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UKRAINE – SOLVING OR FREEZING THE CONFLICT

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The Minsk peace agreement of February this year may well have been the last possibility for a peaceful get-together of rebel groups of the Donbass area with the government in Kiev. In this context, the OSCE takes on a decisive role, which it strives to fulfil to the best of its abilities. Developments so far, however, have led to the assumption that the chance of peaceful unification will not be grasped and that Russia would rather see the conflict being frozen, following the example of Transdniestria.

Negotiating success in Minsk

With the momentum of the military situation in the self-proclaimed “People’s Republic” of Donetsk and Luhansk favouring the Russian-backed separatists, there has been the growing risk since mid-January 2015 that fighting is spread to other regions in eastern Ukraine and tensions rise between the West and Russia. To prevent this, German Chancellor Angela Merkel and French President François Hollande introduced an initiative for a peaceful resolution of the conflict. On 11 February, an agreement to end the fighting was concluded within the framework of the ‘Normandy Format’,

including the German chancellor as well as the presidents of France, Ukraine and Russia. This so-called Minsk II Agreement provides for a ceasefire, the withdrawal of heavy weaponry, the creation of a puffer zone, local elections to be held in the separatist regions – all in accordance with a strict schedule – and a change of the constitution by the Ukrainian Parliament. Since the ceasefire entered into force on 15 February, tensions have slightly eased, although gunfights can be observed repeatedly. Thus, the danger of violent escalation in eastern Ukraine and an aggravation of the conflict between the West and Russia has not been eliminated so far.

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Little leeway for peace efforts

The international crisis and conflict management in the Ukraine crisis comprises different mechanisms on various levels. On the institutional level it is to be observed that the UN, due to opposing political views on the part of the veto powers, has had little room for manoeuvre so far to apply traditional conflict-solving mechanisms. Although the Minsk II Agreement became internationally binding following UN Resolution 2202 of 18 February, in reality the UN does not have power over armed parties to the conflict; therefore, the OSCE remains central to the international crisis and conflict management efforts. The major responsibility lies with the Special Monitoring Mission to Ukraine (SMMU), which particularly monitors compliance with the agreement along the buffer zone and acts as a local mediator. A smaller Border Monitoring Mission in the SMMU monitors two border crossings (Donetsk and Gukovo) between Donbass and Russia. Due to the unsettled situation, OSCE monitors are frequently denied access to certain areas or try to avoid dangerous situations, making it more difficult or even impossible to verify the withdrawal of heavy weapon systems behind the negotiated lines.

The E.U. gives money, provides advice and imposes sanctions

The EU is another relevant player in the Ukraine crisis. In addition to financial aid, an EU Advisory Mission for Civilian Security Sector Reform Ukraine (EUAM Ukraine) was established within the framework of the Common Security and Defence Policy (CSDP). With regards to political reform processes, the EUAM has been rather inconsequential so far, despite the fact that the EU has granted Ukraine a loan-guarantee package of over 11 Billion euros. Brussels promised additional funds, however only in exchange for substantial reforms. The International Monetary Fund, the EU, the

World Bank and other countries have agreed to provide financial support to the Ukraine, promising 40 billion US dollars until 2020. A key instrument of the European Union are the sanctions imposed against Russian natural persons and corporate entities in Russia and Ukraine. By weakening the Russian economy, the Commission and the EU member states hope to make Moscow back down in the Ukraine crisis.

NATO and the US defer

Some EU member states support the position of US Republicans, who urge and authorised President Obama to deliver weapons to the Ukrainian Armed Forces. So far, Obama, in accordance with the majority of EU member states, has rejected arming Ukraine in fear of further escalation. Yet, Poland, Estonia, Latvia and Lithuania, who feel threatened by Russia directly, strongly speak out in favour of the measure. They have adopted military measures nationally and within NATO, such as the temporary stationing of NATO rapid-reaction forces, a massive increase in the defence budget and bilateral military cooperation with the US. Furthermore, Poland and the Baltic states support Ukraine being tied more closely to the Alliance. Irrespective of a possible armament, in April the US, Great Britain and Canada initiated military training programmes for the Ukrainian Armed Forces. Although NATO does not play a direct role in the Ukraine conflict, it nevertheless attributes increased importance to the mutual defence commitment of its members. Following the Parliament's suspension of Ukraine's status as a non-aligned state on 23 December 2014, Russia adopted a new defence doctrine, in which NATO is rated as a major threat.

Escalation of armed force

The ceasefire introduced after the Minsk II Agreement was soon broken by a massive advance of the separatists, who closed in

on Ukrainian Armed Forces in the village of Debaltseve. Internationally, Russia was blamed for the separatists' offensive and the Ukrainian leaders vehemently demanded arms to be delivered by the West. From April onwards, fighting intensified again, especially in the areas of Donetsk and east of Mariupol. As had been feared beforehand, the separatists started an offensive west of the provincial capital Donetsk (near Marinka), which, according to information from the Ukrainian government, could be repelled. Although, according to the OSCE, the ceasefire is broken by both parties - the regular Ukrainian troops along with their allied volunteer battalions and the separatists - the U.S. government holds Moscow responsible for not implementing Minsk II. The temporary installation of members of Ukrainian volunteer units in OSCE posts, referred to as 'third party' in OSCE reports, shows the problem caused by the absence of a central command authority. According to international observers and US military members, separatists continue being armed by Russia, which, they say, calls for military countermeasures, like the training of forces loyal to Kiev. There is also a humanitarian dimension to the conflict: pursuant to official information, over 6,000 have been killed since the start of the armed conflict. In addition, according to UN statements, 1.192 million people are considered as internally displaced persons within Ukraine, while approximately 940,000 have fled from Ukraine to Russia.

Developments in domestic politics

The current Ukrainian domestic political situation is principally characterised by its weakened and destabilised economic and financial system due to corruption. Despite recent successes in the fight against corruption and international support, most noteworthy being the IMF's four-year-loan programme Extended Fund Facility, the danger of economic collapse seems to have been averted only temporarily. The

considerable expenses for the anti-terror operation and the implementation of drastic reforms to fulfil IMF constraints have decisively contributed to an increase in social tensions in Ukraine. The continuously rising risk of protest has so far only taken the form of smaller and mostly peaceful protests by the citizens.

Public dissatisfaction with the government line and war-weariness have manifested themselves in an ever-increasing rejection of existing political parties and the system itself, being in stark contrast to the socio-political spirit of optimism of the Euromaidan movement. In a nation-wide poll on the support of political parties conducted by the Razumkov Centre, 25 percent indicated that they were either not going to vote in parliamentary elections at all or cast an invalid ballot.

Since the beginning of 2015, major cracks in the oligarchical system have started to show. Against the backdrop of a planned privatisation wave, competition is intensifying among the diverse major oligarchical groups regarding the access to an ever-decreasing pool of resources. The most recent conflict between President Petro Poroshenko and Ihor Kolomoyskyi could be viewed in this context as well. By weakening individual oligarchs in favour of others, the Ukrainian government is trying to pursue a policy of 'divide et impera'. However, in so doing, it risks getting co-opted by some of these groups.

Ukraine is a historically, culturally and economically inhomogeneous state. It is the product of World War I and the Soviet era. The deeply rooted ideological tensions between the western part of the country, with its Austrian-Polish/Catholic-Jewish orientation, and the Russian Orthodox eastern and southern parts might intensify again as a result of the law on the "denunciation of the communist and the National Socialist (Nazi-) regimes in

Ukraine and the ban of propagating their symbols.” The law stipulates, among others, that company and street names referring to the Soviet regime be altered and that the use of Soviet symbols (e.g. commemorative plaques, flags, and monuments) as well as the wearing of Soviet decorations and medals be prohibited. At the same time, the Ukrainian Parliament recognised the Ukrainian Insurgent Army - existing from 1943 to 1956 and regarded as controversial because of its cooperation with Nazi Germany - as “fighters for the independence of Ukraine in the 20th century.” Moreover, in a statement, the Ukrainian president underlined its role in the fight against “Soviet occupation”. It is to be feared that by discrediting the 74 years, during which Ukraine was part of the Soviet Union, as a period of occupation, existing gaps and tensions within the Ukrainian society may rise and unfavourably influence the country’s future.

The requirements agreed upon in Minsk, intended to bring about a normalisation of relations between the separatist area and Kiev, seem to be unfulfillable. This is even more the case, as the banking system does not function and pension payments have not been resumed. What is more, preparations for the intended constitutional reform have been failing so far due to irreconcilable demands or positions of the parties to the conflict. Thus, the window of opportunity created by the success in the Minsk negotiations may close again sooner than expected.

Paradoxical as it may sound, by projecting an external threat onto Ukraine as a whole, the smouldering conflict in the country’s east ensures the frail balance in domestic matters. Even if the conflict turns into a frozen one, which seems increasingly probable, the government in Kiev will have to start to tackle the numerous domestic political problems. If the relationship with the separatists in the east continues to deteriorate, then reaching internal

stabilisation will also prove more difficult. A conference involving EU member states and its eastern neighbours held at the end of May, indicated that Ukraine cannot expect the EU to provide a solution from outside.

Findings and deductions

- Although the peace process agreed on in Minsk remains far behind expectations, there is currently no alternative that would justify any deviation from it. Thus, its implementation should be demanded and supported.
- A military recapture of Donbass by Ukraine is doomed to fail and would provoke an immediate reaction on the part of Russia.
- The OSCE represents the only possible solution when it comes to on-site negotiating, mediating and monitoring. Its activities are to be supported in the best manner possible.
- Stepping up controls at the Russian-Ukrainian border would be advisable, even if that required increasing the contingent in manpower.
- Urgent and necessary domestic reforms are to be demanded and supported. A situation of permanent war with the separatists would preclude reforms, tying up the required resources.
- The Russian course of action and its new military capabilities require a revision of the European security and defence policy concepts. Consequently, strengthening Ukraines army and its potential future NATO membership could be considered a reasonable course of action.

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