

‘Minimum Victory’

di Linda Kinstler

Weary of war and staring down the likelihood of an unjust peace, Ukrainian intellectuals are plotting out a road map for the future.

On December 1, a group of prominent Ukrainian intellectuals and politicians published a [manifesto](#) in *Ukrainska Pravda* about how the war might end. “It is difficult to speak of victory,” it begins, “when the enemy is mounting unprecedented and at times successful ground attacks.” Already in August, when the group started drafting the text, Ukraine’s military was understaffed; new recruits were increasingly hard to come by, pushing the government to resort to [violent tactics](#) in its search of draft dodgers and deserters; and the Trump administration’s shifting policies were imperiling the army’s access to funding and weaponry. These trends have persisted in the months since. The head of the armed forces of Ukraine [reported](#) last week that the army is currently seeing its highest daily volume of clashes with Russian soldiers since the full-scale invasion began in 2022.

Though the frontline has remained mostly static, the Russians continue their attempts to [press forward](#) on the battlefield and the Ukrainian public is growing weary of war. Whatever the terms of an eventual peace deal—if such a deal materializes at all—they will bring profound losses for Kyiv, its aspirations for NATO membership and the restoration of its occupied territories almost certainly among them. The manifesto aimed to give Ukrainians a vocabulary they could use to imagine this situation as anything other than a kind of defeat—a necessity, the authors believe, if the public is to accept what one MP [recently called](#) a “bad, or very bad” peace settlement. “There is despair in Ukraine, and people must be given hope,” the historian Yaroslav Hrytsak, one of the lead drafters, told me. “So we need to redefine victory.”

The document—which was written primarily for a domestic audience and signed by public intellectuals including the head of the Center for Civil Liberties Oleksandra Matviichuk, the writer Serhiy Zhadan, and the philosopher Volodymyr Yermolenko, as well as several current and former members of parliament and soldiers—offers two visions for Ukraine’s future. The first, which they call “maximum” victory, would entail the complete restoration of Ukrainian territory, international war crimes trials for Russian aggressors, the return of every single kidnapped child, prisoner of war, and civilian, and the payment of reparations. It would not only ensure the “final defeat of our enemy and the disappearance of the aggressor from the world stage,” the authors explain, but also secure Ukrainian membership in NATO and the European Union. This form of total victory is, at present, a distant dream.

The manifesto does not abandon the possibility that “maximum” victory may still one day be achieved and argues that Ukraine must continue working toward it. But for the time being the authors suggest that the country must be prepared to accept what they call “minimum victory.” This would include a cease-fire along the current frontlines, the maintenance of Ukraine’s capacity to defend itself, and the preservation of Ukrainian sovereignty, among other measures. It would also, in the document’s telling, enable Ukraine to pivot from the current war of attrition to a policy of what former Ukrainian Defense Minister Andriy Zagorodnyuk, a coauthor of the manifesto, has [called](#) “strategic neutralization.” Under this approach—which assumes that hostilities will continue even after any peace deal is signed—Ukraine would still be able to pursue targeted attacks on Russian military assets but would abandon the attempt to capture “every soldier or vehicle.”

Accepting this kind of “victory” would mean acknowledging both that Russia will not return the roughly 20 percent of prewar Ukraine that it currently occupies and that, long after any peace deal goes into effect, Ukraine will have to live with the possibility of renewed war. “Russia’s complete defeat on the battlefield is a form of victory that is currently unattainable,” the manifesto’s authors warn. “Ukraine’s strategic goal is to build a stable, secure, democratic and successful state even under constant threat.” The implication is that if Ukraine continues to exist as an independent nation once the peace deal is signed, for now that may be victory enough.

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The timing of the manifesto was not accidental: it was published on the thirty-fourth anniversary of Ukraine's referendum vote for independence from the Soviet Union, and it appeared just as the Trump Administration renewed its aggressive push for a peace deal, engaging in diplomatic negotiations that have largely sidelined Ukrainian and European leadership. Trump's initial [twenty-eight-point peace plan](#), leaked in late November, included several clear concessions to Russian demands, including a cap on the strength of Ukraine's standing army, the withdrawal of Ukrainian forces from the sizable part of Donetsk province they currently control, and a Ukrainian constitutional amendment stipulating that the country will not join NATO—all measures that Ukrainian President Volodymyr Zelensky has publicly opposed. The document also stipulated that the US would both receive unspecified compensation for guaranteeing Ukraine's security from renewed hostilities and take 50 percent of the profits derived from a financial scheme to reconstruct the country. For Trump, peace seems to amount to little more than a business deal, preferably delivered before Christmas, or at the very least before nominations for the Nobel Peace Prize are due on January 31.

All this has left Ukraine's leaders in an impossible bind. They cannot say no to the Americans, for fear of losing funding and weaponry, but they also cannot say yes, for fear of losing their country. In a September [poll](#) conducted by the Kyiv International Institute of Sociology, 75 percent of respondents said that Russia's proposed terms—which include a requirement that Ukraine completely renounce claims to its occupied territories, cap the size of its military, and abandon NATO membership and other forms of Western security support—were “categorically unacceptable.” Last week Zelensky [presented a counteroffer](#) to the US negotiating team stipulating that Ukraine would neither give up territory nor abandon its demand for security arrangements with Europe and the US; nearly three quarters of respondents to the poll had said they were prepared to accept a peace deal along similar lines.

But no matter what form the eventual peace plan takes, most Ukrainians believe that Russia is sure to reinvade regardless. (Only 10 percent of those surveyed said they thought a peace deal would prevent another invasion.) The failures of the Minsk I and II agreements, signed in 2014 and 2015 with the goal of ending the war in the east,

have not been forgotten. “We of course want peace, but we are not sure, here in Ukraine, that Russia wants peace, that Russia will be satisfied with any concessions,” Yermolenko told me. “Our impression is that Russia is using these negotiations to buy some time.... They think they are winning the war.”

Zelensky’s negotiating position, meanwhile, has been severely weakened due to a corruption scandal: Ukraine’s anti-corruption agencies recently exposed that high-ranking government officials were engaging in embezzlement schemes and taking kickbacks from the country’s state-run nuclear power company. As a result of the investigation, the ministers of energy and justice both resigned last month, as did Zelensky’s chief of staff, Andriy Yermak. (Yermak is also [suspected of having orchestrated](#) an attack on the agencies that exposed the scheme.) The scandal dimmed hopes that Ukraine might soon accede to the EU, which requires that candidate states demonstrate a “coherent policy of prevention and deterrence of corruption.” In early December, Zelensky conceded to demands for presidential elections—including from Trump, who alleged that he was prolonging the war in order to hold onto power—and announced that he would instruct parliament to start preparing legislation that would make it possible to hold a vote under martial law.

These consecutive and overlapping crises have threatened Ukrainian stability and power at a most perilous moment. The Russian army continues to kill Ukrainian civilians every day and has [unleashed](#) its missiles upon maternity wards, children’s hospitals, and retreating villagers waving white flags. Valerii Pekar, a professor at Kyiv-Mohyla Business School and one of the lead drafters of the manifesto, told me that the group hoped to prevent a breakdown in Ukrainian society if and when the war comes to a close. They fear that the concessions facing the country could worsen existing public divisions about the purpose and outcome of the conflict—and they know all too well how readily Russia could exploit such fractures. “Ukrainian political leaders are paying very little attention to the issue of what victory is,” Pekar told me. “If society has no clear vision of what the war is being waged for, what victory is, what our red lines are, and so on, it will be really hard to keep social cohesion.”

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Ever since the full-scale invasion began, lawyers, activists, and politicians in Ukraine and abroad have worked to ensure that Russia will one day be forced to pay for its war, and that Ukrainians who have lost their loved ones, limbs, and properties will receive some kind of compensation. So far the only trials of Russian perpetrators have taken place in national courts, both in Ukraine and in other countries where Russian army defectors have been captured. In March a Helsinki court [sentenced](#) the paramilitary leader Yan Petrovsky to life imprisonment for war crimes and ordered him to pay 7,000 euros, plus interest, to the family of a Ukrainian soldier he had killed. (He is appealing the verdict.) Over six hundred Ukrainian survivors of conflict-related sexual violence to date have received reparations from a nonprofit-led pilot project that Ukraine's parliament is seeking to make into a permanent source of redress.

But serious compensation and legal recognition for Ukraine's suffering would need to come at a much wider scale. To that end the Council of Europe has supported the creation of the Register of Damage for Ukraine, which has already received 86,000 claims for lost life, lost property, involuntary displacement, personal injury, and other forms of harm. It has also signed an agreement with Kyiv to create a Special Tribunal for the Crime of Aggression against Ukraine, an ad hoc court that would theoretically hold Russian leadership to account.

The form of justice that these measures would deliver is only possible under conditions of "maximum victory." Whatever peace results from the ongoing negotiations, if it is any peace at all, will not fulfill the demand for formal retribution. "Russia is the aggressor, and they are not going to pay a terrible price for their aggression," said Thomas Graham, former senior director for Russia at the National Security Council. "It's going to be a settlement that is not just, where Kyiv is going to make significant concessions and Russia will retain some of its gains.... But that's the way most wars have ended throughout history." The manifesto's authors sought to prepare the Ukrainian public to face down this kind of unjust peace without losing all hope. "Ukrainians believe in justice even when there is no international tribunal, no reparations, no use of frozen assets for Ukrainian recovery," Pekar told me.

There had been some hope that Russian assets could provide Ukraine with an infusion of resources. Last week the EU passed an emergency measure to ensure that the \$247

billion of Russian funds in its territory would remain frozen indefinitely. (Previously, sanctions on the funds had to be unanimously extended by all twenty-seven EU member states every six months, leaving them vulnerable to vetoes from Hungary and Slovakia.) The European Commission had proposed channeling this money into a reparations loan to Ukraine, which would be repaid whenever the country “receives the reparations due from Russia, which it is legally entitled to.” The idea was that the frozen assets could also be used to fund the International Claims Commission for Ukraine, whose founding convention was finally adopted in the Hague this past week, and which would dole out payments for claims approved by the Register of Damage. (The EU has [committed](#) one million euros to the commission.)

Instead, at a contentious meeting in Brussels on Thursday, members of the European Council voted not to redirect the frozen assets to Ukraine after all. Belgium, where the vast majority of Russian funds are located, opposed the measure, fearing the legal and financial consequences that would result from effectively taking the Kremlin’s money and sending it to Kyiv. The EU agreed to provide Ukraine with a loan of 90 billion euros, backed by its own tax revenue. That amount should be enough to keep Ukraine out of bankruptcy; it, too, is subject to repayment only if and when Russia provides reparations for its long war.

Today it may seem like magical thinking to imagine a Russia that would be willing to pay damages to Ukraine, but there is some historical precedent for such a scenario. [According](#) to the Yale economist Timothy Guinnane, two days after the reunification of Germany—an event that some thought would never come to pass—the bill came due for the country’s outstanding reparations debts from World War I, prompting the German Debt Administration to issue a new set of bonds to repay the vast sums incurred nearly a century prior. The injustices of Russia’s war on Ukraine can never be fully repaired. They will circulate indefinitely in the form of what the philosopher Stephen Ross once called an “unassuageable debt.” But some form of material redress can still be secured. Like the devastation of war itself, loans have a long life