

Looking for Peace in Europe

White Paper Ukraine

February 11, 2015

After the fresh approach by German Chancellor Merkel and French President Hollande to find a solution for Ukraine with Russian President Putin and the Ukrainian government in Kiev and Moscow last week and Minsk today and controversial discussions at the Munich Security Conference last weekend, the international and independent working group *White Paper Ukraine* of the World Security Network discussed the new situation with experts from all sides again at the Munich Security Conference.

Peace and a reset of Russian-Ukrainian and Russian-Western relations are still possible when both sides look for a compromise based on international law and best practices in Europe and agree not to change any border in Europe by force.

The ultra-nationalists on both sides will be disappointed, but we believe only a broader political compromise is in the national interests of Ukraine, the Russian Federation, the EU and the international community.

After several open and controversial talks since June 2014 with representatives from all sides, including Ukraine, Russia, the EU and member states, we have made since October 2014 some concrete proposals to solve the Ukraine crisis in a peaceful and responsible way in a *White Paper Ukraine* for broader discussions with inputs from all sides involved.

We believe that the current focus on a new updated Minsk 2 agreement is a too limited approach. Needed is a 'helicopter perspective' with a grand political solution, including the Donbass, Crimea as well as NATO and EU-relations to Russia.

Even without much quick progress and many frustrations, we have to give peace a chance and priority the next months.

We have updated our five proposals to solve the crisis in a possible consensus. Like done in Western Europe successfully the last 60 years, where cultural and border- disputes have been mellowed by a peaceful referendum- and -reconciliation-approach:

1. A copy of the South Tyrol/Trentino Alto Adige Accord from 1971 for a maximum Autonomy in the Donbass within Ukraine.
2. True Reconciliation and implementation of the Codes of Tolerance for all minorities in Ukraine.
3. A Reconciliation Referendum for Crimea, like done by Germany and France in 1955 for the disputed Saarland. The people on Crimea should decide free under UN/OSCE control whether to be within Ukraine or Russia.
4. An integration of Russia in the EU-Ukraine-Trade-Agreement.
5. A fresh dialogue and re-set of NATO-Russia Relations.

I. Lessons from the Grand War- We have to talk.

100 years and some months ago the Great War started. When we look back with the full knowledge of facts and background information about the main actors and states we may come to the

conclusion that Europe could have avoided this major catastrophe of the 20th century with more sensitivity, knowledge of the opposing actors and endeavor to discuss and reconcile.

History has given us a lesson to learn: to overlap a crisis, especially a deep and complex one, it is pivotal to involve all the actors concerned to find out a common path to comprehensive solutions and far-reaching agreements.

Without a broader political settlement soon, we think that new weapons will reach both sides and the battles will be more intense and bloody for the civilians as well. It is easy to deliver sophisticated and many more weapons in discreet ways to all sides. Ukraine will demand more military support in line with the UN Charta right of self-defense and find nations to provide.

We still like to remember what Russian President Putin Vladimir Putin told during his annual Presidential Address to the Federal Assembly on December 4th, 2014.

Why not take President Putin at his words:

- “Every nation has an inalienable sovereign right to determine its own development path, choose allies and political regimes, create an economy and ensure its security. Russia has always respected these rights and always will. This fully applies to Ukraine and the Ukrainian people.”
- “We will protect the diversity of the world.”
- “We will never enter the path of self-isolation, xenophobia, suspicion and the search for enemies.”
- “Our goal is to have as many equal partners as possible, both in the West and in the East. All this is evidence of weakness, while we are strong and confident.”

We need as many open and controversial discussions as possible between Russia, NATO, the EU and members states and the U.S. including Ukraine and the separatists. To exchange different points of views is the essence of democracy and the beginning of compromise. It will never be easy, but it has to be done and is worth a try.

To cancel the NATO-Russia-Council or other meetings out of frustration or as a tool of punishment for too many months, was counterproductive. Despite many state-banquets and vague speeches in the past years, real discussions were missing too long. The long-time Western “no-talk no-meetings approach“ was as well neglecting the lessons learned in the months before World War I – after so many good books have been published in the year of the 100th anniversary of this European core drama. The visit of Mrs. Merkel and Mr. Hollande to Mr. Putin in Moscow was a wise first step to discuss and not freeze contacts.

II. EU-Russia-Ukraine Trade Relations

The EU should finalize a EU-Ukraine-Russia-trade-agreement soon and place it higher on the agenda with a summit. “In the case of the Ukraine-EU Association Agreement, there was no dialogue at all. We were told that it was none of our business or, to put it simply, we were told where to go,” Putin complained. According to advisors of Angela Merkel, there had been numerous discussions about it between her and Putin and talks by experts. The Russian side missed to add concrete proposals, told a EU negotiator involved. It was mis-managed.

III. Re-set NATO-Russia relations.

The dialogue about a common security structure in Europe should start with fresh bi-monthly meetings of the NATO-Russia-Council in

Moscow and NATO capitals to openly discuss all military issues and find solutions including NATO and Russia with several working-groups established. The Munich Security Conference showed a deep gap of understanding again.

A high-ranking NATO-Russia-Summit should be held in Moscow in two months to openly discuss security issues. At this summit NATO and the Russian Federation should declare not to utilize their military capabilities against each other. They will not use their forces, equipment, active or non-active soldiers or allow those activities against each other.

Each year a NATO-Russia Summit will deliver a progress-report.

IV. A copy of the South Tyrolean/Trentino Alto Adige Accord and status from 1971 for an Autonomous Donbass Region within Ukraine.

Using best practices of a resolved ethnic conflict in Europe, mainly caused by the change of borders in World War I and World War II, the South Tyrolean/Trentino Alto Adige Accord from 1971, signed by the Republic of Austria and the Italian Republic, based on a balanced compromise between central power and peripheral regions, could offer the best way out in Ukraine.

Historically and culturally bounded with the Austrian-Germanic world, Italy's Trentino Alto-Adige/South Tyrol sought a highly autonomous status within the Italian Republic and Constitution.

The process of deriving this status shows the value of reaching an agreement based on a high level of autonomy on political, economic and cultural issues.

Such status must be granted through codification within the central state's body of law.

This approach eased the institutional balance between the center and periphery, defusing, in the medium-long term, potentially disruptive political unrest.

The Trentino Alto-Adige was the bone of contention between the newborn Italian Republic and the Republic of Austria at the end of WWII. From the beginning of negotiations in 1947 until 1972, a series of agreements recognized equal rights to all citizens, despite their language, as well as a balanced decentralization of administrative, legislative, executive and economic competences to be exercised autonomously over the regional territory.

This autonomy was strengthened over the decades, fostering the ties between the central state authority and the peripheral regional authority. Now the German-speakers live peacefully and happily within Italy and as citizens of the European Union.

Trentino Alto-Adige's integration-through-decentralization process into the Italian national identity shows how a widely-shared process and agreement recognizing a high level of institutional autonomy would lead, in a medium-to-long term perspective, to constructive and balanced power sharing, stability and economic development.

Transferred to the situation in Eastern Ukraine the following agreements could settle the conflict:

The human rights of the Russian population in the Donbas are guaranteed to the same degree like for the Germans in South Tyrol/Trentino Alto Adige.

Under the mistrust, time-pressure and problems in too many details, we propose to copy this best practice in Europe and give the Russian as much autonomy and rights like the Republic of Italy gave the majority of the German population in South Tyrol as a frame-agreement. The governments of the Republic of Austria and the Republic of Italy should provide the know-how and monitor the processes.

The status of an Autonomous Donbass Region will be integrated in the constitution of Ukraine and cannot be changed.

An international guarantee is given by signatory regional and international stakeholders (states including Belarus, Germany, Poland, France and Italy) and signed by Ukraine and Russia.

A standing Donbass committee is established with ambassadors from each country within the OSCE in Vienna with a special best-practise-team including Austria and Italy involved. This committee appoints Ombudsmen for any complains, which cannot be avoided.

An annual progress report by the Donbass OSCE committee and the Kiev government presented by the OSCE and the Kiev government in parliament.

A reconciliation fund of € 3bn for the region, financed equally by the EU and the Russian Federation and utilized to build up infrastructure.

The establishment of roundtables in each city to promote mutual understanding and reconciliation, moderated by the OSCE.

The establishment of a Truth and Reconciliation Commission by the Donbas OSCE group, using best practices from South Africa, as more than 20 other countries have done so far. Reporting live on TV in Ukraine and Russia with an annual report.

Radical reforms to stimulate new jobs, especially for small businesses.

Free trade agreements negotiated by the Kiev government with the EU and the Russian Federation.

Special passports for visits - like done for the Oblast Kaliningrad and Poland - where residents can travel up to 60 kilometers without visa and visit Russia and Ukraine.

The Autonomous Donbass Region stays within the state of Ukraine. Therefore no border is changed by force in Europe which is the key demand of the EU and the US and in line with international treaties and law.

To support the reconciliation process and start a fresh peaceful chapter, the separatists will lay down their governmental positions and declare the established local entities in the Donbass dissolved, as they have reached its purpose to protect the Russian culture and identity.

V. Further peace-making effort in the Donbass.

A ceasefire is needed to stop the killing and suffering of the civilians. All conflict parties will withdraw heavy weapons to a line 50 kilometers away from the front-line agreed in Minsk 2. All soldiers with Russian nationality will be called back home.

Kiev and Moscow declare again to respect and enhance both the principles of the Charta of Paris from 1990 and the guarantee-declaration from Budapest of 1994 and to honor the territorial integrity of Ukraine and in any dispute to peacefully look for solution with the OSCE.

The European Union as well as other states, in a strict collaboration with the United Nation Security Council, could provide a peacekeeping force of around 20,000 soldiers/policemen needed, asking to its members to become TCCs/PCCs. This force, operating under the Chapter VI of the United Nations Chart, could have amidst its attributions:

- Monitor the complete cessation of hostilities implementing a former diplomatic agreement;
- Promoting a shared DDR (Disarmament, Demobilisation, Reintegration) of all armed non state actors active within the region;
- Extend its assistance to help ensure humanitarian access to civilian populations and the voluntary and safe return of displaced persons;

VI. Promoting Reconciliation and Tolerance.

For the Russian population in Ukraine and all other minorities, including Hungarians or Tatars, Ukrainian Codes of Tolerance will be implemented.

The Kiev government appoints a Minister for Tolerance and Reconciliation with sufficient staff and funding by the EU. He promotes respect towards all ethnic and religious minorities in

Ukraine and reports annually to the parliament and the OSCE with an “Ukrainian Codes of Tolerance and Reconciliation Report.”

Within the context of reconciliation an amnesty committee will be established, like in South Africa, for people from all conflict parties.

VII. Reconciliation Referendum for Crimea- like in Saarland.

One best practice in Europe to solve a territorial and ethnic dispute was the arrangement of France and Germany about the disputed Saarland. Different agreements were reached from 1954 to 1957, including a referendum in 1955 if the region should stay with France, becomes a neutral European state or joins the Federal Republic of Germany, as it did.

The OSCE, with the support of the UN, will organize a fresh Reconciliation Referendum for Crimea in three months with two options: A vote to stay within the Russian Federation or to leave it and become as an Autonomous Region within Ukraine. All parties may register and promote their vision for two months with the same time on TV. The result will be respected by all local authorities as well as by the government in Ukraine, the Russian Federation, the EU, the U.S. and the international community.

This step means a border can be changed by a free, international recognized and open majority vote, but not with forces involved.

Kiev and Moscow will guarantee free travel of goods to Crimea.

To boost the economy at the Black Sea, a special tax-free-trade zone- comparable to Hongkong- should be established. The same could be done in the Oblast Kaliningrad at the Baltic Sea.

In case Crimea stays with Russia, Moscow will, as a gesture of good will and reconciliation, discount its gas supply for Ukraine by 25

percent over the next ten years based on the lowest payment in Europe.

We ask all parties involved to discuss and consider carefully these first concrete ideas ideas, or maybe better options, to find a peaceful solution for the people in Ukraine, and consider the lessons learned from the Great War 100 years ago for a better understanding, mutual trust and reconciliation.

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