

Signs of Diplomacy in Ukraine? Finding a Faint Pulse

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As the intense combat and missile strikes show, peace is still a distant hope in Ukraine. But, for the first time in a long time, a faint diplomatic pulse has been found.

In early November, National Security Adviser Jake Sullivan <u>met</u> with Ukrainian President Volodymyr Zelensky and privately <u>pushed him</u> to "signal an openness to negotiate with Russia and drop their public refusal to engage in peace talks unless President Vladimir Putin is removed from power."

Publicly, Washington <u>insists</u> that its message was not an attempt to push Ukraine to the negotiating table, but rather an attempt to manage international perceptions. The <u>plan</u> was to <u>strengthen Ukraine's leverage</u> by "reinforc[ing] to the world that it's Ukraine, not Russia, that wants to resolve the conflict."

But subsequent reporting has suggested that privately the push was more than perception management. Sullivan "raised the need for a diplomatic resolution to the war," <u>according</u> to Ukrainian officials. *The Wall Street Journal* <u>reports</u> that "Two European diplomats briefed on the discussions said Mr. Sullivan recommended that Mr. Zelensky's team start thinking about its realistic demands and priorities for negotiations, including a reconsideration of its stated aim for Ukraine to regain Crimea, which was annexed in 2014." A Western European official said,

"We are saying to the Ukrainians that it is up to them to decide when to do it," but then added, "But it might be a good idea to do it sooner."

Even Biden made the rare suggestion that Ukraine will need to compromise in negotiations, saying in a press conference the day after the midterms that "it remains to be seen whether or not there'll be a judgment made as to whether or not Ukraine is prepared to compromise with Russia."

The change in tone from Washington is not really a change in strategy. The Biden administration has long insisted that <u>its goal</u> is to back Ukraine "on the battlefield" until

"facts on the ground" put Ukraine "in the strongest possible position at the negotiating table."

But there is a position gaining strength in the US that that moment may be now. It is the Pentagon that is leading that camp. On November 9, Chairman of the Joint Chiefs of Staff Gen. Mark Milley <u>said</u>,

"There has to be a mutual recognition that a military victory is probably, in the true sense of the word is maybe not achievable through military means," he added, "and therefore you need to turn to other means."

Some <u>military analysts say</u> that Ukraine will face tougher ground and greater logistical challenges as they move further east and that Kherson is likely the last Russian held ground that Ukraine will be able to retake in the foreseeable future. <u>Some</u> officials have begun "to wonder aloud how much more territory can be won by either side, and at what cost." That has led some to begin to speak of an "inflection point" where Ukraine's gains may have reached an apex that can no longer be pushed without declining to a weaker position.

There are reports that the "inflection point" view is shared by other NATO militaries. According to those <u>reports</u>, Germany and France believe that "parity will not last long and that now is the optimal time for Ukraine to start talking."

There are signs that some of those early talks may have – if secretly – begun. On November 6, it was <u>revealed</u> that Sullivan "has been in contact with Yuri Ushakov, a foreign-policy adviser to Mr. Putin" and with Russia's Security Council Secretary Nikolai Patrushev. That seems to have been the first high level contact between Washington and Moscow since the beginning of the war. Sullivan then went to Kiev to begin the push for "openness to negotiate with Russia."

On November 8, Zelensky <u>announced</u> a new openness to for "real peace talks" with Russia.

On November 7, Italy's *La* Repubblica <u>reported</u> that "The US and NATO think that launching peace talks on Ukraine would be possible if Kiev takes back Kherson." Two days later, <u>NBC similarly reported</u> that "U.S. and Western officials" have said that "If Ukraine wins in Kherson, it could put the Zelensky government in a better position to negotiate."

On November 9, reports broke that Russia seemed to be withdrawing from Kherson City.

Those these events are probably not connected, they have the appearance of secret negotiations. The appearance is strengthened by the ease of the Russian withdrawal. It had been suggested that Russian troops leaving Kherson City would be vulnerable to massive Ukrainian assaults. But on November 11, the Russian defense ministry had already reported that the withdrawal was complete with "no loss of personnel. . . ." The safety and ease of the withdrawal suggests very good planning by Russian General Sergey Surovikin. But it also fits the picture of a withdrawal negotiated in secret.

Though that secret negotiation likely never took place, it has now been confirmed that other secret negotiations did.

On November 14, Putin's spokesman Dmitry Peskov <u>confirmed</u> that "negotiations did, indeed, take place." He said that the talks were held in Ankara and that they "were initiated

by the US side." It was later <u>revealed</u> that the US official present at the talks in Turkey was CIA Director William Burns and that the official he was meeting was his Russian counterpart, the head of Russia's foreign intelligence service, Sergei Naryshkin.

A US National Security Council official <u>said</u> that the discussion was limited to warning Russia about using a nuclear weapon and Americans in prison in Russia and that it steered "clear of the matter of Russia's war in Ukraine and a potential resolution to it."

But it strains credibility that Biden would send his Director of the CIA to Turkey merely to reiterate a warning against using nuclear weapons in Ukraine. The warning had already been issued, and Putin had already <u>clarified</u> that that Russia would not use nuclear weapons in Ukraine. The meeting suggests the possibility of more substantive talks on the war.

The seriousness and the signs of hope for negotiations are embodied in the person Washington sent to Ankara. William Burns is a former US ambassador to Russia and one of the few people in Biden's administration with a real knowledge of Russia and of Russia's relations with NATO and the West.

It was then ambassador Burns who, in 2008, warned that "Ukrainian entry into NATO is the brightest of all redlines for the Russian elite (not just Putin)." He warned Secretary of State Condoleezza Rice that "I have yet to find anyone who views Ukraine in NATO as anything other than a direct challenge to Russian interests." Short even of expansion into Ukraine, Burns called NATO expansion into Eastern Europe "premature at best, and needlessly provocative at worst." If it came to Ukraine, Burns warned, "There could be no doubt that Putin would fight back hard."

Though way overqualified to warn Russia against using a nuclear weapon that they are not going to use, Burns would be an appropriate choice to establish negotiations with Russia over the war in Ukraine and NATO's relationship with Ukraine.

There is growing evidence that Burns is playing that larger role. Zelensky has revealed that on November 15, after Burns spoke to his Russian counterpart in Ankara, he headed to Ukraine for talks with Zelensky and top Ukrainian intelligence officials. US officials told the Washington Post that Burns "discussed a US warning he had delivered on Monday to the head of Russia's foreign intelligence service "not to use nuclear weapons" in its war on Ukraine" and "reinforced the US commitment to provide support to Ukraine in its fight against Russian aggression." But Zelensky suggested that the talks did not steer "clear of the matter of Russia's war in Ukraine and a potential resolution to it." According to Zelensky, "Yesterday, Burns sat in the bomb shelter. And then we talked with him. We discussed all the issues important to us. We know each other. He is on the side of Ukraine"

NATO's encroachment on Russia's borders and its arrival in Ukraine is at the heart of the war. On September 30, Zelensky <u>renewed Ukraine's plea</u> for accelerated NATO membership. But in another hopeful indication that negotiations are being incubated, <u>Zelensky seems to have removed that core demand three times now</u>.

When Zelensky made his November 8 announcement of a willingness to talk to Putin, he included a list of <u>preconditions</u>, including "restoration of [Ukraine's] territorial integrity ... compensation for all war damage, punishment for every war criminal and guarantees that it will not happen again." He did not include NATO membership.

Then on November 10, Ukrainian defense minister Oleksii Reznikov took Zelensky's formulation of "De facto, we have already completed our path to NATO. Today, Ukraine is applying to make it de jure" and subtly amended it. His updated formulation maintained the first part, "We have become a NATO partner de facto right now" but changed the second part to "It doesn't matter when we become a member of the NATO alliance de jure." With that subtle reformulation, Ukraine may have accepted a de jure membership in NATO that falls short of a de facto one.

Then, via video link at the G20 summit in Indonesia, Zelensky dropped the NATO demand for a third time. Zelensky presented a ten-point peace plan. He said then when all the points "are implemented . . . a document confirming the end of the war should be signed by the parties." Zelensky's ten points include "preventing ecocide in Ukraine, punishing those responsible for war crimes, withdrawing all Russian troops from the territory of Ukraine, restoration of Ukraine's territorial integrity . . . the release of all prisoners of war and deportees [and] ensuring energy security, food security, and nuclear safety." Not to be found in the ten points was any mention of NATO membership for Ukraine.

Diplomacy has a long way to go, and more compromises will have to be made by both sides. Russian Foreign Minister Sergey Lavrov, who was present for Zelensky's presentation at the G20 summit, saw the ten-point plan as confirmation that Ukraine's preconditions for ending the war were unrealistic. He <u>said</u> "the only conclusion" he could reach after the presentation was that Zelensky "so far takes no Western suggestion" to be more flexible and to negotiate.

However, the faint pulse may be strengthening. On November 16, Zelensky <u>confirmed</u> that he had received signals from the West that Putin desired direct negotiations with Ukraine: "I received signals that Putin wants direct negotiations. I received such signals. I proposed a public form, because Russia is waging a public war."

There is a change in tone and there are signs that early negotiations may already have begun.

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