

Ukrainian stalemate: all quiet on the Eastern Front?

On November 25, 2018, naval vessels and patrol boats of the Federal Border Guard Service of the Russian Federation captured three Ukrainian Navy vessels that attempted to pass through the Kerch Strait. The Ukrainian flotilla consisting of two artillery boats (proj. 58155 Gyurza-M) and the A947 tugboat was on its way to the port of Mariupol, on the coast of the Sea of Azov, in order to join other vessels deployed in the region. Russian patrol boats strove to halt the Ukrainian vessels approaching the Kerch Strait. As the Ukrainian flotilla was still in the South of the Crimean Peninsula, the Russian patrol vessel rammed the tugboat. According to the Russians, the Ukrainian vessels illegally entered Russian territorial waters. Russian attempts, however, failed to alter the course of the Ukrainian ships that continued their journey to the Sea of Azov.ⁱ Passing

“The European Union, the United States and the entire North Atlantic Alliance should develop a strategy intended to stop Russian aggressive policy in Eastern Europe. Despite that the Western sanctions have severely affected the Russian Federation, the current Western policy is not able to confound Russian plans relating to Ukraine.”

through the Kerch Strait turned out to be impossible due to the Russian blockade of the passage under the Kerch Strait Bridge. The incident has been confirmed by the Russian media (e.g. *Russia Today*), which informed about a Russian tanker blocking the Kerch Strait.ⁱⁱ According to the Russian sources, the Ukrainians allegedly attempted to pass the Strait and did not follow an advance notification procedure of the Russian Federation which are in accordance with the rules of navigational safetyⁱⁱⁱ. The Russian Federation scrambled Ka-52 helicopters and Su-25 jet bombers, and afterwards the Russian ships fired on Ukrainian vessels (several Ukrainian troops were injured) and forced their crew to surrender.^{iv} Viktor Muzenko, Chief of the General Staff of the Ukrainian Armed Forces, announced in the Parliament that the Ukrainian vessels were also attacked by Su-30 jet fighter.^v The Russian

authorities informed that three Ukrainian vessels were seized, and twenty-four soldiers were detained, including two officers of the Security Service of Ukraine (SBU). The Russian Federation has accused the Ukrainian soldiers of crossing Russia's maritime border and illegally entering the territorial waters of the Russian Federation. The Ministry of Foreign Affairs of the Russian Federation deemed the situation a 'Ukrainian provocation' that violated the international law. The Ukrainian sailors provided testimonies that confirmed Russian accusations. It is worth noting, however, that those testimonies were apparently coerced by Russian interrogators.^{vi}

Aftermath

On November 26, 2018 the Verkhovna Rada of Ukraine (the Parliament, the Supreme Council of Ukraine) approved a decree of the President Petro Poroshenko to impose martial law in provinces (Ukr. *oblasts*) located along the Russian border, the Sea of Azov, the Black Sea and Transnistria^{vii}, that is Czernihiv, Kherson, Kharkiv, Donetsk, Luhansk, Mykolaiv, Odessa, Sumy, Vinnytsia and Zaporizhia.^{viii} The martial law will last for 30 days from November 28, 2018. The Presidential decree should not affect Ukrainians' everyday life; however, it will make the pro-Russian agitation in the Eastern part of the country practically impossible due to the fact that the government will restrict public rallies within the next 30 days.^{ix} This article of the Presidential decree is of great importance given the upcoming Presidential elections that will be held on March 31, 2019.^x Moreover, the Ukrainian authorities barred all Russian male citizens aged 16-60 from entering the country throughout the period of martial law. The restrictions will be abolished on December 26, 2018. The Russians will be allowed to cross the Ukrainian border only under certain conditions stipulated in the decree, e.g. for humanitarian purposes.^{xi}



Figure 1. Martial law in Ukraine. Source: Radio Swoboda (Twitter.com).

Russia-Ukraine clash: the battle of the Sea of Azov

Despite the fact that the incident in the Kerch Strait has seemingly had no impact on the current position of Ukraine in its struggle against Russia, the crisis itself is of great importance for the Eastern part of the state. Actions of both Russia and Ukraine turned to be a climax of a creeping conflict that had started many months ago. Neither Crimea nor self-proclaimed republics in the East of Ukraine can be perceived as a major source of dispute between the two countries at this stage of the conflict. Currently, the Sea of Azov has become the major battlefield of the Russian-Ukrainian clash. The aforementioned incident is of rather minor importance from the military perspective, despite that the Ukrainian Navy has lost its two new vessels. Currently, the 25-year-old Krivak III-class frigate "Hetman Sahaydachniy" (Proj. 1135) with a total displacement of 3,500 tons is the only large Ukrainian Navy vessel that still represents significant combat capabilities.^{xii} Ukraine lost most of its combat vessels in 2014 as a result of the annexation of Crimea by the Russian Federation. Not only has the Ukrainian Navy lost its most valuable combat vessels, but also the majority of its naval personnel who decided to take Russia's side in the conflict. It is worth noting that before the conflict in 2014, the Ukrainian naval personnel had consisted predominantly of the Russian-speaking Crimeans.^{xiii} Remaining combat vessels have rather obsolete or symbolic armament such as the Gyrza-M artillery boats equipped

with 30-mm cannons. The Ukrainian Navy is no match for the forces of the Black Sea Fleet. Consequently, deployment of several naval vessels to Mariupol would have no impact on Ukrainian capabilities in terms of coastal defence. The Kerch Strait conflict, however, is of great importance for the Ukrainians who planned to build a naval base on the coast of the Sea of Azov.^{xiv} Russia's blockade of the only maritime passage through the Kerch Strait brings further development of the Ukrainian infrastructure into question, given that such a base would remain vulnerable to potential Russian attack. Sooner or later any attempt to strengthen Ukrainian forces in the Sea of Azov would lead to a direct clash with the Black Sea Fleet. Taking into consideration militarisation of Crimea as well as Russian air supremacy in the region and capabilities of the Russian rocket artillery, there is no doubt that a conflict in the Sea of Azov would have devastating consequences for the Ukrainian Armed Forces. Ukraine's decision to send a couple artillery boats and a tugboat to the harbour of Mariupol should be rather perceived as a display of Ukraine's sovereignty and its rights to maritime routes linking the Black Sea with the Sea of Azov.^{xv} Undoubtedly, the next move of Russia is to turn the Sea of Azov into its 'inland' sea and thus cut off East Ukraine's access to the Black Sea. Russia's policy towards Ukraine will certainly have grim implications as far as the political and economic dimensions are concerned. Access to the Kerch Strait is absolutely crucial to the existence of the Ukrainian industry, particularly to its steel exports.^{xvi} Mariupol as a major city located on the coast of the Sea of Azov is also home to the two major steel mills, Ilyich Iron & Steel Works and Azovstal, that belong to Metinvest Group and employ about 10 per cent of the entire population of the city.^{xvii} In 2015, the Ukrainian companies were affected by an attack of the pro-Russian rebels who cut off Mariupol's gas supplies and thus forced both firms to suspend their operations.^{xviii}

Given the aforementioned circumstances, it seems clear that both sides of the clash had planned such a scenario in advance. In September 2018, the Ukrainians sent two Gyrza-M artillery boats to Mariupol. Both vessels were transported overland to the port of Berdyansk in the Sea of Azov and subsequently deployed to Mariupol.^{xix} It is also worth noting that Ukrainian civilian and military vessels had been using the passage through the Kerch Strait prior to the incident. In recent months, however, the tension between the two countries has arisen. Undoubtedly, the Russians had prepared for a scenario in which the Ukrainian Navy would attempt to pass the Kerch Strait to strengthen its forces in the Sea of Azov. In October 2018, Sputnik news, the pro-Kremlin news agency, informed that Russian policy

makers were aware of an incoming 'Ukrainian provocation' that would 'discredit Russia's Border Service'.^{xx}

It seems certain that the current exchange of communiqués between the Russians and the Ukrainians is just another phase of the so-called 'hybrid warfare' that began in 2014. Furthermore, it is worth emphasising that just a few days before the Kerch Strait incident Bogdan Bezpalko, a member of the Presidential Council on Interethnic Relations, stated that:

'There is an agreement that the Sea of Azov is a [semi-]landlocked sea of both Russia and Ukraine, as well as another document that specifies matters related to security. Hence, Ukraine will be obliged to follow the provisions of both agreements, including those regulating the Russian-Ukrainian border unless the agreements will be nullified or Ukraine will terminate them. Otherwise, Ukraine will break provisions stipulated in those documents so Russia will have no other option than solving the issue by taking into consideration only its own interests.'^{xxi}

Despite the fact that the Russian Federation invoked the international agreements and accused Ukraine of 'taking over' the Sea of Azov, the Russians broke the law by blocking Ukraine's access to the Kerch Strait and by demarcating their territorial waters along the coast of Crimea as a result of the illegal annexation of the peninsula. The latest clash between Ukraine and Russia is a consequence of the opening of the Kerch Strait Bridge in 2018 which has not only connected the Crimean Peninsula with the Russian mainland but also let the Russians fully control the passage between the Black Sea and the Sea of Azov. Thus, the Russians have established another political tool to exert considerable pressure on their neighbour by cutting off East Ukraine's access to the Black Sea. Russia's policy can be seen and analysed from multiple perspectives; there is no doubt, however, that the most significant implication for Ukraine, which is already overwhelmed by economic issues, is to face and tackle new financial hurdles triggered by the clash with the Russian Federation. The current situation will definitely not improve President Poroshenko's political clout whose chances of re-election are rather dim.^{xxii} Nevertheless, given the martial law imposed on November 28, 2018, the Ukrainian government will certainly attempt to use the clash with Russia during the coming 2019 presidential campaign. The Ukrainian administration ensured that President's decree will not affect the 2019 election which has been scheduled

on March 31, 2019. The Ukrainian government can theoretically extend the martial law if the tense relations between the two countries exacerbate in the near future.

Despite the fact that the West has been supporting Ukraine, for example, by imposing sanctions on the Russian Federation, Kiev is abandoned in its direct military struggle against Moscow. President Poroshenko asked NATO to deploy its naval forces to the Sea of Azov; however, a direct military support of the North Atlantic Alliance to Ukraine in its clash with Russia is highly unlikely. Certainly, NATO will not take a risk of deteriorating tense relations with the Russian Federation which could eventually lead to the military escalation. On the other hand, given the result of the war in Donbas, Ukraine has no capacities to launch a military campaign against Russia, even in the context of a small-scale local conflict. In conclusions, the future developments solely depend on Kremlin's policy towards Ukraine.

Ukraine in the Russian 'Jigsaw'

The Ukrainian-Russian conflict proves that both the elite and the public in the West do not understand motivation behind Russia's contemporary foreign policy. The Russian economy has been severely affected by the Western sanctions. The actions of the European Union and the United States, however, have not been able to prevent the Russians from implementing an aggressive policy against their neighbours. Kremlin's policy is usually perceived as 'unpredictable'^{xxiii} which seems an invalid statement given the very consistent approach of Russia towards Ukraine. Undoubtedly, the Russian Federation attempts to destabilise Ukrainian politics in the long run and to hinder Ukraine's integration into Euro-Atlantic structures.^{xxiv}

From the Russian perspective, the annexation of Crimea was based on military arguments. Russia has justified the annexation of the peninsula by its 'historic rights' to the peninsula which could eventually 'return to the Motherland'. The Russian territorial claims, as the foundation of Kremlin's propaganda, were supposed to disguise the fact that the Crimean Peninsula was crucial to maintain control over the Black Sea by the Russian Navy (Black Sea Fleet). A pro-Western government of Ukraine could sooner or later terminate the agreement with Russia that regulates Russia's access to the Sevastopol Naval Base. Therefore, the Russian policy towards Ukraine seems to be part of a broader geopolitical thought and is also related to Russia's participation in the conflict in Syria which remains Moscow's last stronghold in the Mediterranean. The annexation of the Crimean Peninsula

as well as the construction of the Kerch Strait Bridge have strengthened Russia's control over the Black Sea and have led to disintegration of the Ukrainian Navy. Given that the existence of the self-proclaimed republics in East Ukraine allows the Russian Federation to control the situation in the region and split Ukraine between the East and the West, the annexation of the territories in East Ukraine is not in Moscow's interest. It is also difficult to imagine that a politically unstable country involved in a military conflict with a nuclear-weapon state could ever join the North Atlantic Alliance. Firstly, it is worth noting that all NATO member states need to unanimously approve Ukraine's accession to the Alliance. Currently, such a scenario is highly unlikely given the possible consequences for all NATO member states even if Ukraine is able to meet all formal requirements. Secondly, the conflict in Donbas hinders Ukraine's capabilities to implement essential reforms and leads to permanent political and social destabilisation of the state. The recent developments mean that Russia will have no chance to find a political partner in Kiev in the near future. From the Russian perspective, 'unstable' Ukraine is still a better option than a theoretically friendly but pro-Western state that would eventually join the North Atlantic Alliance and thus undermine Moscow's influence in the region.^{xxv}

Taking into consideration that the North Atlantic Alliance cannot be directly involved in a military clash between Russia and Ukraine, the NATO member states and the European Union will have to decide whether to support Kiev in its struggle against Kremlin and what measures could be implemented to succeed. Due to the aforementioned conditions, the next wave of diplomatic and economic sanctions seems the only solution. One of those measures could be cancelling the construction of the Nord Stream 2 natural gas pipeline. The project has been recently criticised by German politicians, including a Member of the European Parliament Manfred Weber. Nevertheless, according to the statement of the German Minister of Foreign Affairs Heiko Mass, the project is still supported by the government in Berlin. Germany's policy to maintain the construction of the pipeline can be seen as a display of national (political) arrogance and egoism based on a short-sighted approach to energy policy that would eventually lead to Europe's dependence on Russian gas in the long run. From the very beginning, the Nord Stream 2 has been a geopolitical project which is supposed to diversify Europe's gas pipeline routes from Russia instead of diversifying sources of the fossil fuel. From Ukraine's perspective, this project can increase the risk of cutting off the gas supplies which means that Kremlin will have another political

tool to exert considerable pressure on Ukrainian economy and evade negative consequences for Berlin and other Central European countries.

Recommendations and Conclusions

1. The risk of a full-scale military conflict has turned Ukraine into a hostage of Kremlin's politics. Moscow's policy towards its Western neighbour is consistent and calculated to destabilise Ukrainian politics, economy and the society in the long term. Kiev has no military power to take control over the Sea of Azov which means that East Ukraine will have to pay the price of the conflict, particularly as far as the economic development of the region is concerned. Ukraine is simply unable to tackle this issue without foreign assistance.

2. The European Union, the United States and the entire North Atlantic Alliance should develop a strategy intended to stop Russian aggressive policy in Eastern Europe. Despite that the Western sanctions have severely affected the Russian Federation, the current Western policy is not able to confound Russian plans relating to Ukraine. Another wave of sanctions, however, could be perceived as a clear demonstration of Western solidarity with Ukraine. NATO will certainly not initiate any kind of actions that could escalate the conflict and lead to a direct confrontation with Moscow. Nevertheless, the Alliance should support Ukraine's struggle by providing weapons and indirect military assistance in order to maintain Kiev's ability to defend its territory.

3. Ensuring the security of the Alliance's Eastern flank remains a major challenge for its member states, particularly in the Baltic States which are inhabited by significant Russian-speaking minorities. The entire Alliance, including Poland, should focus all efforts on increasing its conventional deterrence capabilities in terms of air defence and artillery forces. The current situation in the Sea of Azov proves that the naval forces can play an important role even in seas such as the Baltic. A strong navy can guarantee the economic stability which is dependent on access to maritime shipping routes particularly in the field of maritime trade and transportation of fossil fuels.

Author: Rafał Lipka, Analyst of Security and Defence Programme at Casimir Pulaski Foundation

ⁱ A. Wilk. *Rosyjski atak na ukraińskie jednostki na Morzu Czarnym – aspekty wojskowe*. Ośrodek Studiów Wschodnich. <https://www.osw.waw.pl/pl/publikacje/analizy/2018-11-28/rosyjski-atak-na-ukrainskie-jednostki-na-morzu-czarnym-aspekty>. Access: 03.12.2018.

ⁱⁱ See: *Ukrainian Navy consciously ignored orders to stop in Kerch Strait – detained crew in video testimony*. Russia Today. <https://www.youtube.com/watch?v=rUoP7jANF7E>. Access: 03.12.2018.

ⁱⁱⁱ Ibidem.

^{iv} A. Wilk. *Op. cit.*

^v Parlament Ukrainy zatwierdził dekret o stanie wojennym w części kraju. Dziennik.PL. <https://wiadomosci.dziennik.pl/swiat/artykuly/585986,ukraina-poroszenko-stan-wojenny-wprowadzenie.html>. Access: 03.12.2018.

^{vi} *Russia-Ukraine Tensions After Kerch Strait Incident*. Sputnik News.

<https://sputniknews.com/europe/201811281070193280-russia-ukraine-kerch-strait/>. Access: 03.12.2018.

^{vii} Parlament Ukrainy zatwierdził dekret o stanie wojennym w części kraju. Dziennik.PL.

<https://wiadomosci.dziennik.pl/swiat/artykuly/585986,ukraina-poroszenko-stan-wojenny-wprowadzenie.html>. Access: 03.12.2018.

^{viii} *Ostrzeżenia dla podróżujących*. Ministerstwo Spraw Zagranicznych RP. <https://polakzagranica.msz.gov.pl/Ukraina,-ostrzezenie,dla,podrozujacych,15w392686.html>. Access: 03.12.2018.

^{ix} A. Łomanowski. *Ukraina: Pełzający stan wojenny*. Rzeczpospolita. <https://www.rp.pl/Konflikt-na-Ukrainie/311279937-Ukraina-Pelzajacy--stan-wojenny.html>. Access: 03.12.2018.

^x T. Iwański, K. Niecypor. *Wybory prezydenckie na Ukrainie 2019. Główni pretendenci*. Ośrodek Studiów Wschodnich. <https://www.osw.waw.pl/pl/publikacje/raport-osw/2018-09-11/wybory-prezydenckie-na-ukrainie-2019-glowni-pretendenci>. Access: 03.12.2018.

^{xi} *Ukraina: Zakaz wjazdu dla mężczyzn z Rosji w wieku 16-60 lat*. Gazeta Prawna.

<https://www.gazetaprawna.pl/artykuly/1371824,zakaz-wjazdu-dla-mezczyzn-z-rosji-w-wieku-16-60-lat.html>. Access: 03.12.2018.

^{xii} *Hetman Sahaidachny / Hetman Sahaydachniy 'Krivak III' class Patrol Frigate*. Global Security.

<https://www.globalsecurity.org/military/world/ukraine/sahaydachniy.htm>. Access: 04.12.2018.

^{xiii} R. Szoszyn. *Ostatnia fregata, czyli policzone dni ukraińskiej floty*. Rzeczpospolita. <https://www.rp.pl/Swiat/306019830-Ostatnia-fregata-czyli-policzone-dni-ukraińskiej-floty.html>. Access: 03.12.2018.

^{xiv} I. Ponomarenko. *Ukraine to set up Azov Sea naval base as dispute with Russia escalates*. Kyiv Post.

<https://www.kyivpost.com/ukraine-politics/ukraine-to-set-up-a-naval-base-in-azov-sea-as-dispute-with-russia-escalates.html>. Access: 04.12.2018.

^{xv} See: A. Wilk. *Rosyjski atak na ukraińskie jednostki na Morzu Czarnym – aspekty wojskowe*. Ośrodek Studiów Wschodnich.

<https://www.osw.waw.pl/pl/publikacje/analizy/2018-11-28/rosyjski-atak-na-ukraińskie-jednostki-na-morzu-czarnym-aspekty>. Access: 03.12.2018.

^{xvi} O. Radynski. *O co chodzi ze stanem wojennym w Ukrainie?* Krytyka Polityczna. <http://krytykapolityczna.pl/swiat/radynski-stan-wojenny-ukraina/>. Access: 03.12.2018.

^{xvii} *Ukraine's Mariupol steel plants in critical state after gas cut off*. Reuters. <https://www.reuters.com/article/ukraine-crisis-mariupol-metinvest/update-1-ukraines-mariupol-steel-plants-in-critical-state-after-gas-cut-off-idU5L5N0YY1Z20150612>. Access: 03.12.2018.

^{xviii} Ibidem.

^{xix} A. Wilk. *Op. cit.*

^{xx} *Kijów szykuje prowokację na Morzu Azowskim*. Sputnik News. <https://pl.sputniknews.com/swiat/201810118963120-Sputnik-Kijow-Morze-Azowskie-prowokacja/>. Access: 04.12.2018.

^{xxi} *Ukraina postara się ściągnąć zagraniczne okręty na Morze Azowskie*. Sputnik News.

<https://pl.sputniknews.com/swiat/201811229243857-Ukraina-Rosja-Morze-Azowskie-okrety-wojskowe/>. Access: 03.12.2018.

^{xxii} See: T. Iwański. *Samotność Poroszenki. Ukraińska polityka w roku przedwyborczym*. Ośrodek Studiów Wschodnich.

<https://www.osw.waw.pl/pl/publikacje/komentarze-osw/2018-05-21/samotnosc-poroszenki-ukraińska-polityka-w-roku-predwyborczym>. Access: 03.12.2018.

^{xxiii} See: R. Cheda. *Niebezpieczna retrospektywa – rosyjski atak w Cieśninie Kerczeńskiej* [w:] „Komentarz Międzynarodowy Pułaskiego” 30 listopada 2018. <https://pulaski.pl/komentarz-pulaskiego-niebezpieczna-retrospektywa-rosyjski-atak-w-ciesninie-kerczeńskiej/>. Access: 03.12.2018.

^{xxiv} See: A. Miarka. *Pozycja międzynarodowa Federacji Rosyjskiej w drugiej dekadzie XXI wieku – wybrane aspekty*. [w:] *Studia Politicae Universitatis Silesiensis* 2018, T. 21, s.89-110.

^{xxv} See: T. Malyarenko, S. Wolff. *The logic of competitive influence-seeking: Russia, Ukraine, and the conflict in Donbas* [w:] „Post-Soviet Affairs”, luty 2018. DOI: 10.1080/1060586X.2018.1425083.

The Casimir Pulaski Foundation is an independent, non-partisan think-tank specializing in foreign policy and international security. The Pulaski Foundation provides analyses that describe and explain international developments, identify trends in international environment, and contain possible recommendations and solutions for government decision makers and private sector managers to implement.

The Foundation concentrates its research on two subjects: transatlantic relations and Russia and the post-Soviet sphere. It focuses primarily on security, both in traditional and non-military dimensions, as well as political changes and economic trends that may have consequences for Poland and the European Union. The Casimir Pulaski Foundation is composed of over 40 experts from various fields. It publishes the Pulaski Policy Papers, the Pulaski Report, and the Pulaski Viewpoint. The Foundation also publishes "Informator Pułaskiego," a summary of upcoming conferences and seminars on international policy. The Foundation experts cooperate with media on a regular basis.

Once a year, the Casimir Pulaski Foundation gives the Knight of Freedom Award to an outstanding person who has promoted the values represented by General Casimir Pulaski: freedom, justice, and democracy. Prizewinners include: Professor Władysław Bartoszewski, Professor Norman Davies, Alaksandar Milinkiewicz, President Lech Wałęsa, President Aleksander Kwaśniewski, President Valdas Adamkus, Bernard Kouchner, and Richard Lugar.

The Casimir Pulaski Foundation has a partnership status with the Council of Europe and is a member of the Group Abroad, an association of Polish non-governmental organizations involved in international cooperation.

www.pulaski.pl