



Responding to Russia's New Military Buildup Near Ukraine

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What's new? A second large-scale Russian military buildup near Ukraine's borders in 2021 has raised fears of a major war between the two countries.

Why did it happen? With peace talks stalled, Moscow appears disillusioned with Ukrainian President Volodymyr Zelenskyy even as it has not abandoned its goal of an aligned Ukraine, which it sees as increasingly threatened by that country's ever closer military cooperation with NATO member states.

Why does it matter? Although Moscow may hope the threat of war alone will attain its goals, it has already proven its willingness to fight in Ukraine. A Russian military offensive would have horrific immediate effects and risk escalation as NATO countries that have vocally supported Ukraine respond with a range of tools.

What should be done? Western capitals and Kyiv should define how they would respond to Russian aggression and clearly communicate the danger of escalation to Moscow. If the Kremlin backs down, renewed talks over Ukraine should be paired with agreements to limit military deployments and actions around European flash-points.

I. Overview

A Russian military buildup near Ukraine's border coupled with the collapse of peace talks has raised fears that Moscow may soon attack its neighbour. The Kremlin is frustrated with Kyiv's reluctance to implement the 2014-2015 Minsk agreements, which call for it to reabsorb two separatist-controlled regions while affording them "special status" – measures that Ukraine argues would compromise its sovereignty. Russia also wants guarantees that Western states will cease encroaching on its perceived sphere of influence in Ukraine and elsewhere along its borders. Kyiv's Western partners should aim to deter further Russian aggression by continuing to make clear they will respond to any attack with harsh sanctions and the military buildup on NATO's eastern flank that Russia wishes to avoid. U.S. President Joe Biden appears to have conveyed that message to his Russian counterpart, Vladimir Putin, when they spoke on 7 December. At the same time, Western leaders should quietly propose mutual de-escalatory steps that could bring the parties back to the table and prompt a broader conversation about European security.

The massing of roughly 100,000 Russian troops near eastern Ukraine has created genuine alarm in Kyiv and among NATO member states, not least the U.S., which has been warning for weeks that Russia may be planning a major military operation. Russian President Vladimir Putin may not yet have decided whether he will order an attack; for now, he could well be keeping his options open. Nor is it clear what a Russian military intervention would entail: while Ukrainian forces are no match for their Russian counterparts, Moscow likely underestimates the hostility it would encounter among Ukrainians outside separatist-held areas. Russia has, however, made no secret of its grievances. Moscow is frustrated with Ukrainian policies: it wants a more malleable partner in Kyiv than it has in President Volodymyr Zelenskyy and is perturbed by Ukraine's deepening partnership with NATO. Moscow may hope that its military buildup alone will compel concessions from Kyiv and Western capitals. But as Russia has used force in Ukraine before, it would be a mistake to dismiss its actions as bluff.

How should Ukraine and its Western partners respond? They are, understandably, in no mood to offer major compromises on Ukraine peace talks or NATO and now, in response to intimidation, is not the time for them to do so. In any case, what Moscow wants in Ukraine – in effect, proxies in the east that can exercise a veto over the country's foreign and security policy – no Ukrainian leader could accept. In this light, a two-pronged approach that combines deterrence with efforts to reach agreement with Moscow on a sequence of mutual de-escalatory steps, in Ukraine and more broadly, would create the best odds of steering Russia away from an attack. Such an approach should be led by the U.S., which Moscow sees as the interlocutor with the most influence over Ukraine.

The first prong involves Western leaders clearly communicating to Moscow the costs it will face should it proceed with a fresh invasion of Ukraine. While the Kremlin has some sense of those costs, it may believe that Western states will hold back some of the most powerful tools in their non-military arsenal – namely crippling sanctions that genuinely worry Moscow – because of the fear of blowback in their own economies. The U.S. and its European allies should commit, as Biden appears to have done in his meeting with Putin, to ramping up those sanctions if red lines are crossed and convey this decision in precise terms to Moscow. They should communicate plans to ensure that Ukraine is equipped to defend itself; better; new armaments will not fundamentally change the balance of power but can create additional costs for an invading and occupying force. Washington has already made clear that a consequence of any military intervention will be the need to reassure states on NATO's eastern flank, leading to just what Moscow does not want: more Western troops and weapons systems on Russia's frontier.

As negotiations continue, U.S. officials can also be frank with their Russian counterparts about escalatory risks that are less certain but could snowball outside their control. The most worrying of these is that training missions already in place in Ukraine will grow and that the NATO states near Russia's border such as Poland and the Baltics, which live in greatest fear of Moscow's influence, might feel impelled to send military personnel to aid Kyiv. Should their presence touch off an escalation that brings fighting onto the territory of NATO member states, the alliance as a whole could feel it needs to respond, and the situation would become perilous indeed. A further unattractive possibility is that hostilities will derail nuclear arms control talks and

rekindle an expensive, destabilising arms race – again something Moscow wants to avoid.

The second prong, which the U.S. and its allies should discreetly propose alongside the deterrence message, would see the two sides embark on a choreographed sequence of mutual de-escalatory measures. The details need not be made public but could for starters include a quiet deal for both sides to refrain from military actions that the other finds especially provocative (likely to include a full Russian pullback from Ukraine's border and a dialling down by both sides of military deployments and exercises in the Baltic and Black Seas). Russia and the U.S. could each restaff the diplomatic mission in the other's capital. The two sides should also agree to restart Ukraine peace talks, with the U.S. assuming a greater role and with measure-for-measure steps to roll back sanctions on the table to reward de-escalatory steps by Russia. The parties should adopt a refreshed approach to Minsk, in which Kyiv and its Western partners show greater seriousness about carrying out the agreement's difficult provisions, while seeking creative options to address Ukraine's sovereignty concerns.

Finally, Western states should use this moment to offer a broader dialogue about steps that could help assuage some of Russia's security concerns. Such a dialogue might explore steps such as a reinvigoration of the 1997 NATO-Russia Founding Act. Among other things, the two sides could discuss how to reaffirm and build on the alliance's commitment under that Act to avoid the permanent stationing of substantial combat forces on the territory of new member states. Reciprocal commitments from Moscow with respect to restraint in the use of force would of course be required. Both sides would also benefit from a discussion about limits and transparency commitments with respect to conventional force deployments in flashpoint areas. Toning down rhetoric about NATO expansion could allay some of Moscow's fears without necessarily revising the alliance's open-door policy or accepting the notion of a Russian sphere of influence.

Ideally, Russia would see on its own that further aggression in Ukraine will not yield the results it wants and would entail costs that reinforce some of the regional dynamics it most fears. But Western leaders cannot count on this happening. They should ensure a unified approach on deterrence, communicate it to Moscow and choreograph a way back from an increasingly menacing standoff.

II. A Military Buildup and Collapsed Negotiations

Based on intelligence data, Western capitals, NATO and Kyiv claim that Russia has once again built up its military presence at the Ukraine frontier, with some 100,000 soldiers, as well as aviation and other equipment, now stationed on the border or nearby.¹ These deployments recall the situation in March and April, when Russia concentrated about 100,000 military personnel close to the Ukrainian border, saying it was conducting drills. It eventually moved many of the soldiers back to rear bases, declaring its exercises over, but left much of the infrastructure behind.

¹ Estimates of the troop numbers vary, but most outlets have cited figures around 100,000. See, for instance, "Biden warns Putin he'll face tough sanctions if Russia invades Ukraine", NPR, 7 December 2021.

NATO calls the Russian military concentration “large and unusual”, and Western officials have asked their Kremlin counterparts to explain the troop movements.² Ukrainian officials indicate that they believe Moscow is staging its forces to give itself the option of a large-scale military offensive.³ They say the scale of such an operation could be beyond the one Russia launched in 2014, when its forces annexed the Crimean Peninsula from Ukraine and helped separatists who seized parts of the eastern Ukrainian region of Donbas, beginning a war that continues to this day. Washington has warned Moscow that renewed military aggression against Ukraine would be a “serious mistake”.⁴

Moscow denies that it is planning to attack Ukraine and, instead, accuses Ukraine and Western states of “provocations”. President Putin singled out the ramped-up exercises and naval and air activity carried out under NATO’s Tailored Forward Presence initiative in the Black Sea.⁵ Russian Foreign Minister Sergey Lavrov has suggested that intensified fighting in Donbas between the separatists Russia backs and Ukrainian forces is Kyiv’s fault, and that it is trying to draw Moscow “into some kind of forceful actions”.⁶ Russian presidential spokesman Dmitry Peskov postulated that Ukraine, under cover of exercises with NATO, was itself planning a military offensive in Donbas alongside “American [and] British soldiers in the region, who are growing in number”.⁷ The Russian Foreign Intelligence Service compared the situation to that in Georgia in August 2008, just before war began.⁸ On 1 December, Russian Foreign Ministry spokeswoman Maria Zakharova claimed that Ukraine had moved 125,000 soldiers toward Donbas.⁹

These statements come on the heels of others indicating that Moscow has toughened its line with respect to Kyiv’s relationship with NATO. In 2008, the Western alliance committed to eventual Ukrainian (and Georgian) membership, a step Moscow has long indicated it would see as crossing a red line and requiring a Russian security response. While NATO leaders have reiterated the commitment since 2008, most European and Ukrainian officials privately agree that NATO’s members are nowhere near admitting Kyiv to the alliance any time soon.¹⁰ Nevertheless, speaking at the Valdai Club in Sochi in October, Putin indicated that he saw the growth of what he termed “NATO infrastructure”, in the form of member state training of Ukrainian forces and other efforts, as a threat above and beyond the prospect of actual membership.¹¹

² “NATO Secretary General and Polish President Address Belarus, Russian Build-up Near Ukraine”, NATO, 25 November 2021.

³ See “Russia preparing to attack Ukraine by late January: Ukraine defense intelligence agency chief”, *Military Times*, 21 November 2021.

⁴ See “Blinken warns Russia against making a ‘serious mistake’ in Ukraine”, *The New York Times*, 10 November 2021.

⁵ See “Putin called the NATO exercises in the Black Sea a serious challenge”, RIA Novosti, 13 November 2021.

⁶ See “Lavrov said that Kyiv intends to draw Russia into the conflict in Donbas”, RT, 1 November 2021.

⁷ See “Attempts to solve Ukrainian crisis by force will trigger serious consequences – Kremlin”, TASS, 21 November 2021.

⁸ See “U.S. provokes escalation in eastern Ukraine”, press statement, Russian Foreign Intelligence Service, 22 November 2021.

⁹ “Russia says Ukraine has deployed half its army to Donbas conflict zone”, Reuters, 1 December 2021.

¹⁰ See “Brussels Summit Communiqué”, NATO, 14 June 2021.

¹¹ “NATO’s military presence in Ukraine poses threat to Russia – Putin”, TASS, 21 October 2021.

Some months earlier, in July, Putin had published a piece laying out his views on Ukraine. In it, he accused Western states of trying to move Ukraine toward an “anti-Russia” posture. He also emphasised the interwoven nature of the two countries’ economies and indicated that Ukraine’s sovereignty depends on Russian goodwill. In October, former Russian President Dmitry Medvedev wrote about Russian-Ukrainian relations, asserting that dialogue with the present Ukrainian leadership is useless because they are, according to him, “weak”, “ignorant”, “faithless” and “unreliable” and have made Ukraine “completely dependent” on the EU and the U.S. “It’s pointless for us to deal with vassals”, Medvedev wrote, arguing that Russia had to “wait for the emergence in Ukraine of a sane leadership, which is aimed not at total confrontation with Russia on the brink of war ... but at building equal and mutually beneficial relations”.¹²

Russian officials also charge Ukraine with scuppering negotiations over the Donbas conflict, even as Moscow wants substantial concessions from Kyiv as a condition for continuing those talks. Moscow refuses to renew high-level four-party Normandy Format meetings – talks aimed at resolving the conflict that involve Russia, Germany, France and Ukraine. While Russia’s Foreign Ministry accuses Ukraine of lacklustre implementation of commitments made in previous Normandy rounds, including a now-collapsed ceasefire, it has also made important new demands. On 18 November, Lavrov indicated that Russia would not meet in the Normandy Format until Kyiv provides a plan for implementing all the political provisions in the two Minsk agreements, concluded in 2014 and 2015, and which together brought the conflict’s most intense fighting to an end.¹³

These provisions have been a sticking point for years. Because the Minsk agreements were negotiated as Kyiv faced intense Russian military pressure, they favour Moscow’s proxies in Donbas. Among other things they require Ukraine to change its constitution and state laws to guarantee “special status” for the breakaway regions, Donetsk and Luhansk, and to hold elections in these territories while they remain under the control of de facto leaders who have declared them independent. Through these measures, Moscow intends for the breakaways to enjoy not just substantial self-rule, but also veto power over aspects of Ukrainian foreign and domestic policy, and thus ensure continuing Russian influence. Vladislav Surkov, a former aide to President Putin responsible for the Kremlin’s Ukraine policy from 2013 to 2020, has candidly described the required law on the special status of Donbas as a measure ensuring that Ukrainian laws do not apply to the region.¹⁴

Kyiv thus sees the Minsk agreements as a Trojan horse for Russian influence. Its response has been to delay implementation, disagree on the terms of special status and blame Russia for failing to end military support to the separatists (which Moscow denies giving). Kyiv also argues that if it does not control the border when polls are held, Russia will be able, via the elections, to cement in place a pro-Moscow govern-

¹² Dmitry Medvedev, “Why contacts with the current Ukrainian leadership are pointless”, *Kommer-sant*, 11 October 2021.

¹³ “Lavrov announced a condition for a new meeting in the Normandy format”, RIA Novosti, 18 November 2021.

¹⁴ “WarGonzo: Surkov and Borodai on the future of the LDNR, Ukraine, Boeing, Biden and officials”, video, YouTube, 12 June 2021.

ment in Donbas. Moscow, in turn, points out that Minsk explicitly requires special status and elections to come before Ukrainian control.

Still, the Normandy talks exist in large part to define how to implement the deals struck in 2014 and 2015. In this light, Moscow's demand that Kyiv produce an implementation plan as a precondition for continued discussion is, as one Ukrainian diplomat told Crisis Group, a demand in advance of the meeting for what should be its result and, as such, amounts to a rejection of dialogue.¹⁵ Together with troop movements at the border and new sabre-rattling rhetoric, it gives the impression that Russia has become frustrated with the standoff over Ukraine, wishes to force a change, and is willing to abandon the existing negotiating formats – and possibly resort to armed force – to do so.

III. Russia's Intentions

Moscow's goal remains what it has long been: a Ukraine that is permanently in Russia's sphere of influence. To the Kremlin, Ukraine is the front line in its continuing battle to block Western inroads into its neighborhood, which it sees as a threat to Russia itself. This goal underlies the political provisions that Russian negotiators insisted upon in the Minsk agreements.

But Russia increasingly recognises that these elements of the Minsk deals, which Ukraine views as undermining its sovereignty, are unlikely to be fulfilled to its satisfaction. As a practical matter, Kyiv shows no sign of moving toward either special status or elections for the self-styled independent republics. According to one Ukrainian official: "Russia wants us to grant special status to those who now have power in Donetsk and Luhansk. But this is tantamount to legitimising Russian aggression against Ukraine".¹⁶ Meanwhile, Ukraine's ties with NATO and the European Union are growing, even if its actual membership in either of those bodies remains a distant prospect.

The paradox, of course, is that the harder Russia presses to prevent Western actors from deepening their links with Kyiv, the stronger those ties become. As Moscow acts and postures ever more aggressively toward Kyiv, Ukraine sees ever fewer alternatives to closer relations with the West if it is to have any hope of security. For their part, Western states are drawn in by this dynamic, fearing that if Russia chisels away at Ukrainian sovereignty, not only Ukraine but European security as a whole could suffer dire consequences, with Russia potentially emboldened to embark on further aggression elsewhere.

The Kremlin's view of President Zelenskyy, who was inaugurated in May 2019, has also evolved. At first, Moscow held out hope that he might deliver outcomes it seeks. But Russia's political influence in Ukraine is small and shrinking (outside the east it has few dependable allies), and Zelenskyy, now over two years into his term, has been unwilling to yield to Moscow's demands. "Under Zelenskyy, the situation has become much worse than under [his predecessor Petro] Poroshenko, all with the

¹⁵ Crisis Group interview, Ukrainian diplomat, November 2021.

¹⁶ Crisis Group interview, Ukrainian diplomat, May 2021.

acquiescence of the West”, said a Russian official.¹⁷ Zelenskyy’s viable political opponents are even less open to what the Kremlin wants. Indeed, he has faced tremendous domestic resistance to even small steps, such as measures to encourage the disengagement of troops along certain front-line sectors, that he has pursued in an effort to scale back the fighting and mitigate the effects of war.

Moscow sees Zelenskyy’s difficulties as evidence that he is beholden to Ukrainian ultra-nationalist interests. Sources close to the Kremlin say it would like to see him replaced by someone more amenable to their wishes, although here it appears to ignore the reality that any duly elected Ukrainian leader would face the same constraints.¹⁸

But Moscow’s goals appear to go further than adjusting Donbas’ status and replacing Zelenskyy to secure a more malleable Kyiv. Addressing Russia’s Foreign Policy Collegium in November, Putin characterised Europe as fraught with tension due to NATO expansion, on one hand, and Russia’s actions to deter NATO aggression near its borders, on the other.¹⁹ He accordingly tasked his foreign minister with obtaining what he called “long-term guarantees that ensure Russia’s security”.²⁰ Since then, Russian officials have spoken of their desire for legal guarantees that, among other things, NATO (and, in line with Putin’s comments, its infrastructure) would not expand farther east.²¹

Fundamentally, Russia is seeking Western recognition of what Dmitry Medvedev once termed “privileged interests” in Ukraine, Belarus, Moldova and the countries of the South Caucasus and Central Asia.²² The idea is that Ukraine and these other states will not only remain outside the EU and NATO, but beyond their influence in perpetuity. Western capitals would have to walk back from their longstanding insistence that states can choose for themselves which alliances and organisations to join, which they have shown no sign of doing.²³ Summing up Moscow’s perspective, a Russian expert told Crisis Group: “Russia has made investments in Donbas, and now in exchange for peace it wants political dividends in the form of its zone of influence being guaranteed by the West”.²⁴

It is possible that Moscow sees the military buildup as a means of pushing Brussels, Washington and Kyiv toward its overarching goals. As concerns the West, Russia may expect the fear of war to lead the U.S. and European countries to press Ukrainian authorities to be more flexible in the face of Moscow’s demands, as well as to rethink NATO enlargement and European security. In anticipation of the virtual summit be-

¹⁷ Crisis Group interview, Russian official, May 2021.

¹⁸ An expert close to the Kremlin said: “Zelenskyy undermined the last assumptions in Moscow that anything rational can be negotiated with Ukraine”. Crisis Group interview, Moscow, 15 October 2021.

¹⁹ President Vladimir Putin’s remarks at the expanded meeting of the Foreign Ministry Collegium, Moscow, 18 November 2021.

²⁰ “Expanded Meeting of the Foreign Ministry Board”, President of Russia, 18 November 2021.

²¹ See “Putin demands NATO guarantees not to expand eastward”, VOA, 1 December 2021.

²² Transcript of interview given by Dmitry Medvedev to Channel One, Russia, NTV, President of Russia, 31 August 2008.

²³ NATO Secretary General Jens Stoltenberg affirmed NATO’s “open-door” policy with respect to membership, insisting that “Russia has no veto. Russia has no say. And Russia has no right to establish a sphere of influence, trying to control their neighbours”. See “Press Conference by NATO Secretary General Jens Stoltenberg at the Meeting of NATO Ministers of Foreign Affairs, Riga”, NATO, 30 November 2021.

²⁴ Crisis Group interview, Russian expert, Moscow, 27 September 2021.

tween Putin and U.S. President Joe Biden on 7 December, Moscow's messaging suggested hopes that the meeting could help lay the groundwork for a reshaped security environment.²⁵ As concerns Ukraine, which is scheduled to hold its next presidential election in 2024, Russia may hope to coerce Zelenskyy into making unpopular concessions on Minsk that will end in his resignation or electoral defeat.

Against this backdrop, it would be a mistake to write off Russia's military buildup as bluff. While Moscow would surely be happier if it can get what it wants without bloodshed, it has repeatedly proven its willingness to escalate and use military force, including in Ukraine. The force presence near Ukraine is now substantial. Russians with ties to the Kremlin have been saying for months that if tacit threats fail to engender new policies, or perhaps a new government, from Kyiv, then the Kremlin is indeed prepared to take military action.²⁶ As one such person told Crisis Group, "Putin is thinking that the Ukrainian issue will sooner or later be solved by force. He understands himself that the Minsk agreements cannot be implemented, and Russia will have to resort to a military scenario".²⁷

IV. Military Options and Their Consequences

What Russian military action might look like is unclear, though some Ukrainian officials warn of major operations. In a recent interview, a Ukrainian general described for the *Military Times* the possibility of a massive offensive that would involve "air-strikes, artillery and armor attacks followed by airborne assaults in the east, amphibious assaults in Odessa and Mariupol and a smaller incursion through neighboring Belarus".²⁸

Although Russia is capable of mounting such an assault, a fight of this sort would incur high costs. While Ukrainian forces are no match for their Russian counterparts, they are more capable than they were in 2014, and the Ukrainian population is even more hostile to Russia. A Russian invasion would likely involve heavy losses, which could risk backlash from the Russian public. Sustained occupation of even part of Ukraine would also be painful and expensive. Russia's experience supporting proxy governments in Donbas, where industry has crumbled and the population has grown impoverished, should be a caution against the burdens it would take on.

If Russia does contemplate military action, then a more limited operation appears more likely. The objectives of such an exercise would perhaps be to expand the separatists' zone of control to blockade or even capture Mariupol, a highly important Donbas industrial centre. Such an offensive could undermine Zelenskyy and intimidate the West.²⁹ But this approach could also backfire, strengthening the Ukrainian president's hand by boosting his popularity at home and drawing him closer to Western capitals.

²⁵ See Vladimir Isachenkov, "Putin demands NATO guarantees not to expand eastward", Associated Press, 1 December 2021; and "Statement by Press Secretary Jen Psaki on President Biden's Upcoming Call with President Vladimir Putin of Russia", White House, 4 December 2021.

²⁶ Crisis Group interviews, Russian experts and former officials, Moscow, October 2021.

²⁷ Crisis Group interview, Russian expert, Moscow, 15 October 2021.

²⁸ "Russia preparing to attack Ukraine by late January", op. cit.

²⁹ Crisis Group interviews, Russian experts, October 2021.

Either way, it is difficult to imagine Russia's strategy yielding the outcome it seeks. Moscow must realise that any new elected government in Kyiv will not be friendlier than the current one. Western officials are hardly likely to guarantee a new sphere of influence for Russia because it threatens or embarks upon a war. Moreover, a furious Western response to any military action is all but guaranteed. Even (or perhaps especially) if a Russian military operation results in some form of capitulation from Ukraine, Western states will surely impose heavy sanctions upon Russia's financial system and exports to the U.S. and Europe.³⁰ Moreover, the war could at least in theory also draw Western actors onto the battlefield and will almost certainly lead them to provide Ukraine with dramatically increased military assistance.

Still, so long as threats remain abstract, it is not at all clear that Russia will be put off. Russia has faced sanctions before. It likely judges a military response from Western states to be highly unlikely and assesses – correctly – that increased military assistance might up the costs of an invasion but will not swing the odds in Kyiv's favour. It knows that NATO is not bound to come to non-member Ukraine's aid and that the war-weary U.S. would prefer to focus on containing a rising China.

At the same time, Moscow acting on this basis would entail serious escalatory risk. A variety of NATO members, including the U.S. and France, and the alliance itself have reiterated their support for Ukraine's territorial integrity and quite vocally warned Russia that aggression would have serious consequences.³¹ This approach, in essence, relies on deterrence through strategic ambiguity – leaving Russia guessing as to what they might do.³² But having issued such warnings, NATO member states may feel they must now take action that would be escalatory in nature. As noted, several would almost certainly send more weapons, and perhaps trainers as well. It is plausible that some, perhaps including Poland and one or more of the Baltic countries, might want to do even more.

That would be a dangerous direction for events to take. Military action by NATO member states would pose substantial risks for all involved, including escalation to other parts of Europe. Even short of that, battlefield losses by a NATO member state would raise tough questions for the alliance about how it should respond. The risks should either side come to believe that it faces an existential or nuclear threat are potentially enormous.

V. Detering a Russian Invasion

Moscow itself may not yet have decided whether or not to escalate, when and to what extent. It may want to see how events unfold in response to its troop build-up and keep its options open as long as possible. The Kremlin may also think that time is

³⁰ See "U.S. tells Russia to back off from Ukraine or risk 'high-impact' sanctions", Reuters, 1 December 2021.

³¹ See "France warns Russia of 'serious consequences' on Ukraine", *Politico*, 12 November 2021. "Communiqué conjoint de Jean-Yves Le Drian et de Heiko Maas, ministre des Affaires étrangères de la République fédérale d'Allemagne", French Foreign Ministry, 15 November 2021. "Foreign Secretary Warns a Russian Incursion into Ukraine Would Be Strategic Mistake", UK Foreign and Commonwealth Office, 30 November 2021. "NATO chief: There will be consequences if Russia attacks Ukraine again", EURACTIV, 29 November 2021.

³² Crisis Group discussions, European and U.S. officials, fall 2021.

on its side, and that a sustained atmosphere of tension over the course of weeks or months will, in and of itself, encourage Kyiv, Washington and European capitals to make concessions.

Ukraine and its Western partners are, however, in no mood to offer major compromises on the Minsk process or NATO and now, in response to intimidation, is not the time for them to do so. Even were they to seek some form of accommodation, they would risk Russia simply pressing for more. Moscow would likely understand its victory both as a Western recognition of its rightful role vis-à-vis Ukraine and other post-Soviet countries and as an affirmation of the benefits of threatening and using military force to attain its goals. Nor is there any guarantee that Moscow would feel sufficiently secure as a result of such a settlement to curtail its aggressive behaviour, particularly if tensions persist in the Black and Baltic Sea regions and elsewhere.

It is precisely because NATO takes these risks seriously that Russia is playing with fire. NATO's posture of strategic ambiguity reflects an understandable reluctance on the part of Washington and its allies to extend the alliance's security umbrella to a non-member state.³³ But the stance could actually lead Moscow to misapprehend the extent of the costs it will incur should it move forward. The U.S. – which Moscow sees as the key actor in this drama – should work quickly with its allies to finish defining what those will be and unequivocally commit to act if its red lines are crossed.³⁴ It should also offer to Moscow its frank assessment of ways in which the situation could spin out of control.

With respect to threats that Washington and its allies can credibly make, severe sanctions are the starting point. U.S. Secretary of State Antony Blinken has already threatened “a range of high-impact economic measures that we have refrained from pursuing in the past”.³⁵ A similar message, presumably with more specificity, was conveyed by President Biden directly to President Putin on 7 December.³⁶

As Crisis Group has previously noted, the “high-impact” measures might include a ban on lending to and business with Russian energy and metallurgical companies and state-controlled banks; cutting Russia off from the SWIFT banking network; and further limiting Russian access to Western financing through prohibitions on the purchase of Russian sovereign debt on the secondary market. Among the most worrying possibilities to Moscow is the spectre of secondary sanctions – ie, measures through which the sanctioning country punishes third-party violators. While these have been enabled by the Combating America's Adversaries through Sanctions Act

³³ Stoltenberg said: “I think it is important to distinguish between NATO Allies and partner Ukraine. NATO Allies, there we provide [Article 5] guarantees – collective defence guarantees – and we will defend and protect all Allies. Ukraine is a partner, a highly valued partner. We provide support, political, practical support”. See “Doorstep Statement by NATO Secretary General Jens Stoltenberg at the Meeting of NATO Ministers of Foreign Affairs, Riga”, NATO, 30 November 2021.

³⁴ President Biden said, “What I am doing is putting together what I believe to be the most comprehensive and meaningful set of initiatives to make it very, very difficult for Mr. Putin to go ahead and do what people are worried he may do”. See “Biden says he's preparing initiatives to make it difficult for Putin to 'do what people are worried he may do' in Ukraine”, CNN, 3 December 2021.

³⁵ See “U.S. tells Russia to back off from Ukraine or risk 'high-impact' sanctions”, op. cit.

³⁶ “Biden warns Putin in talks to expect sanctions if he invades Ukraine”, Reuters, 7 December 2021.

(CAATSA), enforcement has been sparse. If Germany is amenable, shutdown of the near-complete Nord Stream II pipeline is also a prospect.³⁷

Being clear to Moscow about sanctions will remain critical. Russia may well calculate that the West will pull its economic punches, given that stepping up enforcement of CAATSA sanctions would hit European firms that do business in Russia hard. Moreover, even threats of strong sanctions may prove insufficient if Moscow judges it can counter (or weather) the most likely economic steps by Western powers. “If the West hits the financial sector, Russia could use the gas market as a leverage, and then Europe would be severely affected”, one Russian expert on sanctions told Crisis Group.³⁸ While it may be difficult to dispel Russia’s sanctions stoicism entirely, the U.S. and its allies stand the best chance of doing so if they coordinate precisely the measures they will apply, and clearly communicate their unified commitment both to implementing them should Russia attack Ukraine and to not doing so if it pulls back its forces. If they do impose these sanctions, they should be equally clear about the circumstances in which they will rescind the penalties so as to ensure that incentives for more constructive behaviour are in place.

A second consequence that the U.S. and its allies can credibly threaten would be to make clear that they will provide additional armaments and weapons to Ukraine. These almost certainly cannot be shipped in quantities sufficient to truly change the balance of power in the event of renewed major hostilities, but they can create additional costs that Russia will need to factor into its calculations. Ukraine continues to face shortages of secure communications equipment and complains of gaps and inconsistencies in its sniper and counter-sniper kit. If Moscow mounts a large-scale assault, Kyiv could also benefit tremendously from bolstered air defence capability.³⁹

In addition, Washington and Brussels should continue to underline that Russian escalation in Ukraine will leave them with little choice but to substantially ramp up deployments of troops, tanks and missile systems on Russia’s eastern flank. This message was conveyed on 7 December, and it should remain part of the Western narrative.⁴⁰ Not only has Moscow already described this outcome as highly undesirable, but larger deployments and associated activities come with increased risk of dangerous incidents and escalation, both day-to-day and when the next crisis occurs.

A yet more delicate conversation that Washington should have with Moscow concerns the range of contingent costs and risks that might or might not be imposed, but that will become an increasingly real possibility if tensions continue to escalate. Directly relevant to the prospect of an eastern buildup is the prospect that some NATO states might themselves intervene in any conflict in Ukraine. While most member state governments will be unwilling to take such steps, some – perhaps including those of Poland and the Baltic states that sit on NATO’s eastern flank – may feel they must, especially if fighting drags on.

That would be dangerous indeed. NATO allies are not bound under the Atlantic Treaty to follow a handful of member states onto the battlefield in Ukraine, but if

³⁷ Helen Foy, George Parker, Katrina Manson, and Max Seddon, “US to demand halt to Nord Stream 2 if Russia invades Ukraine,” *Financial Times*, 7 December 2021.

³⁸ Crisis Group interview, Russian expert on sanctions, Moscow, February 2021.

³⁹ Crisis Group interview, former Ukrainian official, November 2021.

⁴⁰ Brian Naylor, “Biden warns Putin he’ll face tough sanctions if Russia invades Ukraine,” *NPR*, 7 December, 2021.

their presence there touches off a conflict that reaches their territory, then the alliance might well feel it needs to come to their defence.

Then there is the possibility that NATO members, whether those in the east or others, potentially even including the U.S., would send more of their own personnel – trainers or advisers – into the field, where they would in effect serve as a “tripwire” to deter a Russian incursion. To date, the United States, United Kingdom, Canada, Denmark, Poland, Lithuania and non-NATO member Sweden have provided training, coordinated through the Multinational Joint Commission.⁴¹ Some prominent voices already suggest that this mechanism might be built upon with larger numbers.⁴² While the escalatory risks would seem to counsel against such a move, and the Biden administration has not yet shown any sign of interest in it, the idea could quickly gain currency if tensions continue to rise.

Another unwise and destabilising but nevertheless very possible consequence would be the breakdown of talks about, among other things, nuclear arms control and the rekindling of an arms race that Russia can ill afford. As a Russian arms control expert told Crisis Group, “Putin does not want a new arms race because Russia does not have the resources for it”.⁴³

VI. A Choreographed De-escalation

Although the NATO alliance as a whole must agree upon the deterrence package, in consultation with Kyiv, it is Washington that will need to explain the measures to Moscow, because it is Washington with which Moscow seeks to negotiate. The 7 December virtual summit between Presidents Biden and Putin is a step in the right direction.

Washington’s message, delivered through direct communication at the highest levels and supported by similar talking points from allies, should be that if Russia proceeds along its current path the combination of very high known costs and even higher potential costs is simply prohibitive. Even then, it may not be possible to shift Moscow off its course through deterrence alone, and even if Russia backs down in the face of NATO and U.S. counter-threats in this instance, the door will be left open for the next crisis.

Washington should therefore propose a sequence of mutual de-escalatory measures – including but not limited to a promise that NATO will stand down on its threats if Moscow de-escalates – that would help reduce immediate tensions, bring the parties back to the table and lay the foundation for a dialogue that can begin to address Moscow’s broader security concerns alongside those of NATO members, Ukraine and other states in the region. In the near term (though precise details may take some time to work out), there should be a choreographed de-escalation. While the details of the choreography need not be made public, they could be laid out along the following lines.

⁴¹ Ministry of Defence of Ukraine, “Multinational Allied Support within the reform of Ukraine’s Armed Forces: Implementation of NATO standards in the Ukrainian Army,” 19 June 2020.

⁴² See Toomas H. Ilves and David J. Kramer, “In the Russia-Ukraine conflict, standing up to Putin is our only credible option”, *Politico*, 2 December 2021.

⁴³ Crisis Group interview, Russian arms control expert, Moscow, February 2021.

First, the U.S., European powers and Russia would strike a quiet deal – discreet enough that no government needs to appear weak before the public – that they will refrain from the military activities that the other side finds especially provocative. For Russia, such a deal would mean not just pulling its troops well back from the Ukrainian border but also dismantling the infrastructure and equipment that it left in place after its earlier mobilisation. For both sides, it would mean dialling down deployments and exercises in the Black and Baltic Sea regions. While the West should not relinquish its principled refusal to accept Russian annexation of Crimea, it could curb naval exercises that challenge Russia's claims there. NATO and its member states might also agree to curtail their rhetoric about the possibility of Ukraine's (and Georgia's) accession.

Secondly, and in parallel, the U.S. should work with Russia to restaff their respective diplomatic missions, which have suffered from mutual rounds of punitive expulsions and limitations. At present, the U.S. has only a skeleton staff in Moscow. Reportedly, the Kremlin and Washington have quietly agreed on a plan for getting U.S. diplomats back to Russia, but they will need to do more to restart normal diplomatic relations and consular services, including visas.⁴⁴ Not only would this step remove a major irritant in relations, it would facilitate discussions going forward, on this and other topics.

Thirdly, all involved should commit to restarting Ukraine peace talks, maybe with new incentives on the table. The U.S. should play a bigger role, for example by appointing a new special envoy. Moscow, which believes that only Washington can persuade Kyiv to move on difficult matters, would value this step.⁴⁵ Moreover, Western powers should – as Crisis Group has argued before – prepare to trade sanctions relief for de-escalatory measures by Russia and its proxies. They might offer measure-for-measure relief once the Organisation for Security Cooperation in Europe (OSCE) gets full access to the Ukraine-Russia border and other non-government-controlled areas; upon disengagement of forces along the Donbas front lines; after local elections in Donbas have been scheduled; or following the disarming of separatist forces. The gradual lifting of sanctions in return might begin with those on borrowing conditions for Russian banks and companies and on individuals not involved in Crimea's annexation and end with the total removal of sectoral and personal sanctions after Ukraine regains control of its border.

The risks to using sanctions relief as an incentive along these lines are real but still worth taking. Critics of putting sanctions on the table before the Ukraine talks have progressed much further tend to highlight the danger that Russia will backslide and the West will struggle to rebuild the consensus that got sanctions imposed in the first place. But that risk has to be weighed against the perils of the moment. There seems to be increasing recognition in European capitals and Washington that the sanctions policy needs an overhaul.⁴⁶ Russia itself appears ready to have such a conversation if

⁴⁴ See "U.S., Russia make progress toward resolving diplomats spat – State", Reuters, 4 December 2021.

⁴⁵ "Germany and France are unable to influence Ukraine the way the United States can, so Moscow sees that only through dialogue with Washington can something be done on Ukraine". Crisis Group interview, Russian expert close to the Kremlin, Moscow, 15 October 2021.

⁴⁶ See "The Treasury 2021 Sanctions Review", U.S. Treasury Department, 18 October, 2021. Crisis Group discussions, European officials and experts, fall 2021.

the U.S. takes the lead. As a Russian expert on sanctions told Crisis Group, “Russia will not discuss sanctions in the abstract because that would be tantamount to recognising itself as a party to the conflict in Ukraine, but if the U.S. presents a specific plan to lift sanctions, Russia will of course consider it carefully”.⁴⁷

Fourthly, at the reformatted peace talks, the parties would need to take a somewhat different approach to Minsk. For all their flaws, the 2014 and 2015 agreements are, at least formally, something all parties have agreed to, and they were endorsed by the UN Security Council. They are also at the core of Western governments’ stated policies regarding Ukraine and Russia.⁴⁸

Rather than creating additional uncertainty about whether Ukraine ever intends to fulfil the agreements, Washington, Kyiv and their European partners should show a new seriousness about implementing them – including the difficult steps of affording some autonomy for separatist-controlled Donbas, holding local elections there and granting a broad amnesty for separatists who lay down their arms. In so doing, the parties could explore creative options for addressing Ukraine’s concerns about holding elections before it assumes control over its border. Possible solutions include involving a third party – likely the OSCE or the UN – to monitor the border and the region as a whole while elections are held.⁴⁹

Fifthly, the European Union could begin discussing a special format for negotiations with Russia to address the Kremlin’s concerns regarding EU relations with third countries. This format can be based on the declaration by the leaders of Russia, Ukraine, France and Germany in 2015, at the time of the second Minsk agreements, which affirmed the leaders’ “support [for] trilateral talks between the EU, Ukraine and Russia in order to achieve practical solutions to concerns raised by Russia with regards to the implementation of the Deep and Comprehensive Free Trade Agreement between Ukraine and the EU”.⁵⁰ Thus far, the parties have used this format only to discuss Russian gas transit through Ukraine.⁵¹

Finally, because immediate de-escalatory steps will be insufficient to assuage Russia’s long-term concerns about European security – and even the approach to Ukraine peace talks and Minsk will fall far short of what Russia wants – it will be necessary to begin laying the groundwork for additional steps that will put relations between Russia and its Western neighbours on a steadier footing. The measures cited above are a starting point, but they will need to be solidified and in certain cases expanded, some quietly and some more formally. For example, NATO members are

⁴⁷ Crisis Group interview, Russian expert on sanctions, Moscow, February 2021. Russian officials are frustrated that sanctions persist even when the reasons for them have been addressed. For example, sanctions were imposed on Russian border service personnel in response to the November 2018 seizure of three Ukrainian naval vessels in the Kerch Strait incident. They have not been lifted although the ships have now been returned.

⁴⁸ Many of the sanctions on Russia are tied to its implementation of its commitments under Minsk, even as Moscow argues that it is Ukraine that is not implementing the agreements. See Crisis Group Europe Report N°256, *Peace in Ukraine (I): A European War*, 27 April 2020.

⁴⁹ Crisis Group Statement, “Responding to the New Crisis on Ukraine’s Borders”, 20 April 2020.

⁵⁰ “Declaration by 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 in Support of the Package of Measures for the Implementation of the Minsk Agreements”, 12 February 2015.

⁵¹ “Statement of Vice President Maroš Šefčovič on the Positive Outcome of Trilateral Gas Talks”, European Commission, 20 December 2019.

unlikely to walk away from their open-door policy, and the declaration from their 2008 Bucharest summit, which promised eventual Ukrainian and Georgian membership, but they can reach an understanding with Moscow that they will tone down their rhetoric. A quieter approach would not imply the alliance's willingness to cede a sphere of influence to the Kremlin. Rather, it would be consistent with the reality that NATO's membership is not likely to include additional countries on Russia's Western flank any time soon.

As regards more concrete commitments, Moscow and Brussels should look to the 1997 NATO-Russia Founding Act, by which NATO affirmed to Russia that it had "no intention, no plan and no reason to deploy nuclear weapons on the territory of new member states" and no plan to "permanently station substantial combat forces" there.⁵² Today's threat of escalation risks upending what is left of the second promise. The two sides could agree to deepen these commitments (for instance, by defining "substantial").⁵³ The alliance could also commit not to station permanent combat forces in non-NATO members of the OSCE, including Ukraine.⁵⁴ They could discuss limiting temporary visits of NATO member state and Russian troops and instructors to these countries. Such steps would be explicitly contingent on reciprocal commitments by Moscow not to use force or support its use against OSCE states – and also to refrain from stationing forces on the territory of non-allies. Because such a mutual commitment implies resolution of the Ukraine war, it would be possible only after Russian-backed forces in Ukraine disarm and Kyiv regains sovereignty over break-away areas.

In addition, Russia, Ukraine and Western states would be well-served by beginning negotiations to define express limits and transparency commitments regarding conventional force deployments, exercises and other activities in potential flashpoint areas, especially in and around the Black and Baltic Seas. These discussions will surely take time, but they are crucial to prevent future crises and manage what will likely be a conflictual relationship for some time to come, given the disparity between Moscow's security goals and those of Western states.

VII. Conclusion

The worry is that, before they get to have these conversations, the parties could take the region in a much darker and more dangerous direction. Russia, the potential aggressor, should turn back while there is still time, if nothing else to avoid the costs

⁵² "Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation Signed in Paris, France", NATO, 27 May 1997.

⁵³ Although "substantial" has never been defined, Russia reportedly suggested a topline limit of one brigade per country. Alexander Vershbow, "NATO and Russia: Why Transparency is Essential", NATO, 16 August 2016.

⁵⁴ NATO shows no sign of taking this step, but Moscow does worry about it. Lavrov said the decision taken at the NATO 2008 summit in Bucharest to eventually accept Georgia and Ukraine as members put a "mine under the foundation of the European security framework". He added that "it's absolutely unacceptable to turn our neighboring countries into footholds to confront Russia and to deploy NATO forces in immediate proximity to the areas that are strategically important for our security". See "Lavrov rebukes NATO attempts to use Russian neighbors as footholds in confrontation", TASS, 2 December 2021.

that it will incur to itself and create for others, all in the service of goals that military force cannot attain. But as Moscow shows no sign of doing so at present, it behooves the U.S. and NATO allies to make clear the costs – both those they are determined to impose and those that may be hard to stop – by defining them and communicating them clearly to Moscow.

At the same time, it would be a mistake for Washington to rely on sticks alone. The U.S. and its allies need to be prepared to show movement of their own if they want to achieve the choreographed de-escalation that would serve both sides' interests. As an immediate matter, they could pursue a quiet mutual deal to throttle back provocative military exercises and to allow diplomatic missions to be re-staffed. Such a deal should also be joined to new commitments that the U.S. will play an enhanced role in peace talks if Russia returns to the table; that Kyiv and the West will take a new approach to Minsk implementation; and that measure-for-measure sanctions relief will be up for discussion.

Concrete steps to shore up the broader European security order need to run parallel to peacemaking in Ukraine. The present crisis points to how shaky that order has become, as well as to the harrowing repercussions of further deterioration. Even as the U.S. and its partners prepare to show the Kremlin the depth of their resolve, they should also be laying the groundwork for a new approach that can help ward off future crises and bring greater stability to the region.

Kyiv/Moscow/Brussels, 8 December 2021

Appendix A: Map of Ukraine



Appendix B: About the International Crisis Group

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early-warning bulletin, providing a succinct regular update on the state of play in up to 80 situations of conflict or potential conflict around the world.

Crisis Group's reports are distributed widely by email and made available simultaneously on its website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policymakers around the world. Crisis Group is co-chaired by President & CEO of the Fiore Group and Founder of the Radcliffe Foundation, Frank Giustra, as well as by former Foreign Minister of Argentina and Chef de Cabinet to the United Nations Secretary-General, Susana Malcorra.

After President & CEO Robert Malley stood down in January 2021 to become the U.S. Iran envoy, two long-serving Crisis Group staff members assumed interim leadership until the recruitment of his replacement. Richard Atwood, Crisis Group's Chief of Policy, is serving as interim President and Comfort Ero, Africa Program Director, as interim Vice President.

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December 2021

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