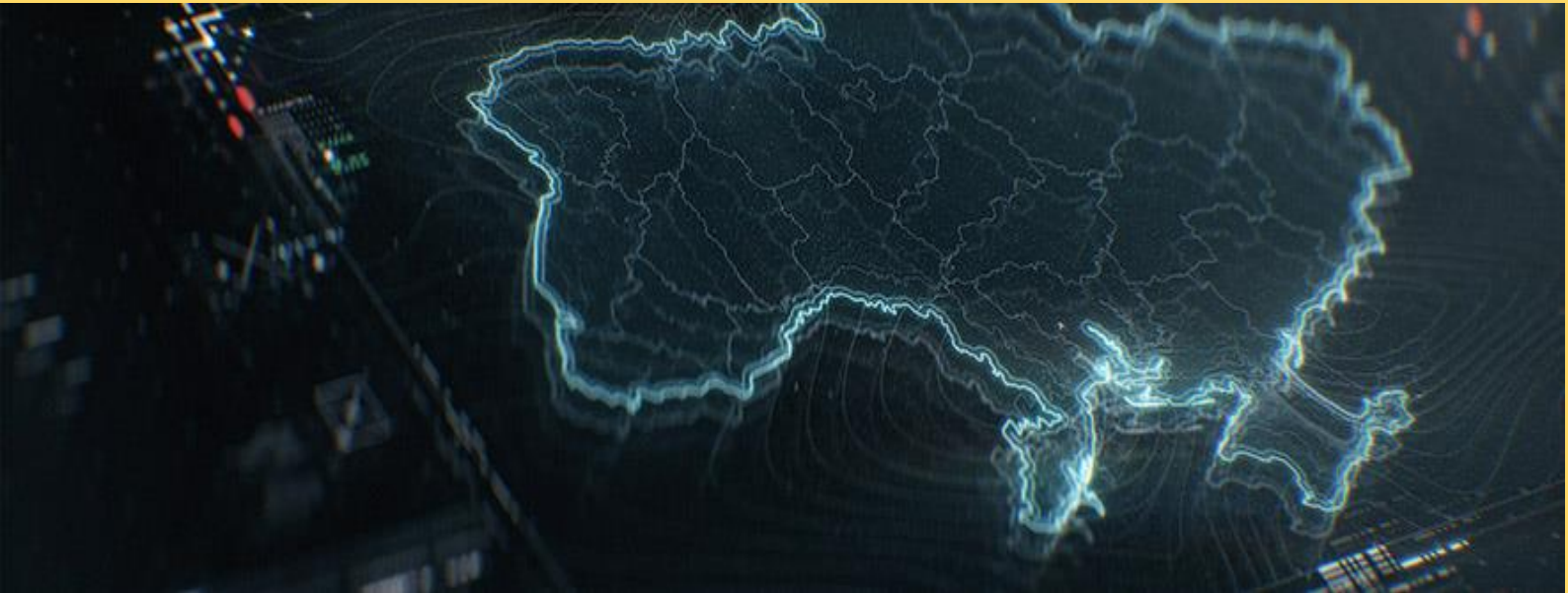




**CAMBRIDGE INITIATIVE**  
*on* **PEACE SETTLEMENTS**  
*Making peace work through law*

# UKRAINE SETTLEMENT PROJECT



## **UKRAINE SETTLEMENT OPTIONS:** **Recovery Operations and International Commitments** By Ray Salvatore Jennings

October 2022



**UNIVERSITY OF  
CAMBRIDGE**

Department of Politics and  
International Studies

Harvard Negotiation Project

**HARVARD  
LAW SCHOOL**



**OpinioJuris**

# **UKRAINE SETTLEMENT OPTIONS PAPER: RECOVERY OPERATIONS AND INTERNATIONAL COMMITMENTS IN UKRAINE'S SETTLEMENT PROCESS**

*[Ray Salvatore Jennings](#) is a practitioner scholar with broad analytical and field experience in situations of fragility and violence, ethnic conflict, forced displacement, social and political transitions, and post-conflict recovery, with 27 years of experience implementing field programs for the United Nations, the World Bank, and the United States Agency for International Development in 57 countries.*

*An earlier version was published on [Just Security](#). The views expressed are the author's alone.*

## **INTRODUCTION**

Assessing damage and recovery needs during an ongoing conflict is a complex endeavor. Critical geographic areas with war-related destruction are difficult to access. Remote assessment methodologies, although improved in recent years, still leave much to the imagination. Communication with local counterparts is challenging, as is accounting for the compounding impacts of continuing violence on livelihoods, on displaced and marginalized populations, and on access to public services.

In comparatively short-duration conflicts such as Kosovo (1998-1999), Georgia (1991-1993) and Bosnia (1992-1995), post-conflict assessments produce durable agendas that orient domestic and international commitments addressing the aftermath of war. In long-duration conflicts such as Syria (2011-), Yemen (2014-), and now in Ukraine (2014-), interim damage and needs estimates have a short shelf life, and the lines between ongoing relief, short-term fixes to critical infrastructure, reconstruction, and peacebuilding often blur as violence continues. Continuing delays in recovery planning and commitments in Ukraine are illustrative of how decisions over what to do, how to do it, and the sequence of investments during unrelenting hostilities can fragment the international response and the coherence of host government leadership on near-term recovery. The climate of uncertainty in Ukraine aside, there are several near-term steps that will lay the groundwork for recovery assistance, reassure donors that remain apprehensive over recovery investments, and add momentum toward an eventual settlement to the conflict.

## **THE LONG WAR IN UKRAINE**

The fact that Ukraine is now a long-duration conflict is often overlooked. The full-scale invasion of Ukraine in February 2022 is a continuation of instability and insecurity that began in March 2014 with the annexation of Crimea and fighting between Ukrainian forces and Russian-backed forces in the eastern oblasts of Donetsk and Luhansk. In the years that

followed, disruptions of industry, transportation, and small- and medium-sized enterprises led to widespread job losses. Forced displacement and conscription created significant [labor-market distortions](#). More than [14,300](#) people were killed as a result of war-related violence, with an estimated [1.41 million persons](#) remaining internally displaced prior to February 2022. The definitive interim [damage and needs assessment](#) of that pre-2022 period, conducted jointly in 2015 by the World Bank, the United Nations, and the European Union, estimated total recovery needs for infrastructure and social services at \$1.56 billion. An additional \$135.5 million was required for economic recovery, with an added \$126.8 million assessed for social resilience, peacebuilding, and community security. These figures have now been eclipsed by the impacts of a new, more intense phase of the war beginning in February 2022.

Between February and June 2022, an additional [10,403](#) non-combatants were killed or wounded – a number the U.N. warns is incomplete and excludes totals from the country’s most besieged areas. More than [9.9 million](#) residents of Ukraine have left the country, the overwhelming majority of them women and children – this of a total population of 44 million. The number of registered internally displaced persons (IDPs), including those displaced since 2014, has now reached [7.1 million](#). The humanitarian situation is deteriorating rapidly along with access to critical services such as clean water, food, sanitation, and electricity, with [17.7 million people](#) requiring humanitarian assistance. The [World Bank](#) predicts that the country’s economy will shrink by 45 percent and up to 52 percent of citizens will live in poverty by the end of the year, up from 18 percent in 2021. A joint August 2022 World Bank, Government of Ukraine, and European Commission [Rapid Damage and Needs Assessment \(RDNA\)](#) puts aggregate losses in the country as of June 1, 2022, at more than \$252 billion with estimated reconstruction and recovery needs at \$348.5 billion.

Table 1. Estimated Damage, Losses and Needs by Sector as of June 2022 (US\$ billion)

Sector	Damage	Share %	Losses	Share %	Needs (over 10-years)	Share %
<i>Social Sectors</i>						
Housing	39.2	<b>40</b>	13.3	5	69.0	<b>20</b>
Education	3.4	<b>3</b>	0.5	0	9.2	3
Health	1.4	1	6.4	3	15.1	4
Social Protection and Livelihoods	0.2	0	4.5	2	20.6	<b>6</b>
Cultural Heritage and Tourism	1.1	1	19.3	<b>8</b>	5.2	2
<i>Productive Sectors</i>						
Agriculture	2.2	<b>2</b>	28.3	<b>11</b>	18.7	<b>5</b>
Irrigation and Water Resources	0.2	0	0.1	0	7.5	2
Commerce and Industry	9.7	<b>10</b>	47.5	<b>19</b>	20.8	6
Finance and Banking	0.03	0	8.1	3	8.0	2
<i>Infrastructure Sectors</i>						
Energy	3.0	3	11.7	5	10.4	3
Extractives	0.1	0	0.3	0	0.3	0
Transport	29.9	<b>31</b>	26.1	10	73.8	<b>21</b>
Telecom and Digital	0.7	1	0.6	0	3.3	1
Water Supply and Sanitation	1.3	1	6.8	3	5.4	2
Municipal Services (roads, transit, utilities)	2.3	<b>2</b>	4.3	2	5.7	2
<i>Cross Cutting Sectors</i>						

Environment, Natural Resource Management, and Forestry	2.5	3	0.7	0	1.2	0
Emergency Response and Civil Protection	0.1	0	0.2	0	0.7	0
Justice and Public Administration	0.1	0	0.03	0	0.2	0
Land Decontamination	-	0	73.2	29	73.2	21
<b>Total</b>	<b>97.4</b>	<b>100</b>	<b>252.0</b>	<b>100</b>	<b>348.5</b>	<b>100</b>

(\*Source: The World Bank)

“Damage”, “losses”, and “needs” are distinct categories in assessments of the impact of wars. Using the housing sector by way of example, “damage” refers to the estimated value at the time of destruction. “Losses” refers to the estimated value of household goods and rental income that are lost with the destruction of housing stock, for example. Staying in the same sector, “needs” refers to expense of demolition and debris removal, reconstruction expenses, as well as measures to establish interim subsidies, repair and rental arrangements, means to adjudicate property and damage claims, provide winterization assistance, and to develop a housing recovery, reconstruction, and funding mechanism.

## MEASURING THE TOLL OF WAR

While the *Rapid Damage and Needs Assessment* (RDNA) referenced above is but one more interim stocktaking exercise with the consequent shortcomings of assessments during active conflict, the effort did benefit from past experience. The RDNA reflects a growing recognition of the importance of leadership and engagement by a host government and local civic counterparts. Where this was absent (and difficult to accomplish) in Libya, Myanmar, Syria, and Yemen, subsequent obstacles made the implementation of a post-assessment roadmap more difficult. Where [such engagement was present](#), as in Georgia (2008), Pakistan (2010), and Ukraine in 2014, local authorities and civil society actors helped to define priorities, endorse assessment results, and partnered in the recovery process. Host government cooperation is particularly helpful in controlling institutional competition over resources, in reducing bureaucratic inertia, in directing resources to common priorities, and in dedicating long term expertise to reconstruction efforts. There is reason to believe this will be the case in Ukraine in the future, especially in the follow-up to the Ukraine Recovery Conference in Lugano, Switzerland, in July where the preliminary findings of the RDNA were compiled and introduced by the Ukrainian government as part of its [National Recovery and Development Plan](#).

The Ukraine RDNA also benefitted from years of discussion and refinements over which areas to include in such assessments. In addition to traditional measures of vanished economic potential and damage to a country’s essential infrastructure, the Ukraine RDNA and recent assessment in other countries includes measures of the debilitating psychological consequences of violence on former combatants and civilians, the legacy of explosive remnants of war, and the sacrifices associated with deferred education, healthcare, and livelihoods. Estimates of environmental impact and damage to cultural and “identity” infrastructure are also incorporated.

Often overlooked, however, and not included in the Ukraine RDNA or Kyiv's roadmap introduced in Lugano, is a recognition of the need for peacebuilding and social cohesion initiatives, as well as estimated costs associated with developing and implementing a reform agenda for improved governance and accountability during recovery and reconstruction. [Social cohesion indicators](#) in Ukraine before February 2022 demonstrated a pronounced east-west split in the country and strikingly low figures for government legitimacy at all levels and in all oblasts.

Moreover, a [July 2022 poll](#) found that 84 percent of Ukrainians opposed any territorial concessions to end the war, including 77 percent in Ukraine's east and 82 percent in the south, the two areas where most of the fighting now occurs. If an agreement ending the conflict entails an unpopular compromise or if reports of widespread corruption and oligarchical excess arise as recovery proceeds, the need to shore up the social contract will take on outsized importance. In a nation previously known for political volatility, politics will return.

## **RECOVERY UNDER FIRE?**

In the meantime, there is the problem of what to do with the figures that emerge from such interim assessments of damage, loss, and needs and from Kyiv's recently released recovery roadmap. The Lugano conference revealed a number of telling and common dilemmas inherent in planning recovery during ongoing conflict.

First, the conference resulted in agreement on seven "[guiding principles](#)" and the establishment of a political framework for further discussion, not an action plan for near-term disbursements and recovery initiatives, despite Kyiv's insistence that recovery must begin now. Donors remain cautious about committing to anything beyond supporting Ukraine's immediate survival needs and early recovery while the outcome of the war remains uncertain and the risk of further escalation remains high.

Second, no common vision emerged on when to invest in recovery, where to start, or how to invest responsibly. Instead, attendees [pledged to continue discussion](#) at an EU-sponsored reconstruction conference in October and in next year's Ukraine Recovery Conference to be hosted in the U.K. In the meantime, updated damage and needs figures will be required at least every six months, as will efforts to further define and implement Lugano principles such as multi-stakeholder engagement, coordination of effort, gender equality, civic inclusion, and a focus on governance and accountability reforms.

Third, the conference exposed the discord that exists over how and whether to use the hundreds of billions of dollars in frozen Russian assets for Ukraine's recovery and reconstruction needs. The Swiss expressed concern over due process and the precedent that such a move would set for international finance and the political economies of western nations. Kyiv and EU Commission President Ursula von der Leyen disagreed, with von der Leyen moving forward with legal preparations to justify the [forfeiture of Russian assets](#).

Separately, [the U.S.](#) is weighing use of its International Emergency Economic Powers Act (IEEPA), tariffs, or funneling payments for Russian oil into escrow accounts. In total, the value of Russian central bank assets and property seized from sanctioned individuals is estimated

between [\\$330 billion and \\$400 billion](#). These are resources that could assuage the concerns of donors over the risks and magnitude of commitments required from their own treasuries. Yet, the challenges to converting such assets into recovery funding are substantial, and it will likely take years to navigate such a process, particularly the disposition of central bank funds. The threat of losing part if not all of the frozen central bank assets in question, however, may prove to be a powerful factor in any eventual negotiations with Moscow.

## **NO TIME LIKE THE PRESENT**

There are several steps that can be taken now to expedite much needed recovery assistance to Ukraine. These are steps that will create a foundation for recovery and post-war reconstruction, engage the Ukrainian government in the recovery process, reassure donors that are apprehensive about recovery engagements amid ongoing hostilities, and contribute momentum to an eventual settlement process.

First, the Ukrainian government's capacity to collect and process damage and needs assessment data requires strengthening. Ukraine is an outlier among states in conflict in that it retains an ability to assemble data and technical assessments of ongoing damage and needs – to a point. Technical expertise is required to help Ukraine Prime Minister Denys Shmyhal's *Platform for Ukraine's Recovery* develop the ability to track damage and needs on an ongoing basis, using the recent RDNA as a baseline. This *Platform*, an inter-ministerial technical working group producing recovery plans and implementation guidance, requires minor investments to attract expertise and enhance the *Platform's* collection methodologies as well as its prioritization and reporting capabilities. A strengthened *Platform* will create a valuable public good for use in future recovery work. Twinning agreements with the World Bank and the EU as well as secondments of personnel from bi-lateral donor agencies will provide reassurance on the integrity of the *Platform's* products and methods. Ukraine will benefit from the technological transfer and available expertise while owning the planning process and managing internal competition among its ministries and regions.

Second, the Ukrainian government's own capabilities to coordinate the recovery response should be reinforced. Coordination is especially difficult during conflicts where mixed humanitarian and recovery operations are underway. Early rebuilding efforts in Bosnia before the end of that war in 1995 were [troubled](#) by poorly aligned housing rehabilitation policies and disagreements over the conditionality of assistance. Failures in Sierra Leone, Liberia, Afghanistan, and Iraq illustrate the continuing challenge of duplication, waste, and poor sequencing of aid during and after conflicts subside. Coordination efforts in Ukraine are presently divided among humanitarian actors (loosely organized under the U.N.); NGOs and bi-lateral actors interested in short-term stabilization assistance (organized under a new German-managed coordination platform); and larger, reconstruction-minded bi-laterals and multi-laterals contributing to the World Bank's *Ukraine Relief, Recovery, and Reconstruction Trust Fund* (URTF) and a planned *EU-Ukraine Gateway Trust Fund*. This partitioned arrangement, propelled by the structural biases of the assistance community, makes it difficult to apply a "[triple nexus](#)" approach of coordinated humanitarian, development, and peacebuilding assistance that Ukraine needs at this stage of the conflict.

One way to address this fragmentation is to assist Shmyhal's *Platform* to not only collect damage and needs data (as described above) but to also track the commitments and activities of assistance providers and implementers and to develop prioritized, evidence-based recommendations for timely recovery activities. There is a precedent for this. Since 2019, Ukraine's Ministry for the Reintegration of Temporarily Occupied Territories (MRTOT) has maintained an [online data portal](#) of assistance providers that are active in eastern Ukraine along with needs analyses, project lists, geographic location data, and recommendations for engagement. Significant technical assistance will be required to expand this portal as a foundation for country-wide coordination.

Third, Ukraine's recovery and EU accession should be connected so that Kyiv's EU aspirations can be an effective catalyst for progress on reform and recovery priorities. This will require mutual agreement between the EU and Ukraine on a reform agenda and the subsequent linking of disbursements to key reform benchmarks. Transparent procurement measures must also be established ahead of significant disbursements. Such procurement mechanisms can be developed now, enhancing Ukraine's own online "Pro Zorro" procurement platform with [options](#) such as fixed-price contracts (with clear deadlines, specifications, and outcomes), framework agreements using pre-vetted vendors, and protections for whistleblowers. Such measures will help to reassure donors and citizens over corruption concerns.

Fourth, despite disagreements over whether and how to use frozen Russian Central Bank assets to rebuild Ukraine, an effort by the EU to prepare the groundwork for the use of these resources should continue. Several countries have deep concerns over the precedent that using such assets would set for the banking industry and the future of the US dollar as a reserve currency. EU Commissioner van der Leyen counters that the comparatively easier path of liquidating assets seized from private Russian citizens should be expedited to increase pressure on the Kremlin while also pursuing the more complicated task of determining a way to rebuild Ukraine with frozen central bank funds. It is a sound approach. The realistic prospect of directing a portion, if not all of these assets to Ukraine's recovery will grow in significance as sanctions continue to erode Russia's economy.

Fifth, it will be important – and difficult – to maintain the remarkable social cohesion that Ukraine has shown since Feb. 24. Signs have already surfaced that solidarity is in danger of fraying as a result of Russia's "soft annexation" of areas under its control - even ahead of planned moves toward [formal annexation](#). Whether by design or coincidence, these moves are [reanimating pre-war tensions](#) and paranoia over the political and cultural alignments of citizens in eastern and southern Ukraine. In several areas under Russian control, Ukrainian government personnel have been [replaced](#) with pro-Russian officials. Russian Federation flags appear over administrative offices. School curricula are being [revised](#), marriage certificates are being [issued](#) under the authority of the Russian Federation, and Russian passports are being [distributed](#) to residents. In Melitopol and Kherson, the Russian ruble has replaced Ukrainian currency. Local and regional media [broadcast](#) pro-Kremlin content, and newly arrived Russian authorities are offering food packages and concessional rates for Russian mobile operator plans. A protracted conflict along a hardened line of division, increasing hardship as winter approaches, and a torrential flow of disinformation may reduce social cohesion in the country to its pre-war [lows](#).

when Kyiv politicians and war veterans talked of “walling off” the seditious “separatist territories” in the east while calling Ukraine’s President Volodymyr Zelenskyy “[traitorous](#)” for negotiating with the pro-Russian “peoples’ republics” of the region. More recently, in areas recently reclaimed by Ukraine, charges of “collaboration” are being leveled at teachers and public works employees that continued to go to work in areas that were under Russian control.

If these divisions resurface, settlement talks, recovery engagements, and consensus-building will become much more complex and politically unpredictable both inside and outside of Ukraine. Any “othering” of segments of the Ukrainian population should be avoided. Efforts to reconcile suspicious populations, moderate divisive references to citizens in the east and south, reach occupied areas with news and entertainment programming, and to continue administrative and social support while emphasizing a “one Ukraine” narrative is crucial.

These near-term steps can establish a foundation for effective recovery and reconstruction engagements while helping to regulate the centrifugal forces that often fracture international and host government responses during active conflicts. Not only will such moves reassure donors that are hesitant to provide recovery investments, they can also contribute momentum toward an eventual settlement to the conflict.

## **RECOVERY AND RECONSTRUCTION COMMITMENTS - AND THE PATH TO A SETTLEMENT**

At least [two approaches](#) to peace settlements apply to the situation in Ukraine. A “constitutive” school of thought suggests that comprehensive and detailed commitments by the parties and outside actors are essential to the durability and success of an agreement. Cambodia’s [Paris Agreement](#) (1991) as well as the [El Salvador](#) (1992) and [Guatemala](#) (1996) peace agreements are examples where the parties committed to the implementation of extensive social reforms, reconciliation activities, and governance initiatives with the international community then acting as arbiter and guarantor of these provisions. An “instrumental” approach to settlements takes issue with this focus on prescriptive content. Instead, agreements should simply be part of building momentum within larger transitions. Agreements can be imperfect, incremental, and ambiguous if that’s what’s required to maintain dialogue and progress toward additional milestones on the road to peace. The [Burundi](#) (2000) and [South Sudan](#) (2015) agreements serve as examples where mediators prioritized keeping key actors at the bargaining table over efforts to definitively end hostilities or address key recovery and repatriation concerns.

It is difficult to foresee what type of agreement will ultimately alter the course of the war in Ukraine; a comprehensive framework for the cessation of hostilities and a post-war peace or a more limited agreement along the lines of the [Minsk Accords](#) (2014/2015) and the recent [Istanbul communique](#) (2022). Whether an agreement leans constitutive or instrumental depends on such factors as the polarization of the parties, clarity concerning the toll of war on populations, the constraints of public opinion on leadership, the number or solidarity of the parties involved, international backing for various courses of action, the availability of a trusted and neutral arbiter, and the sources and degree of duress among those agreeing to negotiate. *Most of these factors will continue to change over time with regard to Ukraine.*



Commentators in Russia are now alternating between calls for a [negotiated settlement](#) and [greater aggression](#) toward Ukraine in the wake of Kyiv's recent battlefield gains. Within Ukraine, [public opinion](#) appears intolerant of compromises over territory, even to pre-February 2022 lines of control. It is also unclear what type of settlement the international community might support; restoration of Ukraine's sovereignty over territories within its 1991 borders or territorial concessions that may end the war earlier. While Ukraine's supporters are quick to maintain that the nature of any settlement is for [Kyiv to decide](#), an extended war requiring ongoing budget and military commitments by countries contending with inflationary pressures and energy shocks may incline key actors to press for a near-term solution that is at odds with Kyiv's desired outcome. There are also disagreements over requiring reparations from Russia, the [necessity of NATO membership](#) and [Turkey's role](#) as a trusted intermediary between the warring parties. Finally, the character of ongoing hostilities is creating political liabilities in Moscow as well as intensifying the [physical immiseration](#) of the population in Ukraine. A long duration conflict over a difficult winter may continue to recalibrate the levels of distress experienced by the prospective parties to any eventual settlement.

Whatever form an eventual settlement may take in Ukraine, there are no standard models for how recovery and reconstruction commitments may expedite progress toward negotiations or help to consolidate an agreement once it is in place. There are examples, however, of activities that build consensus around a preferred outcome and that support norms associated with peace processes. These are often context-specific and are most easily examined in a phased manner.

Pre-settlement activities taking place during an ongoing conflict that have no direct relationship to an existing or future settlement may nonetheless create an important basis for an eventual agreement. At times, this may be straightforward, as in [Afghanistan](#) (April 2019) where a loya jirga (consultative grand assembly) convened to discuss approaches to eventual peace talks with the Taliban. Foreign assistance actors underwrote the extensive preparations for the event as well as facilitation, publicity, and outreach costs. Where there is no focusing event like a loya jirga, however, the influence of recovery and transitional initiatives on an eventual settlement is less direct. Generalized programming that addresses polarizing [mis- dis- and malinformation](#) (MDM); documents [human rights abuses](#); promotes [social cohesion](#); strengthens the [self-help capacities of civic actors and local governments](#); improves [local conflict resolution capacities](#); sustains selective [communications and cooperation across lines of control](#); enhances effective [planning and coordination](#) capacities; and improves access to basic services contributes to expectations over what an eventual peace process should address and the norms concerning how it should be negotiated. The [United States Institute of Peace's](#) (USIP) efforts in Colombia in the decade before the [2016 Final Agreement](#) are illustrative. The Institute's work convening key leaders, its contributions to a coordinated response platform, work to develop local and national-level peace commissions, and support to a broad base of civic groups to address local grievances created an important base of support for eventual negotiations.

The influence of recovery and reconstruction pledges during the negotiation of an interim or final settlement is less circuitous. Narrowly focused, instrumental-type settlements concerned with the cessation of hostilities, for instance, regularly contain international commitments

underwriting [disarmament, demobilization, and reintegration](#) (DDR) programs, including commitments to support the [livelihoods of former fighters](#), literacy and numeracy skills, access to land, rights of [repatriation and return](#), guarantees of [humanitarian access](#), and [amnesty conditions](#). Guarantees like these by external actors are often essential to the finalization of a settlement, as was the case in the multi-year [Ouagadougou Political Agreement](#) (OPA 2007), in the [Central African Republic](#) (2008), and most recently in [Libya](#) (2022).

Larger, constitutive framework type agreements contain provisions like these and more. Donor countries and multilateral institutions may pledge to finance and endorse [transitional justice mechanisms](#), [security sector reform](#), [power-sharing arrangements](#), elections and/or [national dialogues](#), [reparations arrangements](#), membership in regional organizations (e.g. NATO), [sanctions relief](#), institutional reforms (e.g. rule of law), [wealth sharing](#) (e.g. over natural resources such as oil or coal), and guarantees of “[war insurance](#)” by foreign countries in support of private investment in conflict-affected areas. Examples include [Sierra Leone](#) (1999) on DDR and power sharing; [Colombia](#) (2016) on institutional reforms, transitional justice, reparations, and DDR; [Angola, the Former Yugoslavia, Haiti, and Libya](#) for sanctions suspensions that rewarded mediation progress; and the Comprehensive Peace Agreement (CPA) in [Sudan](#) (2005) on wealth sharing, political governance arrangements, access to land, and a great deal more.

## **TRANSITIONAL ENGAGEMENTS AND PROGRESS TOWARD A SETTLEMENT UKRAINE**

The five recommendations offered above are important first steps to prepare the groundwork for recovery assistance, to reassure donors, and to add momentum toward an eventual settlement. Strengthening the *Platform for Ukraine’s Recovery* to coordinate and conduct ongoing damage and needs assessments will promote effective assistance operations as well as inform any upcoming negotiations over reparations and transitional justice mechanisms. Clarification of Kyiv’s reform commitments, conditionalities linked to EU accession, and transparency measures will speed the delivery of recovery and reconstruction resources and make formulating such provisions in any eventual settlement far easier while framing the technical assistance commitments required of donors. Proceeding with the measures necessary to liquidate Russian assets will animate negotiations over compensation and sanctions relief, while social cohesion and outreach initiatives will contribute to social solidarity during and after a settlement process.

Additional commitments, along the lines of the examples provided for pre-agreement, instrumental, and constitutive settlements, are relevant to Ukraine. In a *pre-agreement period*, continued assistance to professional media and for initiatives countering divisive MDM will be necessary to dispel rumors concerning negotiations and the terms of any prospective agreement. Documentation of human rights abuses and war crimes will contribute to negotiations over accountability mechanisms and reparations. Continued assistance to civic actors and local administrations will sustain important counterparts that are necessary for relaying settlement provisions to local populations and the devolved implementation of agreements. Similarly, establishing property adjudication mechanisms, restoring cadastral

records, ensuring the timely reissuance of personal records and documentation, re-establishing regional and district level governance and administrative infrastructure, and establishing access to basic services will prepare the groundwork for citizen participation in settlement processes and strengthen the social contract ahead of a potentially contentious negotiations process. Organizing representatives of key constituencies such as [veterans and the displaced](#) ahead of a settlement process will clarify their interests for negotiations strategists. Perception polling will help leadership understand the opinions of diverse populations and, if a national dialogue is envisioned ahead of negotiations, technical assistance and facilitation resources may be required.

International commitments *during and after negotiations* will be necessary to implement central provisions in a prospective settlement, be it instrumental or constitutive in nature. Endorsement of NATO accession, amnesty arrangements, reparations and compensation mechanisms, sanctions relief, and commitments to strengthen Ukrainian security sector actors will require international guarantees, depending on the context of settlement talks. Moves to strengthen Kyiv's reform process and to deliver reconstruction resources upon satisfactory progress against reform benchmarks may also be required. Guarantees to support the demobilization and reintegration of an extraordinary number of military personnel and informal combatants in the country will be crucial – Ukraine struggled to reintegrate and provide care to a comparatively small number of veterans prior to 2022. International commitments will also be required for sub-national priorities in conflict-affected areas to provide for localized and regional reconciliation and justice mechanisms. If a post-agreement referendum to validate a settlement is envisaged, support for the execution of such an exercise may be provided.

## **POSTSCRIPT AS PROLOGUE: OVERCOMING DELAY AND DISORGANIZATION**

Disorganization and delay are two consistent threats to effective recovery operations and settlement preparations during ongoing hostilities. “Disorganization” in the context of Ukraine refers to coordination deficits, enduring ambiguity over assistance priorities, a need to identify reform benchmarks, and differences of opinion over the degree and modalities through which Kyiv should lead recovery and reconstruction efforts. “Delay” refers to timely use and updating of interim damage and needs figures, slowness in developing transparency measures ahead of investments, and vacillation over the liquidation of Russian assets. The halting progress that results from this disorganization and delay can be corrected. The measures and commitments suggested here are a sampling of moves intended to overcome the hesitancy and disorder that characterizes recovery activities to date and the disconnection of planning and programs from the inevitable settlement process to come. Ukraine commands the attention, potential resources, talent, and determination to chart a better course through the present crisis. It is now the role of Ukraine's supporters to provide responsible and timely commitments to help those affected by the war survive its torment, endure the aftermath, and hasten the arrival of a just peace.