

# BROOKINGS

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**The Senate Foreign Relations Committee**

**Subcommittee on Europe and  
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**Statement for the Record**

***Russian Aggression against Ukraine  
and the West's Policy Response***

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## **Russian Aggression against Ukraine and the West's Policy Response**

### **Introduction**

Mr. Chairman, Senator Shaheen, distinguished members of the subcommittee, thank you for the opportunity to testify on Russia's aggression against Ukraine, and the U.S. and West's policy response.

What began as an internal Ukrainian political dispute became a Ukraine-Russia crisis in early 2014. Since then, Moscow has used military force to seize Crimea, supported armed separatists and ultimately sent regular Russian army units into eastern Ukraine. A ceasefire agreement was reached in Minsk last September, but the separatists and Russians failed to implement its terms. The Minsk II ceasefire agreed on February 12 may now be taking effect but seems fragile at best. Implementing other terms of the agreement will prove difficult.

Driving Russia's aggression has been a mix of geopolitical and domestic political considerations. The Kremlin's goal over the past year appears to have been to destabilize and distract the Ukrainian government, in order keep that government from addressing its pressing economic, financial and other challenges as well as from drawing closer to the European Union through implementation of the EU-Ukraine association agreement.

Beyond Ukraine, the United States and Europe face a broader Russia problem. Moscow has operated its military forces in a more provocative manner near NATO members and has asserted a right to "protect" ethnic Russians and Russian speakers wherever they are located and whatever their citizenship. That policy could pose a threat to other states, including Estonia and Latvia, both members of NATO.

The United States and the West should pursue a multi-pronged strategy to deal with Russia's violation of Ukraine's sovereignty and territorial integrity and Moscow's generally more confrontational approach. First, NATO should bolster its ability to deter Russian threats to the Alliance's members, particularly in the Baltic region. This means enhancing NATO conventional force capabilities there, including capabilities to deal with the hybrid warfare techniques that Russia has demonstrated in Ukraine.

Second, the West should support Ukraine, including through provision of substantial financial assistance if Kyiv proceeds with a serious reform agenda. Avoiding a financial collapse of Ukraine will require that the European Union and United States supplement the International Monetary Fund's extended fund facility program.

Third, the West should maintain economic and other sanctions on Russia until Moscow demonstrates a full commitment to a negotiated settlement in eastern Ukraine and takes

demonstrable and substantive measures to implement that settlement. Should Russia not do so, or should separatist and Russian forces resume military operations, the United States and European Union should impose additional sanctions.

Fourth, the United States should make preparations to provide increased military assistance to Ukraine, including defensive weapons. Provision of that assistance should proceed if the separatists or Russians violate the ceasefire, or if Moscow fails to implement the terms of the Minsk II agreement.

Fifth, the West should leave the door open for Russia to change course and help end the conflict in eastern Ukraine, even if expectations of such a change in Moscow's course are modest at best.

Finally, while Ukraine has correctly deferred the issue of Crimea for now, the West should continue to not recognize Russia's illegal annexation of the peninsula. If Russian actions regarding eastern Ukraine merit sanctions relief, the United States and European Union nevertheless should maintain some sanctions, including measures specifically targeted at Crimea, until the peninsula's status is resolved to Kyiv's satisfaction.

### **Russia's Aggression against Ukraine**

Russia and the other independent states that emerged from the collapse of the Soviet Union in 1991 agreed to respect the state borders as they existed at the time. Unfortunately, Russia did not hold to that commitment. The Kremlin has supported separatist efforts and "frozen" conflicts in Transnistria, a breakaway part of Moldova, and South Ossetia and Abkhazia, breakaway regions from Georgia, whom Russia recognized as independent states following the August 2008 Georgia-Russia conflict. Moscow has again violated the sovereignty and territorial integrity of another state, this time, Ukraine.

Ukraine went through a wrenching internal political crisis from November 2013 to the end of February 2014, triggered by then-President Yanukovich's surprise decision not to sign an association agreement with the European Union. Following the security forces' use of deadly force against demonstrators in Kyiv on February 19-20, Mr. Yanukovich signed a power-sharing agreement with the three main opposition party leaders.

Given public anger over the killings the two previous days, it is unlikely that the opposition leaders could have persuaded the demonstrators to accept the agreement. In any case, they had little chance. After signing the document, Mr. Yanukovich abandoned his post and disappeared, later turning up in Russia.

What had been an internal political crisis became a Ukraine-Russia conflict at the end of February 2014, when soldiers, in Russian combat fatigues without insignia, seized Crimea. The Ukrainians referred to them as "little green men." In a March 3 press conference, President Putin denied that they were Russian soldiers. Just weeks later, he publicly admitted that they were and awarded commendations to their commanders.

In April, armed separatists began to seize buildings in Donetsk and Luhansk in eastern Ukraine. Many were pro-Russian locals, but more “little green men” appeared. Moscow supported the separatists with funding, arms and leadership. For example, last April, the self-proclaimed prime minister and defense minister of the so-called “Donetsk People’s Republic” came from Russia and had apartments in Moscow. Further evidence that outsiders played a major role in the early days was the seizure of the opera house in Kharkiv, which they apparently mistook for the city administration building.

Over the course of the late spring and summer, as Ukrainian forces conducted a counter-offensive in Donetsk and Luhansk (also referred to as the Donbas), Russia provided the separatists with heavy arms, such as tanks, artillery and surface-to-air missile systems. These apparently included the Buk (SA-11) surface-to-air missile that tragically shot down Malaysia Air flight 17 in July.

The Ukrainian military nevertheless made progress against the separatists during the summer, significantly reducing the amount of territory they held. On or about August 23, regular units of the Russia army invaded Ukraine and attacked Ukrainian units in the Donbas. When a ceasefire agreement was worked out in Minsk on September 5, Ukrainian losses reportedly included between 50 and 70 percent of the armor the Ukrainian army had deployed in the Donetsk and Luhansk regions.

Unfortunately, the September ceasefire never took full hold. The separatists and Russians did not implement key elements, such as the requirements for withdrawal of foreign forces and military equipment, or for securing the Ukraine-Russia border under observation by the Organization for Security and Cooperation in Europe. Instead, the Russian-backed separatists over the next five months took additional territory in eastern Ukraine, adding more than 500 square kilometers to what they had held on September 5.

Last month, with fighting escalating, German Chancellor Merkel and French President Hollande met with Ukrainian President Poroshenko and Russian President Putin in Minsk to seek a new settlement. After a marathon all-night negotiation, they announced a new agreement (Minsk II) providing for a ceasefire, withdrawal of heavy weapons away from the line of contact, and a series of steps to regulate the political and economic status of eastern Ukraine.

The terms of Minsk II are substantially worse for Kyiv than the terms of the unfulfilled September 2014 agreement. Implementing the Minsk II agreement will require good faith and flexibility on all sides that has not been shown previously during this conflict. Many analysts expect the agreement to break down at some point.

It appears that Mr. Poroshenko agreed to Minsk II in the face of a deteriorating military situation and an urgent need for breathing space so that he could focus attention on a looming financial crisis and a very necessary economic reform agenda. Given Mr. Poroshenko’s acceptance of Minsk II, Ukraine’s supporters have little choice but to support the agreement and its implementation, however difficult its terms may appear.

Unfortunately, the separatist and Russian forces did not initially observe the ceasefire, which was supposed to begin on midnight on February 14. They attacked the Debaltseve salient occupied by Ukrainian army units, which withdrew on February 18. The Ukrainians then reported ominous signs of preparations for a separatist/Russian attack on the large port city of Mariupol in southern Donetsk province.

Greater restraint was shown after February 25. While some shelling continues, the line of contact has been markedly quieter than it was during the first week of the ceasefire. The sides have pulled some heavy weapons back from the line of contact. The ceasefire, however, remains fragile and shaky, and Kyiv remains concerned about possible preparations for an assault on Mariupol.

### **Russian Motives**

Russia today is passing through a difficult and dark phase, as evidenced by the tragic February 27 murder of opposition leader Boris Nemtsov, virtually on the doorstep of the Kremlin. Russia's goal with regard to Ukraine over the past year has been to destabilize and distract Mr. Poroshenko and his government. That makes it far more difficult for them to address the pressing economic, financial and reform agenda that confronts Kyiv, including implementation of the reforms mandated by its program with the International Monetary Fund. It also makes it more difficult for Kyiv to pursue implementation of the association agreement it signed last year with the European Union. Moscow seems to calculate that a new "frozen conflict" in eastern Ukraine—or perhaps a "not so frozen conflict"—provides the mechanism to put pressure on Kyiv.

This policy appears to be driven by a mix of geopolitical and domestic political considerations. Mr. Putin's concept of Russia as a great power includes a sphere of influence in the post-Soviet space. He does not seek to recreate the Soviet Union; the Russian economy does not wish to subsidize those of other states. But Moscow does want its neighbors to take account of and defer to its concerns, particularly as regards relationships with Western institutions such as NATO and the European Union.

Mr. Putin very much wanted Ukraine to join the Russian-led Eurasian Union, along with Belarus, Kazakhstan and Armenia. Even under Mr. Yanukovich, however, Kyiv made clear its preference for the European Union. If Moscow cannot have Ukraine in the Eurasian Union, it is working to hinder Ukraine's effort to draw closer to Europe.

Domestic political considerations factor heavily into the Kremlin's Ukraine policy. First, the two countries have long historical and cultural ties, and pulling Crimea and Ukraine back toward Russia plays well with Mr. Putin's conservative political base. That said, polls show that most Russians do not want the Russian army fighting in Ukraine—which explains the extraordinary and sometimes disgraceful efforts taken by the Kremlin over the past eight months to hide that fact from the Russian people.

A related consideration is the Kremlin's fear that the Maidan demonstrations that brought down Mr. Yanukovich might inspire Russians to mount large civil protests of their own.

A weak Ukrainian government incapable of meeting the challenges before it ensures that the Maidan model will have little attraction for the Russian populace. This consideration could mean that Mr. Putin wants a failed Ukrainian state. If so, that does not bode well for the prospects for the current ceasefire and Minsk II.

### **The West and a Broader Russia Problem**

Beyond Ukraine, the United States and Europe today face a broader Russia problem. As the Ukraine-Russia crisis intensified from March 2014 onward, NATO observed a significant increase in provocative behavior by Russian military forces, including nuclear exercises and snap conventional force alerts. NATO military authorities reported a marked jump in the number of cases of Russian bombers conducting flights near the air space of NATO member states.

Such behavior is of concern, as NATO and Russian military forces are increasingly operating in close proximity at a time of significant West-Russia tensions. That raises the prospect of accidents, miscalculation or misunderstanding. For example, air traffic controllers in Scandinavia have reported two instances in which Russian intelligence-gathering aircraft recklessly switched off their radar transponders when operating in or near commercial air lanes.

Moscow has for some years asserted a right to “protect” ethnic Russians or Russian speakers wherever they are located and whatever their citizenship. Protecting ethnic Russians was a reason that Mr. Putin cited for seizing Crimea—once he admitted that the “little green men” there were in fact Russian soldiers. He made that claim even though there was no evidence of any threat to ethnic Russians on the peninsula.

One must question whether the Kremlin might seek to apply this self-proclaimed right elsewhere. Kazakhstan in Central Asia and Estonia and Latvia in the Baltic region have populations that are about one quarter ethnic Russian. The latter two states are members of NATO, to whom the United States has an obligation to defend under Article 5 of the 1949 Washington Treaty.

There may not be a significant likelihood of a Russian conventional attack on the Baltics or even of the appearance of “little green men” in Estonia or Latvia. But, given recent events and the Kremlin’s hostile rhetoric, it would be prudent for NATO to assume that the probability of those contingencies is not zero and take appropriate measures.

Mr. Putin has displayed a deep antipathy toward NATO, for instance, in his March 18, 2014 speech on Crimea’s annexation. Imagine a scenario in which 40-50 “little green men” seized a government building in Estonia, citing ethnic Russian grievances, while Moscow denied any connection. If Estonia asked NATO to treat that as an Article 5 contingency, and the Alliance debated the issue for a week or two, that would be a major blow to confidence within NATO and a major victory for Mr. Putin. It is in NATO’s interest to minimize the odds that the Kremlin might be tempted to try such a scenario.

## **The U.S. and West's Response**

The United States should respond to Russia's belligerence against Ukraine for three reasons. First, over the past 24 years, Ukraine has been a responsive partner when asked by the United States. In the early 1990s, largely at U.S. behest, Ukraine rid itself of the world's third largest nuclear arsenal, including some 1900 strategic nuclear warheads targeted or targetable on the American homeland. By 1996, Ukraine had transferred all the warheads to Russia for elimination. By 2001, it had eliminated the missile silos, intercontinental ballistic missiles and heavy bombers on its territory. In 2003, following the fall of Baghdad, Ukraine at U.S. request contributed three battalions to the Iraq stabilization force. For a period, the Ukrainian contingent was the fourth largest in Iraq after the forces deployed by the United States, Britain and Poland.

Second, the United States is a signatory, along with Britain and Russia, to the 1994 Budapest Memorandum on Security Assurances, which among other things committed those countries to respect the sovereignty, independence and territorial integrity of Ukraine as well as to not use force or the threat of force against Ukraine. That was a key element of the arrangement that led to Kyiv's decision to give up nuclear weapons. Russia has grossly violated its commitments under the memorandum. The United States should respond by supporting Ukraine and taking steps against Russia.

Third, Russia's use of force against Ukraine egregiously violates the cardinal rule of the European security order since the 1975 Helsinki Final Act: borders are inviolable, and states should not use force to alter them or take territory from other states. The West should push back against this, lest the Kremlin conclude that the kind of hybrid warfare that it has conducted against Ukraine is a successful tactic that could be applied at tolerable cost elsewhere.

Dealing with Russia's violation of Ukraine's sovereignty and territorial integrity and its generally more confrontational approach toward the West will require a multi-pronged Western strategy. That strategy should include measures to strengthen NATO, support Ukraine, and penalize Russia with the objective of getting the Kremlin to pursue and implement a negotiated settlement. Specifically, this means actions along five vectors.

### **Strengthening NATO**

NATO should strengthen its ability to deter Russian threats to the Alliance's members, particularly by bolstering its defenses in the Baltic region and Central Europe. This entails prudent steps to enhance NATO conventional force capabilities, including capabilities to deal with Russian hybrid warfare techniques.

In order to assure Moscow that NATO enlargement would not entail the movement of significant military forces toward Russia's border, the Alliance in 1997 said that there would be no "additional permanent stationing of substantial combat forces" on the territory of new NATO members. Although some allies have called for renouncing that policy in the aftermath of Russia's seizure of Crimea, the Alliance as a whole has not

agreed to a change. NATO has, however, begun strengthening its military capabilities in the Baltic states and Central Europe.

Beginning last April, the U.S. Army deployed light infantry units of about 150 personnel each in Poland and the three Baltic states. The Pentagon has described these as a “persistent” deployment: when a unit rotates out, another rotates in in its place. Other allies have increased the size and frequency of their ground force exercises in the region. The U.S. Army plans to deploy some 150 Abrams tanks and Bradley fighting vehicles in Europe, possibly in Poland; that would be sufficient to equip a heavy armored brigade.

The Alliance’s air presence for the Baltic air-policing mission has been increased substantially since last March. NATO now deploys on average at least three times the number of aircraft in the Baltics as it did previously. On the southeastern flank, U.S. and NATO warships make far more numerous entries into the Black Sea than before.

These actions have two principal goals. First, they aim to assure allies in the Baltic region and Central Europe of the firm Alliance commitment to their defense. Second, they aim to make clear to Moscow that NATO will defend the territory of all allies.

Meeting in Wales last September, NATO leaders agreed to take additional measures. They decided to create a response force with the capability to deploy 5000 troops anywhere within the Alliance on 48 hours notice. In February, NATO defense ministers announced that headquarters elements would be established in the Baltic states, Poland, Romania and Bulgaria. This step plus measures to enhance the infrastructure to support incoming troops and equipment will strengthen those countries’ ability to receive reinforcements in a crisis.

Congress should support funds for these and other measures to strengthen the U.S. and NATO conventional force presence in the Baltic/Central European region. Specifically, the United States should consider increasing the size of its ground force presence in the region and seek the commitment of units from European allies to deploy on a “persistent” basis alongside U.S. units in the Baltic states and Poland. NATO should develop and exercise capabilities to deal rapidly with a “little green men” scenario on Allied territory.

In overall conventional forces, the United States and NATO continue to enjoy qualitative and quantitative advantages over the Russian military. The Russian military, however, is engaged in a major modernization and rearmament program. NATO must make the investments needed to maintain its areas of advantage. The administration and Congress should urge allies to devote greater resources to the territorial defense of the Alliance. Unfortunately, few allies currently meet NATO’s agreed standard of spending two percent of GDP on defense.

The U.S. response should focus on strengthening conventional force capabilities. The U.S. Air Force reportedly maintains some 200 B61 nuclear gravity bombs at airfields in Belgium, Germany, Italy, the Netherlands and Turkey. Those suffice to meet the mission of the U.S. non-strategic nuclear arsenal in Europe, which is fundamentally political: to



assure allies of the commitment of U.S. nuclear forces to their defense, and, if used, to signal the adversary to halt aggression or risk a strategic nuclear response.

Some have suggested that, in answer to Russian aggression in Ukraine, the United States should deploy nuclear weapons on the territory of NATO members in Central Europe, who have joined the Alliance over the past sixteen years. That would be unwise for three reasons.

First, deploying nuclear weapons to the relatively new members in the Baltic states or Central Europe would make the weapons more vulnerable to a Russian preemptive attack in a crisis. For example, the Iskander ballistic missiles reportedly deployed in Russia's Kaliningrad can carry conventional or nuclear weapons. From Kaliningrad, Iskander missiles could cover and rapidly strike targets in two-thirds of Poland and virtually all of Lithuania and Latvia. U.S. nuclear assets are far less vulnerable at their current bases.

Second, deploying nuclear weapons to the new members would violate NATO policy. Many, probably most, allies would oppose such a move. In 1997, the Alliance stated that it had "no intention, no plan and no reason" to deploy nuclear arms on the territory of new member states. While some allies have sought to have NATO renounce or alter its policy of not permanently stationing substantial combat forces on the territory of new members, no ally has seriously raised the idea of changing the existing policy on no deployment of nuclear arms on the territory of new member states.

Third, placing U.S. nuclear weapons so close to Russia would be seen in Moscow as an extremely provocative act, on par with the attempt by the Soviet Union in 1962 to place nuclear-armed missiles in Cuba. It does not make sense to respond to Russian actions with a deployment that would make American nuclear weapons more vulnerable, cause a major rift within NATO, and unduly provoke Russia.

### **Supporting Ukraine Financially**

The United States and Europe should take substantial measures to support Ukraine with grants and low interest loans as it proceeds with difficult economic, rule of law and anti-corruption reforms. The International Monetary Fund has reached preliminary agreement with Ukraine on a four-year extended fund facility that will provide \$17.5 billion. That will significantly help Ukraine, but it will not suffice. Ukraine could need an estimated \$20-25 billion more over the next two years in grants and low interest financing. Much of that will have to come from the European Union and United States.

EU officials and member states have shown no enthusiasm for providing assistance on that scale. But the European Union may well do more, as it does not wish to have to deal with a large failed Ukrainian economy on its eastern border. The United States also should be ready to contribute more than the loan guarantees promised for this year.

Finding this money on either side of the Atlantic will not be easy. However, if the European Union and United States are serious about helping Ukraine, they should

provide the financial assistance. If the Minsk II ceasefire by some chance holds and other terms of the agreement are implemented but the Ukrainian economy collapses, that will hardly represent a success for Western policy.

Of course, the International Monetary Fund, European Union and United States must, as a condition of their assistance, insist that Ukraine take the necessary reform steps. Absent such reforms, Western assistance would not go to good use. The leadership in Kyiv hopefully understands that, unless they put in place the needed critical mass of reforms, the Ukrainian economy will remain mired in stagnation for years, if not decades.

### **Penalizing Russia**

Over the past year, the United States, European Union and other Western countries have imposed increasingly severe sanctions on Russia, following its seizure of Crimea and subsequent actions in eastern Ukraine, with the objective of effecting a change in Moscow's policy. The sanctions began with visa bans and asset freezes on selected individuals. They expanded to major sanctions targeting key Russian companies in the finance, defense and energy sectors, for example, by barring new financing or the export of Western technology.

By all appearances, those sanctions are having a significant impact on the Russian economy, multiplied by the effect of the fall in the price of oil. For example, according to the Russian Central Bank, capital flight from Russia totaled \$150 billion in 2014. Over the course of that year, Russian reserves fell from some \$510 billion to \$385 billion, in part due to an attempt to prop up the falling ruble; the ruble nevertheless has lost half of its value against the dollar since last summer. The Russian economy is officially projected to contract by three percent in 2015, while some economists predict a much steeper contraction. Russian officials have responded by seeking to cut most parts of the 2015 state budget by ten percent.

The sanctions, however, have not yet achieved their political objective, which is to get Russia to make a genuine change in policy course regarding Ukraine. If the ceasefire holds, that will be a positive step, but Moscow must also implement all of Minsk II's terms and use its significant influence with the separatists to achieve a durable settlement.

Should Russia not implement Minsk II, or should separatist or Russian forces resume military action, perhaps aimed at Mariupol, the United States and European Union should immediately apply new economic sanctions on Russia. U.S. and EU officials should consult now so that they have a package of additional sanctions ready.

Some analysts question whether the sanctions will prompt a different policy in Moscow. They argue that Mr. Putin will use the sanctions to blame the West for Russia's economic woes and rally the Russian people to resist. That has been his instinctive response.

If, however, the sanctions remain in place, Moscow's financial reserves will drop precipitously, and the average Russian will see a decline in his or her purchasing power.

This could raise discontent among the Russian populace and affect Mr. Putin's approval ratings, something to which he pays close attention. Moreover, Mr. Putin almost certainly wishes to avoid exhausting Russia's reserves. It is not yet clear how he will respond if he faces this scenario.

In any event, even if one were not certain that sanctions would deliver the desired result, they allow the West to impose a significant cost on Russia commensurate with the nature of Russia's egregious actions in Ukraine. Absent sanctions, and having ruled out use of military force on Ukraine's behalf, the West would have few penalties of any real consequence to levy.

Mr. Putin may be betting that Western resolve to maintain the sanctions will flag, or that he can win sanctions relief with cosmetic gestures. A key date will be July, when some of the major EU sanctions, imposed last July, come up for renewal for another year. Maintaining Western solidarity and persuading the Kremlin that the sanctions will remain in place, or possibly increase, absent steps by Moscow to facilitate a settlement in eastern Ukraine, could prove critical to affecting the Kremlin's calculations.

U.S. sanctions to date have been imposed by executive order, which allows the administration the flexibility to increase or relax them, depending on Russian actions. A threat of Congressionally-mandated (as opposed to authorized) sanctions could have a useful effect on Moscow. However, actually mandating Congressional sanctions could well prove counterproductive.

The Russian experience has been that Congress is slow to remove sanctions, even when they achieve the desired Russian policy change. Moscow met the requirements of the 1974 Jackson-Vanik Amendment in the mid-1990s, but Congress did not graduate Russia from the provisions of Jackson-Vanik and grant Russia permanent normal trade relations status until more than 15 years later, in December 2012—and then only in the Magnitsky Act, which leveled new sanctions on Russia. If Moscow believes that Congressionally-mandated sanctions will never be lifted, or if it believes that they will be lifted only years after Russia meets the sanctions' requirements, those sanctions give the Kremlin no incentive to change its policy.

### **Assisting Ukraine Militarily**

Over the past ten months, the Ukrainian army has had to face separatists equipped with large numbers of Russian heavy arms as well as regular Russian army units. While the Ukrainian military has had some success, it is underfunded, undermanned and undertrained, and it faces an opponent that has better weapons and superior intelligence, surveillance and reconnaissance assets. The Ukrainian army has significant gaps in capabilities that severely degrade its ability to defend Ukrainian territory against further attack by separatist and Russian forces.

The United States provided Ukraine \$120 million in non-lethal military assistance in 2014, and the U.S. Army will this month begin a training program for Ukrainian National Guard units. The United States should do more.

Seven other former U.S. government officials and I one month ago released a report entitled “Supporting Ukraine’s Independence; Resisting Russian Aggression: What the United States and NATO Must Do” (<http://www.brookings.edu/research/reports/2015/02/ukraine-independence-russian-aggression>). In preparing the report, a number of us traveled in January to Brussels to meet NATO civilian and military leaders and to Ukraine, where we met with senior government and military officials, both in Kyiv and at the Ukrainian army’s field headquarters in Kramatorsk, in Donetsk province.

The report advocates a significant increase in U.S. military assistance to Ukraine—to \$1 billion per year for three years. That is serious money; it reflects a serious effort to support the Ukrainian army. While most of the recommended assistance would go to non-lethal equipment, the report also recommends a change in U.S. policy to allow provision of lethal defensive weapons.

In the non-lethal category, the report recommends providing counter-battery radars to pinpoint the origin of long-range artillery and rocket strikes, which the Ukrainians said cause 70 percent of their casualties. The report proposes provision of unmanned aerial vehicles for surveillance and reconnaissance purposes, electronic countermeasures to jam enemy unmanned aerial vehicles, secure communications equipment, armored Humvees and medical support equipment.

The report also recommends providing light anti-armor weapons. We were told in Kyiv that the light anti-armor weapons in the Ukrainian army’s inventory are more than 20 years old, and a large number of them simply do not work.

Such assistance would help the Ukrainian military fill its gaps. The objective is not to give Ukraine the capability to defeat the Russian army. That is beyond what a U.S. military assistance effort could do. The goal instead is to give the Ukrainian military the capability to inflict greater costs on the Russian army should the Russians resume or escalate the fighting—and thereby deter Moscow from further military activity and encourage the Kremlin to work for a peaceful settlement.

Several concerns have been expressed about the proposal to provide Ukraine with defensive arms. One is that Russia will respond by escalating the conflict. The Ukrainians understand that risk and understand that they would bear the brunt of any escalation, yet they still request military assistance and defensive arms so that they can better defend their country.

Moreover, while the Kremlin might choose to escalate, that course carries risks for Moscow. Significant escalation would require more overt involvement by the Russian army. That would be visible internationally and likely trigger additional sanctions, an area where the West has escalation dominance.

More overt escalation would also be visible to the Russian public, from whom the Kremlin has done everything that it could to hide the fact that Russian soldiers are fighting and dying in Ukraine. And taking additional territory means occupying land that will likely be more hostile to Russia, whose troops would face the prospect of partisan warfare. Escalation thus would not necessarily be an easy choice for the Kremlin.

Others worry that providing Ukraine defensive weapons would put the United States on the path to a direct confrontation with Russia. But there is nothing automatic or inexorable about that. The United States should not send combat troops to fight in Ukraine, nor should it provide advanced offensive weapons. The Ukrainians have asked for neither. To be sure, Washington needs to be clear with Kyiv on the limits of U.S. military assistance, but the U.S. government would control any decision about how far to go. It can build in significant firebreaks that would prevent a spiraling escalation.

Still others assert that a U.S. decision to provide defensive arms will cause a rupture in trans-Atlantic solidarity toward Russia. There is no evidence to suggest that. Our group was told at NATO that, if the United States provided defensive arms, other allies—such as Poland, the Baltic states, Canada and Britain—might do so as well. During her February 9 visit to Washington, Chancellor Merkel said that Germany did not favor providing weapons but did not suggest that a U.S. decision to do so would cause a split with Europe. While she did not give President Obama a green light on this question, she had every opportunity to give him a red light—but she did not do that.

Our report and recommendations were issued before the Minsk II ceasefire agreement was concluded on February 12. The President may have put off a decision regarding additional military assistance and defensive arms to see whether Ms. Merkel's mediation efforts could succeed. The ceasefire did not get off to a good start but appears after February 25 to be taking better hold. Given Ukrainian concerns about Mariupol, it bears a close watch.

It nevertheless would make sense for the administration and Congress to proceed with preparations for providing Ukraine greater military assistance and defensive arms, first by agreeing on the necessary authorities and legislation. Doing that will take time. Should the ceasefire break down and major fighting resume—unfortunately, not an unlikely prospect—early preparations would facilitate earlier delivery of assistance to Ukraine. U.S. preparations to provide assistance and defensive arms might even bolster the ceasefire, as the prospect of fighting a more capable Ukrainian military could affect the calculation in Moscow of the costs and benefits of resumed military action.

Should the ceasefire take full hold and the separatists and Russians proceed in good faith to implement the other elements of the Minsk II agreement, a decision could always be taken later to suspend the actual delivery of defensive arms.

## **Leaving the Door Open for a Changed Policy in Moscow**

The U.S. administration and other Western countries have talked of leaving Russia a “diplomatic off-ramp”—a way out of the current crisis. Securing a settlement with Russian agreement is important, as any settlement that provides for genuine peace and a degree of normalcy needs Moscow’s buy-in. Russia has many levers, including military and economic, to destabilize Ukraine. Unfortunately, it is not yet clear that the Kremlin is prepared to consent to such a settlement.

More broadly, Moscow’s assault on Ukraine has brought U.S.-Russian and West-Russian relations to their lowest point since the end of the Cold War. Whereas Western policy toward Russia in the 1990s and early 2000s was based on an assumption that Moscow wanted to integrate into the West and was prepared to abide by a rules-based European security order, it is clear that neither premise now holds.

This is not a desirable state of affairs. There remain issues on which U.S. and Russian interests converge—such as preventing Iran from acquiring a nuclear weapon, supporting the Afghan government, and implementing the New START Treaty. Cooperation makes sense on these questions. The downturn in relations, whose onset predates the Ukraine crisis, makes cooperation in other areas more difficult at present.

The West should leave the door open for a better relationship with Moscow if the Kremlin changes the policies that have triggered and deepened the current crisis—even if expectations of a change in Russian policy are modest at best. More broadly, the West should, while pushing back against Russian actions in Ukraine, make clear that a restoration of a more positive general relationship is possible if Russia shows that it is ready to again abide by rules that served European security well for almost four decades.

## **Do Not Forget Crimea**

The Ukrainian government has correctly focused its attention on resolving the conflict in eastern Ukraine and said that the issue of Crimea should be addressed in the longer term. That is a wise course, especially as it is difficult to see how Kyiv can muster the leverage in the near term to restore Crimea’s status as part of Ukraine.

While Crimea is not now the priority issue, it is important that the United States and the West not forget or move to “normalize” the question. Until such time as the status of the peninsula is resolved to Kyiv’s satisfaction, the international community should sustain a policy of not recognizing Crimea’s illegal incorporation into Russia.

If Russian actions regarding eastern Ukraine merit some sanctions relief, the United States and European Union nevertheless should maintain sanctions on Russia, pending a satisfactory settlement on Crimea’s status. These would include sanctions that, among other things, prevent trade with, investment in and international air routes to Crimea.

**Conclusion**

Mr. Chairman, Senator Shaheen, distinguished members of the subcommittee, Russia's actions in Ukraine and its more confrontational approach present a serious challenge to the United States, Europe and the West. Dealing with that challenge requires a multi-pronged strategy that aims to bolster NATO and support Ukraine while taking steps to constrain Moscow's possibilities to threaten other parts of Europe.

Getting this strategy right will require firmness, patience and solidarity with U.S. allies and friends in Europe. Doing so will be difficult, no doubt. But given the significant differences in economic, military and soft power between the West and Russia, the West should be fully able to meet this challenge.

Thank you for your attention.

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