



PEACE NEGOTIATIONS
POST-CONFLICT CONSTITUTIONS
WAR CRIMES PROSECUTION

CEASEFIRE PREPARATION FOR UKRAINE: RUSSIA RED TEAM INITIATIVE

Prepared by the

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**CEASEFIRE PREPARATION FOR UKRAINE:
RUSSIA RED TEAM INITIATIVE**

Executive Summary

The PILPG Ceasefire Policy Planning Working Group launched a Red Team Initiative with a subgroup of the wider working group. This Initiative focused on mapping out Russia's priorities, strategies, and interests in negotiating a ceasefire, through the lens of a "Red Team." The Red Team met intensively over four weeks to analyze Russia's behavior, position, and objectives amidst Russia's war in Ukraine.

In doing so, the Red Team sought to answer several key questions, including:

- What does Russia want to achieve in a ceasefire that it wasn't able to achieve on the battlefield?
- What do Ukrainian negotiators need to be prepared for when facing Russia-Ukraine ceasefire talks?

The Red Team produced this summary guide that includes both Russia's priorities in a future ceasefire with Ukraine as well as an analysis on the expected Russian approach to negotiating a future ceasefire.

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Statement of Purpose

The purpose of this document is to consider the Russian priorities, strategies, and interests when negotiating a ceasefire with Ukraine to better prepare Ukraine for any future negotiations.

Russia's Priorities in a Ceasefire

Solidify Russia's Territorial Integrity (Including Annexed Territories)

Russia has pushed a particular narrative about its war in Ukraine, presenting the conflict as an existential threat to Russia and a fight against the West. Considering this, Russia will seek a military victory, or at least a favorable military position, before considering ceasefire negotiations. Because of the annexation of the four occupied territories (Donetsk and Luhansk oblasts and part of Kherson and Zaporizhzhia oblasts), Russia will seek to re-conquer those territories, or at a minimum gain a form of special status for those oblasts. Russia will also seek to protect its claim over Crimea, and has stressed that it will not agree to any talks if Crimea's status is in question.¹

Russia may come to the negotiation table with cultural bias. It may claim that the occupied territories and people living there were always fundamentally Russians and that they need to be part of the greater Russia.² There may be Russian claims around the protection of Russian identity and autonomy rights for ethnically Russian or Russian-speaking Ukrainians. However, it is also worth noting that some commentators argue that Russia's aggression in Ukraine is fundamentally concerned with Russia's desire to exert influence over the Ukrainian government in Kyiv. Therefore, Russia will likely also join negotiations with the mindset that it is entitled to a sphere of influence and, therefore, some form of control over Ukraine's domestic and foreign policy. These narratives underpin not only the current conflict, but also Russia's 2014 invasion of eastern Ukraine and the

¹ Ukrainska Pravda, *Kremlin does not like Zelenskyy's categorical stance on liberating Crimea*, (Nov. 25, 2022), Available at <https://www.pravda.com.ua/eng/news/2022/11/25/7377925/>. (Peskov: "...the Constitution of Ukraine stated that Crimea should be brought back to Ukraine by military means, by force. And de facto, Ukraine has not given it up, and for us, it is nothing more than a discussion of annexation of the territory of the Russian Federation; there can be no other interpretation here; this is out of the question.").

² Kremlin.ru, *Article by Vladimir Putin "On the Historical Unity of Russians and Ukrainians"*, (July 12, 2021), available at <http://en.kremlin.ru/events/president/news/66181> ("During the recent Direct Line, when I was asked about Russian-Ukrainian relations, I said that Russians and Ukrainians were one people – a single whole. These words were not driven by some short-term considerations or prompted by the current political context. It is what I have said on numerous occasions and what I firmly believe").

resulting war. It is therefore unlikely that Russia would simply relinquish those territories through negotiations and would, instead, threaten to walk away from negotiations unless annexed territories are recognized as part of Russia.³

During the March 2022 peace talks between Ukraine and Russia, Russia sought recognition of its control over the Crimean peninsula, as well as the two territories run by Russian-backed separatists. During those negotiations, the scope of a Russian retreat from Ukrainian occupied territories was a contentious and difficult topic to gain consensus on. At that time, Ukraine proposed to set a 15-year timeframe to settle the issue of Crimea.⁴ However, while it is possible that such an arrangement may once again be proposed, it has become less likely after the escalation of the war.

Build International Support for Ceasefire Agreement

Should Russia call for a ceasefire, they will leverage this fact to gain international support. This will likely include rhetoric insisting that they are peacemakers, and that Ukrainians are perpetrating violence and extending the war unnecessarily. Equally, Russia will seek to portray the West and NATO as responsible for any ceasefire delays, while portraying itself as attempting to negotiate in good faith.⁵ This would be aimed at Westerners, who Russia hopes will pressure their governments to sue for peace.

With respect to citizens of non-Western countries, Russia has attempted to reclaim soft power by portraying itself as a counter-balance to the “oppressive, colonizing West” and tap into anti-colonialist sentiment around the world to shore

³ Ellen Ioanes, *Biden and Putin just said they're open to talks. Don't count on it happening soon*, VOX, (Dec. 3, 2022), available at <https://www.vox.com/2022/12/3/23489915/biden-putin-macron-diplomacy-france-russia-ukraine>.

⁴ *Russia no longer requesting Ukraine be 'denazified' as part of ceasefire talks*, FINANCIAL TIMES, (Mar. 28, 2022), available at <https://www.ft.com/content/7f14efe8-2f4c-47a2-aa6b-9a755a39b626>.

⁵ *Lavrov defends Russian attacks on Ukraine's infrastructure*, AL JAZEERA (Dec. 1, 2022), available at <https://www.aljazeera.com/news/2022/12/1/lavrov-defends-russian-strikes-on-ukraines-infrastructure> (“[Russia has] never asked for talks but always said that we are ready to listen to those who are interested in a negotiated settlement.”).

Up support for its invasion.⁶ Spreading false pro-Russian narratives online⁷ and attempting to meddle with elections⁸ are other tools at Russia's disposal.

Deepen Russian Propaganda

Russia has waged psychological operations (PSYOP) campaigns both domestically and internationally.⁹ The hallmarks of such campaigns are typically: (i) the promotion of post-truth ideology, for example, by discouraging people from committing to any belief (or attendant action) because there is always uncertainty (and they would not want to be wrong), (ii) an emphasis on volume of (preferably multi-channel) propaganda, (iii) lack of a commitment to consistency of facts, stating often contradictory facts to push a certain narrative, and (iv) value-neutrality. For example, propaganda that promotes Russian interests by postulating that the target's goals align with Russia's. This may be achieved by encouraging Western citizens to oppose sanctions by saying that they are backfiring on the West.¹⁰

These hallmarks may differ based upon the target country or demographic. Furthermore, the lack of consistency amongst narratives¹¹ does not mean that there are no enduring narratives or that all narratives are equally valuable to Russia. Nor does it mean that Russia lacks sincere beliefs or goals. It does indicate, among other things, that Russia sees confusion, rather than narrative control or persuasion, as the surer route to achieving its goals.

⁶ Andrey Pertsev, *Putin, the anti-colonialist*, MEDUSA, (Nov. 11, 2022), available at <https://meduza.io/en/feature/2022/11/11/putin-the-anti-colonialist>.

⁷ Adam Rawnsley, *Russia's Infamous Troll Farm Is Back — and Sh*tting the Bed*, ROLLING STONE, (Aug. 4, 2022), available at <https://www.rollingstone.com/politics/politics-features/pro-putin-trolls-supporting-the-ukraine-invasion-cant-stop-sc-rewing-up-1392075/>.

⁸ Ivana Saric, *Russian disinformation campaigns again targeting midterms: Report*, AXIOS, (Nov. 6, 2022), available at <https://www.axios.com/2022/11/06/russian-disinformation-campaigns-midterms>.

⁹ See Loveday Morris and Will Oremus, *Russian disinformation is demonizing Ukrainian refugees*, Washington Post, (Dec. 8, 2022), available at

<https://www.washingtonpost.com/technology/2022/12/08/russian-disinfo-ukrainian-refugees-germany/> (“Experts say the propaganda campaign, which Facebook parent company Meta has called ‘the largest and most complex Russian-origin operation that we’ve disrupted since the beginning of the war in Ukraine,’ aims to stoke fear and divisions among Ukraine’s critical European allies as they brace for a new influx of refugees this winter.”).

¹⁰ Christopher Paul and Miriam Matthews, *The Russian "Firehose of Falsehood" Propaganda Model: Why It Might Work and Options to Counter It*. RAND CORPORATION, (2016), available at <https://www.rand.org/pubs/perspectives/PE198.html>.

¹¹ For example, Ukraine has a Nazi leadership, has used a “dirty bomb”, has Western-backed biological weapons labs, supports satanism, etc.

Russia will likely feature any ceasefire and underlying negotiations in its propaganda. Though the particulars are unclear, this paper touches upon some possible narratives Russia will construct.

Prevent Ukraine's Access to Europe and NATO

Russia will invoke security concerns to prevent Ukraine from joining NATO or getting closer to Europe. While Ukraine's accession to the European Union is likely less of a concern for Russia,¹² Ukraine joining NATO is seen as the "main threat to Russia."¹³ One of the fundamental issues Russia will seek to negotiate is the revision of European security architecture, as it currently stands, to something that is more favorable to Russian interests. This may even include exiting the Organization for Security and Co-operation in Europe (OSCE).¹⁴ This condition was present in the March 2022 "15-Point Peace Plan" negotiation mediated by Turkey. During those negotiations, Russia allegedly seemed open to Ukraine joining the European Union. Russia indicated that Austria and Sweden, which had not sought to join NATO at the time, could be potential models for Ukraine.¹⁵

Rehabilitate Russia's Image as a Global Superpower

Russia's campaign has damaged its image as a military power.¹⁶ Further, it has had to contend with the significant losses inflicted by a country it was projected to subjugate within days.¹⁷ Therefore, Russia will have specific strategic

¹² *EU is not military organization, Russia has nothing against Ukraine joining it — Putin*, TASS, (June 17, 2022), available at <https://tass.com/politics/1467687> (Putin: "EU is not military organization, Russia has nothing against Ukraine joining it.").

¹³ *Kremlin says Ukraine's NATO ambitions remain a threat to Russia*, REUTERS, (Sept. 14, 2022), available at <https://www.reuters.com/world/europe/kremlin-ukraines-nato-ambitions-remain-threat-russia-2022-09-14/>.

¹⁴ *Press review: Lavrov says OSCE falling apart and UN may restart key ammonia pipeline*, TASS, (Dec. 2, 2022), available at <https://tass.com/pressreview/1544707> (Lavrov: "They want to keep the Russians out of Europe, because the Americans have already enslaved all of Europe, The OSCE, ..., was a largely obsolete institution, and Poland's chairmanship is destroying "the remnants of the consensus culture"").

¹⁵ *Russia no longer requesting Ukraine be 'denazified' as part of ceasefire talks*, FINANCIAL TIMES, (Mar. 28, 2022), available at <https://www.ft.com/content/7f14efe8-2f4c-47a2-aa6b-9a755a39b626>.

¹⁶ *Defense News, Russia forecasts drop in arms export revenue*, (Aug. 29, 2022), available at <https://www.defensenews.com/global/europe/2022/08/29/russia-forecasts-drop-in-arms-export-revenue/> (Alexander Mikheyev (head of Russia's export branch) said arms export revenue total in 2022 is likely to total about \$10.8 billion, which would be roughly 26% lower than reported for 2021).

¹⁷ *Jacqui Heinrich and Adam Sabes, Gen. Milley says Kyiv could fall within 72 hours if Russia decides to invade Ukraine: sources*, FOX NEWS, (Feb. 5, 2022), available at [foxnews.com/us/gen-milley-says-kyiv-could-fall-within-72-hours-if-russia-decides-to-invade-ukraine-sources](https://www.foxnews.com/us/gen-milley-says-kyiv-could-fall-within-72-hours-if-russia-decides-to-invade-ukraine-sources); <https://www.cnn.com/2022/02/25/politics/kyiv-russia-ukraine-us-intelligence/index.html>; *Phil Stewart and Idrees Ali, More than 100,000 Russian military casualties in Ukraine, top U.S. general says*, REUTERS, (Nov. 9, 2022), available at [reuters.com/world/europe/more-than-100000-russian-military-casualties-ukraine-top-us-general-2022-11-10/](https://www.reuters.com/world/europe/more-than-100000-russian-military-casualties-ukraine-top-us-general-2022-11-10/); *Paul Sonne, Dan Lamothe and Mary Ilyushina, Rapid loss of territory in Ukraine reveals spent Russian military*,

interests in proposing a ceasefire, namely, to gain time to replenish missile stockpiles and allow its military-industrial complex to adjust to economic sanctions.¹⁸ Russia's involvement in Syria demonstrated that Russia may wish to use ceasefires to regroup, rearm and/or redeploy troops.¹⁹ Russians have used ceasefires to maintain the ability to hover over the opponent they wish to control.

The past agreements between Russia and Ukraine were dictated by Russia in a position of strength. Russia will likely seek to replicate this position before considering any non-tactical ceasefire negotiations. Another way to maintain its status is to involve the United States and the European Union in the negotiations as mediators. However, this may weaken Russia's negotiating position, so Russia may prefer that Turkey mediate the process instead.²⁰

Erode the West's Support of Ukraine

In prolonging the war, Russia will spur a massive influx of refugees and displaced persons within Europe. The war effort is also expensive for Ukraine's allies. So far, high-tech weapons have made the difference in the war, but at a significant cost. The longer the war continues, the higher the price is going to be for Ukraine and its allies. Accordingly, the increasing cost of the war may erode Western support for the funding of weapons in Ukraine. For instance, certain factions of the Republican party in the U.S. may begin examining the issue of weapons and ammunition accountability.²¹ Nonetheless, the costs of the proxy war remain largely affordable for the United States, considering that reducing Russia's military capacity is in its strategic interest.²² The extent to which the West will continue to support Ukraine will depend at least partially on the perceived ongoing

WASHINGTON POST, (Sept. 13, 2022), *available at* [washingtonpost.com/national-security/2022/09/13/putin-russia-military-spent-ukraine/](https://www.washingtonpost.com/national-security/2022/09/13/putin-russia-military-spent-ukraine/).

¹⁸ Department of Commerce of the USA, *Treasury-Commerce-State Alert: Impact of Sanctions and Export Controls on Russia's Military-Industrial Complex*, (Oct. 14, 2022), *available at* https://home.treasury.gov/system/files/126/20221014_russia_alert.pdf.

¹⁹ Jamie Tarabay and Sheena McKenzie, *Shelling continues despite Putin's call for 'humanitarian pause' in Syria*, CNN, (Feb. 27, 2018), *available at* <https://edition.cnn.com/2018/02/27/middleeast/putin-ceasefire-syria-intl/index.html>.

²⁰ Ilyya Kusa, *From Ally to Mediator: How Russia's Invasion Has Changed Ukraine-Turkey Relations*, CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE, (Oct. 7, 2022), *available at* <https://carnegieendowment.org/politika/88097>.

²¹ Eugene Scott, *McCarthy signals GOP-led house likely to oppose more aid to Ukraine*, WASHINGTON POST, (Oct. 18, 2022), *available at* <https://www.washingtonpost.com/politics/2022/10/18/house-republicans-ukraine-mccarthy/>; Stephen Collinson, *These are the end-of-year political showdowns that will help decide America's future*, CNN, (Nov. 28, 2022), *available at* <https://www.cnn.com/2022/11/28/politics/political-showdowns-america-future-year-end/index.html>.

²² Anthony H. Cordesman, *United States Aid to Ukraine: An Investment Whose Benefits Greatly Exceed its Cost*, CENTER FOR STRATEGIC & INTERNATIONAL STUDIES, (Nov. 22, 2022), *available at* <https://www.csis.org/analysis/united-states-aid-ukraine-investment-whose-benefits-greatly-exceed-its-cost>.

damage the war is causing on Russia. There are also increasing concerns surrounding NATO's capability to support Ukraine's munitions requirement indefinitely.²³

Especially if Ukraine's position improves, Russia may frame Ukraine's protection and liberation of its own lands as military escalation, particularly if Ukraine strikes targets inside of Russia. Whether the West continues to supply Ukraine with more advanced, offensive missile systems, or Ukraine advances deeper into annexed territories or even strikes supply lines or air bases inside Russia, such actions might risk eroding support from certain allies and their domestic populations. However, this course may also impose significant damage to Russia's military and economic capacity to wage war.

At this point Russia may become wary of further escalating and expanding its own ongoing strikes against Ukraine's civilian infrastructure. This may be because the West has, thus far, responded to said strikes by providing more sophisticated air defense weapons to Ukraine.²⁴ Russia's difficulty to replace dwindling missile stocks while under sanctions, coupled with Ukraine's ability to shoot down Russian missiles with greater efficiency, will likely cause Russia to place a heavy emphasis on attempting to erode Western military support for Ukraine.

In this regard, Russia likely hopes that supply shocks, commodity embargoes and rising fuel and food prices will trigger political instability in the West and result in pressure on politicians to withdraw support.²⁵ Russia may try to move this along by encouraging narratives saying that (i) sanctions are backfiring, causing poverty, shortages, and inflation in the West, (ii) turning one's back on an oil and gas supplier in the winter will freeze and impoverish one's population (this also contains a threat that Russia may leverage its supplies to create hardships in the West), and (iii) economic downturns are not the time for the West to slow trade.

²³ John E. Herbst and Jennifer Cafarella, *Russia's Assault on Ukraine Exposes US, Allied Gaps in Preparing for Great-Power War*, JUST SECURITY, (Nov. 30, 2022), available at <https://www.justsecurity.org/84286/russias-assault-on-ukraine-exposes-us-allied-gaps-in-preparing-for-great-power-war/>.

²⁴ Yaroslav Lukov, *Nato countries to boost Ukraine's missile defence after massive Russian strikes*, BBC NEWS, (Oct. 13, 2022), available at <https://www.bbc.co.uk/news/world-europe-63236367>.

²⁵ *Ordinary Germans are paying': anti-war protests stretch across central Europe*, FINANCIAL TIMES, (Nov. 20, 2022), available at <https://www.ft.com/content/fedc259f-bf96-4a22-b032-bc181d4dd51d>.

Obtain Reparations for the War

If Russia is in a strong negotiating position, it may preempt any reparation requirements on itself, by demanding reparations for the consequences of the war. Russia will seek to position itself as a victim, and has previously blamed the West and NATO for provoking its invasion of Ukraine.²⁶

Allow Russia's Economy to Recover and Prevent Instability

Russia's war in Ukraine has had significant and progressively worsening impacts on the Russian economy.²⁷ If the general Russian population, as well as Russian oligarchs, continue to suffer from those consequences, it may create additional tensions in Russian society. The Putin regime will want to avoid such internal chaos and seek to reestablish normality in Russia. The Putin regime will therefore seek to stabilize internally and maintain the support of its oligarchic elites to avoid the risk of collapse.

However, Putin's regime is likely to feel emboldened by a general absence of any organized opposition to this war. This is particularly the case as of late 2022, despite the population being mobilized and suffering military and economic setbacks. Opposition figures that remained in Russia post-February 2022 have been imprisoned,²⁸ and there have been few attempts outside of Russia to form a unified opposition to the regime.²⁹

In Putin's own internal circle, hawks such as Ramzan Kadyrov and Evgenij Prigozhin have become more influential, openly criticizing³⁰ the Ministry of Defense (another power bloc), publicly executing deserters with impunity,³¹ and

²⁶ Holly Ellyatt, *Putin blames the West for Ukraine war in 'Victory Day' speech*, CNBZ, (May 9, 2022), available at <https://www.cnbz.com/2022/05/09/putin-blames-the-west-for-ukraine-war-in-victory-day-speech.html> (Putin "[Russia's invasion of Ukraine had been necessary] because the West was preparing for the invasion of our land, including Crimea.").

²⁷ Maria Demertzis, Benjamin Hilgenstock, Ben McWilliams, Elina Ribakova, Simone Tagliapietra, *How have sanctions impacted Russia?*, BRUEGEL, (Oct. 26, 2022), available at <https://www.bruegel.org/policy-brief/how-have-sanctions-impacted-russia>.

²⁸ For example, Vladimir Kara-Murza, Alexei Navalny, and Ilya Yashin.

²⁹ Lucian Kim, *Russian Exiles Struggle to Form a United Opposition to Putin*, FOREIGN POLICY, (Nov. 28, 2022), available at <https://foreignpolicy.com/2022/11/28/russian-exiles-emigres-disaspora-anti-putin-ukraine-war-opposition/>.

³⁰ *Putin ally Kadyrov criticises Russian army after Ukraine setback*, ALJAZEERA, (Sept. 11, 2022), available at <https://www.aljazeera.com/news/2022/9/11/kadyrov-criticises-russias-stunning-setback-in-ukraine>.

³¹ Guy Faulconbridge, *Video shows sledgehammer execution of Russian mercenary*, REUTERS, (Nov. 13, 2022), available at <https://www.reuters.com/world/europe/sledgehammer-execution-russian-mercenary-who-defected-ukraine-shown-video-2022-11-13/>.

challenging the Kremlin to use nuclear missiles against Ukraine.³² It is likely that these figures, wielding significant influence personally and through associated social media channels on TikTok and Telegram,³³ will exert greater influence on the Kremlin's negotiating position than members of the Kremlin's "liberal, technocratic" bloc.³⁴

Relatedly, Russia may seek to instrumentalize the economic suffering of its population to seek additional leverage in the negotiations and obtain sanction relief. In fact, Russia could seek to capitalize on this element to create discord in the support of the Western populations.

Accordingly, Russia may demand the return of all its frozen assets, and the lifting of sanctions harming its economy, as a prerequisite to reaching a ceasefire. Russia may seek to benefit from further agreements with Ukraine and its partners, such as the Grain Deal.

Avoid Any Form of Reparation or Justice

Russia will attempt at all costs to avoid the accountability initiatives proposed by Ukraine, especially any involving Russia being tried for the atrocities committed in Ukraine. Russia will seek to receive amnesty for its soldiers and all its political and military leaders, and anyone associated with the regime.³⁵ Russia will point to other conflicts such as the United States invasion of Iraq or NATO's intervention in Serbia as precedents for such immunity.³⁶

Leverage Untapped Capacities

In response to Ukraine's drone attacks on Russian airfields more than 250 miles inside Russian territory, it is likely that Russia will seek to respond militarily

³² Felix Light, *Kadyrov says Russia should use low-yield nuclear weapon*, REUTERS, (Oct. 1, 2022), available at <https://www.reuters.com/world/europe/russia-says-its-troops-left-lyman-avoid-encirclement-2022-10-01/>.

³³ Eva Maitland and Madeline Roache, *1 Billion Views: TikTok Videos Promote Russian Mercenary Group, Despite Platform Rules*, NEWSGUARD, available at <https://www.newsguardtech.com/misinformation-monitor/november-2022/>.

³⁴ For example, Elvira Nabiullina, Mikhail Mishustin, and Alexei Kudrin.

³⁵ Brendan Cole, *Russian TV Pundit Admits Elites Are Worried About Repercussions After War*, NEWSWEEK, available at <https://www.newsweek.com/russia-ukraine-war-crimes-hague-simonyan-tv-pundit-1762946>.

³⁶ *Lavrov defends Russian attacks on Ukraine's infrastructure*, AL JAZEERA, (Dec. 1, 2022), available at <https://www.aljazeera.com/news/2022/12/1/lavrov-defends-russian-strikes-on-ukraines-infrastructure> (“[Russia has] never asked for talks but always said that we are ready to listen to those who are interested in a negotiated settlement.”).

and further escalate the aggression.³⁷ Indeed, Russia's strategic fires campaign against electric infrastructure began after the attack on the bridge between Russia and Crimea.³⁸ Therefore, Russia may seek to further reciprocate Ukrainian attacks in order to avoid losing leverage during negotiations. Further, Russia may seek to present Ukrainian attacks as an escalation of the conflict and portray Ukraine as a bad actor, despite such attacks being legitimate responses to an unjustified war of aggression.

Further, Russia may seek to leverage other military capacities that it has yet to deploy. Russia has a cyber capability that has remained largely restrained, but Russia could use this capacity in the future to improve its negotiating leverage.³⁹ As has already occurred, Russia could again threaten the use of tactical nuclear weapons in an attempt to "escalate to de-escalate."⁴⁰

Finally, while there is no clear indication the extent to which China wishes to be involved in Russia's war, China's increased support or economic cooperation may tilt the negotiations in Russia's favor. Indeed, any furthering of China's explicit support might improve Russia's negotiating posture, forcing the West to consider the impacts of further expansion of the conflict. A strategic outcome for China may be to take advantage of Russia's decline and turn Russia's far east into a vassal region.⁴¹

³⁷ Mark Trevelyan and Tom Balmforth, *Putin says Russia could be fighting in Ukraine for a long time*, REUTERS, (Dec. 7, 2022), available at <https://www.reuters.com/world/europe/ukraine-appears-show-ability-strike-far-inside-russia-2022-12-06/>.

³⁸ Max Hunder and Jonathan Landay, *Russia launches biggest air strikes since start of Ukraine war*, REUTERS, (Oct. 12, 2022), available at <https://www.reuters.com/world/europe/russias-ria-state-agency-reports-fuel-tank-fire-kerch-bridge-crimea-2022-10-08/>

³⁹ See Clint Watts, *Preparing for a Russian cyber offensive against Ukraine this winter*, MICROSOFT BLOG, (Dec. 3, 2022), available at <https://blogs.microsoft.com/on-the-issues/2022/12/03/preparing-russian-cyber-offensive-ukraine/>.

⁴⁰ Mark Trevelyan and Tom Balmforth, *Putin says Russia could be fighting in Ukraine for a long time*, REUTERS, (Dec. 7, 2022), available at <https://www.reuters.com/world/europe/ukraine-appears-show-ability-strike-far-inside-russia-2022-12-06/>.

⁴¹ Thomas F. Lynch III, *America's Great-Power Challenge: Managing Russia's Decline and China's Rise*, FOREIGN POLICY RESEARCH INSTITUTE, (Dec. 5, 2022), available at <https://www.fpri.org/article/2022/12/americas-great-power-challenge-managing-russias-decline-and-chinas-rise/>.

Russia's Approach to Negotiating a Ceasefire

Overall Russian Strategy

Russia will have specific strategic interests in proposing a ceasefire. Russia's overall strategic approach to negotiating a ceasefire with Ukraine may include several different components as it seeks to achieve in a ceasefire what it was not able to achieve on the battlefield.

First, Russia may try to embed a frozen conflict in Ukraine in a play for time. In so doing, it will use ceasefires to maintain the ability to hover over the opponent it wishes to control.

Russia will also likely leverage the fact that it called for a ceasefire to gain international support. This may include rhetoric insisting they are the peacemakers and Ukrainians are perpetrating violence and extending this war unnecessarily. Ukraine and its negotiators should never assume that Russia has relinquished its core goals for the conflict. The strategy of strategically proposing a ceasefire agreement to rest and re-arm should be recognized as a highly probable incentive of Russia's in approaching a ceasefire agreement (even if on the back foot).

Unexpectedly, Russia will seek to offer a ceasefire agreement under conditions most favorable to Russia and by which Russia can come to the table with the strongest negotiating power.

The start of the ceasefire agreement will likely therefore be Minsk III, with the territorial lines drawn up in Minsk I and II as the starting point. Russia may also offer something similar to the ceasefire it floated at the beginning of March 2022, namely that Ukraine (i) cease military action, (ii) change its constitution to enshrine neutrality, (iii) acknowledge Crimea as Russian territory, and (iv) recognize the oblasts of Donetsk, Kherson, Luhansk and Zaporizhzhia as part of Russia.⁴² Regarding the latter point, Russia will seek to have representatives from those regions that it can control and use to further obtain concession. Some of these

⁴² Catherine Belton, *Russia will stop 'in a moment' if Ukraine meets terms – Kremlin*, REUTERS, (Mar. 7, 2022), available at <https://www.reuters.com/world/kremlin-says-russian-military-action-will-stop-moment-if-ukraine-meets-2022-03-07/>.

problems may be mitigated if Ukraine chooses representatives for these oblasts or plays a key role in doing so.

Military Conditions Favorable to Russia

The Russian negotiators will likely employ a strategy of suing for peace by attempting to demoralize Ukrainians through the imposition of unlivable conditions. This will include enacting significant damage to critical infrastructure, water, and energy sources, that puts the Ukrainian population at disadvantage regardless of whether Russia is succeeding militarily or making any significant military advances.

Process for Ceasefire

It is likely Russia will insist on a bilateral process, but may want to involve the United States or European Union in some limited form to maintain the illusion of a world order where powerful countries get together to decide.

Russia's Guiding Principles

Russians will look for symmetry of rights and privileges, insisting on parity and declaring that a ceasefire agreement requires symmetry in which both parties must be equally entitled to the same rights and privileges. Ukraine will need to clarify that there is *no* symmetry of integrity and rights, given that Russia invaded Ukraine.

Russia's Tactical Approach

Russian negotiating tactics are likely to draw on their existing KGB-style negotiating playbook. Russia's playbook involves propagating existing strategic narratives rather than expressing a genuine commitment to negotiation, maintaining vague and distorted communication with the media and to the general public, and employing subtle psychological games.

Additionally, Russia will try to apply pressure on Ukraine by framing President Zelensky as unreasonable. This will include framing its own conditions as reasonable, such as keeping sovereignty over Crimea or maintaining influence over the other annexed territories.

Russia may offer a series of fake ceasefire agreements prior to a genuine interest to strike a deal. Russia has offered fake ceasefire agreements in the past to protect so-called humanitarian corridors.⁴³ This may also be used as a public relations move to generate goodwill for Russia and shift the international narrative to Russia as a “peace first” state and a peacemaker within the international environment. Such tactical use of a ceasefire is very likely in light of Russia’s prior activity in Syria.

Russian Ground Rules

Russia will likely push for a limited number of participants involved in negotiations at any given time, demand confidentiality principles which they ultimately violate, and advocate for no press releases to the public despite feeding specific highlights from the talks to the Russian population.

Nature of the Agreement

If Russia chooses to approach the ceasefire for purely strategic reasons, Ukrainians can expect a vague, short, and ambiguous agreement with bear traps snuck into the ceasefire agreement. Russia will look for a brief agreement that includes constructive ambiguity, leaving opportunities to pursue changes that can favor Russians in the future. In this scenario, Russia will reject any attempts to restrict or impose limits or monitoring obligations on their military-industrial complex, as it will likely seek to rebuild its armed forces for a future push.

In safeguarding against this potential scenario, Ukrainians will require a *very* detailed ceasefire. This may go against the instinct of those monitoring the ceasefire, who may see benefit in seeking a short and concise agreement to ensure a timely cessation of hostilities.

Monitors of Ceasefire Process

⁴³ Rachel Elbaum and Daniel Arkin, *'Propaganda corridors': Ukraine rejects Russian offer to let civilians flee to Russia*, NBC NEWS, (Mar. 7, 2022), available at <https://www.nbcnews.com/news/world/ukraine-rejects-russia-cease-fire-humanitarian-corridors-putin-belarus-rcna1.8936>; Nabih Bulos, Laura King, Henry Chu, *Civilian suffering intensifies as new Russian-Ukrainian talks fail to yield breakthrough*, LA TIMES, (Mar. 7, 2022), available at <https://www.latimes.com/world-nation/story/2022-03-07/russia-new-limited-cease-fire-pummels-ukrainian-cities>; NPR, *Evacuations are halted in an area of Ukraine where Russia had pledged a cease-fire*, (Mar. 5, 2022), available at <https://www.npr.org/2022/03/05/1084723350/russia-offers-ceasefire-in-two-parts-of-ukraine-to-allow-civilians-to-leave>.

Russia will push for a weak monitor or no monitor at all. The monitor, however, will likely be Turkey, as Turkey is well positioned to lay claim to being both involved and neutral in the conflict.⁴⁴ Russia may seek to leverage the following for favorable treatment from Turkey: (i) trade ties, (ii) the authoritarian nature of Erdogan's regime, and (iii) a change in Russia's military actions or support vis a vis Syria and Armenia-Azerbaijan. For example, Russia may be willing to make concessions in one of these two conflicts in exchange for favorable treatment vis a vis Ukraine.

Turkey is not likely to be intimidated into favoring Russia during negotiations and has already asserted itself by providing Bayraktars to Ukraine, restricting Russia's passage through the Bosphorus Strait, insisting that it will continue to support the Grain Deal that it helped broker after Russia made a show of withdrawing from the agreement following Ukrainian attacks, and finally declaring that the annexation of Crimea by Russia is illegal and Crimea should be returned to Ukraine.⁴⁵ Further, Turkey knows that the power dynamic has shifted in its favor in its relationship with Russia, and Russia may use a ceasefire as cover for rearmament and may be mindful of the impact that the ceasefires success or lack thereof may have on its reputation.

⁴⁴ See, for example, Daphne Psaedakis and Humeyra Pamuk, *Senior U.S. Treasury official traveled to Turkey to discuss sanctions on Russia*, REUTERS, (Oct. 19, 2022), available at <https://www.reuters.com/world/senior-us-treasury-official-traveled-turkey-discuss-sanctions-russia-2022-10-19/>, discussing, among other things, Turkey's continued refusal to join sanctions against Russia; ALJAZEERA, *Turkey's Baykar drone company 'will never' supply Russia: CEO*, (Jul. 19, 2022), available at <https://www.aljazeera.com/news/2022/7/19/turkish-firm-wont-supply-uavs-widely-used-by-ukraine-to-russia>.

⁴⁵ Diyar Gldođan, *Return of Crimea to Ukraine a requirement of international law: Turkish president*, ANADOLU AGENCY, (Aug. 23, 2022), available at <https://www.aa.com.tr/en/russia-ukraine-war/return-of-crimea-to-ukraine-a-requirement-of-international-law-turkish-president/2667680#:~:text=%22The%20return%20of%20Crimea%20to,the%20Second%20Crimea%20Platform%20Summit>.

PILPG Policy Planning Working Group: Ceasefire in Ukraine

This red team analysis is a work product of PILPG's Policy Planning Working Group on Ceasefire in Ukraine. The Ceasefire working group is one in a series of Ukraine policy planning working groups within PILPG's Policy Planning Initiative, co-chaired by Dr. Paul R. Williams and Alexandra Koch. These working groups provide practical guidance on specific policy questions Ukraine is likely to face in the future in light of Russia's invasion in 2022.

The Ceasefire Working Group ran for three months and included former Ambassadors and Ministers, retired Major and Brigadier Generals, policymakers, and public international law experts with decades of experience across the globe. Participants' experiences span the UN, the World Trade Organization, U.S. Department of Defense and U.S. State Department. The wealth of experience captured within this working group has allowed for a range of perspectives and contributions to be included in this policy paper.

The Red Team was a subgroup of the larger working group and included working group members with a range of military, political, and legal expertise. The Red Team met several times over the course of a month and focused exclusively on identifying Russian priorities, strategies, and interests.

PILPG is honored to have the following experts involved in this effort:

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About the Public International Law & Policy Group Policy Planning Initiative

PILPG's Policy Planning Initiative supports the development of long term, strategic policy planning that is crucial to international accountability, global conflict resolution, and the establishment of international peace. The Initiative provides timely and accurate policy planning analysis and work product on pressing and future policy conundrums by leveraging PILPG's deep network of talent within the international legal and policy communities and experience with its pro bono clients globally. PILPG Policy Planning focuses on advising policymakers, policy shapers, and engaged stakeholders on pressing issues within the arenas of international law, war crimes prosecution, and conflict resolution efforts. This includes identifying and addressing gaps within existing policies, anticipating key conundrums and questions that will riddle future policy decisions, applying lessons learned from comparative state practice, and proactively producing and sharing work product to inform such policies and avoid crisis decision making.