



Walking a Fine Line in Ukraine

The war in Ukraine has entered a new phase. In this excerpt from the [Watch List 2022 – Autumn Update](#), Crisis Group urges the EU and its member states to keep balancing support for Kyiv with the imperative of avoiding a direct clash with Moscow.

A new and potentially more dangerous phase looms in Russia's war in Ukraine. After surprising the world with successful counter-attacks since August, Kyiv seemingly has the upper hand on the battlefield. But Moscow shows no sign of backing down – quite the opposite. In response to Ukrainian gains, the Kremlin has staged sham referendums in territories it controls and announced that it has annexed large parts of Ukraine. Russian President Vladimir Putin has threatened to use all necessary measures to hold on to these territories, including suggesting that he might resort to nuclear weapons. The Kremlin has also embarked on a partial military mobilisation that aims to send some 300,000 new soldiers to the front. For now, these measures appear unlikely to reverse Ukraine's momentum. In early October, Ukrainian forces have continued to make progress pushing south into the Kherson region, where fighting had previously been stalled. In another escalation, Russia launched dozens of missiles at the Ukrainian capital and other cities on 10 October, as this Watchlist went to print, in apparent retaliation for a huge explosion (which Moscow blamed on Kyiv) on the Russian-built bridge linking Crimea to the Russian mainland two days prior. Meanwhile, although Putin's grip on power remains firm,

Russian domestic politics have become more turbulent. The question of how the Kremlin would respond to major losses now hangs ominously over the war. Moscow's escalatory moves show starkly how much Putin has vested in avoiding defeat.

These latest developments, though dramatic, should not trigger a major shift in European Union (EU) and Western states' policies. The challenge Western governments face remains largely the same: maintain a stream of military and economic aid to Ukraine so that it can thwart a Russian victory that would be a graver threat to European and global peace and security than the current fighting, all while minimising risks of direct involvement in the war.

Against this backdrop, the EU and its member states should:

- In cooperation with the North Atlantic Treaty Organization (NATO), continue supplies of weapons as well as development and humanitarian aid to Ukraine, working with Kyiv to ensure that assistance is effective, sustainable and accounted for, while respecting certain lines. In particular, other than aligning themselves with the U.S. warning that it will counter any nuclear use with "catastrophic consequences", they should continue to avoid

actions or rhetoric that suggest an existential threat to Moscow or that the West sees itself at war with Russia, given the escalatory risks.

- Continually reassess and adapt sanctions policy to improve these penalties' effectiveness and reduce their costs to non-Western countries, including through diplomatic initiatives such as the effort that led to the opening of Black Sea ports for grain shipments.
- Leave the door open for a negotiated settlement between Moscow and Kyiv, however unlikely it seems at present, by quietly signalling to the Kremlin their willingness to lift some of the sanctions and provide other benefits in the event of an agreement acceptable to Ukraine.
- While continuing to support Ukrainian refugees, ensure that Russian asylum seekers neither face prohibitive barriers to entry nor overwhelm already strapped border states in the EU and elsewhere.
- Continue to support collection of evidence of human rights abuses and war crimes that can be used in accountability proceedings in due course.

A Dangerous New Phase

Ukraine's recent advances topped over seven months of war that have seen repeated Russian setbacks. In the weeks that followed its massive assault on 24 February, prior expectations that Russia's military might would crush Ukraine's smaller forces were rapidly upended by dogged Ukrainian resistance and the failures of Russian planning, logistics, preparedness and armaments. That forced Moscow to withdraw from northern and central Ukraine and refocus its military efforts in Ukraine's east and south. Even with its narrower focus in the south and east, Moscow struggled to make major gains. Then, starting in late August, Kyiv mounted counteroffensives, bolstered by Western weapons, that have regained significant territory in the north-eastern Kharkiv region and parts of the east and south.

The Kremlin took another blow on 8 October, when a massive explosion hit the bridge Russia had built across the Kerch Strait connecting it to Crimea. Putin promptly called the blast an act of Ukrainian "terrorism". (Kyiv has not claimed responsibility.)

Moscow has escalated in response to these various setbacks. Two days after the bridge explosion, it fired missiles at Kyiv and other

major Ukrainian cities for the first time in months. Earlier, it took a step that it had long resisted for fear of political backlash: calling up hundreds of thousands of Russian citizens in what it termed partial mobilisation. On paper, the new draft is restricted to male reservists. In practice, it has reached broad swathes of the Russian population, and in some cases is being used as a mechanism for political control. Russian authorities have, for example, handed out mobilisation notices to men detained for protesting, military experience or no. Some women who are medical professionals have also reportedly received notices. Alongside mobilisation, Putin announced that Moscow would hold annexation referendums in four Ukrainian regions that it had occupied or partially occupied – Donetsk, Luhansk, Zaporizhzhia and Kherson. Voting took place between 23 and 27 September, with armed men going door to door with ballots. Not surprisingly, the Kremlin and its proxies reported near total support for joining Russia.

On 30 September, President Putin **announced** that those regions were now part of Russia in a speech that appeared to brandish new nuclear threats. Painting the U.S. and its

NATO allies as neo-colonialists bent on Russia's destruction, he declared that "we will defend our land with all the forces and resources we have" and referenced the U.S. decision to drop two atomic bombs on Japan in 1945 as "a precedent" for nuclear weapons use. These comments have understandably heightened concern in Western capitals that Moscow might indeed use nuclear weapons.

No one can be too confident in assessing the Kremlin's calculations but, menacing rhetoric aside, it appears unlikely, though not completely implausible, that Russia will launch a nuclear weapon unless there is a real threat to the Russian state. Nuclear use would draw a Western response, and while the Kremlin may want the West to believe that it is willing to take that risk, it seems hard to fathom a Kremlin truly willing to do so to, for example, defend Russia's fabricated claim to parts of Zaporizhzhia. Russia's own military doctrine foresees nuclear weapons use only in the case of threats to the country's ability to defend itself (that is, threats to its nuclear arsenal). Putin's recent comments about defending parts of Ukraine that he terms Russian territory hint at a lower threshold for nuclear use (the exact geography remains unclear, with the Kremlin's spokesman [indicating](#) that consultations with locals would determine borders). But Moscow's behaviour in this war, which despite the bluster has avoided direct engagement with NATO or military attacks on Ukraine's Western backers, suggests that it, like Western powers, seeks to sidestep the worst escalatory risks.

The question now hanging over the war is whether this logic would hold were the Ukrainian army to rout Russian forces from the east and south. Can, in other words, Ukraine continue its forward march and force a Russian reckoning with the limits of its power (something that would greatly benefit European security) without Moscow lashing out? If the Kremlin thinks that losing a war in Ukraine would lead to the government's falling, it is not

inconceivable that it would gamble on nuclear use in a last-gasp effort to force Kyiv to surrender. Even then, practical considerations would counsel against it. While a nuclear detonation could destroy a military base or a bridge more decisively than conventional weapons would, the resulting radiation and other effects would be catastrophic, even from a small explosion. (Most so-called low-yield weapons, being close in size to those the U.S. dropped on Hiroshima and Nagasaki, would wreak tremendous havoc.) Given their proximity, Russia and Belarus would surely be affected by blasts set off in Ukraine. Moreover, for all the horror and chaos that would be unleashed, it is very unlikely that Kyiv would be cowed, given its stakes in the conflict.

Throughout the war, Western states, including the U.S., have mostly sought to balance their support for Ukraine against the imperative of avoiding an escalation into direct NATO-Russia war. U.S. and NATO leaders have since mostly walked back statements made by officials in the early stages of the war that hinted at a desire for regime change in Russia or war crimes prosecutions of Russian leaders, in an effort to make clear that Western support of Ukraine is not, in fact, an existential threat to Russia or the Kremlin. Even as the Kremlin avoided direct engagement with NATO forces, so have NATO members taken pains to increase the volume and sophistication of weapons provided to Ukraine gradually so as not to send an escalatory signal.

NATO members do take Russian threats seriously, however, and they have made clear that nuclear use would draw a response, lest Russia or others view nuclear threats as, in effect, *carte blanche* for aggressive threats and actions. Thus, while Western leaders have reiterated they have seen nothing yet from Russia that gives them reason to fear an imminent strike, senior U.S. officials have said they warned Moscow of "catastrophic" consequences should it resort to nuclear use. They also said they have been more specific behind closed

doors – presumably seeking to deter the Kremlin without humiliating it or backing it into a corner. “We have communicated to the Russians what the consequences would be”, [said](#)

U.S. National Security Advisor Jake Sullivan, “but we’ve been careful in how we talk about this publicly”.

Other Challenges

Beyond the risk of escalation, a host of other challenges require the attention of the EU and its member states. Some concern aid to Ukraine, military and otherwise, which thus far has been subject to relatively few constraints and focused on meeting as many immediate needs as possible. The demands of war have made this approach necessary. But, in some cases, [reporting](#) suggests that individuals have diverted assistance for their personal gain, to the intended beneficiaries’ detriment. Moreover, the question of whether aid levels are sustainable has become more salient with time – especially as winter approaches and inflation pinches European economies. Both donor states and Ukraine have strong interests in putting in place measures that will prevent future diversions and reassure their citizens that aid is being well spent.

Energy policy is another area requiring attention. The EU, along with the U.S., Canada and others, have imposed heavy sanctions on Russia, as they had threatened to do in the lead-up to Russia’s invasion. Some measures are directly geared toward weakening Russia’s war effort and its capacity for future aggression. Limits on technology imports likely have this effect, at least to some extent. Other steps emphasise cutting dependence on Russian oil and gas, a longer-term goal. Still others consciously impose costs upon Russian citizens. Russia has responded by itself limiting energy exports.

As laid out in the Introduction, war and sanctions have led to global price hikes, and Europeans have hardly been spared. Many are facing a cold and expensive winter. The possible

fallout for industrial production would make a European recession even more serious.

These prospects appear unlikely to sap support for Kyiv for now, but if protests and frustration mount, and politicians choose to make an issue of Ukraine policy, that might change. The EU states struggled to reach a deal on imposing a price cap on Russian oil in the latest sanctions package to emerge in Brussels. Then, the same day they finally did, Russia coordinated with the Organization of Petroleum Exporting Countries and allies (OPEC+) to cut oil production by 2 million barrels per day, putting upward pressure on oil prices. The EU and U.S. had hoped for coordination among major producers to keep prices down. The EU has managed to fill its energy storage capacity, but depending on how cold the winter gets, it may need to use significant energy generating electricity for heating. In that case, EU countries will be forced to halt electricity exports, further affecting their coordination efforts – as signalled already by Germany, which could limit its electricity exports to Austria and France.

The EU will also have to adapt and coordinate refugee policy as the war drags on and the population trying to escape the war grows and changes. Member states have welcomed more than [5 million](#) Ukrainian refugees, who primarily consist of women and children due to Ukraine’s decision to ban most men from leaving the country. Although some refugees have now returned home, most will remain in their places of refuge as the war rages on. Now, Russian men who do not want to fight in Ukraine are fleeing their country, despite Russia’s efforts to keep and forcibly draft them.

EU states are divided over how to respond. The Baltic states, Finland and most eastern countries, which have been pushing for an EU-wide visa ban on Russian nationals, believe the EU should keep its borders shut to those trying to escape the draft. Beyond domestic considerations, they believe that Russian deserters will – if they remain in Russia – feed the internal opposition to Putin. Others, mainly in Western Europe, say welcoming these men helps undermine Russian policy and prefer to allow them entry. In early September, the EU suspended

the visa facilitation scheme for Russian citizens that was put in place in 2007 to make it easier for Russian citizens to visit the EU and vice versa. Since then, some states neighbouring Russia, such as Estonia, Latvia, Lithuania and Poland, have sought to prevent entry even by those who already have C-type (short-term) visas to enter the 26-member Schengen zone, where free movement is permitted. They have also reportedly turned back some joint citizens of Russia and other countries, such as Israel and the U.S., who do not require visas.

The Months Ahead

Neither Ukraine nor Russia is ready for a political settlement of the war – if anything, prospects for a deal have dimmed in recent weeks. Kyiv, buoyed by its military successes, is in no mood to compromise over its own territory. Moscow's mobilisation, annexation and threatening rhetoric make clear that the Kremlin, notwithstanding its setbacks, still believes it can gain more on the battlefield and through coercion than through talks with Kyiv. They also show just how much Putin is prepared to risk in seeking to prevent military failure. Soberingly, the longer the war continues without Russia making obvious gains, the harder it will be for the Kremlin to string together a narrative of having achieved its goals. Ukraine's continued advance would make it ever harder.

That longer war still appears plausible, notwithstanding Ukraine's battlefield gains. In the near term, Ukraine will almost certainly look to press its advantage before Russia deploys new troops. For its part, Russia can be expected to continue striking Ukrainian infrastructure in an effort to demoralise Kyiv and the Ukrainian population, hoping to buy time until it is better positioned to counter Ukraine's advances. It is difficult now to imagine how Russia could regain the upper hand militarily. But nor is it

clear that Ukraine can rapidly regain all the territory it has lost to date – not, at least, without a game-changing Russian military collapse. If fighting eventually settles into an uneasy truce, formal or informal, both Moscow and Kyiv will almost surely look for openings to restart hostilities and tilt the battlefield in their favour.

A continued standoff between Moscow and Kyiv, along with its Western backers – one that outlasts the current conflict – appears almost certain. Notwithstanding grumbling among Russian elites over the mobilisation policy and increasing criticism of the military among hardliners in Moscow, a change in government in Moscow remains unlikely. The Kremlin's leadership will likely continue to seek decisive influence over its neighbours, though clearly its ability to do so will be shaped by the war's outcome. The NATO alliance, which already includes most EU member states and is about to include two more (Finland and Sweden are nearing the end of the accession process), is already preparing for a new strategy of deterring Russian aggression indefinitely, although here, too, Russian weakness may go some way toward tempering the appetite for major military build-ups.

Recommendations

Notwithstanding the ominous tone of recent statements from Moscow, the key task for Ukraine's foreign partners, both in the EU and elsewhere, remains largely the same. On one hand, they must continue supporting Ukraine with arms and funding, as that is crucial for preventing a Russian victory that would do far more damage to European (and global) peace and security than continuation of the present conflict. On the other, they must do so without running too high a risk of escalation into direct war between NATO and Russia, even as they continue to make clear to the Kremlin the costs of nuclear weapons use. They should also leave the door open for a negotiated settlement between Moscow and Kyiv. Thus far, the EU, its member states and other Western allies have walked this fine line with prudence and unity. Putin's escalation over recent weeks should not fundamentally change calculations in Western capitals. Indeed, if his nuclear menacing makes striking the right balance all the harder, the danger of setting a precedent of a state using nuclear threats to seize territory from a smaller neighbour makes it all the more vital.

In practice, Western governments should continue to provide Kyiv with the aid it needs, all the while being careful not to cross certain lines. Military assistance should include adequate spare parts and components for systems already delivered. It could also involve ramping up delivery of those weapons, particularly artillery systems and ammunition, in preparation for new Russian offensives. As for Western leaders doing what is in their power to minimise risks of direct confrontation, Washington's warnings that if Russia makes good on its nuclear threats, it will experience "catastrophic" consequences – the very confrontation it fears most – are appropriate as a deterrence measure. Beyond that, though, Ukraine's European partners should continue to avoid rhetoric or moves that suggest an existential threat to the

Russian state or government or that Western governments – rather than Ukraine – are at war with Russia.

The longer the war drags on, the more important it will be for the EU and member states to identify new ways to mitigate the risks and costs of its support to Ukraine, so as to render the overall approach sustainable. For example, insisting on better accountability for aid will make Kyiv's capacity for governance stronger, help Ukrainians get the assistance they need and ensure that EU taxpayer money goes toward the country's reconstruction. The EU and member states should also work to define economic aid that is both geared toward Ukraine's immediate needs, such as shelter and demining, and lays the groundwork for attracting investment and rebuilding economies in war-affected areas.

As concerns sanctions, the EU and member states should work to keep them from backfiring into instability at home and frustration with EU policies globally. Diplomacy can in some cases lessen the war's ill effects – as it did in restarting Ukrainian grain traffic across the Black Sea – and it will be important to keep looking for similar openings. As outlined in the Introduction, support for countries outside Europe to counter the ripple effects of the war and associated sanctions is important from a humanitarian perspective and wise from a diplomatic one. At the same time, the EU and member states should not become attached to the idea of levying all the sanctions in perpetuity. Indeed, insofar as Western states hope to give the parties incentives to forge a political settlement, however unlikely one appears at present, they could communicate through back channels to Moscow generally what sanctions the West might be willing to lift as part of a peace package (Crisis Group has previously laid out [what that might entail](#)). Over time, an approach to sanctions that permits Russia to

engage in peaceful economic rebuilding on its own territory and alleviates measures directed at the broader population, while preventing a military resurgence, would be ideal, albeit not easy to craft.

The EU and member states should also step up efforts to help Russian refugees. They should treat humanely and otherwise support Russians who have fled the mobilisation. Properly investigating asylum claims is not only consistent with EU values and required by law. It is also pragmatic in the sense of depriving the Russian Federation of potential fighters and reinforcing that Western countries are not taking out their anger at the Kremlin's aggression on ordinary Russians. The EU and its members should ensure that those leaving have options for seeking asylum, eg, that they do not have to pass through countries that refuse them access and violate laws to get to countries

where asylum is possible. Crucially, vetting of new arrivals should not undermine respect for already issued visas and residency permissions and EU members should make clear that Russian citizens will be able to apply for visas, in line with national laws and regulations, in third countries as feasible. More assistance to help war refugees is needed also outside the EU. The EU should offer support and assistance for Russia's other neighbours, notably Kazakhstan, Georgia and Armenia, who are facing a huge influx of Russian men.

To create the foundation for holding perpetrators of atrocities to account over the long term, the EU and member states should also continue providing critical support in helping Ukraine collect information on war crimes and abuses by Russian forces. They should also work with Ukraine to support its own compliance with international humanitarian law.