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UN MISSION INTO THE DONBAS - NEW PERSPECTIVES FOR THE UKRAINIAN CRISIS AND CONFLICT MANAGEMENT

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The war in Eastern Ukraine has been ongoing for four years now, and an end is not to be seen at the moment. Since 2014 the OSCE Special Monitoring Mission has made a significant contribution to the conflict and crisis management in Ukraine. In September 2017 Russian President Putin proposed a possible UN peace mission, and the Ukrainian President Poroshenko submitted his own proposal. But can a UN mission really bring peace to Ukraine?

The current situation in Eastern Ukraine

Since the conflict began, more than 10,000 people have died and over 25,000 have been injured. In 2016 and 2017 there were still approximately 2,600 people killed or injured per year. About 1.6 million people were displaced within the Ukraine, and more than 1 million sought refuge in neighbouring countries (mainly Russia and Poland). Until mid-2015, there were still major shifts at the front, while today there is almost a complete standstill along the line of contact. Agreed ceasefires are extremely fragile, especially in the suburbs of Donetsk the fighting flares up again and again. The OSCE Mission also observed a return of heavy weapons to the front line, and mined areas pose a danger that should not be underestimated. What is more, in December 2017 Russia withdrew its officers from the Ukrainian-Russian Joint Centre for Control and Coordination (JCCC). This, of course, hampers cooperation. A glimmer of hope was the so far largest exchange of prisoners, effected in December 2017. Yet, recent US arms supplies to Kiev and changes in Ukrainian law suggest that the conflict is more like-

ly to harden. On 18 January the Ukrainian parliament passed a law declaring the areas controlled by the separatists to be „illegally occupied by regular and irregular Russian troops“. The anti-terrorist operation, previously led by the domestic intelligence service, turns into a military-led operation. Since May 2018, the Joint Operational Staff, which reports directly to the President, has commanded the deployed forces. This goes hand in hand with an extension of the powers of the military (e.g. restrictions on entry and freedom of movement, checks of persons and vehicles).

Minsk II - a dead end or the key to success?

The implementation of the Minsk II agreement negotiated in February 2015 is currently at a standstill. Minsk II provides for

extensive autonomy for the Luhansk and Donetsk Oblasts. There will also be an amnesty for all those who have been active in Eastern Ukraine. In addition, a ceasefire, the withdrawal of all heavy weapons (i.e. artillery with a calibre of 10cm or more and multiple rocket launchers) up to a distance of 50 to 140 km from the line of contact, the release of all prisoners, the provision of humanitarian aid, the withdrawal of all foreign forces and the revival of the socio-economic system were agreed on. From the Ukrainian viewpoint, the implementation of Minsk II would require regaining control over the Donbas and the border with Russia. From the Russian point of view, it is argued that control of the border can only be handed over to Kiev when the political conditions for local self-government of the territories have been met.

In Ukraine, Minsk II is increasingly losing support among some parts of the population and among some politicians. Against this background, Minsk II is likely to become an issue in the Ukrainian presidential and parliamentary elections in 2019. President Poroshenko needs to satisfy his voters, and this could further shift the re-integration of the Donbas away from the focus. In 2019 large-scale debt repayments will be due and North Stream 2 is scheduled to go operational, which could eliminate important revenues from the transit of Russian gas for Ukraine. Apart from the conflict in the east of the country, Ukraine is facing major challenges, as urgently needed economic and domestic reforms are still pending.

OSCE crisis and conflict management

With the Special Monitoring Mission (SMM) to Ukraine and the Observer Mission at the Russian Checkpoints Gukovo and Donetsk, two OSCE observer missions have been present on the ground since 2014. The Special Monitoring Mission is the most important player in the international crisis and conflict management in Ukraine and, moreover, the most impor-

tant and reliable source of information on the situation in Eastern Ukraine. The over 700 civilian and unarmed observers from OSCE member countries are tasked with observing and reporting, facilitating dialogue between all parties to the conflict and preventing a further escalation of the conflict. Through local ceasefires the OSCE also facilitates humanitarian aid, such as the reinstatement of vital infrastructure. Although the OSCE has the advantage that it is an inclusive organisation, in which all relevant actors sit at the same table, the necessary consensus in decision-making often makes it difficult to act on the ground. The Special Monitoring Mission is struggling with well-known problems, such as ceasefire violations and severe attacks at night, while patrols can only be carried out in daylight.

The humanitarian situation

The humanitarian situation on the conflict line remains very poor. Amnesty International speaks of 3.8 million people being affected in the conflict areas, mainly due to unemployment, poverty, high food prices and lack of access to pensions and social benefits. Artillery is repeatedly fired at houses and facilities, such as hospitals, schools and kindergartens. In Donetsk the power and water supply is frequently interrupted. Ukraine blocks trade with the so-called People's Republics, with the exception of humanitarian aid. However, due to bureaucratic hurdles from these Republics, only the ICRC is still active in the Donbas today. The areas controlled by the Ukrainian government lack financial resources, while access for aid organisations is easier there. Movement of the civilian population is severely restricted; there are only five crossing points, which are occasionally under fire and not always open.

UN Mission in Ukraine: conflicting ideas

A UN mission for Ukraine had already been discussed before autumn 2017 (e.g. Poroshenko's proposal in February 2015). On 5 September 2017, the Russian Presi-

dent made headlines when he proposed a UN mission along the line of contact to protect the OSCE Special Monitoring Mission and civilians. Promptly Poroshenko followed up with another proposal, which was different in many respects. As Ukraine's position is supported by the US, talks between US Special Representative Kurt Volker and Putin's adviser Vladislav Surkov on the use of UN blue helmets have been ongoing since autumn 2017. The last meeting took place in January 2018.

So what is the difference between the two positions? Russia is in favour of a lightly armed UN mission along the line of contact or, as an accompaniment to the OSCE Special Monitoring Mission, also in the separatist areas, with the aim of protecting the Special Monitoring Mission. The mission is to be launched following a ceasefire and the withdrawal of heavy weapons, and is to be limited to a maximum of six months. It is to be negotiated with representatives of the Ukrainian government and of the People's Republics. Kiev, by contrast, is in favour of a more heavily armed mission on both sides of the line of contact, especially on the Ukrainian-Russian border. The mission is to be aimed at establishing peace and the territorial integrity of Ukraine. The observers are to be fitted with combat-grade equipment, and all foreign troops and their mercenaries are to leave the conflict area. Negotiations with representatives of the People's Republics are not to be held in the future either. The framework conditions of the mission are still disputed as well: the mandate of the mission (Chapter VI or VII), the troop strength (from just over 1,000 to more than 20,000), the leadership of the mission (directly led or commissioned to a nation, e.g. Sweden), the troop-contributing countries (neutral countries or countries accepted by both sides that are neither NATO members nor Russia, yet with comprehensive peace-keeping experience) and the duration of the mission (from six months to three years). At any rate, the relationship with the OSCE Special Monitoring Mission should be clarified.



UN Mission in Donbas Conflicting Ideas



Why now? - Time of the proposal, personal interests

With this proposal Russia demonstrates its willingness to at least negotiate and that it can act as a constructive partner on the international stage, which should suit the Kremlin's interests in the run-up to the Football World Cup in Russia. By this, Moscow might also want to get the economic sanctions to be partly lifted, since they are so costly for Russia. In addition, it is in Russia's interest to stabilise the Donetsk and Luhansk People's Republics so as to minimise their economic and military dependence on Russia and, thus, save costs. In this way, a face-saving retreat from the Donbas would be possible. Putin could also use the proposal to apply pressure on Poroshenko or harm him in the Ukrainian elections in 2019, rehashing the non-implementation of Minsk II. On the Ukraini-

an side, the interrelations with domestic policy should be observed. Local elections in the Donbas would benefit pro-Russian candidates rather than Poroshenko. Kiev continues to face challenges such as the preparations for the reintegration of the territories, a security sector reform, elections, amnesties and the reduction of social tensions.

Russia's domestic policy after the 2018 presidential elections also remains to be seen - the extent to which the Kremlin approaches the West will also depend on the economic situation. Putin might try to loosen sanctions by making concessions in the conflict in Eastern Ukraine. These sanctions were originally imposed because of the annexation of Crimea, but a return of the peninsula to Ukraine is not an option for Russia.

A possible benefit of a UN mission

A solution to the conflict in the Donbas is currently not in sight, but a UN mission could open up new diplomatic opportunities and, above all, would improve the humanitarian situation of the civilian population. A UN peacekeeping force would draw more international attention to the unresolved armed conflict and increase the pressure on the conflicting parties to act. The essential benefit of a UN mission could be that it enhances security and, thus, reduces the number of hostilities. This would be an acceptable precondition for the actual withdrawal of fighters and, especially, heavy weapons systems. Under the protection of the UN force, OSCE observers could carry out their tasks much better. Free access for relief agencies in the conflict area and control or simplification of procedures at the crossing points are also highly significant. Mine clearance could also be one task of the UN mission.

Conclusions and recommendations

- All parties to the conflict show signs of fatigue and resignation. This could improve their willingness to talk and negotiate.
- The deployment of a UN peacekeeping force could open up new opportunities for talks and offer Kiev and Moscow face-saving options for easing tensions.
- A robust mandate would be required for a UN mission (e.g. comprehensive powers, equipment and armament). The aim of the UN mission should be to restore Ukraine's sovereignty and territorial integrity in the Donbas. The UN could temporarily control the Russian-Ukrainian border. The mission would have to be able to guarantee security for both sides, with a strength of 20,000 troops being the lower limit.
- Experience has shown that the full operational readiness of such an extensive mission would only be achieved after approximately six months. This could be a critical phase should one party still want to create facts.
- Europe and also Austria should show strong interest in a UN mission, because this could not only improve the living conditions of many of those affected, but might also bring about an easing of tensions between all actors.

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