalation on the line of contact, as well as on unconditional observance of the comprehensive, sustainable and indefinite truce of 27 July 2020. On 22 April, Russian Defense Minister Sergei Shoigu said that 'it has been decided to complete inspections in the Southern and Western military districts, and from April 23 the troops will return to their permanent locations'.[370] This action had a positive effect on the negotiation process for a peaceful settlement of the conflict in Donbas. On 19 May, a regular TCG meeting was held. Following the meeting, the Special Representative of the OSCE Chairperson-in-Office in Ukraine and the TCG stated that 'the level of ceasefire violations remains high. The increase in the use of heavy weapons placed in violation of the withdrawal line is also a matter of serious concern'.[371] The regular talks between the political advisers of the 'Normandy Format' held on 26 May in Berlin did not yield any special results. In particular, the Ukrainian representative at the TCG, commenting on the meeting in Berlin, noted that 'There was a tough exchange of views. Despite consistent attempts by Ukraine to return to full compliance with the ceasefire and the appropriate support of mediators, France and Germany, Russian representatives reduced the discussion to a question the answer to which has been known to the civilized world since 2014: who are the parties in the conflict?[372] On 9 and 23 June, regular meetings of the TCG were held. As a result, the Special Representative of the OSCE Chairman-in-Office stated that 'specific measures that could improve the security situation have not been agreed. The participants exchanged proposals on a joint document on the coordination and verification mechanism, but no consensus was reached'.[373]

However, despite the periodic aggravation of the situation in the conflict zone in 2021, the parties interpreted the current situation 'not as a termination, but as a violation' of the agreements reached on a comprehensive, sustainable and indefinite truce from 27 July 2020.[374] In an answer to a question from Radio Liberty, the Ukrainian Ministry of Defence reported that since the announcement of that ceasefire (from July 27, 2020 to May 5, 2021) in the area of the Joint Forces operation in Donbass 34 servicemen were killed, and 107 were injured.[375] These data indicate a continuing positive trend in smaller losses in the conflict zone in the Donbass compared to similar periods in 2019-2020.

The Minsk agreements are currently the only written document that provide a negotiating platform for meetings and solutions for a peaceful settlement, taking into account the proposals of the warring parties. It was reference to the Minsk agreements that ensured

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Ukraine', paragraph 2, available at: https://tass.ru/politika/11116867 [Accessed on 4 July 2021].

370 INTERFAX, 'Shoigu announced the completion of the inspection of the troops of the Southern and Western districts', (22 April 2021), paragraph 1, available at: https://www.interfax.ru/russia/762700, [Accessed on 3 July 2021].

371 OSCE, 'Press Statement of Special Representative Grau after the regular Meeting of Trilateral Contact Group on 19 May 2021' (19 May 2021), paragraph 2, available at: https://www.osce.org/ru/chairmanship/487087, [Accessed on 4 July 2021].

372 slovoidilo, 'TCG summed up the meeting of Normandy advisers' (27 May 2021), paragraphs 3, 4,available at: https://ru.slovoidilo. ua/2021/05/27/novost/obshhestvo/tkg-podveli-itogi-vstrechi-normandskix-sovetnikov, [Accessed on 4 July 2021].

373 OSCE, 'Press Statement of Special Representative Grau after the regular Meeting of Trilateral Contact Group on 23 June 2021' (24 June 2021), paragraph 2, available at: https://www.osce.org/chairmanship/490799, [Accessed on 4 July 2021].

374 ZN, 'Authorities interpret aggravation in Donbas as violation of truce, not its termination – Arestovich', available at: https://zn.ua/ POLITICS/vlasti-traktujut-obostrenie-v-donbasse-kak-narushenie-peremirija-a-ne-eho-prekrashchenie-arestovich.html [Accessed on 4 July 2021].

375 Radio Svoboda, 'The Armed Forces reported losses in Donbass since the beginning of the next truce', paragraph 2, (7 May 2021) , available at: https://www.radiosvoboda.org/a/news-zsu-zagubli-viyskovi/31243168.html [Accessed on 4 July 2021].

the cessation of the active phase of hostilities in 2014-2015, thus saving the lives of thousands. Not only the members of the 'Normandy Format' but also the leaders of the G7 countries, as well as numerous resolutions of leading international peacekeeping institutions, confirm their commitment to the Minsk agreements. This is the way to a peaceful settlement of the conflict in Donbass.

At the same time, the seven-year chronology of the armed conflict in eastern Ukraine set out above has revealed the interdependence of security and political decisions. However, delaying the implementation of the political component of the Minsk agreements accelerates a number of negative trends that do not de-escalate the conflict. First of all, there is the long-term lack of opportunity for residents of certain areas in the Donetsk and Luhansk regions to enjoy common informational, cultural, socio-economic, administrative, and socio-political life with other parts of Ukraine. This situation gradually leads to difference values. This is especially true of children who were born and raised under completely different ideological narratives. In the future, all these problems will require the search for balanced solutions in the reintegration of certain areas of Donbass, which have effectively been outside the legislative reach of the Ukrainian government.

3.3. Obstacles to the de-escalation of the conflict in eastern Ukraine

The Office of the UN High Commissioner for Human Rights (at the request of Radio Liberty) reported that 'from April 14, 2014 to the beginning of February 2021, between 13,100 and 13,300 people died from the fighting in Donbass. Of these, 3,375 are civilians, about 4,150 Ukrainian military and about 5,700 militia members. In addition, 29,500-33,500 people have been injured since the beginning of hostilities in Donbass. Among them 7,000-9,000 civilians'.[376] The list of civilian casualties included 298 people aboard the downed Malaysia Airlines Boeing (flight MH17) en route from Amsterdam to Kuala Lumpur. Moreover, a UNICEF report dated 3 October 2019 states that at least 38 children had been killed and 128 had been injured as a result of the explosion of mines and ammunition in Donbass since 2014. According to UNICEF, more than 200,000 Ukrainian children live in a twenty-kilometre zone on either side of the line of contact. Here mines and other explosives are common.[377]

The part of the territory of Donetsk and Luhansk oblasts where the armed conflict continues is defined in the legislation of Ukraine as 'the territory of the Joint Forces operation' (JFO). This region is about 40,000 sq km and includes settlements, the list of which is approved by government order. There are three types of territories in the environmental protection zone:

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376 hromadske, 'The UN has counted the number of victims of hostilities in the Donbas for 7 years of war', (19 February 2021), para-graphs 1,2,4, available at: https://hromadske.ua/ru/posts/v-oon-podschitali-kolichestvo-zhertv-boevyh-dejstvij-na-donbasse, [Accessed on 5 July 2021].

377 Crimean news, 'About 40 children have died in mines in Donbas since the beginning of the war, according to a UNICEF report', (3 October 2019), paragraphs 1, 3, available at: https://qha.com.ua/ru/novosti/na-donbasse-s-nachala-vojny-ot-min-pogibli-okolo-40-detej-otchet-yunisef, [Accessed on 5 July 2021].

1) territories controlled by the authorities of Ukraine; 2) temporarily occupied territories ('DPR' and 'LPR'); 3) line of contact and 'grey' areas. Ukraine controls most of the Donetsk and Luhansk regions.[378] Given the peculiar circumstances of the exercise of power in the conflict zone, the Rada adopted a Law 'On Civil-Military Administrations' (CMA). CMAs are created as temporary governing bodies and perform part of the functions of local self-government. As a rule, CMAs operate in the areas adjacent to the line of contact.

An accumulation of problems follows from this that complicates the establishment of a constructive dialogue between the two parts of the population of Donbass. These problems may also hinder the implementation of the Minsk agreements. Among the key problems are:

• **creation and functioning of 'administrations' in the territory of certain areas in the Donetsk and Luhansk regions (ORDLO).** The area of the territory in the east of Ukraine where the self-proclaimed 'LPR' 'DPR' have control, amounts to about 18,000. sq. km. This is almost 3% of Ukraine (which measures some 603,700 thousand sq. Km), and a third of the total area of the Donetsk and Luhansk regions (53,200 sq km). As of June 2021, separatists held 46 cities. ORDLO fully covers the territory of only ten districts and several more districts partially: there are 36 districts in the Donetsk and Luhansk regions. The size of Donbass, which is not under the control of the Ukrainian government, is about the size of Slovenia (20,200 sq km), and, according to various sources, about 1.6 million people still live there.[379] The administrations of the 'DPR' and 'LPR', which were illegally established in 2014, claim to be governments of independent states. At the same time, the 'DPR' and 'LPR', are not diplomatically recognized by any UN member states. International missions note the top-down regulation of social processes there and the private lives of citizens in these territories. There is a curfew, and there are no functioning democratic institutions, free press or civil society. There is, then, an artificial administrative separation of ORDLO residents from other regions of Ukraine.

• **rupture of socio-economic ties of parts of Donetsk and Luhansk (ORDLO) with other Ukrainian regions.** The project 'Support for the Strategy of Transformation of the Economy of Donbass', which was funded by the British Embassy, 2014-2018. According to the project, due to the loss of territories, people and assets, severance of ties and migration, the economic losses of the Donetsk and Luhansk regions amounted to more than 50 billion dollars USA.[380] As for the ORDLO area, economists Tom Coupe, Michal Mick and Mateusz Najstub documented a critical decline in economic activity in the area using an indirect assessment of the economy: they measured the illumination of the area at night based from satellite images. According to their data, the corresponding figure halved in Donetsk

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378   Prometheus Canada, 'ATO Zone' chapter 4, 'Life in war', p. 45, (2017), available at: https://prometheus.ngo/wp-content/up-loads/2017/05/Donbas_v_Ogni_RUS_1-2_web.pdf [Accessed on 5 July 2021].

379   UNIAN, 'The Cabinet of Ministers revealed how many people live in the occupied Donbas', paragraph 2, (5 May 2020), available at: https://www.unian.net/war/naselenie-okkupirovannogo-donbassa-reznikov-ozvuchil-kolichestvo-zhiteley-ordlo-novosti-don-bassa-10984949.html [Accessed on 5 July 2021].

380   Center for Economic Strategy, Anastasia Teleton, 'How many Donetsk and Luhansk regions are lost due to the armed conflict with Russia?', (19 February 2019), paragraph 1, available at: https://ces.org.ua/how-much-did-donetsk-and-luhansk-oblasts-lose-due-to-the-armed-conflict-with-russia/?fbclid=IwAR25ME8PH_H-54NbMYueb9qrXQSncNIzARc60EOOqI14GIZvluzWGLnO6Hc [Accessed on 5 July 2021].

and fell by two thirds in Luhansk. [381] All budget-generating enterprises in the ORDLO area, which were previously export-oriented, have stalled: this is above all true of the metallurgical sector.[382] The main features of economic activity in ORDLO according to the 'Prometheus Canada' study are: 1) the closure of some plants and large enterprises with the subsequent dismantling of equipment for sale for scrap metal or export to Russia; 2) the shutdown of many coal mines; 3) the criminalization of property and business relations; 4) the destruction or expropriation of medium and small businesses, and service enterprises; 5) the complete dependence of local budgets on the financial support of the Russian Federation; 6) the actual entry of the occupied territories into the rouble zone (the circulation of Russian roubles, hryvnias, euros and US dollars is allowed).[383] Violent disruption of socio-economic ties and the introduction of administrative barriers have made it difficult for the Ukrainian government to pay pensions and social benefits to ORDLO residents. The work of Ukrainian banks and financial institutions in the 'DPR' and 'LPR' has been suspended since 2014. The Ukrainian state organizes the payment of pensions to those persons living in ORDLO who can come to the Ukrainian territory. ORDLO's financial and economic activities are focused exclusively on the Russian Federation. This leads to the further distancing of these territories from the the Ukrainian state and its unified economy.

• **certification of residents living in certain districts of the Donetsk and Luhansk regions.** Since 2015 , so-called 'DPR' and 'LPR' passports have been introduced into the territory of certain districts of the Donetsk and Luhansk regions. This has significantly complicated the process of implementing the political part of the Minsk agreements. On 18 February 2017, the Decree of the President of the Russian Federation № 74 'On the recognition in the Russian Federation of documents and registration plates of vehicles issued to citizens of Ukraine and stateless persons permanently residing in certain districts of Donetsk and Luhansk regions of Ukraine' was issued.[384] In addition, in April 2019, Russia began to issue Russian passports to residents of certain districts of the Donetsk and Luhansk regions. Thus, according to the Secretary of the Security and Defense Council of Ukraine Oleksiy Danilov: '630,000 Russian passports have been distributed in the Luhansk and Donetsk regions'.[385] In turn, the head of the Russian delegation to the OSCE Parliamentary Assembly, Petr Tolstoi, stated that 'Russian citizens, whom Russia will protect, live in certain areas of Donetsk and Luhansk regions'. Such actions are, in Kyiv, regarded not only as a threat to the Minsk agreements, but also as a possible excuse for

381   Ukraina Cryminalna, 'From light to shadow: the life of 'DPR/LPR' after the occupation', paragraph 6, (21 July 2021), available at: https://cripo.com.ua/gangsters/?p=215790/ [Accessed on 5 July 2021].

382   hromadske, 'Losses of Donbass: how much did the occupation of the region cost the country's economy', (12 April 2019), chapter "Steel giants of the region", available at: https://hromadske.ua/ru/posts/poteri-donbassa-skolko-stoila-ekonomike-strany-okk-upaciya-region, [Accessed on 5 July 2021].

383   Prometheus Canada, ATO Zone, chapter 4, 'Life in War', p. 48, (2017), available at: https://prometheus.ngo/wp-content/up-loads/2017/05/Donbas_v_Ogni_RUS_1-2_web.pdf [Accessed on 6 July 2021].

384   Ministry of Internal Affairs of Russia in Moscow, 'Decree of the President of the Russian Federation of 18 February 2017 № 74 'On the recognition in the Russian Federation of documents and registration plates of vehicles issued to citizens of Ukraine and stateless persons residing in certain districts of Donetsk and Luhansk regions of Ukraine', (9 March 2019), paragraph 1, available at: https://77.мвд.рф/documents/указы-президента-рф/item/9623568 [Accessed on 10 July 2021].

385   Channel 24, 'Exclusive interview with Secretary of the National Security and Defense Council Danilov: online broadcast', (6 July 2021), YouTube channel, available at: https://24tv.ua/eksklyuzivne-intervyu-sekretarem-rnbo-danilovim-naysvizhishi-novini_n1675978 [Accessed on 10 July 2021].

a large-scale armed attack on Ukraine. On 8 July 2021, the Permanent Representative of Ukraine to the International Organizations in Vienna, Yevhen Tsymbalyuk stated at a meeting of the OSCE Permanent Council that 'the Russian passports and other attributes of Russian sovereignty in the temporarily occupied parts of Ukraine pose an extremely serious threat not only to Ukraine but also to the whole security architecture in Europe'.[386]

• **lack of control by international organizations over the section of the Ukrainian border between the Russian Federation and certain districts of the Donetsk and Luhansk regions.** In the east of Ukraine, the 409.7 km long section of the Ukrainian-Russian state border remains outside the control of the Ukrainian government. In 2014, at the request of the Russian Federation, the OSCE opened its permanent observation posts at two checkpoints (out of eleven) 'Gukovo' and 'Donetsk': they did so, note, only from the Russian side. This was clearly not enough to establish objective and impartial control over the movement of all forces between the Russian Federation and ORDLO. The OSCE is in favor of extending the mandate of the OSCE Monitoring Mission to the entire the Russian-Ukrainian state border in Donbas. But Russia does not support the proposal.[387] In particular, on 19 December 2019, the Ukrainian Ministry of Foreign Affairs announced that 'Russia supplies weapons, ammunition and fuel to the occupied territory of Donbass through the uncontrolled section of the Ukrainian border to strengthen units of regular Russian troops and the illegal armed groups supported by it'. The statement of the Ukrainian Ministry of Foreign Affairs also noted how Russian citizens make up a significant part of the rank and file of the 1st and 2nd Army Corps created by Russia in Donbass: the command staff is formed of personnel officers and generals of the Russian Federation. Sources suggest that the number of regular Russian troops in Donbass ranges from 3,600 to 4,200 servicemen.[388]

• **complication of transport communication of certain areas of the Donetsk and Luhansk regions with other regions of Ukraine.** Since the beginning of hostilities in Donbass (June-July 2014), regular transport links with neighboring regions of Ukraine, as well as with other countries, have been suspended. The airports in Donetsk and Luhansk became battlefields and were almost completely destroyed. Passenger trains do not cross the line of contact, but only reach settlements controlled by Ukraine. As for road transport, in the Donetsk and Luhansk regions one can travel by personal vehicle, taxi or use regular buses. This applies to both the controlled part of Donbass and to ORDLO. Crossing the 'line of contact' by car takes place according to the rules established by the Security Service of Ukraine, through special entry-exit checkpoints (EECPs). With the COVID-19 pandemic and the introduction of quarantine measures, crossing EECPs has become more difficult. Since March 2020, EECPs have either not been open or have been open in only a limited way. This brought

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386 UKRINFORM, 'Russian certification in ORDLO threatens the security of Europe – Tsimbalyuk', paragraphs 3,4 (10 July 2021), available at: https://www.ukrinform.ru/rubric-ato/3277630-rossijskaa-pasportizacia-v-ordlo-ugrozaet-bezopasnosti-evropy-cimbaluk. html [Accessed on 10 July 2021].

387 Day, 'Ukraine calls on Russia to support expansion of mandate of OSCE Monitoring Mission', paragraph 1, (19 February 2021), available at: https://day.kyiv.ua/uk/news/190221-ukrayina-zaklykaye-rf-pidtrymaty-rozshyrennya-mandatu-sposterezhnoyi-mi-siyi-obsye [Accessed on 10 July 2021].

388 Ministry of Foreign Affairs of Ukraine, '10 facts you should know about the Russian military aggression against Ukraine', (19 December 2019), Fact 8: 'Constant inflow of Russian troops and weaponry is the main obstacle to peace in Donbas', available at: https://mfa.gov.ua/10-faktiv-pro-zbrojnu-agresiyu-rosiyi-proti-ukrayini [Accessed on 10 July 2021].

about a significant increase in violations: entry into the territories controlled by Kyiv across the Russian border.[389] As for ORDLO territory, there is local railway transport. In addition to domestic flights, there is an indirect railway connection between Donetsk and Rostov-on-Don (Russia), which is, in itself, a violation of Ukrainian law. On the ORDLO side, the train transports passengers to the Kvashyno border crossing point, and on the Russian side, passengers are transferred to a Russian commuter train.

• **artificial erosion of the general historical identity of the population of certain districts of Donetsk and Luhansk regions with other regions of Ukraine.** Seven years of armed conflict in eastern Ukraine have led not only to the 'line of contact'. Since 2014, information structures completely independent of Ukraine have been created in ORDLO territory. As a rule, their content has a strong anti-Ukrainian flavour. The focus of 'DPR' and 'LPR' media lies is on denying the history, culture, religion and socio-political life common to the rest of Ukraine. A survey conducted by New Image Marketing Group in ORDLO from 7-31 October, 2019, showed that its residents watch mainly Russian television: Russian channels dominate. At the same time, 58.6% of ORDLO residents surveyed said that Ukrainian national TV channels were not available at all. '73.5% of ORDLO residents fully or mainly trust Russian federal TV channels'.[390] Ukrainian textbooks on history, language, and other areas of the humanities have been removed from the ORDLO education system.

Through the uncontrolled part of the border with the Russian Federation, ORDLO territory is periodically visited by Russian politicians, journalists, cultural and information workers. Thus, 28-29 January 2021, a 'Russian Donbass' forum was held in Donetsk. The main message of this forum was the integration of 'DPR' and 'LPR' with Russia. The forum was attended by the editors-in-chief of Russia Today and by the Moscow radio stations , as well as by a number of deputies of the State Duma of the Russian Federation. Kyiv's reaction to this kind of action remains unequivocally negative. The spokesman of the Ukrainian Ministry of Foreign Affairs called this event 'a propaganda forum aimed at preventing the peaceful reintegration of the temporarily occupied territory into Ukraine'.[391] According to the New Image Marketing Group survey, 76% of ORDLO residents ('completely agree', 35.6%; and 'rather agree', 40.5%) that 'the war in Donbass is an internal Ukrainian conflict.[392]

• **conceptual differences in approaches to the peaceful settlement of the armed conflict in Donbass between the Russian Federation and Ukraine.** Among the possible causes of the conflict in Donbass, external causes should be considered alongside internal ones. The political assessment of Russian-Ukrainian relations was given in 1997 by the famous American politician Zbigniew Brzezinski, who in his book 'The Grand Chessboard' noted

389   Focus, 'Departure from ORDLO to Ukraine via the Russian Federation: the Rada partially abolished the fines', paragraph 3, (28 June 2021), available at: https://focus.ua/ukraine/486674-deputaty-chastichno-otmenili-shtrafy-za-vyezd-zhiteley-ord-lo-v-ukrainu-cherez-rossiyu [Accessed on 8 July 2021].

390   UKRINFORM, 'Departure from ORDLO to Ukraine via the Russian Federation: the Rada partially abolished the fines', paragraph 3, (28 June 2021), available at: https://focus.ua/ukraine/486674-deputaty-chastichno-otmenili-shtrafy-za-vyezd-zhiteley-ord-lo-v-ukrainu-cherez-rossiyu [Accessed on 8 July 2021].

391   Gazeta.ru, Rafael Fakhrutdinov, 'Let's tell Western partners': Kyiv condemned 'Russian Donbass', (30 January 2021), paragraph 3, available at: https://www.gazeta.ru/politics/2021/01/30_a_13461284.shtml [Accessed on 9 July 2021].

392   Ukrainska Pravda, 'War in Donbas is an 'internal conflict', Kyiv is responsible for it: survey in ORDLO', (9 November 2019), para-graph 3, [Accessed on 10 July 2021].

that 'Russia ceases to be a Eurasian empire without Ukraine. Russia can still fight for imperial status, but then it would become a largely Asian imperial state without Ukraine'.[393] The change of political leadership in Kyiv in early 2014 marked Ukraine's departure from the value system of the post-Soviet states, states traditionally dominated by the Russian Federation. This circumstance threatened to break the ideological paradigm that the current Russian leadership professes, calling 'Ukrainians and Russians one people'.[394] At the same time, the Russian government categorically denies that 'Russia is a party to the armed conflict on the territory of Ukraine,' while claiming that 'Ukraine is in a civil war'.[395] A Russian-backed media campaign launched in 2014 in support of the self-proclaimed 'DPR' and 'LPR', systematically accused the Ukrainian leadership of downplaying Russians' sympathy for Ukraine. Indeed, according to a survey published on 21 June 2021 by the non-governmental Russian research organization Levada Center, Ukraine ranked second (after the United States) in the list of 'unfriendly' countries for Russia.[396]

For Ukraine Russia is an aggressor, which occupies 7.2 % of its territory (the Autonomous Republic of Crimea and certain districts of Donetsk and Luhansk regions). In doing so Russia has violated the fundamental rules of international law and bilateral agreements. Ukraine`s position coincides with the resolutions of the UN General Assembly of 27 March 2014 (68/262) and 19 December 2016 (71/205). These confirm the internationally recognized borders of Ukraine as they were until March 2014. In addition, UN Resolution (71/205) recognizes Russia as an occupying power in relation to Ukraine.[397] Ukraine identifies Russia as one of the parties to the armed conflict in eastern Ukraine and excludes direct agreements with the leaders of the self-proclaimed 'DPR' and 'LPR'. Public opinion also blames Russia. According to a poll conducted in the fall of 2020 by the Ilko Kucheriv Democratic Initiatives Foundation together with the Razumkov Centre's sociological service, 60% of Ukrainians believe that 'Russia started the war in Donbass'.[398]

• **the existence of a humanitarian crisis in areas affected by armed conflict.** The UN report of 19 August 2020 states that the battles in eastern Ukraine unjustifiably separated families who found themselves on opposite sides of the four-hundred-and-twenty-kilometre 'contact line'.[399] To get to the other side, civilians must cross one of the seven entry-exit checkpoints. Since 2014, almost 700,000 pensioners living in the ORDLO have lost

393 Korrespondent, 'Brzezinski about Ukraine. Top quotes from 20 years' (27 May 2017), available at: https://korrespondent.net/world/3855983-bzhezynskyi-ob-ukrayne-hlavnye-tsytaty-za-20-let [Accessed on 10 July 2021].

394 hromadske, 'We are fraternal peoples': Putin said why the Kremlin did not include Ukraine in the list of 'unfriendly' countries', (30 June 2021), paragraph 3, available at: https://hromadske.ua/ru/posts/my-bratskie-narody-putin-rasskazal-pochemu-kreml-ne-vk-lyuchil-ukrainu-v-perechen-nedruzhestvennyh-stran, [Accessed on 10 July 2021].

395 RT, 'Vladimir Putin: Ukraine is in a civil war, and its army is, in fact, a NATO legion', (26 January 2015), paragraph 1, available at: https://russian.rt.com/article/70769, [Accessed on 10 July 2021].

396 Levada Center, 'Major 'Friendly' and 'Unfriendly' Countries', (15 June 2021) chapter 'Top 10 Unfriendly Countries', available at: https://russian.rt.com/article/70769, [Accessed on 10 July 2021].

397 Ministry of Foreign Affairs of Ukraine, '10 facts you should know about the Russian military aggression against Ukraine', (19 December2019), Fact 4: Courage of Ukrainians and solidarity of the international community stopped Russian invasion, available at: https://mfa.gov.ua/10-faktiv-pro-zbrojnu-agresiyu-rosiyi-proti-ukrayini [Accessed on 10 July 2021].

398 Dector Media, 'Most Ukrainians consider Russia to be an aggressor – research', (29 September 2021), paragraph 4, available at: https://detector.media/infospace/article/181104/2020-09-29-bilshe-ukraintsiv-staly-nazyvaty-rosiyu-agresorom-doslidzhennya/ [Accessed on 10 July 2021].

399 UKRINFORM, '73.5% of ORDLO residents trust Russian channels, and only 9.4% trust Ukrainian channels' paragraphs 4, 6, (9 November 2020), available at: https://www.ukrinform.ru/rubric-society/2815126-rossijskim-kanalam-doveraut-735-zitelej-ordlo-a-ukrainskim-tolko-94.html [Accessed on 9 July 2021].

access to their pensions, which can only be obtained in government-controlled areas.[400] A significant number of elderly people with disabilities live near the 'contact line' accounting for more than 30% of civilian victims, as most young people and those without disabilities have moved to other parts of the country. In addition, more than half a million children in eastern Ukraine need humanitarian assistance. Children under the age of six do not know what it is like to live without conflict.[401] Mines make things particularly difficult--with more than two million people living in mine-contaminated areas, Ukraine ranks fifth worldwide for casualties caused by landmines and other explosives. According to the United Nations, more than 2,000 civilians have lost their lives or been injured by landmines and explosive hazards.[402] Moreover, according to the Ukrainian Ministry of Social Policy, 1,459,089 IDPs were registered in Ukraine at the end of 2020.[403] This primarily affected Donbass, where the armed conflict disrupted the natural demographics of the region.

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400 United Nations Ukraine, '10 Facts about the Humanitarian Crisis in Ukraine', chapter 4, 'Hundreds of thousands of people have lost access to their pensions', (19 August 2020), available at: https://ukraine.un.org/uk/88874-10-rechey-yaki-potribno-znati-pro-gumanitarnu-krizu-v-ukraini, [Accessed on 8 July 2021].

401 United Nations Ukraine, '10 Facts about the Humanitarian Crisis in Ukraine', chapter 3, 'Highest proportion of elderly and people with disabilities affected by a humanitarian crisis globally', (19 August 2020), available at: https://ukraine.un.org/uk/88874-10-rechey-yaki-potribno-znati-pro-gumanitarnu-krizu-v-ukraini, [Accessed on 8 July 2021].

402 United Nations Ukraine, '10 Facts about the Humanitarian Crisis in Ukraine', chapter 8, 'Eastern Ukraine is one of the most mine-contaminated areas in the world', (19 August 2020), available at: https://ukraine.un.org/uk/88874-10-rechey-yaki-potribno-znati-pro-gumanitarnu-krizu-v-ukraini, [Accessed on 8 July 2021].

403 slovoidilo, 'Dynamics of migration in Ukraine: where do most registered migrants live' (18 January 2021), paragraph 1, available at: https://ru.slovoidilo.ua/2021/01/18/infografika/obshhestvo/dinamika-migracii-ukraine-gde-zhivet-bolshe-vsego-zaregistrirovan-nyx-pereselencev, [Accessed on 10 July 2021].

Conclusion

This report examines the background of the armed conflict in eastern Ukraine; the chronology of the implementation of the agreements reached in Minsk in 2014-2015; as well as the relationship between the adopted and implemented ceasefire decisions from the political component of the Normandy format and international efforts of security institutions. In addition, certain issues are discussed that complicate the prospects for de-escalation on both sides of the 'contact line' and minimize the ability of civil society to bring about a peaceful settlement. The final section provides recommendations for resolution for the armed conflict in eastern Ukraine.

After the Minsk agreements (2014-2015), the political component began to dominate the military component in the armed conflict in Donbas. As a result, the intensity of hostilities will directly depend on the success of the political and diplomatic settlement of the conflict, as well as the effectiveness of the international security system to keep the parties from possible escalation. For that reason, it is best not to look at the political prospects here. Rather there follow recommendations for entry points based on the real opportunities available to the Ukrainian government to establish contacts with ORDLO residents, not least through the help of international organizations.

This study showed that on both sides of the 'contact line'processes took place over seven years that brought about deepening internal socio-political differences in the once unified territory of the Donetsk and Luhansk regions. This is due to the fact that the activities carried out in ORDLO (specified in subsection 3.3) broke the unimpeded contacts of residents of these areas with the territory controlled by the Ukrainian government. There was also the end of contact in the humanitarian and information spheres on both sides. It makes sense, on these grounds, to consider the following recommendations:

• **Development and implementation of educational projects aimed at establishing points of contact in the humanitarian sphere:** The Ukrainian government has made efforts to overcome mutual mistrust between residents on both sides of the 'contact line'. These efforts can be complemented in the humanitarian sphere. In addition to solving social problems, it is appropriate to provide public authorities with support in organizing work with the so-called 'grey zone' on issues related to providing information about the historical and cultural community of people living on both sides of the conflict. This kind of support might be usefully provided through the establishment of task forces to clarify educational, informational, psychological and legal issues. This will make it possible not only to reduce political mistrust, but also to a certain extent to take measures to bring the minds of people living near the contact line 'from war to peace'. In doing so, it would be expedient

to involve a wide range of specialists from educational institutions, representatives of public organizations, and civic experts in the relevant fields to participate. International organizations with relevant experience might also be invited to establish such groups. Given the fact that the 'contact line' of the parties is in the area of responsibility of the Joint Forces Headquarters, it is appropriate to consider that these groups be inserted into the system of civil-military cooperation units.

• **Creation of an unbiased media platform for the dissemination of useful information for Donbass residents:** seven years without peace in the Luhansk and Donetsk regions have seen socio-political clashes in the media coverage of the conflict. As a rule, the opposing sides show a high degree of distrust in their opponents' messages, considering them to be politically biased. This leads to a gradual jacking up of the rhetoric on both sides: something that hardly promises to bring peace. There is a need to create an information platform that could cover important events in the region without bias, as well as disseminating useful information to the people of the region. To this end, as a pilot project, we might consider setting up a printed publication that would cover the necessary information for the people of Donbass (with an electronic version for social media). This would be done by one of the international organizations. For example, in the framework of this publication it would be expedient to submit non-political materials related to the work of international humanitarian organizations in Donbass (including those that provide support to the residents of ORDLO). Other topics might include mine risk prevention; possible changes in the legislation of Ukraine; the rules and procedure for obtaining Ukrainian documents; admission to educational institutions; travel abroad; and tips on crossing the EECPs during a pandemic. If a pilot project was successful, it would then be possible to expand the range of the general subjects for inhabitants of Donbass on both sides of the conflict.

• **Full support and development of projects aimed at reducing the risk of injury and death to children from explosives:** according to official data, as noted in subsection 3.3, the area along the 'contact line' in Donbass is one of the most dangerous in the world. In 2020, the Ukrainian Ministry of Defence reported that 'approximately 7,000 square kilometers are mined in the controlled territory of Ukraine, and twice as many in the territory of the so-called 'republics''. Yet from 2014 to April 2020, only 350 square kilometers were demined.[404] This situation poses a significant danger to the region's residents, especially to children. There are about 1,000 secondary schools in the Government-controlled area, and 189 are located close to the contact line. One of the most urgent tasks is to teach children safety procedures around explosives. At the moment, the Ukrainian government welcomes not only the efforts of government agencies, but also any initiatives and any assistance from non-governmental organizations in the conflict zone on mine safety issues for children. The international community could support such efforts, in particular through the help of the Geneva Centre for Security Sector Governance (DCAF).

• **Strengthening the role of CSOs in re-establishing links between residents divided by hostilities:** The security forces are not, because of the nature of their work, ideally placed to

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404 zaborona, 'Almost half of Donbas territory is mined. Let`s explain why it is so difficult to demine it and when it will be done (spoiler – not so soon)' (17 April 2020), chapters: 'What is mined?', 'What is demined?', available at: https://zaborona.com/ru/pochti-polovi-na-territorii-donbassa-zaminirovana/, [Accessed on 11 July 2021].

re-establish public ties between populations divided by conflict. As a rule, representatives of internal affairs bodies and the border service focus their efforts on improving the functioning of the administrative and infrastructural component when civilians cross the contact line. In doing so, the problem of restoring trust between the residents of Donetsk and Luhansk regions divided by the war is neglected. The Ukrainian authorities should consider supporting projects that aim to restore and improve human relations along the contact line. Within the framework of this project, it would be expedient to promote art projects in the 'grey zone' and invite, where possible, residents of uncontrolled territories, as well as internally displaced persons to participate in them. These kind of projects would not only help to establish an appropriate dialogue between the war-torn populations. They would also help to better address any complaints around possible violations by the security forces.

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