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BRIEF

Russia-Ukraine Conflict: Situational Updates

ZEROFOX INTELLIGENCE

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Scope Note

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Russia-Ukraine Conflict: Situational Updates

Executive Summary

The Russian Defense Ministry said that 1,730 Ukrainian defenders of Mariupol's Azovstal steel plant have left the complex since evacuations began on May 16, 2022. It is unclear how a prisoner exchange between Ukraine and Russia will proceed, and some evacuees will likely face criminal proceedings in Russia on charges of association with the Azov Battalion. Sweden and Finland formally submitted their applications for NATO membership on May 18, 2022, but their quick approval may be held up by Turkish opposition. The first war crimes trial for a captured Russian soldier began in Kyiv on May 13, 2022, and the soldier has since pleaded guilty to charges of killing a civilian.

Analyst Commentary

Ukrainian Deputy Defense Minister Ganna Malyar announced on May 16, 2022, that more than 260 soldiers had been evacuated from the besieged Azovstal iron and steel works plant in Mariupol. It was the first major evacuation of Ukrainian combatants from the steelworks complex; hundreds of soldiers and thousands of civilians held out for weeks under Russian bombardment. According to the Ukrainian General Staff, 53 of the evacuees were heavily wounded and taken to a medical facility in Novoazovsk, east of Mariupol, and 211 were evacuated through a humanitarian corridor to separatist-held Olenivka.¹ On May 17, 2022, the Ukrainian Defense Ministry said that an operation to extract the rest of the soldiers still trapped inside Azovstal was underway. Malyar also said that a process to exchange prisoners with Russia would begin soon, but no mechanism for an exchange has yet been agreed to.

The Russian Defense Ministry confirmed that an agreement was reached to evacuate wounded soldiers, stating on May 19, 2022, that 1,730 soldiers in total had left Azovstal

¹ <https://www.facebook.com/GeneralStaff.ua/posts/318566267123125>



since evacuations began three days prior. Russian government statements since the initial evacuation, however, are unclear as to whether the evacuees will be treated as prisoners-of-war or criminals.² On May 17, 2022, the defense ministry said that the first group of Azovstal defenders had “laid down their arms,” and official government statements maintain that the Ukrainian combatants are “surrendering” to Russian forces. Comments from Russian politicians have been even less ambiguous; the Russian State Duma drafted an order on May 17, 2022, banning the exchange of Azov battalion soldiers for Russian troops. Duma Speaker Vyacheslav Volodin said that Russia would not allow the exchange of “Nazi criminals,” and Chairman of the International Affairs Committee Leonid Slutsky proposed a moratorium on the death penalty for Azovstal evacuees found guilty of war crimes.³

Political and judicial developments in Russia since the evacuations began suggest that some of the Azovstal evacuees will face trial in Russia on charges of extremism. Russia’s Justice Ministry announced that the Supreme Court will consider its request to officially designate the Azov Battalion as a terrorist organization on May 26, 2022. The designation would make any activity associated with the military group illegal in Russia and greatly increases the risk for Ukrainian combatants evacuated from Azovstal, should they face court proceedings in Russia or Russian-occupied territory.⁴ Such a scenario appears increasingly likely. On May 18, 2022, the Russian media outlet *161.ru* reported that 89 Ukrainian combatants were taken to a detainment center in the Russian city of Taganrog, after which those found to be affiliated with the Azov Battalion will likely face trial.⁵

International Response

On May 15, 2022, the Finnish government announced that it would apply for NATO membership.⁶ One day later, Swedish Prime Minister Magdalena Andersson announced her government’s intent to do the same.⁷ Neither country was considering joining the military alliance prior to Russia’s February 24th invasion of Ukraine; however, popular support for NATO membership has since skyrocketed in both countries, and both submitted their applications on May 18, 2022. Russian President Vladimir Putin reacted mildly to the news, saying that Sweden and Finland joining NATO would not pose a problem for Russia but warning that Russia would respond if either country were to host NATO military infrastructure.

² https://t.me/mod_russia_en/1661

³

<https://www.themoscowtimes.com/2022/05/17/russia-says-256-azovstal-defenders-surrendered-a77705>

⁴ <https://www.interfax.ru/russia/841315>

⁵ <https://161.ru/text/politics/2022/05/18/71339699/>

⁶ <https://twitter.com/FinGovernment/status/1525781395125174276>

⁷ <https://twitter.com/SwedishPM/status/1526280892209147907>



The ratification process for NATO applicants requires unanimous consent for new members, and Turkish President Recep Tayyip Erdogan signaled that Turkey would not approve the membership of Sweden and Finland. President Erdogan said that the two countries should not even send foreign delegations to negotiate terms for their admission, suggesting that his approval will present a major obstacle to NATO expansion. The main issue appears to be Turkey's criticism of Swedish domestic policy toward its Kurdish population and the activity of the Kurdish Workers' Party, which is considered a terrorist organization in Turkey. In a speech to Turkish Parliament, President Erdogan said that the NATO applicants had refused to turn over 30 Kurds accused of terrorism in Turkey. Croatian President Zoran Milanovic also signaled possible opposition to the new prospective NATO members.

Anatoly Bibilov, outgoing President of the breakaway Georgian province South Ossetia, announced that the region will hold a referendum on joining Russia on July 17, 2022. The referendum will pose one question to voters: "Do you support the unification of the Republic of South Ossetia and Russia?" The U.S. State Department said that it will not recognize the results of a referendum, and Georgia has called the proposed referendum "unacceptable." South Ossetia is officially recognized by most countries as part of Georgia. Russia recognized the independence of South Ossetia and fellow breakaway province Abkhazia in 2008, following the Russo-Georgian war. Kremlin Press Secretary Dmitry Peskov said that Russia has no plans to officially support the referendum efforts.⁸

Physical Security Impacts

Ukrainian forces continue to push Russian positions further east of Kharkiv and have reportedly reached the border with Russia's Belgorod oblast in some locations. The immediate focus of the Russian offensive in the Donbas remains the advance toward, and attempted encirclement of, Severodonetsk and Lysychansk, but Russian troops do not appear to have made significant progress in the past week. Russia has likely taken full control of Mariupol after the Azovstal iron and steel works plant's last defenders left the complex on May 19, 2022. The Ukrainian Ministry of Defense claims that Russia is preparing to tour foreign journalists around the occupied city in the coming days, but this is unconfirmed.⁹

A Russian court announced on May 13, 2022, that it was extending the pre-trial detention of Britney Griner for another month into June. She was detained in Moscow's Sheremetyevo airport in February on charges of carrying vape cartridges that contained cannabis oil. U.S. Ambassador to Russia John Sullivan said that the Russian Ministry of Foreign Affairs has denied the embassy's request to visit Griner in

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<https://presidentruo.org/anatolij-bibilov-podpisal-ukaz-o-naznachenii-referenduma-respubliki-yuzh-naya-osetiya/>

⁹ <https://www.facebook.com/DefenceIntelligenceofUkraine/posts/314082754236485>



prison three times in the past month. The U.S. State Department considers Griner to be wrongfully detained.¹⁰

On May 13, 2022, a Kyiv court began Ukraine's first war crimes trial against an imprisoned Russia soldier. A 21-year-old Russian sergeant pleaded guilty on May 18, 2022, to allegations of killing a civilian in Chupakhivka on February 28, 2022, and Ukrainian prosecutors requested that he receive a life sentence.¹¹ Ukraine is expected to start war crimes trials for two other Russian soldiers on May 19, 2022, and has reportedly begun investigations into thousands of war crimes claims. The International Criminal Court has also said that it is sending its largest-ever field deployment of investigators and staff—a 42-person team—to Ukraine to begin war crimes investigations.¹²

¹⁰

<https://www.themoscowtimes.com/2022/05/13/russia-extends-drug-detention-of-us-basketball-star-griner-a77677>

¹¹ <https://twitter.com/MelissaBellCNN/status/1525049525982965761>

¹²

<https://www.aljazeera.com/news/2022/5/17/icc-sends-largest-ever-investigative-team-to-war-torn-ukraine>



Appendix: Traffic Light Protocol for Information Dissemination

Red

WHEN SHOULD IT BE USED?

Sources may use TLP:

RED when information cannot be effectively acted upon by additional parties and could lead to impacts on a party's privacy, reputation, or operations if misused.

HOW MAY IT BE SHARED?

Recipients may NOT share TLP:

RED with any parties outside of the specific exchange, meeting, or conversation in which it is originally disclosed.

Amber

Sources may use TLP:

AMBER when information requires support to be effectively acted upon but carries risks to privacy, reputation, or operations if shared outside of the organizations involved.

Recipients may ONLY share TLP:

AMBER information with members of their own organization and only as widely as necessary to act on that information.

Green

WHEN SHOULD IT BE USED?

Sources may use TLP:

GREEN when information is useful for the awareness of all participating organizations, as well as with peers within the broader community or sector.

HOW MAY IT BE SHARED?

Recipients may share TLP:

GREEN information with peers & partner organizations within their sector or community but not via publicly accessible channels.

White

Sources may use TLP:

WHITE when information carries minimal or no risk of misuse in accordance with applicable rules and procedures for public release.

Recipients may share TLP:

WHITE information without restriction, subject to copyright controls.