The Conflict in the Donbas between Gray and Black: The Importance of Perspective

Report to DHS S&T Office of University Programs and DoD Strategic Multilayer Assessment Branch

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About This Report

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About START

START is supported in part by the Science and Technology Directorate of the U.S. Department of Homeland Security through a Center of Excellence program led by the University of Maryland. START uses state-of-the-art theories, methods and data from the social and behavioral sciences to improve understanding of the origins, dynamics and social and psychological impacts of terrorism. For more information, contact START at infostart@start.umd.edu or visit www.start.umd.edu.

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Executive Summary

The current case study analyzes the presence and importance of Gray Zone conflict dynamics and the employment of various instruments of power during the still ongoing conflict in Eastern Ukraine (Donbas) since its beginning in 2014. More specifically, it studies the use of various instruments of power across a number of conflict dyads, present in the conflict. The case study's findings can better inform practitioners and analysts about the presence, content, and effectiveness of utilizing different instruments of power in the Gray Zone.

The analysis covers the participation of various entities and groups, operating in the Donbas: the governments of two states, Russia and Ukraine; the initially independent volunteer formations on the Ukrainian side; and two quasi-state insurgent entities. The analysis uncovers numerous Gray Zone interactions across several dyads, but also demonstrated the limits of the Gray Zone both as a set of empirical actions and as a conceptual approach to understanding the conflict itself. This study shows that Gray Zone activities exist to varying degrees in all dyads, but they are most pronounced in the Ukrainian versus Russian governments dyad.

In addition to uncovering and analyzing the existing Gray Zone dynamics, the case study also argues that Special Operation Forces should pay substantial attention to preexisting perceptions, media framings and worldviews in devising general Gray Zone policies and actions. Thus, the analysis shows that the classification of the conflict in the Donbas as a Gray Zone conflict is possible only if the emphasis is put on the interactions between the Russian and the Ukrainian governments as the primary driver and cause of the violence. However, if the attention is shifted towards domestic, rather than geopolitical causes of the violence, the conflict is more properly classified as a Black Zone conflict. These differences in classification can have substantial impact on the specific policies and actions, adopted by Special Operations Forces.

The analysis also shows that in practice, Gray Zone dynamics are extremely complicated and involve numerous actors and activities, often operating independently of one another. Based on the analysis of the Russian government's actions, the report demonstrates the inherent difficulties and limitations of Gray Zone actions, especially under conditions of large scale conflict. The report also shows that Gray Zone activities that utilize some instruments of power can and do operate simultaneously with both Black and White Zone activities that leverage other instruments. This suggests that the Zones are not exclusive across the entire spectrum of instruments. Rather, they are instrument-specific, thus offering Special Operation Forces a wide spectrum of potential actions to choose from.

Finally, the analysis shows that many of the Gray Zone activities, utilized by non-state actors on both sides of the conflict are driven by primarily financial considerations and have a substantial criminal component. Practitioners, devising the application of Gray Zone tactics by non-state actors should be aware of potential implications of Gray Zone activities for law and order.

Introduction

The National Consortium for the Study of Terrorism and Responses to Terrorism (START) has been tasked with providing support to the Special Operations Command (SOCOM) Gray Zone project undertaken as a Strategic Multilayer Assessment (SMA) initiative. This research initiative's starting point is the following working definition of Gray Zones:

> *"The Gray Zone is a conceptual space between peace and war, occurring when actors purposefully use multiple instruments of power to achieve political-security objectives with activities that are ambiguous or cloud attribution and exceed the threshold of ordinary competition, yet fall below the level of large-scale direct military conflict, and threaten U.S. and allied interests by challenging, undermining, or violating international customs, norms, or laws."*[1]

The current case study analyzes the presence and the importance of Gray Zone conflict dynamics and the employment of various instruments of power during the still ongoing conflict in Eastern Ukraine (Donbas) since its beginning in 2014. Even though several of the dynamics present in the Donbas conflict were also used during Russia's annexation of Crimea, the Crimean case is outside the scope of the current paper as the duration and the eventual outcomes of these dynamics were vastly different in these two regions: fast and peaceful, even if internationally unrecognized, annexation in Crimea versus a long, bloody civil war in the Donbas. Though focused on non-state actors (NSA), this analysis covers the participation of various entities: the governments of two states, Russia and Ukraine; the initially independent volunteer formations on the Ukrainian side; and two quasi-state insurgent entities. These latter entities, which are mostly controlled by the Russian government, nonetheless enjoy a certain degree of independence in their interactions with the government of Ukraine and each other. This variation in actor type and behavior across and within the Russian/pro-Russian versus the Ukrainian camps holds a number of important background conditions constant and therefore allows us to tease out and analyze Gray Zone dynamics and interactions. The case study's findings can better inform practitioners and analysts about the presence, content, and effectiveness of leveraging different instruments of power in the Gray Zone.

While the analysis uncovers a number of Gray Zones dynamics present in the conflict dyads, the report's key argument calls for close attention not only to what happens on the ground, but also to how the conflict is framed in the media, political discourse and academic scholarship, as well as the presumed underlying causes of the conflict. An answer to this question will largely determine whether the conflict should be viewed as a Gray Zone conflict with some additional White and Black Zone components, or as a Black Zone conflict which also witnesses the leveraging of some Gray Zone dynamics, especially during the conflict's early stages.

The case study proceeds as follows. The first section provides a general overview of the conflict, its timeline and a description of the main non-state actors. The second section briefly outlines the case study's methodology and the data used in preparation of this paper. The following section analyzes the use of

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[1] Department of Defense Strategic Multi-Layer Assessment, "Gray Zone Effort Update," September 2016.

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various instruments of power employed by the actors involved in the conflict across a number of conflict dyads. While the analysis focuses on the use of various instruments of power, special focus is given to the Gray Zone dynamics and interactions, their presence and importance. The final section concludes.

Conflict Summary

Timeline

The conflict in Eastern Ukraine started in the late fall of 2013, when Ukraine's President Viktor Yanukovych abruptly walked away from preparing to sign a historic trade deal with the European Union (EU) and announced his intention to seek closer ties with Russia instead.[2] The move sparked mass protest in Ukraine's capital, Kyiv. The center of the protests was the city's Independence Square (*Maidan Nezalezhnosti*, or simply the *Maidan*), which was also the site of Ukraine's Orange Revolution almost a decade prior. The protestors objected to Yanukovych's increasingly authoritarian and extremely corrupt rule and sought to return the state to the path of increasing integration with Europe and pro-Western values.[3] The protests, which became increasingly violent, reached their peak in February 2014, when the protestors, some of them armed, clashed with the police and Yanukovych's security services. Nearly 100 protestors were killed while the attempting storm the Parliament building. The clashes triggered a chain of defections among Yanukovych loyalists and security officials, and his rule quickly disintegrated.[4] By late February, Yanukovych fled the capital and was impeached by the Parliament as a transitional government took over.[5]

As the regime change was unfolding in the capital, Russian special forces, with their patches and insignia removed (referred to as "little green men"), occupied a number of strategic facilities in the Crimea Peninsula, the only region of Ukraine where ethnic Russians were the majority and the home base of the Russian Black Sea Fleet.[6] In the Russian national mythology, Crimea was always considered a part and parcel of Russia; the naval base city of Sevastopol' is often referred to as "the city of Russian glory." The transfer of Crimea from Russia to Ukraine in 1954 was considered by the majority of Russian citizens and elites to have been a historic mistake.[7] Against the background of turmoil in Kyiv, Putin set out to have this mistake fixed. In March 2014, following a Crimean referendum that was tightly supervised by Russian forces, the peninsula became a part of Russia—the legality of the annexation is not recognized by Ukraine, the U.S. and most other countries.[8]

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[2] "Ukraine Suspends Preparations for EU Trade Agreement," *BBC News*, November 21, 2013, sec. Europe, http://www.bbc.com/news/world-europe-25032275.

[3] "Ukraine Unrest: Protesters Blockade Government Sites," *BBC News*, December 2, 2013, sec. Europe, http://www.bbc.com/news/world-europe-25180502.

[4] "Maidan Protest Violence Peaks," *The Ukraine Crisis Timeline*, February 18, 2014, http://ukraine.csis.org/kyiv.htm#8.

[5] Conal Urquhart, "Ukraine MPs Appoint Interim President as Yanukovych Allies Dismissed – 23 February as It Happened," *The Guardian*, February 23, 2014, sec. World news, https://www.theguardian.com/world/2014/feb/23/ukraine-crisis-yanukovych-tymoshenko-live-updates.

[6] "Russian Forces Occupy Strategic Facilities in Crimea," *The Ukraine Crisis Timeline*, February 28, 2014, http://ukraine.csis.org/crimea.htm#3.

[7] Serhii Plokhy, "The City of Glory: Sevastopol in Russian Historical Mythology," *Journal of Contemporary History* 35, no. 3 (2000): 369–83.

[8] Andrew Wilson, *Ukraine Crisis: What It Means for the West* (New Haven: Yale University Press, 2014), chap. 6.

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While the world's attention was focused on Crimea, anti-government protests started to take place in the Donetsk and Luhansk regions (*oblast*) of Eastern Ukraine, an area collectively known as the Donbas. The Donbas was predominantly Russian-speaking, and other than Crimea, the most politically pro-Russian region of Ukraine. A land of coal mines and heavy industry, it was also the home base of the now deposed Yanukovych and his key allies. March 2014 witnessed violent street clashes between pro-Russian and pro-Ukrainian crowds, and in April a wave of occupation of government buildings was spreading out across the area.[9] These occupations were led by local pro-Russian activists as well as Russian citizens, quite a few of them with ties to Russia's security services.[10] On April 7, 2014 a group of militiamen, led by Russian citizen Igor Girkin (*nom de guerre* Strelkov) declared the establishment of the Donetsk People's Republic (DNR). On April 27, the Luhansk People's Republic (LNR) followed suit.[11]

However, the Crimea scenario was not repeated in the Donbas, as the Ukrainian government decided to respond to the events in East Ukraine with military force. In April 2014, the Ukrainian government launched the so-called Anti-Terrorist Operation (ATO), an armed attempt to crush the insurgency and return the area to Ukrainian state control. However, after more than two decades of corruption, decay, and neglect, the Ukrainian army was absolutely unprepared for the task and suffered early setbacks.[12] During this period, a crucial role was assumed by Ukrainian volunteer formations (also known as volunteer battalions), which initially consisted of the most active Maidan protestors and was funded by Ukrainian civil society. Having regrouped and reorganized, in summer 2014 the Ukrainian army launched a new offensive to retake the insurgent-controlled areas.[13] The insurgents, who relied on military supplies from Russia as well as a constant stream of Russian volunteers, many of them Russian army servicemen officially "on leave" from their units, offered dogged resistance but were constantly losing territory.[14] In the midst of the fighting, Malaysian Airlines flight MH17 was destroyed by an anti-aircraft missile launched either by the insurgents, or according to most recent findings, by the Russian troops, killing almost 300 people on board.[15] When the insurgents' defeat seemed imminent, Russia directly intervened military in the fighting and halted the Ukrainian offensive. In September 2014, a ceasefire was announced following negotiations in Minsk, the capital of Belarus. The ceasefire collapsed in late October, and a new ceasefire agreement was reached in Minsk in February 2015. Shortly after the ceasefire the Ukrainian army and volunteer

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[9] Andrii Portnov, "How 'Eastern Ukraine' Was Lost," *Open Democracy*, 2016, http://www.mondialisations.org/medias/pdf/open-democracy.pdf.

[10] Serhy Yekelchyk, *The Conflict in Ukraine: What Everyone Needs to Know?* (Oxford: Oxford University Press, 2015); Wilson, *Ukraine Crisis: What It Means for the West*.

[11] Nikolay Mitrokhin, "Infiltration, Instruction, Invasion: Russia's War in the Donbass," *Journal of Soviet and Post-Soviet Politics and Society* 1, no. 1 (2015): 228–29.

[12] Dmitry Gorenburg, "Ukrainian Military Capabilities," *Russian Military Reform*, December 22, 2014, https://russiamil.wordpress.com/2014/12/22/ukrainian-military-capabilities/; Wilson, *Ukraine Crisis: What It Means for the West*, chap. 7.

[13] Rosaria Puglisi, "Heroes or Villains? Volunteer Battalions in Post-Maidan Ukraine," IAI Working Papers (Rome: Istituto Affari Internazionali, 2016), http://www.iai.it/sites/default/files/iaiwp1508.pdf.

[14] "Ukraine Crisis: Rebels Abandon Sloviansk Stronghold," *BBC News*, July 5, 2014, sec. Europe, http://www.bbc.com/news/world-europe-28174104.

[15] "MH17 Missile 'Came from Russia', Dutch-Led Investigators Say," *BBC News*, September 28, 2016, sec. Europe, 17, http://www.bbc.com/news/world-europe-37495067.

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formations withdrew from the strategic Debaltseve salient after being routed by the insurgents with a heavy involvement of the Russian troops.[16] While armed clashes between the Ukrainian troops and the insurgents do occur, since the Minsk II ceasefire, no large-scale fighting has taken place in Donbas. According to the UN estimates, almost 10,000 lost their lives as a result of the war.[17]

Figure 1: The Conflict Zone
Source: https://commons.wikimedia.org/wiki/File:Map_of_the_war_in_Donbass.svg
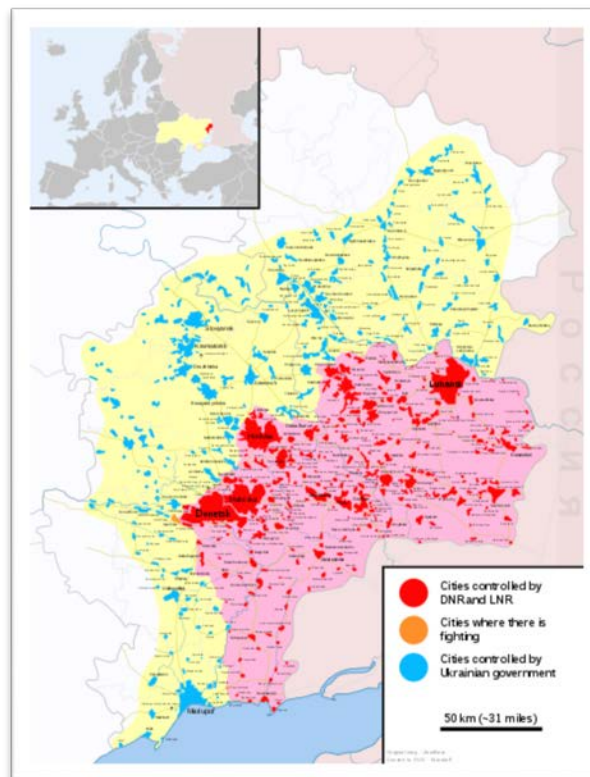
Key Non-State Actors

Ukrainian Volunteer Formations/Battalions

The formation of the volunteer battalions took place against the background of the Ukrainian army's failure to properly respond to the insurgency in Donbas. By 2014, the Ukrainian army was in shambles. On paper, the military had 80,000 ground troops, 775 tanks, 51 helicopters and 2,280 armored personnel carriers. In practice, the estimated number of combat ready troops was about 6,000.[18] When the Ukrainian military failed to nip the incipient insurgency in the bud, volunteer battalions started to emerge between April and May 2014. These battalions were building on the legacy and experience of the Maidan protesters' self-defense groups, which were staffed by numerous Maidan protesters and funded by donations from the

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[16] Ky Krauthamer et al., "Around the Bloc: Russia-Backed Rebels Seize Debaltseve, Putin Visits an EU Ally," *Transitions Online*, no. 02/24 (2015).
[17] A detailed timeline of the conflict is available at: http://ukraine.csis.org
[18] Gorenburg, "Ukrainian Military Capabilities."

Ukrainian population, civil society groups, and wealthy oligarchs.[19] A number of veterans of the Soviet war in Afghanistan in the 1980s also volunteered despite their age.

The volunteer battalions were the backbone of the Ukrainian fighting forces during the early stages of the insurgency, but after the reorganization and revitalization of the Ukrainian army, the government invested considerable efforts into integrating the volunteer formations into the armed forces' formal structures and chain of command. Eventually, virtually all volunteer battalions (with the exception of the ultra-nationalist, right-wing Right Sector) merged into the forces of the Ukrainian Ministry of Defense (MoD) and the Ministry of the Interior (MoI). The Ministry of Defense also moved to establish territorially-based battalions, of which almost a third are volunteer formations.[20] According to the assessment of scholar Rosaria Puglisi, the MoD and the MoI forces currently include between 40 and 50 volunteer battalions. The members of the battalions come from a diverse set of demographic, regional, ethnic, linguistic and religious backgrounds.[21] The vast majority are Ukrainian citizens, although citizens of other states occasionally also volunteer to serve in these units.[22] After their initial, crucial role in the fighting, the volunteer formations are now mainly employed in combat support and law and order roles (e.g., manning check points) in the Donbas but occasionally take part in active combat.

The Insurgents

At the beginning of the uprising, the insurgency was a motley crew of local political activists, some of them marginal figures with strong Russian nationalist, and at times fascist, leanings;[23] external volunteers trying to resurrect the Romanov's Empire or the USSR; Russian citizens with ties to the country's security services; and former members of Yanukovych's security apparatus, predominantly from the Berkut elite unit that carried out the fighting against the Maidan protesters. The financing of the early insurgency was sporadic and rudimentary, with a substantial portion of the funding coming from Yanukovych's son, Oleksandr. The uprising started as a wave of mass protests against the new government in Kyiv and seizures of government buildings as the local law enforcement, either thoroughly coopted into Yanukovych's patronage and political networks or bribed, stood aside, allowing the insurgency to spread.[24] In April 2014, the incipient insurgency moved from proclamations, occupation of buildings and protests to the establishment and consolidation of territorial control. This shift was prompted by the arrival from Russia of a group of volunteers led by Girkin, a historical reenactor and a former member of the Russian internal security service, the FSB. Prior to Donbas, Girkin also fought as a volunteer in the early 1990s' conflicts in Transnistria and Bosnia. Other Russian volunteers, both fighters and political consultants with ties to the Russian government and nationalist oligarchs, followed suit. While the absolute number of Russian volunteers (not to be confused with the Russian army servicemen, sent to fight in the Donbas) was

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[19] Puglisi, "Heroes or Villains? Volunteer Battalions in Post-Maidan Ukraine," 5.
[20] Ibid., 5–6.
[21] Puglisi, "Heroes or Villains? Volunteer Battalions in Post-Maidan Ukraine."
[22] Kacper Rekawek, "Neither 'NATO's Foreign Legion' Nor the 'Donbass International Brigades': (Where Are All the) Foreign Fighters in Ukraine?," PISM Policy Paper (Warsaw: The polish Institute of International Affairs, 2015).
[23] Wilson, *Ukraine Crisis: What It Means for the West*, 126.
[24] Ibid., 127.

never very large,[25] their arrival and determination to rebel against the Ukrainian government transformed the initial protests and anarchy into an armed uprising. Eventually, the insurgency coalesced into two quasi-state entities: the Donetsk People's Republic (*Donetskaia Narodnaia Respublika*, DNR) and the Luhansk People's Republic (*Luganskaia Narodnaia Respublika*, LNR). An attempt to unite the two entities into a Union of People's Republic was made in May 2014, but abandoned after just one year.

The insurgent entities are politically, militarily and economically unsustainable on their own and totally dependent on Russian government's military, financial and diplomatic support. The Russian government also has a high degree of control over the self-proclaimed Republics to the point of installing and removing the insurgents' political and military leadership.[26] The Russian government pays the pensions and public sector salaries in the insurgent-controlled areas, supplies the insurgency with weapons and materiel, and intervenes militarily on its behalf against Ukrainian forces.[27] Numerous Russian soldiers and officers, officially on leave from their units, fight in the insurgents' ranks.[28]

Data and Methodology

This case study is based on the analysis of open sources—academic research, policy memos and news articles, in English, Russian and Ukrainian. In preparing this case study I have also utilized my academic experience as a scholar of both political violence and of contemporary Ukraine. The ongoing nature of the conflict and its relatively recent eruption precludes the existence of a large body of well-established academic scholarship on the topic. Indeed, most of the academic research on the conflict are still works in progress that have yet to be subject to the rigors of peer review and academic validation. Therefore, any attempt to analyze the dynamics of relations between various actors inevitably has to rely on partial data, at times of unverified quality. To overcome this potential problem, I tried to triangulate every source and claim used for this report. Yet, given that the Russian government actively tries to conceal the very fact of its deep involvement in the conflict and that the insurgent entities, the LNR and the DNR, are extremely opaque and hostile to independent media, some dynamics and instruments of power are inevitably better covered and understood than others.

The combination of factors, presented above, defines the choice of the research method. For an in-depth study of a single case, subject to competing historical and official narratives and constrained by limited data, qualitative analysis is the preferable tool of analysis. Such an approach allows for "thick description" and process tracing whenever possible. It also provides the analyst with the ability to rely on preexisting case-study expertise in order to distinguish between events, interactions and dynamics that are common

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[25] Rekawek, "Neither 'NATO's Foreign Legion' Nor the 'Donbass International Brigades': (Where Are All the) Foreign Fighters in Ukraine?"

[26] Artur Avakov, "Denis Pushilin: Rossiia de-Facto Priznala DNR," *MK.ru*, May 12, 2016, http://www.mk.ru/politics/2016/05/12/denis-pushilin-rossiya-defakto-priznala-dnr.html; Il'ia Iashin and Ol'ga Shorina, "Putin. Voina" (Moscow, 2015), chap. 9, http://www.putin-itogi.ru/cp/wp-content/uploads/2015/05/Putin.Voina_.pdf.

[27] Anton Zverev, "Moscow Is Bankrolling Ukraine Rebels: Ex-Separatist Official," *Reuters*, October 5, 2016, http://www.reuters.com/article/us-ukraine-crisis-separatists-idUSKCN1251UQ; Iashin and Shorina, "Putin. Voina," chap. 9.

[28] Halya Coynash, "Russian Soldiers Sent to Ukraine Tracked by Hypermarkets and Unmarked Graves," *The Kharkiv Human Rights Protection Group*, October 20, 2016, http://khpg.org/en/index.php?id=1476803736.

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or highly unusual when the data are limited and to derive the analytical insights made possible by each type of data.

In the following analysis, I focus on the interactions between a number of actors: the Ukrainian government, the Russian government, the pro-Russian insurgents and the pro-Ukrainian volunteer formations during the conflict in Eastern Ukraine (Donbas).

Analysis

This section presents an overview of various Gray Zone activities and actions used in the conflict in the Donbas. It analyzes the instruments of power used in every dyadic configuration by various actors and shows whether, and to what extent, these qualify as belonging to the Gray Zone. This overview and analysis will allow practitioners and Special Operations Forces to better understand what types of Gray Zone activities are more likely to be used by which actors and to make informed predictions about which activities are more likely to be successful, if employed. More specifically, this section analyzes several dyads: Ukrainian government versus Russian government, Ukrainian government versus insurgents, Ukrainian government versus Ukrainian volunteer units, and Russian government versus insurgents. The most important of these dyads are the Ukrainian government versus Russian government, and the Ukrainian government versus insurgents, but other dyads also have a substantial impact on the intensity and the dynamics of the conflict and feature a wide range of explicitly Gray Zone activities, at times even more so than the two main dyads. For each dyad, I examine the presence and the specific form of the instruments of power: diplomatic, informational, military, economic, financial, intelligence and legal. For each instrument of power, I center on the Gray Zone activities, but also discuss the White and Black Zone activities, if present.

Ukrainian Government versus Russian Government

According to the Russian government, it plays no active role in the conflict in Eastern Ukraine. This claim, however, does not withstand empirical scrutiny. Moreover, even though most of the violence takes place between the Ukrainian government and the insurgents, the Russian government's actions, including those in the Gray Zone, shape the dynamics and the course of the conflict, ensuring the Ukrainian government's inability to defeat the insurgency by using purely military means. This subsection analyzes the interactions between the Russian and Ukrainian governments across the instruments of power.

Diplomatic

The origins of the conflict in Eastern Ukraine are traceable to the Russian government's key foreign policy goal of reorienting Ukraine's political ties from the EU and the United States towards Russia. The chain of events that immediately led to the fighting in Eastern Ukraine started with then-President Yanukovych's decision, in November 2013, to suspend the preparations for a trade deal with the EU and reorient Ukraine's foreign and economic policies towards deeper integration with Russia. The subsequent mass protests in Kyiv led to the fall of the Yanukovych government, regime change in Ukraine, Russian annexation of Crimea, and rebellion in the Donbas. Since the beginning of the violence, Russia's diplomacy, both towards Ukraine and the West shaped the course of the conflict and the availability of potential

solutions. In the diplomatic process, Russia mainly plays the role of the defender and the promoter of the DNR and LNR, yet the key goal of Russia's action is to ensure its own geopolitical goals, rather than to promote and protect the insurgents. While most of these activities take place in the White Zone, some of them can be classified as belonging to the Gray Zone.

Since the beginning of the conflict, one of the key goals of Russian diplomacy was to ensure the infeasibility of any purely military solution and force the Ukrainian government to make diplomatic concessions that it would not have made otherwise. During the Ukrainian government's initially successful offensive of summer 2014, the Russian government directly intervened in the fighting to prevent the insurgents' defeat and to force the Ukrainian government to accept that "there is no military solution to the conflict."[29] While the Russian government's actions were military in their nature, their end goal was diplomatic. Another key goal of the Russian government's diplomatic efforts was to ensure a change to the very structure of the Ukrainian state in order to give the Russian government extensive influence, and potentially veto powers over Ukraine's foreign and domestic policy—a clear escalation from the normal diplomatic discussions and negotiations of the White Zone. The Russian government's solutions to the conflict include a constitutional reform that would make Ukraine a federal state in which the Donbas regions will have substantial powers over foreign policy[30] and Ukraine's "permanent neutrality" status, thus ensuring that the country would not join NATO.[31]

The diplomatic demands put forward by the Russian government are public and open, and therefore mainly operate in the White Zone. Yet, underneath the White Zone there is a layer of often-unnoticed Gray Zone activities, used by the Russian government to apply pressure on Ukraine. Thus, the Russian government, and especially President Vladimir Putin's administration, have a very high degree of control over the insurgents' policies and diplomatic positions to the point of making decisions about the DNR and LNR political leadership. When the leaders of the DNR and the LNR categorically refused to sign the Minsk II agreement, an intervention of Vladislav Surkov, Putin's advisor in charge of Russia's government policies towards the Donbas, quickly ensured the insurgents' compliance.[32] Another tool, used by the Russian government to apply additional pressure on Ukraine is the readily available option to recognize the independence of the DNR and LNR. In May 2014, when the DNR conducted a referendum on "state independence," the Russian government viewed it as "expressions of popular will," but stopped short of formal recognition of the DNR's (and LNR's) statehood.[33] While the DNR's ex-leader Denis Pushilin claims

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[29] Olexiy Haran and Petro Burkovsky, "From 'Hybrid War' to "Hybrid Peace? One More Frozen Conflict?," PONARS Eurasia Policy Memo No. 369 (Washington, DC: PONARS, 2015), 1, http://www.ponarseurasia.org/memo/hybrid-war-hybrid-peace-one-more-frozen-conflict.

[30] Haran and Burkovsky, "From 'Hybrid War' to "Hybrid Peace? One More Frozen Conflict?"; Yulia Nikitina, "Russian Approaches to State- and Nation-Building in Russia's Ukraine Policy," PONARS Eurasia Policy Memo No. 348 (Washington, D.C.: PONARS, 2014), http://www.ponarseurasia.org/sites/default/files/policy-memos-pdf/Pepm348_Nikitina_Sept2014.pdf. In Minsk II agreement the "federalization" demand was changed to "decentralization"

[31] Volodymyr Dubovyk, "Ukraine's Future Security," PONARS Eurasia Policy Memo No. 353 (Washington, D.C.: PONARS, 2014), 2–3, http://www.ponarseurasia.org/sites/default/files/policy-memos-pdf/Pepm353_Dubovyk_Sept2014.pdf.

[32] Iashin and Shorina, "Putin. Voina," 53.

[33] Mikhail Alexseev, "The Tale of Three Legitimacies: The Shifting Tone and Enduring Substance of Moscow's Ukraine Policy," PONARS Eurasia Policy Memo No. 431 (Washington, D.C.: PONARS, 2016), 5, http://www.ponarseurasia.org/sites/default/files/policy-memos-pdf/Pepm431_Alexseev_June2016_8.pdf.

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that the Russian government has de-facto recognized the insurgents' independence,[34] potential formal recognition is much more powerful as a tool for exerting pressure on the Ukrainian government.

Informational

Both the Ukrainian and the Russian governments extensively use information and propaganda against each other. Both governments' efforts, however, are not limited to only disseminating favorable information; efforts are also invested in preventing and restricting information available to both sides' domestic audiences.

A key feature of the Russian government's information and propaganda campaign against the government of Ukraine is the constant attempt to deny legitimacy to the forces that came to power in Ukraine after the removal of Yanukovych. The mass protests in Kyiv that led to the change of the regime are portrayed as having been organized and led by fascists, neo-Nazis, anti-Semites and the U.S. government. The regime change itself is typically referred to as a coup, therefore lacking legal and political legitimacy. Russia's state controlled media is mobilized to rally the population against Ukraine and in support of the insurgents. Whereas these activities are taking place in the public domain, they also include more clandestine efforts, pursued by the Russian state to control and direct this information campaign, both in Russia proper and in the insurgent-controlled areas. Thus, hacked and leaked emails of Putin's aide Vladislav Surkov explicitly instruct the information ministries of the DNR and the LNR to label the Ukrainian government as fascists and puppet dictatorship of the United States and requests a daily count of how many times the phrase "It's worse in Ukraine" is used in the insurgents' media.[35]

On the Ukrainian government's side, President Petro Poroshenko remarked that the key goal of the government is to "recover control, not so much over [lost] territory, but rather over [Ukrainian citizens'] souls poisoned by Russian propaganda."[36] To further protect Ukrainian citizens from Russian media, by 2015 Ukraine banned 16 Russian television channels from all Ukrainian cable networks. A number of Russian singers and artist were also banned from the country.[37]

Additional informational efforts by the Ukrainian government focus on framing the conflict as solely an outcome of Ukraine's fight against Russia's foreign invasion, despite the mounting evidence that points to domestic roots of the rebellion[38] and local origin of most of the insurgents. As proof of Russia's role, Ukrainian TV has several times aired interrogations and confessions of Russian servicemen, captured by the Ukrainian forces. These Ukrainian efforts clearly demonstrated the potential limits of covertness and

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[34] Avakov, "Denis Pushilin: Rossiia de-Facto Priznala DNR."

[35] Matthew Schofield, "Think Russia Isn't Directing Rebels in Ukraine? Then Read This about Leaked Emails," *Mcclatchydc*, September 30, 2016, http://www.mcclatchydc.com/news/nation-world/national/national-security/article105181221.html.

[36] Leonid Peisakhin and Arturas Rozenas, "Electoral Effects of Biased Media: Russian Television in Ukraine" (New York, 2016).

[37] Ibid.; "Ukraine Blacklists Russian Artists for Rebel Support," *BBC News*, August 8, 2015, sec. Europe, http://www.bbc.com/news/world-europe-33839418.

[38] Yuri Zhukov, "Trading Hard Hats for Combat Helmets: The Economics of Rebellion in Eastern Ukraine," *Journal of Comparative Economics* 44, no. 1 (2016): 1–15; Serhiy Kudelia, "Domestic Sources of the Donbas Insurgency," PONARS Eurasia Policy Memo No. 351 (Washington, D.C.: PONARS, 2014), http://www.ponarseurasia.org/sites/default/files/policy-memos-pdf/Pepm351_Kudelia_Sept2014.pdf.

plausible deniability as key components of Gray Zone activities and pushed the conflict to the realm in which the Russian government is forced to contest not only the interpretation of empirical facts, but also the facts themselves, thus damaging its credibility. Thus, the Russian government adamantly refused to recognize two Russian army officers who were captured by the Ukrainian government in the Donbas, despite the officers' own claims.[39] On top of these denials, the Russian government declared information on the Russian army's peacetime casualties a state secret and criminalized any publication of such data.[40]

At the same time, while information is an important instrument of power in the Russian-Ukrainian government dyad, it is unclear whether it has a direct impact on the conflict. Political scientists Arturas Rozenas and Leonid Peisakhin argue that exposure to the Russian TV propaganda did not change Ukrainian citizens' political views. Instead, it made the already pro-Russian Ukrainians even more pro-Russian, while making the pro-Western Ukrainian citizens even more anti-Russian.[41] On the macro-level, Putin's switch to somewhat less inflammatory rhetoric towards Ukraine did not lead to any reduction in the levels of violence on the ground.[42]

Military

Most direct military interactions between the Ukrainian and the Russian government takes place in the Gray Zone. These interactions, while violent and often deadly, do not escalate to the Black Zone level of open warfare. The exceptions are the shelling of Ukrainian troops by Russian artillery units stationed on the Russian side of the border, the extensive involvement of regular Russian troops in the fighting in the summer 2014 that halted the Ukrainian offensive that threatened to destroy the insurgents, and the heavy fighting in the area of Debaltseve salient in the winter of 2015, which also resulted in the defeat of Ukrainian troops, after sustaining considerable casualties. Yet, even this fighting had elements of Gray Zone encounters, as the Russian army denied and tried to conceal its involvement in the engagements.

The conflict in Eastern Ukraine is often presented as the key example of "hybrid war" that includes a heavy mix of Gray and Black Zone interaction, and as a new Russian way of fighting, often referred to as the "Gerasimov Doctrine," after the Russian Army's Chief of Staff Valerii Gerasimov.[43] The empirical evidence, however, presents a picture in which Gray Zone interactions are much less important and consequential than the conventional Black Zone warfare. The conflict was a "hybrid war" with predominantly Gray Zone elements during its early stage when Russian volunteers, usually with links to the country's security

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[39] Mikhail Troitskiy, "Negotiation in a Stealth Conflict: The Pros and Cons of Plausible Deniability," PONARS Eurasia Policy Memo No. 427 (Washington, D.C.: PONARS, 2016), 2, http://www.ponarseurasia.org/sites/default/files/policy-memos-pdf/Pepm427_Troitskiy_April2016.pdf.

[40] Halya Coynash, "Deadly Secret: Putin Criminalizes Disclosure of Russian Losses in Ukraine," *The Kharkiv Human Rights Protection Group*, accessed November 22, 2016, http://khpg.org/en/index.php?id=1432849584&w=soldiers; "Putin Declares Russian Troop Deaths in Peacetime a Secret," *BBC News*, May 28, 2015, sec. Europe, http://www.bbc.com/news/world-europe-32913929.

[41] Peisakhin and Rozenas, "Electoral Effects of Biased Media."

[42] Alexseev, "The Tale of Three Legitimacies: The Shifting Tone and Enduring Substance of Moscow's Ukraine Policy."

[43] More on the Gerasimov Doctrine and the very usefulness of the concept see: Charles K Bartles, "Getting Gerasimov Right," *Military Review* 96 (2016): 36–37; Roger N. McDermott, "Does Russia Have a Gerasimov Doctrine?," *Parameters* 46, no. 1 (2016): 97–105; Michael Kofman, "Russian Hybrid Warfare and Other Dark Arts," *War on the Rocks*, March 11, 2016, http://warontherocks.com/2016/03/russian-hybrid-warfare-and-other-dark-arts/.

services led a wave of occupations of Ukrainian government buildings' across Eastern Ukraine, organized militias and proclaimed the goal of the region's independence and eventual unification with Russia, à la Crimea. However, the conflict intensified following the Ukrainian government's armed response, becoming a largely conventional war, including the limited use of Russian air power. At the peak of the Russian army's direct involvement in the conflict, about 10,000 Russian troops were taking part in the fighting; a total of 42,000 were rotating through the Russian-Ukrainian border area.[44]

At the same time, with the exception of summer 2014 and January 2015 episodes of heavy fighting, Russian military involvement does assume several Gray Zone features. Unless large numbers of Russian troops are absolutely necessary to save the DNR and the LNR from elimination or to destroy the crucial Ukrainian salient in Debaltseve, the Russian government prefers to abstain from direct involvement in the fighting. The standard Russian government's mode of military involvement is to supply the insurgents with: 1) military material, including very advanced weapons systems, such as the Buk air defense missile, responsible for the downing of the Malaysian Airlines flight MH17; and 2) Russian army servicemen to fight in the insurgents' ranks. At the same time, as the Russian government officially denies any active involvement in the conflict, both the fighters and the equipment have to be transferred secretly. The military equipment is stripped of any identifying signs,[45] while fighters are either convinced or pressured by their commanders to go fight in the Donbas after relinquishing their identity and status. According to a Russian army active duty officer who went to fight in Ukraine, "[a]fter you agree, with this only verbal, you get a formal transfer to Novocherkask. From there 'you disappear,' with no more paperwork. They change your uniform, remove any 'incriminating' insignia and take away your documents. Then they introduce you to the people you'll be fighting together with … If you come back, the documents are presumably returned. If you don't, then you're left to lie in an unmarked grave."[46] According to various accounts, the families of Russian servicemen killed in Ukraine are denied compensations and financial support from the Russian military,[47] which also affects the soldiers' willingness to fight in Ukraine. This serves as a potential constraint to larger scale covert actions on Russia's part. The same officer contended that for Russian servicemen, fighting in Syria is preferable over going to Ukraine, as the former does not require relinquishing one's identity and potentially being buried in an unmarked grave.

Economic

The economic aspects of the Ukrainian and Russian governments' interactions center on three main areas, all of which are important for the analysis of Gray Zone activities. The first one is the use of energy by both the Russian and Ukrainian governments and the Russian state-controlled Gazprom company in the aftermath of the regime change in Ukraine. A spike in Russian gas prices is yet another, economic tool to pressure and punish the Ukrainian government. On the other hand, the Ukrainian government decided to substantially raise the price of Russian gas transits through its territory.

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[44] Igor Sutyagin, "Russian Forces in Ukraine," Briefing Paper (London: The Royal United Services Institute, 2015), 4, https://rusi.org/sites/default/files/201503_bp_russian_forces_in_ukraine.pdf.
[45] Iashin and Shorina, "Putin. Voina," 18.
[46] Coynash, "Russian Soldiers Sent to Ukraine Tracked by Hypermarkets and Unmarked Graves."
[47] Iashin and Shorina, "Putin. Voina," 23–25.

Another Gray Zone area is the "trade war" between Russia and Ukraine. Both countries ban numerous products produced by the other side from sale on domestic markets. However, the impact of such actions remains unclear, and as of November 2015, Russia is still Ukraine's main trade partner.

The final economic aspect of this dyad concerns humanitarian aid. The Russian government uses humanitarian assistance to project its influence and to demonstrate the Ukrainian government's malevolence (allegedly, Ukrainian state action necessitate the provision of humanitarian aid to the region) and its own benign role. Thus, in August 2014, over the Ukrainian Government's objections, the Russian government sent a convoy of more than 200 trucks to the conflict zone. Additional convoys quickly followed the first one. While this activities is primarily economic in nature, it should be noted that the provision of humanitarian aid to the conflict zone also clearly had an informational/propaganda component and potentially a military one as some observers argued that the convoys were utilized to secretly transfer military equipment to the insurgents.[48]

Financial

Both actors enjoy substantial financial resources, and the Russian government uses these resources against the government of Ukraine in the Donbas conflict, but does so indirectly in ways that are consistent with Gray Zone activities. First, the Russian government uses its financial resources to attract Russian army servicemen to serve in the insurgents' ranks despite substantial risks associated with these types of activities. Thus, a Russian soldier admitted that he was offered about $115 a day—a substantial amount for a Russian low rank serviceman—to fight in Ukraine.[49] Even more importantly, the Russian state secretly uses its vast financial resources to fund the insurgents to the point of paying the pensions and public sector salaries in the DNR and the LNR. According to a former DNR high-ranking official, without Russia's financial help the insurgents' institutions could not be sustained.[50] Thus, by financing the breakaway regions, the Russian government leverages its financial capabilities to prolong the conflict in ways other than direct participation in the fighting.

Intelligence

Most experts agree that prior to the conflict, the Russian intelligence services had successfully and widely penetrated the Ukraine Security Service (SBU) to the point of making its activities an open book for Russian intelligence.[51] This type of intelligence gathering is a normal White Zone activity, which escalated with the beginning of the fighting. Since the start of the insurgency, the Russian army has used numerous military reconnaissance and special operations teams, as well as the 74th SIGINT Regiment, 573rd Separate Artillery Reconnaissance Battalion, 54th Reconnaissance units Training Center, and a number of other reconnaissance battalions to provide intelligence support for the insurgents and the Russian army's

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[48] Wilson, *Ukraine Crisis: What It Means for the West*, 142.
[49] Coynash, "Russian Soldiers Sent to Ukraine Tracked by Hypermarkets and Unmarked Graves."
[50] Zverev, "Moscow Is Bankrolling Ukraine Rebels."
[51] i.e. Kimberly Marten, "The Security Costs and Benefits of Non-State Militias: The Example of Eastern Ukraine," PONARS Eurasia Policy Memo No. 391 (Washington, D.C.: PONARS, 2015), 4, http://www.ponarseurasia.org/memo/security-costs-and-benefits-non-state-militias-example-eastern-ukraine.

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military activities.[52] As a result, a number of Russian military intelligence officers were killed or captured in Ukraine's territory.

Legal

Both sides use legal tools to punish participants in the conflict from the other side. Thus, Nadiya Savchenko, a Ukrainian officer, was captured by the insurgents, transferred to Russia and put on trial. She was accused of complicity in the killing of two Russian journalists in the Donbas and sentenced to 22 years. On May 25, 2016, she was released in a prisoner-exchange deal. The Ukrainian side charged two Russian army servicemen, captured in Eastern Ukraine, with terrorism. They were sentenced to serve 14 years. Whereas the trials themselves occurred in the public domain, the circumstances under which Russian army soldiers found themselves in Ukraine and a captured Ukrainian officer was transferred to Russia more appropriately belong to Gray Zone activities.

Dyad Summary

The interactions between the Ukrainian and Russian governments utilize all available instruments of power. Whereas some of the interactions take place in the White Zone (e.g., diplomacy) and large-scale military operations belong to the Black Zone, each instrument of power either has a substantial Gray Zone component or is used to support Gray Zone activities.

Ukrainian Government versus Insurgents

This section analyzes the interactions between the Ukrainian government and the insurgents in Eastern Ukraine. While there are some differences between the DNR and the LNR, for the sake of the analysis I will treat the two entities in aggregate. In this section I will also focus specifically on the Ukraine government-insurgents dynamics and will try to separate these dynamics from the relations between the Russian and the Ukrainian governments, discussed in the previous section. This is not always an easy task given a high degree of Moscow's control over the insurgents and the insurgents' dependence on Russia for finances, materiel and fighters, but a number of unique dynamics can be observed in this dyad nonetheless.

Diplomatic

There are very limited diplomatic interactions between the Ukrainian government and the insurgents. Partly this is an outcome of the Ukrainian government's official designation of the DNR and the LNR as terrorist organizations and partly a function of Russia's role in presenting and promoting the insurgents' demands. Therefore, while the leaders and the representatives of the insurgents might be present at the site of diplomatic negotiations and sign the agreements, the key roles in diplomatic interactions are performed by the Russian and Ukrainian governments, as well as the leaders of key Western states, such as France, Germany and the United States.

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[52] Sutyagin, "Russian Forces in Ukraine," 1–4.

Informational

Both sides actively use information and propaganda within the Gray Zone. Like the Russian government (and under its direct supervision), the insurgents' information services invest considerable efforts in presenting the Ukrainian government as illegitimate, comprised of neo-Nazis and fascists, and controlled by the United States. In so doing, the insurgents also rely on time-honored messages and symbols. Ukrainian nationalists have been traditionally viewed by many people in the Donbas region as fascists (hence the rhetoric), and the black, blue and red banner of the anti-Ukrainian government protests during the early days of the conflict can be traced back to the beginning of the Donbas' experiment with statehood in 1918.[53] The insurgents also accuse the Ukrainian government of carrying out a genocide or an ethnocide against the region's population.[54]

On the Ukrainian side, the insurgents are referred to as "terrorists" and "marauders." Indeed, the official name of the Ukrainian government's fight against the insurgents is the Anti-Terrorist Operation. Both sides use the other's transgressions, cruelties and attacks against civilians, deliberate or otherwise, to reinforce their message. A standard defense against accusations and unwelcome information is that these are just "provocations" from the other side.

In addition to traditional media and official accounts on social media platforms such as Twitter, both sides also have large groups of social media sympathizers and bloggers (often using the livejournal.com platform, popular among Russian speakers). Some of these blogs provide their readers with very high quality information about events in insurgent-held territories and the insurgents' attacks against Ukrainian troops.[55]

Military

The insurgents clearly depend on the Russian army's support in materiel and manpower to sustain their fight against the Ukrainian government, but the locals bear the brunt of the fighting in Eastern Ukraine. As discussed in the analysis of the previous dyad, hybrid warfare and Gray Zone operations were common during the first stages of the conflict when Donbas-based pro-Russian activists, former officers of Yanukovych's security services and Russian citizens, many with connections to the Russian intelligence, led mass protests and rallies against the Ukrainian government, took over government buildings, and organized militias. The Ukrainian government's ability to respond to these actions was also limited as the state's authority in the Donbas region, the traditional stronghold of Yanukovych and his clan, had virtually collapsed and the Ukrainian army was in disastrous shape. Thus, the Ukrainian government's weakness was one of the key reasons for the escalation of events from the White to the Gray Zones.

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[53] Kudelia, "Domestic Sources of the Donbas Insurgency," 6.

[54] Avakov, "Denis Pushilin: Rossiia de-Facto Priznala DNR"; Serhy Yekelchyk, "From the Anti-Maidan to the Donbas War: The Spatial and Ideological Evolution of the Counter-Revolution in Ukraine (2013–2014)," *Perspectives on Europe* 44, no. 2 (2014): 63–69.

[55] See, for instance, http://kot-ivanov.livejournal.com/; http://dragon-first-1.livejournal.com/. The latter has recently shifted focus to Russian actions in Syria. These blogs have been a data source used by a number of analysts, i.e. Zhukov, "Trading Hard Hats for Combat Helmets: The Economics of Rebellion in Eastern Ukraine."

However, after the Ukrainian military regrouped and initiated a large-scale attack on the insurgents, the interactions escalated from the Gray Zone activities to open, conventional warfare. Furthermore, while the Russian army has to take special, if largely unsuccessful, measures to conceal its involvement in the fighting, the Ukrainian army and the insurgents can fight openly without the need to engage in such deceptions and denials.

Despite its mostly conventional nature, the conflict between the Ukrainian government and the insurgents is important for the analysis of Gray Zone dynamics because of the active involvement of hackers on both sides. On December 23, 2015, hackers attacked Ukraine's power grid. The Ukrainian government accused the Russian security services, but the exact identity of the hackers remains unknown. Both sides enjoy the support of active and dedicated groups of hackers, such as the Anonymous Ukraine and the Ukrainian Cyber Forces; pro-insurgent hackers include groups such as the CyberBerkut, Cyber Riot Novorossiya, and Green Dragon. On the pro-insurgent side, some hacker groups are believed to include ex-officers of the Ukrainian security services who lost their jobs in the wake of the regime change. At the same time, the Ukrainian government, while lacking independent capacity to engage in large-scale cyber operations, nonetheless does not seem to be interested in cooperating with pro-Ukrainian hacker groups.[56]

Economic

Economic factors did play a role in the outbreak and the development of the conflict, but these are predominantly preexisting conditions. While economic conditions help to explain the conflict dyad, economic factors are not deliberately used as instruments of power within this conflict dyad.

Existing scholarships suggests that economic shocks help explain in which localities in Eastern Ukraine the insurgents were able to gain control.[57] The most susceptible localities were those where jobs had already started disappearing due to turmoil in Ukraine's capital and the subsequent insurgency in the Donbas. This lead young and middle age males to join the insurgents' ranks simply to make a living. In the insurgent-controlled areas, the new authorities experience uneasy relations with the coal miners as the insurgents "raid mines for explosives, kidnap their managers, and even try to force miners to fight for their cause,"[58] a clear escalation of the already tense labor relations in the region.

Financial

At the beginning of the insurgency, none of the local pro-Russian groups had the financial resources to sustain a large-scale movement, suggesting that foreign funding (from Russia) or local grievances are sufficient to overcome financial limitations and that escalation from the White to the Gray Zones does not require an extensive domestic financial base.

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[56] Nadiya Kostyuk and Yuri Zhukov, "Invisible Digital Front: Can Cyber Operations Shape Battlefield Events?" (Ann Arbor, 2016), 1, 14–15, 24–25.
[57] Zhukov, "Trading Hard Hats for Combat Helmets: The Economics of Rebellion in Eastern Ukraine."
[58] Sean Guillory, "Donbass Miners and the People's Republics," *Warscapes*, July 15, 2014,
http://www.warscapes.com/opinion/donbass-miners-and-peoples-republics.

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After the insurgency took off, insurgent authorities started using a wide array of available activities to fund their effort. Some of these activities, such as taxation, require the creation of a quasi-state government apparatus and legal rules, while others, like extortion, trafficking, smuggling and plundering of humanitarian aid are purely illegal. Those activities (e.g., taxation), which supplant the role of the state, thereby delegitimizing it, are clearly Gray. The availability of these financial opportunities also led to serious internal conflicts among the insurgents, which I discuss in the Insurgent versus Insurgent dyad.

Legal

The Ukrainian government uses various legal tools at its disposal against the insurgents. As the Ukrainian government officially designates the LNR and the DNR as terrorist organizations, numerous ex-rebels were put on trial in Ukraine and charged with joining a terrorist group. The Ukrainian government also uses the legal tools available to it as a state to punish former insurgents in areas beyond its control, for instance, by seeking extradition of such individuals to Ukraine.[59]

Ukrainian legal authorities also try to punish those who transfer property from the insurgent areas. Luhanskteplovoz, one of the largest locomotive manufacturers in Eastern Europe, was ordered by its Russian parent company to stop production; most of the enterprise's operation was moved to Russia. In April 2015, Ukrainian authorities opened criminal proceedings against the company, accusing it of "terrorist financing."[60]

While the aforementioned Ukrainian government actions utilizing the legal instrument are White in nature, the establishment of parallel courts by the rebel governments are inherently Gray.[61] This is the case as they seek to supplant the government's authority to administer the law.

Dyad Summary

In this dyad, Gray Zone instruments of power are present, but limited predominantly to the domains of information, utilization of preexisting economic conditions, and cyber-based military activities during the early stages of the insurgency. Rebel activities using the legal instrument are also Gray, while the legal activities of the Ukrainian government are White. Other instruments of power utilized by the actors in this dyad belong mainly to the Black Zone.

Russian Government versus Insurgents

The two actors in this dyad have relations so close that at times distinguishing them is almost impossible. Surkov's aforementioned hacked and leaked emails clearly demonstrate the high degree of Russian

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[59] Halya Coynash, "Russian Wanted for War Crimes in Donbas Arrested in Norway," 10/21/2016, *The Kharkiv Human Rights Protection Group*, accessed November 22, 2016, http://khpg.org/en/index.php?id=1476975539; Aili Sarapik, "Estonian Citizen Suspected of Terrorism to Be Extradited to Ukraine," *Estonian Public Broadcasting*, June 17, 2016, http://news.err.ee/v/news/6835f6cb-4e93-42a4-8dcf-cb9fcb868083/estonian-citizen-suspected-of-terrorism-to-be-extradited-to-ukraine.

[60] Zhukov, "Trading Hard Hats for Combat Helmets: The Economics of Rebellion in Eastern Ukraine," 14.

[61] *Interfax-Ukraine*, "Non-transparent 'justice systems' set up in rebel-controlled Donbas areas mostly non-functional – OSCE SMM," December 25, 2015.

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government involvement in running the affairs of insurgent entities. From the very establishment of the DNR and the LNR, key roles in their military and political leadership were held by Russian citizens. At the same time, tensions occasionally do appear between the Russian government and the insurgents, but they never escalate to open conflict.

Diplomatic

In the diplomatic arena, Russia is the key defender of the insurgents' interests, but at times the interests of the two actors diverge. As discussed above, the insurgents' leaders initially refused to sign the Minsk II agreement, during negotiations in which Russia played a key role. Only direct pressure from Surkov forced the insurgents to sign the document. In 2014, Aleksandr Borodai, the DNR's ex-head of government, explained his removal by the fact that it would be inappropriate for him, a native of Moscow, to sign peace agreements on behalf of the DNR.[62]

Military

In the military realm, there is very close cooperation between the Russian government and the insurgents. Yet, some of the insurgents' military leaders are viewed by the Russian government as too reckless and undisciplined, while for some insurgent commanders, especially those from Russian nationalist groups, the Russian government's actions in the Donbas are too cautious and hesitant. The most striking case of such tensions was the 2014 removal of Girkin as the DNR's Minister of Defense. According to Girkin, he was pushed aside after the Kremlin's explicit threat that if he were to stay, the provision of weapons to the insurgents would be discontinued.[63] Since then, Girkin has returned to Russia and became a fierce critic of Putin.[64]

Dyad Summary

The tensions between the Russian government and the insurgents are rare and exist mainly in the political and military domains. Given the Kremlin's high degree of control over the insurgents and the insurgents' dependence on Russia's military, financial, and political backing, they have never escalated into open conflict, but the potential of escalation does exist, especially if the insurgents' leadership becomes more secure and less dependent on Russia. The fact that Russia maintains such close relations with the insurgents aside, relations between the two entities do not exceed normal levels of White Zone competition.

Ukrainian Government versus Ukrainian Volunteers

Since the early stages of the conflict, there has been close cooperation between the Ukrainian government and the Ukrainian volunteer formations/battalions. From a legal standpoint, almost all the battalions are now fully subordinated to the Ukrainian government under the auspices of the Ministries of Defense and

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[62] Iashin and Shorina, "Putin. Voina," 52.

[63] Ibid.

[64] Shaun Walker, "Russia's 'Valiant Hero' in Ukraine Turns His Fire on Vladimir Putin," *The Guardian*, June 5, 2016, https://www.theguardian.com/world/2016/jun/05/russias-valiant-hero-in-ukraine-turns-his-fire-on-vladimir-putin.

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the Interior (with the Right Sector being the only exception), but mistrust, competition and violent clashes between the two actors remains.

Diplomatic/Informational

From the beginning of the war, there was an uneasy cooperation between the Ukrainian military and the volunteer battalions. On the one hand, the volunteer battalions were praised for almost single-handedly holding the line during the initial phases of violence, when the Ukrainian army was too weak and disorganized to effectively fight the insurgents, thus giving it the necessary breathing space to reorganize. On the other hand, the military leadership often sees the volunteer formations as disorganized, undisciplined and unreliable.[65] When Ukrainian forces were routed by the Russian army at the battle of Ilovaisk—an engagement in which more than 300 volunteers lost their lives—the volunteers' leadership accused the military's top brass of intentionally trying to have their units destroyed.[66] Both sides traded accusations from the early stages of the war,[67] but they almost never escalated above the White Zone of political and non-violent arguments involving dialogues between the two actors and information engagement directed towards other relevant parties. While after the Debaltseve debacle the leadership of 17 volunteer battalions declared the creation of their own, separate General Staff,[68] this did not lead to a split within the military. The armed clashes that did occur were often caused by economic and financial factors.

Military

The volunteer battalions were privately funded when established. Some relied on donations from the civil society, while others were funded by various oligarchs, thus raising the fear of their becoming the oligarch's private mini-armies. Thus, during the standoff with the Ukrainian government over control of the oil pipeline UkrTransNafta the billionaire politician Ihor Kolomoyskyi, who reportedly funded a number of volunteer units, employed a group of armed men in combat fatigues.[69] Militarized clashes have occurred between the two belligerents over economic and financial resources. For example, an armed clash between the volunteer formations and the government occurred in the western Ukrainian town of Mukacheve in July 2015, when members of the Right Sector, a nationalist ultra-right group that has its own volunteer unit fighting in the Donbas, battled with the local police and the security guards of a local sports complex, presumably over contraband and trafficking of cigarettes. Several people were killed and an armed

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[65] Puglisi, "Heroes or Villains? Volunteer Battalions in Post-Maidan Ukraine," 16.
[66] Wilson, *Ukraine Crisis: What It Means for the West*, 142–43.
[67] Puglisi, "Heroes or Villains? Volunteer Battalions in Post-Maidan Ukraine"; "Letter to the President of Ukraine from the Right Sector Military-Political Movement," *Euromaidan Press*, August 17, 2014, http://euromaidanpress.com/2014/08/17/letter-to-the-president-of-ukraine-from-the-right-sector-military-political-movement/#arvlbdata.
[68] Puglisi, "Heroes or Villains? Volunteer Battalions in Post-Maidan Ukraine."
[69] Marten, "The Security Costs and Benefits of Non-State Militias," 2–3.

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standoff between the Right Sector and the Ukrainian security services ensued.[70] Subsequently, four Right Sector members were charged with terrorism and put on trial.[71]

Dyad Summary

The relations between the Ukrainian government and the volunteer formations are mainly those of cooperation and White Zone political arguments and struggles. At the same time, a small potential for escalation does exist, as shown by the example of the Right Sector, the only volunteer formation that was not fully and legally integrated into the government forces. Armed conflict – sometimes over resources – involving the government and Right Sector rises to the level of Gray Zone activity. It can be prevented only by complete subordination of the volunteer battalions, not only de jure, but also de facto, to the government's command and control.

Summary

The armed conflict in Eastern Ukraine is a complicated social process that features a number of actors and dyads. Even if the different actors can be generally classified as belonging to one of the two main camps: pro-Russia versus pro-Ukraine and even if within each camp, cooperation rather than conflict is the norm, there are numerous interactions utilizing all of the instruments of power, which span the entire spectrum of Zones. The conflict is still ongoing with armed clashes taking place regularly despite the ceasefire agreement. This clearly pushes the conflict towards the Black Zone; and yet, all the violence notwithstanding, Gray Zone interactions are present in various dyads, most notably between the Ukrainian and Russian governments, the only dyad that utilizes all the instruments of power. Gray Zone elements are also present in other dyads, even if less extensively.

At the end of the day, the overall classification of the conflict largely depends on whether we view the violence in Eastern Ukraine as predominantly a Russian invasion that utilizes local forces, or as a civil war that also features external involvement. The exact nature of the conflict is still hotly debated among experts, but if one views the conflict as mainly one between the Russian and Ukrainian governments, then it is possible to classify it as belonging to the Gray Zone with substantial elements of the White and especially Black Zone types interactions. If, however, the conflict is more correctly classified as a civil war with elements of external involvement, meaning that the most important dyad is the Ukrainian government versus the Insurgents, then it can be viewed as Gray only during its initial phase, prior to Ukraine's large scale offensive. After that, it is a chiefly a Black Zone conflict with some elements of the Gray Zone.

Conclusions

The goal of this case study was to analyze the presence of Gray Zone dynamics and the utilization of various instruments of power in the armed conflict in the Donbas since its eruption in 2014. The analysis

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[70] Alex Luhn, "Ukraine Government in Armed Standoff with Nationalist Militia," *The Guardian*, July 12, 2015, https://www.theguardian.com/world/2015/jul/12/ukraine-government-armed-standoff-right-sector-militia; David Stern, "Ukraine Clashes Raise Questions over Right Sector Militia," *BBC News*, July 15, 2015, sec. Europe, http://www.bbc.com/news/world-europe-33523869.
[71] "Four Right Sector Fighters to Go on Trial for Terrorism," *Ukraine Today*, June 25, 2016, http://uatoday.tv/crime/four-right-sector-fighters-to-go-on-trial-for-terrorism-679415.html.

uncovered numerous Gray Zone interactions across several dyads, but also demonstrated the limits of the Gray Zone both as a set of empirical actions and as the conceptual approach to the conflict itself. Gray Zone activities, exist to varying degrees in all dyads, but they are most pronounced in the Ukrainian government versus Russian government dyad. This in itself is not surprising, as the Russian actions in Ukraine are often seen as the main example of the emergence of a new, hybrid type of conflict, in which Gray Zone activities play an important role. Yet, a deeper analysis shows the inherent constraints of Gray Zone actions, pursued by the Russian government. Based on the emerging empirical evidence, both the escalation of Russian propaganda and the attempts to delegitimize the Ukrainian government have failed to change Ukrainian citizens' views and perception, and instead make the pro-Western Ukrainians even more anti-Russian. The Russian government's adamant denial of active involvement in the conflict contradicts an overwhelming body of evidence that clearly points to Russia's crucial role. Such a denial that includes publicly disowning the country's military personnel to the point of burying people in unmarked graves and denying military compensations and pensions to dead soldiers' families harms both Russia's international credibility and its soldiers' willingness to carry on fighting in a covert manner chiefly to prevent the country from openly moving into the Black Zone of open warfare. Whereas the Russian leadership clearly sees benefits in remaining in the Gray Zone, that is not necessarily the case for those bearing the brunt of Gray Zone interactions.

The overall classification of the conflict as Gray also heavily relies on viewing it predominantly through the lens of interactions between the Russian and Ukrainian governments and diminishing the importance and independence of the Ukrainian government-insurgents dynamics. However, if the conflict is viewed predominantly as an internal civil war in which local, intra-state causes and dynamics are paramount, the classification of the conflict shifts from Gray to Black. What is undisputable, though, is that during its initial stages the conflict was indeed Gray. Whether it remained as such or moved to the Black Zone depends mainly on one's perspective and predisposition as arguments can be made for the primacy of either dyad. The conflict in Donbas shows that Grayness is often chiefly in the eye of the beholder.

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