

Peacebuilding and Conflict Prevention in the EU's Neighbourhood: The Case of Ukraine

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1. Introduction

Conflict prevention has a central place in the foreign policy of the new European External Action Service (EEAS). However, the EU has not managed to translate its commitment to conflict prevention into specific policies and strategies, the mobilisation of expertise and allocation of resources. The EU's current conflict prevention strategies include diplomatic political dialogue with conflict-prone countries outside the EU, generic democratisation and development assistance programmes (which have only a random chance of preventing conflict), and crisis intervention. Conflict prevention is not mainstreamed into long-term development and political reform assistance, and targeted interventions into conflict are ad hoc and short-term. The potential of the sophisticated conflict early warning system available to EU policy makers is seriously levelled by the 'response gap' that exists. The EU's ability to act quickly to prevent a conflict is restricted by clash of national interests of Member States and lack of leverage with countries outside the EU that are arenas for latent or acute conflicts to generate consent to a conflict prevention intervention.

While Ukraine presents a clear case for conflict prevention – for strategies to be designed, resources allocated and action taken before violence erupts¹ – conflict prevention is hard to sell to both national authorities and EU decision makers when no violence has ever erupted in Ukraine, its country borders are intact and people can move freely. The balance between appearing alarmist and bearing the responsibility for having miscalculated or ignored the risk of conflict escalation is hard to strike: losses prevented cannot be estimated with the same precision as losses incurred. Furthermore, the current Ukraine Government, which is moving the country towards EU integration, is trying to downplay any existing tensions and project a sense of stability.

This paper analyses EU policies that concern Ukraine (such as the European Neighbourhood Policy [ENP] and the EU Association Agenda) with regard to the prominence of conflict prevention as a goal and as a criterion for the assessment of political and economic reform proposals and their implementation. Four major conflict risk areas are described and the deficiencies in the EU policies with regard to each of these areas identified. On this basis, recommendations are made.

This paper contends that the EU may succeed in the prevention of conflict in Ukraine and the consolidation of peace if this becomes the focus of the EU-Ukraine rapprochement.

¹ Jacob Berkovitch and Richard Jackson, *Conflict Resolution in the Twenty-first Century: Principles, Methods and Approaches*, (Michigan: University of Michigan Press, 2009), p.90.

Achievement of this goal requires the conceptual adjustment of the political and programmatic components of the EU-Ukraine relationship, along with the effective coordination of efforts with other agencies, both international and domestic, that work on conflict prevention in order to avoid duplication of conflict prevention efforts and to increase their cumulative cost effectiveness.

2. Background: Conflict in the Ukraine

Independent Ukraine has never experienced intra-state violent conflict or engaged in violent conflict with another state. Some experts predict that numerous latent internal and external tensions in the Ukraine may manifest one day, while others hope that this special Ukrainian phenomenon of not sliding into violence, no matter how tensions mount, will endure. Ukraine does not fall into the category of Eastern Neighbourhood countries that have been in a state of protracted violent conflict over the status of a particular territory or the leadership of the country – yet it has never been quiet in Ukraine.

The examples of conflict escalation that Ukraine has gone through include: political crises that most vividly, but non-violently, manifested themselves in the days of the Orange Revolution in 2004; once in a while, the escalation of conflicts over land and symbolic landmarks between Crimean Tatars and the Slavic population in Crimea, which have never led to mass violence, although incidents of heightened confrontation were sadly marked by a few casualties; and periodic rhetorical and economic ‘wars’ with Russia over gas, the Black Sea Fleet in Sebastopol and historical grievances. Ukraine became close to imagining itself at war with Russia in 2008 in the aftermath of the August 2008 Russian-Georgian war. Europe became highly alert to the possibility of the repetition of the Russian invasion scenario in Ukraine under the premises of protecting its citizens in Crimea, the majority of which allegedly hold Russian passports. The French Foreign Minister, Bernard Kouchner, was quoted by media around the globe as saying that, after Georgia, Russia may have other ‘objectives’, such as Crimea. Some commentators rushed to name Crimea Europe’s new flashpoint.²

Tensions between Ukraine and Russia culminated in August 2009 after the open letter from Russian President Medvedev to then Ukrainian President Victor Yushenko. In October 2009, the same day as the Ukrainian Minister of Foreign Affairs together with his Russian counterpart reiterated their willingness to resolve all outstanding issues between Ukraine and Russia through negotiation, the Russian Parliament adopted a law to strengthen the President’s power to use military force abroad should Russian citizens in a given country or

² Taras Kuzio, *The Crimea: Europe’s Next Flashpoint?*, (Washington, DC: Jamestown Foundation, 2011), accessed 3 June 2011, available at http://www.taraskuzio.net/media13_files/30.pdf

region come under threat. Russian pressure to extend the lease for the Black Sea Fleet in Sebastopol beyond the agreed deadline was responded to by Ukrainian President Yushenko alerting NATO to the destabilisation caused by the Russian military presence in Crimea and the threat it posed to the national security of Ukraine.

The word 'war' made its way into the Russian-Ukrainian political and media discourse. This 'firestorm with no fire'³ calmed down rather quickly and was partly caused by deficient analysis of the situation based on schemata, guided by the emotion of politicians and experts, and partly by the sensation-thirsty media. However, the situation is indicative of the readiness of both sides to 'pick up the fight'.

3. EU Policies

There are two bilateral documents that define the legal and political framework of EU-Ukraine relations. The first is the Partnership and Cooperation Agreement (PCA) and Action Plans, which define the parameters of the political dialogue between the EU and Ukraine and the scope of issues to be dealt with by the sub-committees. In Ukraine, the PCA is to be replaced by the European Union Association Agreement, which includes the Deep and Comprehensive Free Trade Area (DCFTA). As the preparation of the Association Agreement will take some time, the Association Agenda⁴ was adopted on 24 November 2009 to facilitate the entry into force of the Association Agreement.

The second bilateral document is the Country Strategy Paper (CSP), which comes within the overarching framework of the European Neighbourhood Policy (ENP). The CSP for Ukraine covers the period from 2007 to 2013.

There are also regional framework documents that address matters of co-operation between ENP countries and their neighbours – some of which are EU Member States, others are ENP participating states, and yet others, like Turkey and Russia, have a special status in their relations with the EU. The Eastern Regional Programme was designed within the European Neighbourhood Policy Instrument (ENPI) as a supplement to the bilateral ENP Action Plans. The regional dimension supports the co-operation of ENP countries on issues that require a regional format for their solution. Another regional policy document that concerns Ukraine is

³ V. Solovyov (B. Соловьев), [Громы без молний, "Êïïãðñàíóó Âëãñòó" \('Firestorm without fire', *Kommersant-Vlast* magazine\), No.34 \(838\), \(31 August 2009\), \[online\], accessed 3 June 2011, available at <http://www.kommersant.ru/vlast/47445>](http://www.kommersant.ru/vlast/47445)

⁴ European Commission, External Relations, *EU-Ukraine Association Agenda to Prepare and Facilitate the Implementation of the Association Agreement*, [online], accessed 3 June 2011, available at http://www.eeas.europa.eu/ukraine/docs/2010_eu_ukraine_association_agenda_en.pdf

the 'Black Sea Synergy – A New Regional Cooperation Initiative', which was adopted by the EU Council in May 2007.

Reports on the implementation of the ENP in Ukraine provide details of what the reforms stipulated in the Country Strategy Paper and Association Agenda may mean for conflict escalation or prevention, as the domestic and external challenges to convergence with EU standards may affect the conflict dynamic in Ukraine. In particular, the latest report on the implementation of the ENP in Ukraine in 2010 fleshes out several points of tension, which are not explicitly labelled conflict epicentres, but in essence are.

While references to the divisions and tensions in Ukraine do appear in the EU documents, these are not considered conflicts. In the Country Strategy Paper for Ukraine for 2007–2013, which was being put together during the first crisis between President Yushenko and the Government, it is stated that 'the challenges the new government is facing are considerable and the first months have shown that the difficult 'cohabitation' between the President and the new Prime Minister has created considerable tension'.⁵ The list of tensions within Ukraine and between Ukraine and Russia continues:

*'Relations with Russia have been difficult since the Orange Revolution and reached a head with the gas price dispute end of 2005/beginning of 2006 [...] Unresolved disputes include the issues of border demarcation and the presence of the Russian Black Sea Fleet in Sebastopol.'*⁶

The presence of the Russian Black Sea Fleet in Ukrainian territorial waters was highlighted in the European Parliament's new EU Black Sea Strategy (2010)⁷ as a concern for regional security. However, the European Parliament assesses the presence of the Russian Black Sea Fleet as a stabilising factor in the short-term because of the role it has on defusing the concerns of the substantial Russian population in Crimea and Sebastopol; however, long-term stability will be hard to attain until the Russian Black Sea Fleet is based outside of Ukraine.

In its Resolution of 7 April 2011, the European Parliament stressed that neighbouring countries granting passports to citizens of Eastern Partnership countries '– as in the case of

⁵ European Neighbourhood and Partnership Instrument, Ukraine, *Country Strategy Paper (2007–2013)*, http://ec.europa.eu/world/enp/pdf/country/enpi_csp_ukraine_en.pdf

⁶ *Ibid.*

⁷ European Parliament, *European Parliament Resolution of 20 January 2011 on an EU Strategy for the Black Sea, 2010/2087(INI)*, Strasbourg, 20 January 2011 [online], accessed 12 June 2011, available at <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0025+0+DOC+XML+V0//EN>

Georgia, Ukraine and Moldova – may have the effect of destabilising those countries, and may thus be contrary to the security and interests of the EU itself’.⁸

The EU has reacted to conflicts in Ukraine in several instances. These reactions have taken the form of direct intervention into crises, the acknowledgment of tensions and divisions within Ukraine, in political documents, and the allocation of funds. For instance, the paragraph on ‘Ensuring respect for the rights of persons belonging to minorities’ in the Association Agenda⁹ could be considered as a way of addressing inter-ethnic tensions in Ukraine. These tools are all referred to as ‘soft power’ by the EU. In the memorable days of the political confrontation over the election results in December 2004, the EU High Representative for Common Security and Defence Policy (CFSP), the Presidents of Poland and Lithuania, and the missions of the European Parliament acted as mediators between outgoing President Kuchma and the new President-to-be Yushenko.

The Russian-Georgian war in August 2008 and the ‘media war’ between Russia and Ukraine that followed prompted several top-ranking European diplomats to pay visits to Crimea in 2008 and 2009. European attention on Crimea resulted in the decision by the EU Delegation in Ukraine to make Crimea a pilot site for the implementation of the Eastern Partnership. The EU Joint Co-operation Initiative in Crimea (JCIC) was launched and two EU information centres were opened on the peninsula, in Simferopol and Sebastopol.

However, conflict prevention in Ukraine and between Ukraine and its neighbours was never explicitly addressed in any of the EU’s bilateral or regional policy documents. Conflict and conflict prevention are only mentioned in these documents in relation to the EU Border Assistance Mission to Moldova (EUBAM), the mechanism recognised as a successful measure in facilitating the resolution of the Moldova-Transnistria conflict and in which the Ukraine plays a positive role, and in relation to Ukraine’s participation in EU missions in conflict zones around the world.

The European Parliament is the EU institution that is most alert to the tensions in and around Ukraine. In its assessment of the tensions that led to the Orange Revolution, the European Parliament acknowledges ‘deep divisions within Ukraine and the splits along cultural and regional lines affecting the unity of the country, which were exacerbated by the political stand-

⁸ European Parliament, *European Parliament Resolution 7 April 2011 on the Review of the European Neighbourhood Policy – Eastern Dimension*, Strasbourg, 7 April 2011, [online], accessed 3 June 2011, available at <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0153+0+DOC+XML+V0//EN&language=EN>

⁹ European Commission, External Relations, *EU-Ukraine Association Agenda to Prepare and Facilitate the Implementation of the Association Agreement*.

off between the candidates', as well as 'continuing threats of separatism in Ukraine'.¹⁰ As a political institution, the European Parliament called on the political contenders to bridge the societal divisions and urged the international community to affirm its commitment to the territorial integrity of Ukraine. The language is not very different from that in the discourse on the conflicts in the South Caucasus. However, the European Parliament's concern never translated into explicit support for conflict prevention in Ukraine by the European Council and Commission. Instead, a structural transformation of the aspects of the Ukrainian polity and society that may heighten tensions and aggravate divisions was adopted as a way forward. Structural transformation of the context in which grievances and unresolved issues persist is a solid approach to conflict prevention. However, transformation of institutions, policies, laws and procedures that were not designed for conflict prevention may miss the target, or even be used by conflicting parties to prevail over their opponent. If needs and grievances are not addressed, any structure, no matter how democratic, can be hijacked to mobilise one group against the other. In addition, if conflict prevention is not explicitly interwoven into the structural support measures, the impact of these measures on the conflict dynamic cannot be properly estimated.

If conflict prevention is not set as a goal and specific strategies are not designed to meet this goal, reforms and financial assistance stimulated from outside may even cause damage. Firstly, latent conflicts may manifest because they have not been factored in or are inappropriately addressed in the strategies at the design and implementation phases. This could be due to flawed conflict analysis, a political decision to downplay latent conflicts, conflict-insensitive programming, inappropriate staffing at the planning and operational level or rigidity of the bureaucracy accompanying strategy implementation. Secondly, the declared goals of the intervention in a conflict-prone may not be fulfilled or may be perceived as benefitting one stakeholder group at the expense of the other. This can aggravate pre-existing tensions and create new ones. If conflict mapping and forecasting is not incorporated into the design of structural reforms, these challenges may inhibit or even nullify the effect of the intervention. Both of these issues are pertinent to the design and implementation of EU policies with regard to Ukraine.

In the case of Ukraine, constitutional reform and changes in the electoral legislation, which are top priorities on the Association Agenda, can be considered as structural conflict prevention strategies, because the current state of affairs clearly benefits the incumbent government and the political party behind it, while the opposition, both parliamentary and those outside of the

¹⁰ European Parliament, *European Parliament Resolution on the Results of the Ukraine Elections*, P6_TA(2005)0009, Strasbourg, 13 January 2005, [online], accessed 12 June 2011, available at <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2005-0009&language=EN>

parliament, are disadvantaged. In this situation, an event like the possible arrest of Yulia Tymoshenko¹¹ may trigger conflict escalation.

The process of the integration of Ukraine into the EU security, political and economic orbit seems to be irreversible. Experts agree that, for Ukraine, irrespective of the leadership, European integration is the only way forward. Once the highly divisive NATO accession issue has been taken off the political agenda, the Ukrainian public and politicians found themselves more consolidated on the matter of Ukraine's European future. This is particularly true among the young generation.

However, recent polling data suggest that this may be an optimistic appraisal. The Ukrainian public is divided on the matter of EU accession.¹² The latest data is not available, but division on the issue of joining EU still exists. It is worth noting that the share of EU integration supporters has dropped from 65% in 2002 to 44% in 2009, while the share of opponents increased from 13% to 38%¹³. It seems that EU 'carrots' may not work. Conditionality, in the absence of definite support for Ukraine's accession to the EU, may be counterproductive.

Indeed, European-level prosperity, liberties and security are highly desired by the average person anywhere in the European neighbourhood. However, public support for the course towards Europe depends on the price an ordinary person has to pay. In general, political and economic transition is the most dangerous with regard to the risk of conflict manifesting. Relative deprivation either vis-à-vis the expected speed of improvements or vis-à-vis a certain group (an out-group, as a rule) getting more, may instigate conflict.

There seems to be a lack of vigilance with regard to the possible conflict escalation chain reaction that the EU integration process may inadvertently trigger. At the same time, the Ukrainian leadership is not keen to publicise the conflict potential in the Ukraine at this moment. They claim they are in control, and the EU is content with the visibly greater stability.

EU officials regard Ukraine as an ever more stable country compared to the times of the Yushenko Presidency. They assess the risk of any sudden geopolitical escalation as very low. However, the EU message to the Ukrainian authorities is: explain to the people what the process of integration with the EU means, the gains and the possible side effects. The EU sees the main cause of the rising public dissatisfaction as lack of transparency in the process

¹¹ Yulia Tymoshenko co-led the Orange Revolution in 2004 and was the Prime Minister of Ukraine from 24 January to 8 September 2005, and again from 18 December 2007 to 4 March 2010.

¹² Razumkov Centre, *Does Ukraine Need to Join the European Union?*, *Sociological Poll*,

2002–2008, [online], accessed 12 June 2011, available at http://www.razumkov.org.ua/eng/poll.php?poll_id=387

¹³ *Ibid.*

of Ukraine moving closer to Europe. Ukrainian President Yanukovich has to convince the entire nation of the gains of integration with Europe, not half of it, and this is a challenge in a divided country.

The EU also does not see any grounds for internal political conflict, because the credit of trust to any political party, except the Party of Regions which managed to consolidate the majority vote, has been greatly depleted. Thus, in the EU's opinion, the chances that the Maydan¹⁴ is repeated are slim.¹⁵

EU officials base their rather favourable forecast in relation to internal developments in Ukraine on the attractiveness of the Deep and Comprehensive Free Trade Area (DCFTA) and the Association Agreement. Counter-proposals to Ukraine by Russia are unlikely to be of comparable attractiveness as they are usually short-term and short-lived solutions; besides, the Ukrainians are suspicious of any offers by Russia. Ukraine's interlocutors on the EU side are convinced that Ukraine has made the choice between Russia and Ukraine and that it joining the Customs Union would signify that it gravitates towards Russia, which is not the case anymore, in their opinion.

But, the EU is open to trilateral formats that may serve the goal of conflict prevention. For example, the EU does not oppose Ukraine signing a Free Trade Agreement (FTA) with Russia as a step towards the Ukraine-proposed Customs Union formula 3+1.¹⁶ Experts doubt that a solid gas price offer from Russia will be so easily outbid by DCFTA, the benefits of which are largely unclear to the economic actors, not to mention the general public.¹⁷

In the eyes of some EU officials, uncertainty about Ukraine's EU membership may be a positive factor in the stimulation of internal political and economic development.

4. Conflict Risk Factors: What is Missing in the EU Analysis

There are four main conflict risk factors inherent in the Ukrainian political, ethno-national and socio-economic context: (i) contested sovereignty and internal geopolitics, (ii) national division,

¹⁴ Maydan Nezalezhnosti (Independence Square) in Kyiv was the center of the Orange Revolution in December 2004.

¹⁵ Some Ukrainian experts, however, warn that in the void of ideologically-driven political movements that present an alternative to the ruling party, ultra-nationalists in the West, such as the 'Svoboda' party led by Mr Tyagnybok, may gather a substantial number of supporters among Ukrainians who are disillusioned with the Orange coalition and are not from the Party of Regions constituency.

¹⁶ Russia, Belarus, Kazakhstan and Ukraine

¹⁷ DCFTA has not yet been translated into Ukrainian. The translation and verification of the translation will take another several months.

(iii) ethnic minorities, and (iv) socio-economic disparities. These factors do not feature as conflict risks in the documents defining the EU's policies towards Ukraine, the Black Sea Region and Eastern Neighbourhood.

Contested Sovereignty and Internal Geopolitics

In August 2010, 59.1% of Ukrainians said they would vote for Ukrainian independence, while 40.9% said they would either vote against (21.1%), or would not vote at all or were not sure (19.8%).¹⁸ Notably, 43.2% consider Ukraine an independent state, while 44.7% consider it not an independent state. In addition, 41.7% think that Ukraine lost as a result of the attainment of independence in 1991, while 26.3% think it was a beneficial move for Ukraine.

These numbers clearly require interpretation as respondents may have considered Russia or the West to be a threat to Ukraine's sovereignty, and this cannot be inferred from the findings. But the trend is clear: in the view of the majority of people, Ukraine is not a fully sovereign country. However, these findings do not convey the sentiments attached: are those who consider Ukraine lacking independence happy about it or do they strive to see Ukraine fully sovereign? If dependence is favoured, on which country is dependence preferred?

The geopolitical location of Ukraine is both a blessing and curse. After the big EU accession wave in 2004, a large part of Ukraine bordered the EU. On the other hand, neighbourly relations with Russia have steadily soured. In the past decade, Ukraine has increasingly become a battlefield between Russia and the West.¹⁹

The 'civilisation' choice was made by the Orange Coalition in 2005, and was largely confirmed by current President Yanukovich in 2010: Ukraine has never been closer to integration with the EU than under his leadership. However, the way this choice was conveyed to Russia was different. Former President Yushenko made an attempt to decisively break with the powerful neighbour and push for speedy accession to the EU and NATO, while President Yanukovich is trying to demonstrate his inclination to carry out a multi-vector policy. Besides, under his leadership the issue of NATO accession was taken off the Ukrainian political agenda.

The two different policies of these ideological opponents could also be attributed to the different calculations of how Ukraine's sovereignty (closely linked to the wellbeing of the ruling elite) may be better safeguarded and enhanced. From the very first days of his Presidency,

¹⁸ Razumkov Centre, Центр Разумкова, Думка громадян України про ситуацію в країні, владу та політиків, Київ, (*Public Opinion in Ukraine on the Situation in the Country, Authorities and Politicians*), Razumkov Centre, 2010, [online], accessed 10 June 2011, available at <http://www.razumkov.org.ua>

¹⁹ Serena Giusti and Tomislava Penkova, 'EU Policies towards Ukraine and Belarus: Diverging Paths?', in Federiga Bindi (ed.) *The Foreign Policy of the European Union: Assessing Europe's Role in the World*, (Washington, DC: The Brookings Institute, 2010), pp. 133–147.

Yushenko was pushing for an EU membership plan, not least because he considered EU membership a counter-balance to Russia's unequivocal ambition to keep Ukraine within its orbit. He was actively playing the card of the threat of Russian imperial expansion: the experience of Russia's direct interference with the elections in 2004 and the August 2008 war against Georgia were cited as evidence of the Russian threat to Ukraine's sovereignty. Thus, Former President Yushenko tended to overplay the conflict card.

President Yanukovich is trying to retain good relations with Russia, mainly through a symbolic demonstration of unity, and projects a sense of rebuilt good neighbourly relations with Russia to the EU. President Yanukovich is defined in Russian official circles as a 'pro-Ukrainian' politician. This sends the message to the outside world that the current Ukrainian leadership is not a Russian puppet. President Yanukovich and his administration, as well as the Party of Regions parliamentarians, emphasise that there is a new era of partnership in Russian-Ukrainian relations. Indeed, the fact that President Yanukovich has not taken any steps to upgrade the status of the Russian language indicates that his priority is maximum consolidation of the constituency within Ukraine and he would not risk alienation of a significant part of the population, even at the expense of disapproval of the Russian leadership. However, his space for manoeuvring is limited. The need to make a clear choice between the Customs Union and DCFTA shows that it is difficult to be 'friends' with both, especially when the country's economic dependence on both neighbours is huge. Will Ukraine appear as a more or less sovereign country in the eyes of the public after President Yanukovich opts for DCFTA? This will largely depend on the response by Russia and the ability of the European Union to cushion Ukraine economically should there be sanctions imposed by Russia. Russian experts do not expect a new round of sanctions, while Ukraine is ready to face another 'gas war'. Ukraine's room to move in the negotiations with Russia is still limited, and much will depend on the rapport between the EU and Russia with regard to Ukraine's gas transit future.

Undecided sovereignty makes Ukraine fragile, both internally and vis-à-vis external pressure, and is a conflict risk factor. The present political elite is aware of its weak leverage with Russia, especially given the advances that Russia has made to the incumbent President. Therefore, they may be regarding the EU as a shield against Russia's inevitable demand to pick up the tab for its generous political support, but, unlike President Yushenko, President Yanukovich will be moving closer to Europe quietly and with no demarches.

The Russian 'threat' to Ukrainian sovereignty is not limited to the inter-state format. A serious tension is growing between the Russian Orthodox Church and Ukrainian Orthodox Church of

Kyiv Patriarchy, which is not recognised by the former. This conflict goes beyond the inter-church dispute and is framed as a conflict over Ukrainian sovereignty.

A more divisive matter that directly relates to the perception of Ukraine's sovereignty is the presence of the Russian Black Sea Fleet in Sebastopol and the status of the Russian language. These two signifiers of the still intact 'umbilical cord' that connects Ukraine with Russia are regarded as a curse in the eyes of half of the country and as a blessing in the eyes of the other half.

The Russian Black Sea Fleet, apart from its symbolic prominence, has a not so visible, but even more binding economic aspect. Ukraine's debt to Russia has been mounting in recent years, and the agreement on the extension of the fleet lease was largely conditioned by the debt repayment calculations, rather than by political loyalty to Russia. In the end, Ukraine's sovereignty is weakened either way.

Russian language status is also a matter of contested sovereignty in Ukraine. Proponents of the elevation of the Russian language to the level of state language argue that at least half of the population considers Russian to be their mother tongue. Their opponents are against this on the grounds that this way the Ukrainian language will never become the essence of the Ukrainian nation, a sign of its sovereignty.

Ukraine has territorial disputes with its neighbours, namely Romania, Moldova and Russia. The dispute between Ukraine and Romania over the gas- and oil-rich Zmiiny Island in the Black Sea had been listed among the latent conflicts in Europe in the 2009 Conflict Barometer, but was taken off the list in 2010.²⁰ It was resolved in the United Nations Court of Justice in February 2009, largely in Bucharest's favour, as this decision guarantees Romania's energy independence for 10 years. The opposition to then President Yushenko blamed him for having sold out the national interests of Ukraine by accepting that the dispute be resolved by the international court, a move that, in the opinion of his opponents, contradicted the Ukrainian Constitution. This is a vivid example of how the matter of sovereignty becomes intertwined in political competition in Ukraine.

Ukraine is currently engaged in negotiations with Russia on the matter of border demarcation. The current opposition fears a sell out on behalf of those who once criticised former President Yushenko. Border demarcation with Moldova is being discussed within the EU Border Assistance Mission to Moldova (EUBAM) framework and has seen little progress because of a

²⁰ Heidelberg Institute for International Conflict Research (HIK), *Conflict Barometer 2009: Crises, Wars, Coups D'Etat: Negotiations, Mediations, Peace Settlements: 18th Annual Conflict Analysis*, (Heidelberg: HIK, 2009), accessed 3 June 2011, available at http://www.hiik.de/en/konfliktbarometer/pdf/ConflictBarometer_2009.pdf

dispute over the region of Palanca, which is regarded by the EU as negatively impacting on regional security.

The particular geopolitics of Ukraine translate into a self-standing 'internal geopolitics'²¹ that is a contest between its regions and societal strata playing proxy roles: Russians in Crimea are being labelled as pro-Russia forces, which may or may not be true and certainly does not apply to the entire ethnic group, but this has become a cliché. Likewise, Crimean Tatars are stigmatised by their 'geopolitical opponents' as an Islamic force. This creates a dangerous mechanism for external disputes to be immediately internalised.

A Divided Nation: Incomplete Process of National Identity Formation

Ukraine is a deeply divided nation. Ethnic divisions overlay political divisions and create the potential for conflict. Geopolitical aspirations are clearly geographically marked: the largely Russian-speaking East and South gravitate towards Russia, while the Ukrainian-speaking centre and west aspire to be in the EU and NATO. The resistance of the two sides to come together is because the division is not merely about political preferences or kin ties, but about deeply emotional and existential differences in their worldviews, over the past and over fundamental values. World War II memories and evaluation are irreconcilable between the different social and ethnic groups in Ukraine. Moves that are viewed by one side as a restoration of historical justice are met by the other side with hostility and denial. The division by itself may not be malignant, but the degree of dehumanisation and demonization of the 'other' is striking.

East and west Ukraine have grown apart to the extent that the people live in completely different realities. This makes the task of unification of the country more difficult. The division is reflected in the political sphere: any new President re-creates the administration in all aspects to make it 'mine' or, in the best-case scenario, 'ours'. Those who have lost the election prepare for the next chance to get into power, meanwhile secretly hoping for the current rulers to fail – even if this is to everyone's detriment. The zero-sum game in Ukrainian politics (where one side's gains come at the loss of the other side) is dangerous because it makes coalition building impossible, and does not welcome moderation and inclusiveness.

This division has never been addressed in the EU policies within the reconciliation framework. Today's divided Ukraine is a legacy of the divided Europe, which had to go through multi-level justice and reconciliation processes in the aftermath of World War II.

²¹ Yves Lacoste, *Géopolitique, la Longue Histoire D'aujourd'hui*, (Paris: Larousse, 2006).

With regard to the policies that would consolidate the nation, some argue that decentralisation and a federal arrangement would best serve this purpose, while others not only reject the idea of a federal state, but propose stripping the Autonomous Republic of Crimea of its autonomy²² as a way to consolidate the nation and withstand separatism – Russian separatism, that is. Ironically, autonomy was granted to Crimea in the early 1990s precisely as a strategy to accommodate separatist aspirations and create a self-determination format within the Ukrainian State.

The Autonomous Republic of Crimea is a peculiar entity where ethnic Ukrainians who consider Ukrainian as their mother tongue are the minority and are substantially outnumbered by Russians and those Ukrainians who speak Russian as their first language, and somewhat outnumbered by Crimean Tatars. Russian and Crimean Tatar ideologues put forward competing autonomy projects: The former strive for the preservation of the Russian language as the lead language in Crimea or for secession or other form of unification with Russia, a goal cherished among the radical groups. The latter claim that autonomy should be Crimean Tatar autonomy governed by Crimean Tatars or, in a more pluralistic version, by all.

Ethnic Minorities

Ukraine is a multi-ethnic country with a sizable ethnic minority population. Taking into consideration that Ukrainian sovereignty is still in the process of consolidation, the loyalty of ethnic minorities to the Ukrainian national project is a sensitive matter.

The Russian minority is the most numerous, and is even a majority in some of the regions, such as Crimea and the East. Depending on the identity markers presented, some ethnic Ukrainians may oscillate between Ukrainian and Russian identity poles. Thus, many ethnic Ukrainians in Crimea consider Russian their mother tongue and gravitate towards Russian culture. Crimean Tatars, who constitute 12% of the population in Crimea, position themselves as the most pro-Ukrainian minority.

Electoral politics in Ukraine are fairly sectarian: there are very few politicians who appeal to the 'other' group for votes. That is why the setup of electoral districts could be a decisive matter in an election result. In this way, the zero-sum game in politics is supported from below and consolidated. There are no incentives for cross-group voting; hence, every election deepens the divide between ethnic groups.

The Organization for Security and Co-operation in Europe (OSCE) High Commissioner in Ethnic Minorities works actively in Ukraine. Recently, the High Commissioner provided

²² The Autonomous Republic of Crimea is an autonomous republic within the unitary state of Ukraine.

feedback on the controversial draft law on language prepared by the Party of Regions and Communist Group of Parliamentarians with the hidden yet obvious agenda to elevate the status of the Russian language. The feedback, which was supported by the Venice Commission, was not in favour of this draft on the ground that no obstacles to the use and development of the Russian language in Ukraine were identified. This infuriated the authors and their supporters and they found this verdict discriminatory towards the Russian minority. This type of confrontation is illustrative of the fine line between the protection of people belonging to minorities and safeguarding the collective rights of a particular minority which is perceived as a threat to the Ukrainian national project. Those who would like to see Ukraine more aligned with Russia call for the broadening of the use of the Russian language and resist 'Ukrainization'. It is important to note that the Ukrainian language was in a weaker position in Ukraine than Russian in the times of the Soviet Union, and this adds to the insecurity of the Ukrainian national identity and independence.

It should also be noted that there are some people caught between their kin state and Ukraine, for example, the Romanian and Hungarian minorities that reside in the Western Ukraine and in the South-West. Romania, in particular, considers all Romanian-speaking people as a Romanian minority, while the self-identification of many of them is Moldovan, especially in Odessa. If they all identified themselves as Romanians, they would form the second largest minority in Ukraine after Russians. This would improve the financing of Romanian schools and media, and would increase their political weight. Some commentators say that Romanian speakers in Ukraine are pressured to not identify themselves as Romanians.

The issuing of passports to ethnic minorities by their kin states is a security concern for Ukraine, as dual citizenship is not legal in Ukraine.²³ Romania, Hungary and Russia are allegedly doing this. The issuing of passports to Ukrainian Russians is often discussed as a way for Russia to replay the South Ossetian scenario in Crimea. Hungarian minorities seek protection by Hungary, which has adopted a dual citizenship law, while Ukraine is pressuring ethnic Hungarians not to take Hungarian passports. Hungarians, however, hold a Hungarian card that gives them even more privileges in both Hungary and Ukraine and does not break Ukrainian law. In 2008, there was a legislative proposal on behalf of some Russian parliamentarians on a 'Russian Card' to be issued to whoever claims his/her mother tongue is Russian and that he/she belongs to the Russian culture. According to their estimates, about half of the population in the east would apply for such card, while another 10% may be

²³ See: <http://www.radiosvoboda.org/content/article/24091612.html>

interested in applying in the Western Ukraine.²⁴ This was regarded by the then President Yushenko as another strategy by Russia to ensure control over Ukraine.

The difficult relationship with Russia led to the stagnation and even termination of scientific and cultural co-operation between Russian and Ukrainian institutions and individuals. The concept of the 'Russian World', which is the new Russian 'soft power' to reaffirm its geopolitical significance through the involvement of people in the orbit of Russian language and culture, discredits genuine attempts at humanitarian and cultural collaboration.

Under the current President, the Ukrainian-Russian identity clash is not being instrumentalised. There is a greater pragmatism in the sphere of interethnic relations, which is manifested in the management of inter-ethnic relations carried out by President Yanukovich's people governing the regions. The most vivid example of this is the recent decision by the Prime-Minister of the Autonomous Republic of Crimea, one of Yanukovich's closest allies, to launch the construction of the Jami Mosque in Simferopol, the allocation of land for which had been effectively blocked for several years by political forces both within and outside the Crimean parliament. Nevertheless, the perception by Crimean Tatars of their own insecurity is strong. Even if the practical support did not match the declared commitment of the then President Yushenko's administration to meet the needs and guarantee all rights of Crimean Tatars, the mere fact of having powerful allies in Kyiv was an important security factor for this group. Currently, the Parliament of the Crimean Tatar people (the Mejlis) finds itself in a difficult position vis-à-vis the President, as they publicly supported his rival in the elections. However, so far, pragmatism has been helping the Prime Minister of the Autonomous Republic of Crimea to steer a practical course with regard to inter-ethnic relations, which has projected hope among the ethnic communities of Crimea for a more peaceful and comfortable co-existence. However, the planned strict measures to reinstate law and order in relation to land in Crimea may stir ethnic rivalries again.

The internal capacity of the Ukrainian State to manage inter-ethnic relations has never been supported with sufficient funds. Under former President Yushenko there was a specialised state agency that dealt with these issues, but the State Committee on Nationalities and Religion was recently abolished.²⁵ The Ministry of Culture and Sport will assume the function of the formulation of state policy with regard to inter-ethnic and inter-confessional relations, while the Ministry of Social Policy will deal with formerly deported people returning to Ukraine. Unfortunately, the staff of the State Committee on Nationalities and Religion have not been

²⁴ See: <http://www.unian.net/rus/news/news-287964.html>

²⁵ UCIPR, *The 3rd Interim Report by the Civil Society's Monitoring of Implementation of EU-Ukraine Association Agenda Priorities*, (Kyiv: UCIPR, 2011), accessed 10 June 2011, available at http://www.ucipr.kiev.ua/files/books/Report3_monitoring_PDA_2010_summary_eng.pdf, Kyiv, Ukraine, 2011

transferred to the new Ministries. Hence, there is a danger that the expertise accumulated will be lost.

Socio-economic Disparities

The risk of social unrest that puts the poor against the rich, which effectively means the general public against the authorities, is assessed by many Ukrainian experts as very high. The level of frustration and bitterness about the current government's social-economic impotence, the unprecedented scale of corruption and the excessive power of loyal oligarchs has reached its peak. Between May 2010 and April 2011, the percentage of Ukrainians who think that their country is moving in the right direction had shrunk from 42.7 to 14.2.²⁶ Over half (56.2%) note a decrease in social and political stability. Over half of respondents would protest in the streets, while 22% would cope with the hardship with no protest. A third (32%) of respondents would partake in a non-violent protest (up from 24% in 2008).

Rampant corruption, rapid price increases for basics, especially utilities, and an overall decline in economic strength has led to public scepticism about politics in general. Most people are not nostalgic for Yushenko's time, as his economic failure made even his supporters not vote for him in the last election. The present elite is regarded as oligarchic and criminalised. Interestingly, according to experts, the degree of frustration with Ukraine's rulers is highest in the Donetsk region, the stronghold of the Party of Regions. Their expectation of rapid improvements with the accession to power of their candidate may have been higher than in other regions, hence, their bitterness over false hopes. Experts do not rule out the possibility of large and predominantly Russian-speaking cities, such as Donetsk and Odessa, being in the vanguard of the social protest.

Tensions in the Ukraine are growing. However, the EU frame of reference is so fixated on liberal economic success that their assessments overlook social factors. The report on the implementation of the ENP states that the increase by 50% in gas tariffs for households and municipal heating companies was a commendable measure that should lead to the financial viability of Naftogaz (the Ukrainian oil and gas utility).²⁷ However, the social consequences and risk of possible social unrest due to this, as well as the social protection measures taken to cushion the shock, remain outside the scope of the EU's assessment of the government's performance on economic reform.

²⁶ Yulia Tishenko, 'Юлия Тищенко. А был ли мальчик? И ли кое-что о выполнении приоритетов Повестки дня ассоциации Украина-ЕС, Украинская Правда, ('Was there a boy? Or some thoughts on the implementation of the priorities of the Ukraine-EU Association Agenda', *Ukrainskaya Pravda newspaper*, (2 May 2011), [online], accessed 3 June 2011, available at <http://www.pravda.com.ua/rus/articles/2011/05/2/6148587/>

²⁷ European Commission, High Representative of the European Union for Foreign affairs and Security Policy, *Joint Staff Working Paper. Implementation of the European Neighbourhood Policy in 2010. Country Report on Ukraine*, COM(2011) 303, Brussels, [online], accessed 3 June 2011, available at http://eeas.europa.eu/delegations/ukraine/documents/euroclubs/enp_report_2010_ukraine_en.pdf, p.17

Once DCFTA has entered into force, the EU and Ukrainian authorities will need to watch closely for signs of the deepening of the gap in order to alleviate tensions and develop timely strategies to smooth the transition. There are already expert and political assessments of DCFTA as a lengthy and complicated procedure with few immediate benefits for the economy and social wellbeing.²⁸

If reforms geared towards the EU become associated in the public conscience with increased hardship and the stratification of society into those who benefit from EU integration and those who don't, the opportunity to consolidate support for the EU course of Ukraine may become slim. For example, talks about visa-free travel to Europe not coupled with better living standards, higher income, opportunities for employment and general socio-economic improvements may be perceived by those whose monthly income is slightly above the price of a pair of tickets to take the elevator to the top of the Eifel Tower in Paris as a farce.

The EU is ready to back Ukraine throughout the transition, but it needs to get its strategy right. There is strong trade union tradition in Ukraine. The amazingly well organised protests against the proposed new Tax Code, which consolidated the private sector across the country, shows that societal groups can assert their rights through non-violent resistance against the authorities that infringe on them. Interestingly, the government and the ruling party were alerting people to the destructive effects of the revolutions in the North Africa to inoculate them against street protests. This was assessed by the 'Orange' political commentators as an attempt to erase the impressive record of non-violent political change from public memory.

Against the background of the division of Ukrainian society, protests initially targeting the government may be diverted into inter-ethnic violence, for which the socio-psychological foundations are present.

5. Domestic Structural and Contextual Features that Impact on Conflict in Ukraine

Conflict risk factors are necessary, but not sufficient, for a conflict to manifest in a violent form. One needs to look for structural and contextual factors that may escalate conflict or de-escalate tensions. This section analyses the structural and contextual factors that may trigger conflict escalation, along with factors that resist conflict escalation.

²⁸ Nicu Popescu and Andrew Wilson, *Turning Presence into Power: Lessons from the Eastern Neighbourhood*, Policy Brief, European Council on Foreign Relations (ECFR), May 2011, [online], accessed 3 June 2011, available at http://www.ecfr.eu/page/-/ECFR31_ENP_AW.pdf

Among the negative contextual factors are the following:

1. Privatised politics and public institutions

Politics in Ukraine is being carried out in a sectarian way. In addition, it is regarded as a corporate building process. Political quarrels denigrate politics in the eyes of the public to the level of a poorly staged and hazardous theatre. People lose hope for any practical matter of concern to be solved by political means.

Ideology in the public administration and among public officials is perceived as resulting in biased social policies and programmes. For example, the appointment of the current Minister of Education and Sport, who is known for his clear ideological position and anti-Ukrainian sentiments, was negatively received among academics and civil society who position themselves as a pro-Ukrainian. Then President Yushenko created the Ukrainian Institute of National Memory as a part of the central government. The mandate of this agency was to promote Ukraine's liberation tradition and an objective history of Ukraine, but it was negatively received by political opponents and a segment of the Russian community. When President Yanukovich came to power, he abolished this Institute.

2. Mobilisation structures

The likelihood of public mobilisation along fault lines is higher when there are existing mobilisation structures. There are semi-legal and illegal mobilisation structures in the Ukraine that are largely visible and accepted as a part of Ukraine society. Whether non-violent mobilisation structures would give way to violent ones within each stakeholder/identity group depends on the accessibility of light weapons, rate of unemployment among young males, spread of substance abuse and other social factors, but the political system also plays a crucial role. When there are no avenues for the political participation of minorities, a biased and corrupt court system, and a lack of effective grievance mitigation strategies, violent mobilisation structures may prevail.

3. Radicalism in the public sphere.

Xenophobia and malignant nationalism are widespread in the media in Ukraine. Blogs are not the only source of outrageous outpourings of hatred; the mainstream media, and particularly the print media, also spread xenophobic messages. Political discourse is equally insensitive.

The good news is that there are also structural and contextual factors in the Ukraine that keep tensions from escalating into violence. Among the positive contextual factors are the following:

1. European Union presence in Ukraine.

The fact that the EU is present in Ukraine has created the feeling that the whole of Europe is watching. This influences how political elites handle tensions within the country. For them, a violent conflict is highly undesirable. They actively exploit the theme of increased stability and pragmatism.

2. History of avoiding violent conflict

Ukraine has a history of avoiding violent conflict, which indicates that there are resources within the society and the rival groups themselves that function as checks and balances, and, at times, as spontaneous mediation and conciliation measures. For Crimean Tatars, for example, non-violent resistance is a solid ideological platform that has been successfully safeguarded by the leader of the Mejlis (the Crimean Parliament), Mjustafa Jamilev, a Soviet era dissident who has been committed to the non-violent principles of political struggle throughout his life.

3. Civil society conflict resolution organisations

Civil society conflict resolution organisations exist and operate in Ukraine. They are small in number, but the scope of their work is broad. Think tanks such as the Razumkov Centre in Kyiv have carried out an extensive mapping of inter-ethnic relationships with emphasis on potential violent conflicts in Crimea.²⁹ The Association for Middle East Studies (AMES) does research on land and identity conflicts in Crimea. Others, like the Ukrainian Center for Common Ground, have gained broad public and government recognition for their work on mediation in community disputes and building conflict prevention systems in schools and communities with a high juvenile crime rate. Their inward approach to conflict resolution focuses on the community as the necessary foundation for peace in society. Crimea Policy Dialogue³⁰ is a long-term project that provides a platform for stakeholders to discuss their analyses of the dividing issues and propose policy solutions to the conflicts in Crimea. Non-divisive proposals are sought and supported with empirical research to be advocated for before the society and the authorities. There are also international organisations that carry out development and other programmes that incorporate conflict prevention, albeit not explicitly. The United Nations Development Programme (UNDP) Crimea is an example.

²⁹ This project was funded by MATRA, the Dutch assistance programme.

³⁰ The project is funded by the Ministry of Foreign Affairs of Finland and implemented by PATRIR, an international peacebuilding NGO.

6. Deficiencies of the European Neighbourhood Policy with Regard to Conflict Prevention

The European Neighbourhood Policy was designed to avoid sharp divisions between the newly enlarged EU in 2004 and the rest of the world by creating a belt of well-governed states striving to approximate European political values and economic standards without the prospect of the EU membership. Two problematic aspects of this approach are particularly relevant to EU-Ukraine relations.

First, not having set the end point of the Europeanization journey, the EU left participating countries in limbo in relation to efforts towards democracy, rule of law, development and higher social living standards, which means that the population bears certain costs. As there was no predetermined EU accession or defined horizon from the commencement of the ENP, expectations of whether there is the end point to the process, and how soon it may be reached, vary. The frustration of the previous and the current ruling elites with the slow pace at which the EU is opening up to Ukraine is obvious.

The Orange Revolution in December 2004, in the eyes of the victorious Orange Coalition, marked the choice of 'civilisation' by Ukraine. They expected reciprocity on behalf of the EU in the form of a clear accession roadmap.

In October 2005, European Commission President Jose Manuel Barroso said that the future of Ukraine is in the EU. On 9 November 2005, however, the European Commission suggested in a new strategy paper that the current enlargement agenda could be the final one, making prospects of EU membership for ENP countries nearly non-existent. In the opinion of Ukrainian authorities, the ENP is not an adequate political instrument, as joining the EU is one of principal objectives of all the governments of Neighbourhood countries.

In March 2007, the EU and Ukraine started talks about a new 'wider agreement', aiming at offering a legal framework for a closer economic co-operation and a better political dialogue. It was agreed that Ukraine and the EU would start a parallel negotiation for a free trade area. Later in 2007, it was announced that this issue would be incorporated into the draft agreement as a separate chapter.

A Joint EU-Ukraine Action Plan was endorsed by the European Council on 21 February 2005. It was based on the Partnership and Cooperation Agreement of 1994 and provided, according to the European Commission, a comprehensive and ambitious framework for joint work with Ukraine in all key areas of reform.

An attempt to create a new model of expansion without integration did not resonate well with the former Ukrainian leadership. The current leadership also expects a clear 'yes' or 'no' from the EU. The EU is divided on this matter,³¹ and there are no indications that this divide will be bridged any time soon.

Some experts contest this and point out that it is precisely the lack of clarity on EU membership that favours a window-dressing style of 'Europeanization' with no deep structural reform in Ukraine. Current opposition leader Yulia Tymoshenko has already called the activities of the state authorities a "simulation of Eurointegration".

Administrative reform has been assessed by a civil society monitoring coalition as creating new problems.³² Reforms that are of less urgency and are non-threatening to the current administration and the oligarchic circles are being implemented, while more principal reforms, such as constitutional reform and the revision of the Electoral Code, are either slow to be implemented or not implemented at all.

In light of the conflict prevention capacity of the EU, the challenge is how to mobilise domestic incentives to transform the Ukrainian polity and society to decrease the risk of violent conflict in the absence of the accession 'carrot'.

The second challenge is that the European Neighbourhood Policy does not factor in the powerful and difficult neighbours of the ENP participating states. In the case of the Ukraine, special attention should be given to how this country can be good neighbours with both the EU and Russia. ENP countries possess neither EU resources nor its political weight to build relationships with their powerful neighbours. The EU has bilateral agreements and processes with the countries adjacent to the European Neighbourhood. The EU can exercise 'effective multilateralism' (European Security Strategy), but most of the ENP countries can't.

Russia has a clear advantage in the east and south of Ukraine, both in terms of its economic presence and cultural ties. The EU is losing to Russia in the 'information contest'. In addition, Russia is a meaningful economic partner for Ukraine. Russia provided a revolving loan of USD 2 billion to the Ukrainian Government in 2010. At the same time, negotiations between Ukraine and the EU on a macro-financial assistance loan of EUR 610 million were launched, but not concluded.

³¹ Poland, the Baltic States and the United Kingdom are among the supporters of Ukraine's future in the EU, while Belgium, France and Germany are more reserved on this matter.

³² Yulia Tishenko, 'Юлия Тищенко. А был ли мальчик? И ли кое-что о выполнении приоритетов Повестки дня ассоциации Украина-ЕС, Украинская Правда.

The ENP has little to offer participating states with regard to building relationships with neighbours that are in the EU category in terms of their resourcefulness and political weight. This becomes particularly difficult against the background of the resumed Cold War-style politics between some Member States and Russia, especially after the war of August 2008.

7. Recommendations

Having analysed the conflict risk factors in Ukraine and the EU's policies towards Ukraine, the following recommendations are put forward to increase the EU's conflict prevention capacity:

1. Supplement EU assistance for the development of Ukraine's capacity to undertake economic forecasting, scenario building and monitoring with support for building Ukraine's conflict forecast capacity as a separate activity or as part of socio-economic forecasting. An environmental and social impact study on the modernisation of gas networks agreed between EU and Ukraine in 2009 is underway³³ and could incorporate social conflict indicators. The resources of the Joint Research Center (JRC) and of the Conflict Prevention and Security Policy Directorate within the European External Action Service (EEAS), which comprises the expertise of the former European Commission's Crisis Room, could be mobilised to provide the necessary training for Ukrainian colleagues. Civil society also has accumulated experience in the design and implementation of early warning systems and could be involved in the training and establishment of such a system in Ukraine.
2. Provide political, expert and financial support to facilitate conflict prevention in Ukraine and between Ukraine and its neighbours taking into consideration the multiple regional and sub-regional formats needed to address multiple fault lines, sooth tensions, and generate and test alternatives to conflict escalation.
3. Develop a more sophisticated and multi-dimensional strategy to engage with Russia as an ally, including on conflict prevention in Ukraine. Conflict risks that the EU and Russia could address synergistically ought to be identified and respective strategies pursued. The demarcation of the borders of Ukraine with the EU Member States and ENP countries should receive serious attention. Ukraine participates in cross-border co-operation programmes with Poland, Romania, Hungary, Moldova and Belarus that are in line with conflict prevention imperatives as they focus on the humanisation of relations between people living in border areas and the competitiveness of the border economy, and support

³³ European Commission, High Representative of the European Union for Foreign affairs and Security Policy, *Joint Staff Working Paper. Implementation of the European Neighbourhood Policy in 2010. Country Report on Ukraine.*

cross-border economic and social development partnerships.³⁴ Ukraine-Russia cross-border programmes should receive attention from the EU. Russia and the EU could find a formula for the joint funding of programmes in the field of culture, education, scientific exchange, the environment and so forth. Joint EU-Russia funding for such initiatives would create a constructive alternative to the 'Russian World' and yet incorporate Russian cultural and academic circles and civil society into the building of relationships with Ukraine at different levels.

4. Turn the tri-partite technical co-operation for the demarcation of Ukraine's borders in co-operation with the authorities of the respective neighbouring countries into a confidence building measure between the EU, Russia and Ukraine.
5. Conduct a deep analysis of why Ukraine has avoided large-scale violence and not followed the path of its South Caucasus neighbours. This study would elicit the practices, groups and institutions that ought to be supported.
6. Take a stand on the need for reconciliation between the two parts of the nation and convey this to the parties concerned in Ukraine. A Russia-Ukraine reconciliation format, akin to the Russia-Poland process, may be contemplated along with civil society and community reconciliation programmes.
7. Promote co-operation and exchange between Ukrainian, Romanian and Hungarian civil society as an effective cross-learning process with regard to the way reforms were carried out in these countries towards European integration and what experiences may be useful for Ukraine.
8. Create an emergency fund to support Ukraine during its socio-economic reform transition.
9. Bear in mind not only to the formal aspects of reforms, such as the abolition of the State Committee on Nationalities and Religion, but the potential impact of such reforms on the in-house expertise in conflict analysis and the design of conflict prevention strategies, and on the institutional basis for their implementation.
10. Support a comprehensive and multi-dimensional approach to confidence building and co-operation between the majority and minority population inside Ukraine. Legislative

³⁴ *Ibid.*

adjustments to international standards are necessary, but not sufficient on their own. Towards this, incorporate the following into the approach:

- Encourage and structurally support the political participation of minorities that are currently under-represented in the power structure of the country and its regions.
- Enact electoral legislation that favours cross-ethnic voting where ethnic groups live compactly, which will enhance civic identity and strengthen the sense of belonging to Ukraine, and could be a useful measure for the consolidation of social capital across ethnic communities.
- Enforce ethical standards in the media to clean up the public space and protect it from hate speech and the replication of ethnic stereotypes.

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