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THE EU RESPONSE TO UKRAINE CRISIS: TESTING THE UNION'S COMPREHENSIVE APPROACH TO PEACEBUILDING

INTRODUCTION

The Euromaidan Revolution in Ukraine, followed by the Russian annexation of Crimea and its military intervention in Eastern Ukraine, posed a number of important challenges in front of the world community. Foremost, Russia's violation of Ukraine's territorial integrity tends to undermine the international consensus on refraining from the use of force directed at the territorial integrity and political independence of other states, enshrined in the UN Charter.

While this consensus is considered to have significantly contributed to the diminishment of the number of interstate wars in the second half of the 20th century, its breach is inevitably associated with multiple spillovers[1]. Second, the lack of effective policy and legal means to respond to Russia's 'hybrid war' strategy testifies to crucial drawbacks in the modern design of international humanitarian law. Third, the revival of force as a crucial factor in international relations is associated with the decreasing importance of liberal values that serve as a crucial foundation of modern international system, as well as the EU.

Despite being formulated differently, all the above challenges can be unified under the umbrella of the "instability of a world order" (Larive, 2014, p.3), a global challenge that requires a new modus vivendi to be found by the world community. While introducing decisive changes into the existing systems of international relations and international law remains a task to be completed, the Ukraine crisis already caused significant changes in the foreign policies of various international actors worldwide. Thus, it is important to study states' and international organizations' response to the Ukraine crisis to establish the common vector of the world community's reaction to the multiple breaches of international law, committed by the Russian Federation[2]. Subsequently, identifying such vector is crucial for determining the direction in which modern international relations and law need to be revisited to prevent similar occurrences in the future.

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[1] For the discussion of the security threats, associated with the Ukraine crisis, see Lanoszka (2016).
[2] For the comprehensive analysis of the Russia's annexation of Crimea and its aggression in Eastern Ukraine, see Zadorozhny (2014).

In the view of ever toughening regional conflicts, evidently requiring joint peacekeeping and peacebuilding efforts of the international community and the emerging threats to the international order, the European Commission called for solidifying the EU's comprehensive approach[3] to the management of external conflicts and crises. On the 11 December 2013 the European Commission and High Representative of the Union issued a Joint Communication to the Parliament and to the Council, emphasizing the crucial connection between security and development, distinguishing existing features of the 'comprehensive approach' and highlighting the way forward for the development of the concept (European Commission, High Representative, 2013).

Given the ongoing transformation of security environment[4], the EU's continuous move to the consistency of its external action[5] and the importance of comprehensive approach to crisis management in this regard, the paper aims to investigate the comprehensiveness of the Union's response to the Ukraine crisis.

Testing the comprehensiveness of the Union's approach to managing an extraordinary politically and legally challenging conflict in its Neighborhood is of significant practical and theoretical value. First, such study provides an insight into the practical application of the different aspects of comprehensiveness and allows distinguishing the aspects that still require improvement. Second, despite the Union's being one of the world's most vocal supporters of peace, democracy and human rights and its far-reaching involvement into the management of external crises, scholars still discuss whether the CFSP can be still regarded as a fully-fledged 'foreign policy' (Keukeleire and Delreux, 2014, pp.49-50). In view of this puzzle, an

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[3] While having not been reflected in the official doctrine of the European Union only in the end of the first decade of the new millennium, the concept of comprehensive approach has a long history in the EU's approach to security. Before having been interpreted in the Commission's Joint Communication 2013, the concept was primarily associated with the Civil-Military Coordination (CMCO) (Pirozzi, 2013, pp.5-7).

[4] For the overview of the major security threats, acknowledged by the EU, see: the European Union Global Strategy.

[5] Aiming to enhance the EU's international actorness, the Lisbon Treaty emphasized the strive for the consistency of the EU's external action by the abolishment of the pillar structure, introducing unifying objectives for the different dimensions of the external action, as well as launching the position of the High Representative. Studying the impact of these changes on the EU's actorness and the consistency of its external action is of significant importance for further reforms of the EU external action.

exploration of the EU's approach to peacebuilding [6] in Ukraine can contribute to the understanding of the EU as a foreign policy in general and security actor in particular. As there is no unified approach to defining the scope of peacebuilding, the case study of the EU efforts to tackle the situation in Crimea and Eastern Ukraine is likely to enhance the understanding the EU's approach to this concept. Last, but not least, testing the extent of the EU's commitment to security and stability of Ukraine and the means the Union uses to promote it is essential for investigating the dynamics of the EU-Ukraine relations.

The aim of the paper suggests the following structure of the argument. First, a brief introduction of the EU as a security and peacebuilding actor is made with the special emphases on the EU's new Global Strategy and the scope of the Union's comprehensive approach to the management of external conflicts and crises. Then, the theoretical framework of the paper is introduced, and a structure for the consideration of the case study is determined. The EU peacebuilding efforts during the Ukraine crisis are analyzed in light of the distinguished dimension of comprehensiveness. The concluding part of the paper re-visits the EU's comprehensive approach to conflict management.

EU AS A SECURITY AND PEACEBUILDING ACTOR

The purpose of this part of the article is to highlight the major features of the EU as a security actor, dedicating specific attention to the EU's Global Strategy and the Union's approach to conflict management.

Following the end of the World War II Western European countries started attempting to bring together their security and defense policies to prevent the emergence of further violent conflicts in Europe and beyond. Among such attempts one can mention the UK-France Treaty

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[6] The notion 'peacebuilding' is used as an overarching framework that encompasses conflict management, as well as structural efforts to remove the causes of the conflict and provide relief to those, affected by the conflict.

of Dunkirk 1947[7], Treaty of Brussels of 1948[8], a set-up of the Western Union Defense Organization in 1948[9], as well as the plan to create the European Defense Community (EDC)[10] in 1950. Despite the above post-War developments, it took the European Communities almost twenty years to launch the European Political Cooperation (EPC) following the failure of the EDC plan in 1954 and forty five years to introduce the European Security and Defense Policy ESDP) at the Cologne Summit of 1999. The EPC was introduced as an instrument to coordinate the foreign policies of European Communities' Member States and transformed into the EU's Common Foreign and Security Policy (CFSP) under the Treat of Maastricht in 1993. In turn, the ESDP was launched as an 'integral part' of the EU's CFSP, dealing with security issues (Grevi, Helly and Keohane 2009, p.14). While the ESDP has initially been created as a response to the lack of the EU's effective military capabilities to be employed during the Yugoslav Wars, it has soon developed a strong civilian dimension[11]. Positioning itself as a successful peace project (Natorski, 2011, p.1) and underlining the civilian ends[12] of its activities, the European Union has been actively using ESDP as an instrument for peacebuilding around the world.

Addressing the history of the ESDP institutions and procedures, Grevi, Helly and Keohane (2009) characterize it as "a process of almost permanent expansion and reform over the last ten years" (p.19). Continuing, Grevi Helly and Keohane (2009) argue that the evolution of the ESDP was significantly influenced by a range of factors, such as the broader context of institutional reforms, launched in 2002; the European strategic debate, as well as the attempts to

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[7] The Treaty of Dunkirk is a Treaty of Alliance and Mutual Assistance, signed between the UK and France in 1947 in the view of possible German attack. The Treaty of Dunkirk was further substituted by the Treaty of Brussels.
[8] The Treaty of Brussels was signed between the UK, France and Benelux countries to introduce mutual defense clauses to be used in case of the intensification of either a German or a Communist threat.
[9] The Western Union was an international organization, established in 1954 with the three major objectives, such as creating a basis for the economic recovery in Western Europe; assisting each other in case of aggression and promoting the unity of Europe. The organization formally existed until the 2011.
[10] The EDC was a plan, brought about in 1950 by R.Pleven, the French Prime Minister, and aiming to create the pan-European military forces as a response to the threat of the reviving German militarism.
[11] The ESDP civilian missions included the EU Police Mission in the former Yugoslav Republic of Macedonia (Proxima), EU Police Mission in Kinshasa (EUPOL Kinshasa), EU Police Mission in Bosnia and Herzegovina (EUPM), EU Integrated Rule of Law Mission for Iraq (EUjust Lex) etc.
[12] The importance of civilian ends of the EU's external action in light of the 'civilian power' concept is addressed by K.Smith (2005).

practically apply the experience of ESDP missions up to 2003 (p.20). While already being distinguished through its intergovernmental nature and a strong emphasis on the civilian nature of Union's power, the ESDP "got its own identity" (Becher, 2004, p.345) following the adoption of the European Security Strategy of 2003. Underlining the connection between security and development, the Strategy distinguished terrorism, the proliferation of weapons of mass destruction, organized crime, as well as regional conflicts and state failure as major threats to security.

Since 2004 to modern days, the ESDP (presently referred to as Common Security and Defense Policy (CSDP) has been experiencing a period of consolidation and the development of the EU-specific approach to the above threats. The key concepts that emerged in the process of the Union´s maturation as a security actor ´comprehensive approach to crisis management´ and ´civil-military coordination'.

In the most general terms, the notion 'comprehensive approach' can be defined as "the effort to pursue greater synergy, harmonization and complimentarity in the international peacebuilding system" (Coning, 2008, p.3). According to the UN's understanding, comprehensiveness means bringing together both civilian and military actors, as well as tackling the different stages of the conflict's development (Coning, 2008, p.5).

The EU's comprehensive approach in the external action domain can be considered in two aspects. The broader approach to comprehensiveness equates it with consistency of the Union's external policies, thus, stating that the EU security policy needs to be in line with the other external policies of the EU (e.g., trade, development). Adhering to such perspective, Woolard (2013) characterizes comprehensiveness as the unification of the wider objectives and strategies of the EU in the 'whole-of-EU approach'.

In the narrower perspective the comprehensive approach is considered solely in the light of the EU's conflict management efforts. While the comprehensive approach to crisis

management was de facto utilized in many cases of the EU's involvement into the resolution of international crises (e.g., the Horn of Africa, Sahel and the Great Lakes), it was first explicitly addressed only in 2013. According to the High Representative's and Commission's Joint Communication to the European Parliament and the Council of 11 December 2013, 'comprehensiveness' of the EU's approach to crisis management manifests itself in several dimensions . They include:

–   Joined-up deployment of multiple EU instruments and resources

–   Shared responsibility of the EU-level actors and Member States

–   Covering the wide cycle of a conflict, starting from warning and prevention to the post-conflict recovery and rehabilitation

–   Taking into account the nexus between security and development (European Commission, High Representative, 2013, pp.3-4)

Following the adoption of the EU's Global Strategy, "acting at the different levels of governance", from the local to global, can be also distinguished as a crucial element of the CSDP's comprehensiveness (High Representative, 2016). Another important feature, brought about by the Strategy, is that it unifies the EU's engagement into the resolution of external conflicts and crises under the umbrella of the notion 'peacebuilding' (High Representative, 2016).

Determining the way forward for the development of the comprehensive approach to the management of external conflicts and crises, the abovementioned Communication emphasizes the need for shared analysis and coherent country strategies, prevention efforts, combining different strengths and capabilities of the Union, commitment to the long-term success and the link between internal and external action (European Commission, High Representative, 2013, pp 5-12).

Importantly, the deployment of various instruments of the Union is strongly linked to the notion of 'civilian-military coordination' that military capabilities (civil-military coordination concept). According to Solana (2009), the EU's "distinctive civil-military approach to conflict management was ahead of its time, providing the CSDP with significant added value". Nevertheless, particularly the military dimension of the CSDP remains the one, whereby the Union acknowledges the presence of considerable gaps, preventing it from effective action, such as the lack of battle groups' interoperability, deployable armed forces and strategic intelligence (Whitman and Wolff, 2012, pp.44-45)

Toughening of both internal and external challenges to the EU's security (varying from the rise of far-right movement and British exit from the EU to geopolitical competition with Russia and the strengthening of ISIS) make the consideration of the EU's actorness in security and peacebuilding terms highly topical. Despite the fact that the Art. 43 TEU provides for a clearly intergovernmental nature of the Union's CSDP (Foster, 2016), scholars tend to address the EU as a distinct security actor, possessing its own Global Strategy and actively involved into peacebuilding worldwide (Zwolski and Kaunert, 2013; Renard, 2014). The crucial features of the EU as a security actor include its comprehensive approach to the management of external conflicts and crises, combining civilian and military capabilities, as well as sharing the responsibility between the EU and Member States and concentrating on the key priorities for action, defined by the Global Strategy[13].

THEORETICAL FRAMEWORK

The aim of this chapter is to present the concept of peacebuilding as the theoretical framework for assessing the EU's response to the Ukraine crisis, distinguishing it from a broad range of related concepts (e.g., conflict resolution, conflict settlement, peacekeeping, nation-

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[13] The priorities for action, defined by the EU's Global Strategy, include The Security of the Union; State and Social Resilience; An Integrated Approach to Conflicts; Cooperative Regional Order and Global Governance for the 21st century.

building etc). The chapter also aims to explain the advantages of choosing the concept of peacebuilding as a theoretical framework to investigate the EU's efforts to promote peace beyond its borders.

According to Berkovitch and Jackson (2009), peacebuilding is "an evolving, multidimensional, and fairly elastic notion that encompasses multiple perspectives and agendas – from the UN and development agencies to small NGOs working to promote reconciliation" (p.171). Due to its application by diverse agencies in multiple contexts, a variety of practically applicable definitions of peacebuilding were elaborated.

The first official definition of 'peacebuilding' was stipulated in a world-known Agenda for Peace, the 1992 report by the UN Secretary General B.Boutros-Ghali. According to this definition, peacebuilding shall be understood as "action to identify and support structures which tend to strengthen and solidify peace to avoid a relapse into a conflict" (UN Secretary General, 1992). As well as the above definition of peacebuilding, other recognized scholarly and institutional definitions are characterized with significant breadth of their scope and visible intersections with other terms.

For instance, the John Hopkins School of Advanced International Studies (2016) defines peacebuilding as a "process that facilitates the establishment of durable peace and tries to prevent the reoccurrence of violence by addressing root causes and effects of violence through reconciliation, institution-building, as well as political and economic transformation". The traits of peacebuilding, distinguished by this definition, highlight the relations between peacebuilding and other terms, as well as the unique features of peacebuilding. Based on this definition, it is possible to state that the term 'peacebuilding' encompasses 'conflict resolution', a term that is often considered to be synonymous to 'reconciliation'. The fact that peacebuilding is almost always concerned with 'reconciliation', 'trust-building' and the elimination of misunderstandings between parties leads to the importance of a relational aspect of

peacebuilding (Maiese, 2013). In practice, the relational aspect of peacebuilding manifests itself in the facilitation of negotiations between parties to the conflicts (e.g., mediation) and the attempts to transform a conflict.

Singling out 'institution-building', as well as 'political and economic transformation' as important avenues of peacebuilding is crucial to understand a structural dimension of this phenomenon and its link to various aspects of development policy. As opposed to the major operations of the Cold War era, representing "the classic model of inter-state conflict management", the modern concept of international peacebuilding encompasses security, development, humanitarian assistance, governance and the rule of law aspects (Newman, Paris and Richmond, 2009, p.5). In other words, the concepts of post-Cold War peacebuilding operations are found to depart from the perception of peace as the "absence of war", pursuing the liberal ideal of sustaining and promoting peace via the support for liberal democracy and market economy (Newman, Paris and Richmond, 2009, p.4).

Apart from encompassing the relational and structural aspects, peacebuilding is often associated with the personal aspect, namely supporting the occurrence of desired change at the individual level (Maiese, 2013). Given the importance of countering individuals' negative experiences, associated with the conflict, peacebuilding efforts are often directed to the improvement of infrastructure for delivering mental health aid and the provision of on-to-one counseling. The personal aspect of peacebuilding found its reflection in the widely known Ten Strategic Principles of Peacebuilding, developed by the Joan B.Kroc Institute for Peace and Justice. According to the Principles, peacebuilding "heals trauma, promotes justice and transforms relationships", simultaneously "creating spaces where people interact in new ways, expanding experience and honing new ways of communication" (Alliance for Peacebuilding, 2012).

The above inquiry into the substance of the peace-building allows conceptualizing it as a comprehensive process that encompasses multiple activities at the different stages of the conflict, such as its prevention, resolution and post-conflict rehabilitation. The departure from considering peacebuilding solely as a post-conflict rehabilitation exercise provides for distinguishing between the operational and structural peacebuilding. The operational peacebuilding efforts are primarily directed to terminating the violent conflict, launching negotiations between the conflicting parties, as well as providing relief to the victims of the conflict. Most commonly, the operational peacebuilding encompasses diplomatic measures, sanctions and humanitarian assistance. As opposed to the operational dimension of peacebuilding, structural peacebuilding deals with the long-term efforts international actor(s) apply to promote peace, democracy and the development of market economy in the area, affected by the conflict (Carnegie Commission on Preventing Deadly Conflict, 1997)

The analysis of the peculiarities of the EU as a security actor, its approach to conflict management and the concept of peacebuilding (as understood by multiple international organizations) allows formulating the following advantages for using peacebuilding as a theoretical framework to consider the EU response to the Ukraine crisis. First, the comprehensiveness of the peacebuilding framework resonates with the comprehensive approach to conflict management, emphasized by the EU. Secondly, a focus on structural dimension of action, underlined by the peacebuilding framework, is in line with the Union's being defined as 'structural power'. Despite the above parallels and the growing presence of the concept of 'peacebuilding' in the EU's communication (Duke and Courtier, 2009, pp.3-4), it remains an imprecise term, lacking a definition, common across the different areas of external policy. Therefore, a practical application of the existing peacebuilding frameworks to the EU responses to external crises can serve as a basis for the development of such definition.

OPERATIONALIZATION

The aim of this part of the paper is to specify the scope of the research, operationalizing the key concepts to be used in the paper. As it stems from the analysis of the substance of the EU's comprehensive approach to external conflicts and crises, the application of such approach can be tested in multiple dimensions in terms of a single or a comparative case study.

They include, but are not limited to:

− The Union's deployment of multiple political and legal instruments

−Shared responsibility between the EU and Member States

−The balance between short-term conflict mitigation and long-term stabilization efforts

−Partnerships with international peacebuilding actors

−Observing the nexus between security and development

−The presence of a country strategy etc.

Finding out whether the EU's response to a specific conflict or crisis was truly comprehensive requires considering the case in the light of at least the majority of the above dimensions of comprehensiveness. Given the fact that this paper aims to link the concepts of the EU's 'comprehensive approach' to external conflicts and crises and 'peacebuilding', it is suggested to concentrate on the substance of the EU's peacebuilding efforts in Ukraine. In these terms the following aspects of comprehensiveness will be touched upon:

−Union's comprehensive approach to managing the Ukraine's conflict as a fully-fledged peacebuilding exercise, including the relational, structural and personal aspects

−The presence of a single country strategy

−The Union's deployment of multiple political and legal instruments

−The balance between short-term conflict mitigation and long-term stabilization efforts

METHODOLOGY

The paper is based on the analysis of primary EU sources (EU legal documents, political statements of the EU leaders) and secondary sources, containing the analysis of the EU's response to the Ukraine crisis.

EU ENGAGEMENT INTO THE UKRAINE CONFLICT AS A PEACEBUILDING EXERCISE

The aim of this chapter is to consider the EU's response to the Ukraine crisis as a peacebuilding exercise, covering the relational, structural and personal aspects. It is claimed that the Union investigated significant efforts into all the above dimensions of peacebuilding without elaborating a single strategy[14] of embedding them.

RELATIONAL ASPECT

Since the outbreak of the Euromaidan Revolution in Ukraine, Brussels has used diplomatic means in order to influence the situation and prevent the bloodshed. While the use of diplomatic means tends to represent the relational aspect of peacebuilding, many political statements, made by the EU's representatives include the referrals to the application of structural peacebuilding means.

−In the first Union's official statement as regards the Revolution in Ukraine the Enlargement Commissioner S.Fuele welcomed "the moment where the people are free to assemble and express their opinion" (Euronews, 2013) on the issues, highly important for the future of Ukraine.

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[14] The most recent EU's strategic document in relation to Ukraine was the ENI Country Strategy Paper 2007-2013.

−On the 26th of November 2013 the Members of the European Parliament, responsible for the Eastern Partnership, warned the Government of Ukraine against the use of force in relation to the pro-EU protesters (European Parliament, 2013)

−Following the use of force at the Maidan Square in Kyiv on the 29th of November 2013 Stefan Fuele and the High Representative of the EU for Foreign and Security Policy Catherine Ashton released a joint statement to condemn the use of force against protesters (EEAS, 2013)

−On the 1st of March 2014 the High Representative of the EU "deplored Russia's decision to use armed forces in Ukraine", referring to it as "an unwarranted escalation of tensions". The statement also contains an appeal to "decrease the tension through dialogue, in full respect of international law" (EEAS, 2014a).

−In her Remarks of 17th March 2014 the High Representative strongly condemned the holding of the referendum in Crimea and listed a number of means to be used by the EU to stabilize the situation in Ukraine. Among them she emphasized the EU's readiness to facilitate the dialogue between parties to the conflict and supporting the "swift deployment of an OSCE Special Monitoring Mission; signing of the political provisions of the Association Agreement with Ukraine and "strong financial support for economic and financial stabilization of the country" (EEAS, 2014b).

− On the 13th of April 2014 the High Representative issued the first statement to express concern about the surge of separatist movements in Eastern Ukraine, mentioning the need to support the operation of the OSCE Special Monitoring Mission and referring to the Geneva talks, involving the EU, USA, Russia and Ukraine (EEAS, 2014c).Initially addressed as "a glimpse of hope" by Barack Obama (Borger and Luhn, 2014), the agreement[15], reached by the parties during the Geneva talks, was never realized, determining the need for future international talks and strong political statements.

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[15] The major points of the deal included 1) all parties' refraining from violence; 2) disarmament of the illegally armed groups, returning of illegally seized buildings; 3) amnesty to protesters with the exception of the ones, guilty of the capital crimes; 4) granting the OSCE a leading role in assisting authorities to implement the agreement; 5) launching an inclusive, accountable and transparent constitutional reform in Ukraine.

−Already on the 29th of April 2014 the High Representative addressed the "worsening security situation¨ in her statement, condemning the surge of violence and specifically addressing the detention of the OSCE military observers. In the statement, the High Representative mentioned expanding the list of sanctioned individuals as a countermeasure to be taken. No structural measures were mentioned in the above statement (EEAS, 2014d).

Similar to the case of the Geneva talks, the Minsk Protocol of the 5th of September 201419, concluded between the representatives of Ukraine, Russian Federation and self-proclaimed Donetsk and Luhansk Peoples' Republics, generated significant hopes as regards the ceasefire and the alleviation of the situation. The presence of such hopes can be proved by referring to the G-7 Foreign Ministers' Statement on Ukraine that welcomed the Minsk agreements of the 5th and 19th September as "an important step towards sustainable, mutually welcoming ceasefire" (Office of the Spokesman, 2014).

However, already on the 2nd and 29th of October 2014 the EU External Action Service (EEAS) was forced to condemn violence and excessive Russian influence in Eastern Ukraine as the breaches of the Minsk agreements (EEAS, 2014e; 2014f). In these statements, the EEAS underlined the EU's concern about the continuing escalation of violence, as well as the need for political solution of the crisis (EEAS, 2014e; 2014f).

An important step to the new ceasefire agreement was the Franco-German plan (initially addressed by Francois Hollande as "the last chance" to resolve the conflict) (BBC, 2015) to elaborate on a new agreement, including the Russian Federation as a party. On the 12th of February 2015 the representatives of Ukraine, Russia, France, Germany and the self-proclaimed Donetsk and Luhansk People's Republics managed to develop a new international agreement, frequently referred to as Minsk II. Despite the ambitious scope of Minsk II (including inter alia an "immediate and full ceasefire" and "pull-out of all heavy weapons by

both sides to equal distance"), the EU's leaders were cautious about it, fearing possible breaches (Buckley, Hille and Olearchuk, 2015).

The breaches of the ceasefire and pull-out of heavy weapons were repeatedly noted in Donetsk and Luhansk regions, and further reflected in the number of the EU's official statements, condemning the escalation of violence in Eastern Ukraine.

An important fact to be mentioned with regard to Minsk II Agreement is that it contains multiple obligations of Ukraine as regards the internal structural reforms and related steps, necessary to ensure peace and democracy. Among them one can mention the constitutional reform (with a focus on the decentralization), as well as holding democratic local elections in October 2015. The mode of Ukraine's implementing the above obligations was supported by the EU in terms of its structural peacebuilding efforts and also became the focus of a number of the Union's statements related to Minsk II (EEAS, 2015).

Given the continuing presence of the ceasefire breaches in Donetsk and Luhansk regions of Ukraine, the EU continued to condemn the above developments and call for the peaceful resolution of the conflict in its political statements.

Elaborating on the relational aspect of the EU's response to the Ukraine crisis, it is worth mentioning numerous economic restrictive measures, employed by the Union (European Council, 2016). On the 6th of March 2014 the extraordinary meeting of EU Heads of State and Government on Ukraine was held, and it was decided to start elaborating on the individual restrictive measures (assets freeze and visa bans) against the persons, involved into the actions, "threatening the territorial integrity of Ukraine" (European Council, Council of the EU 2016). Since the introduction of the first individual restrictive measures on the 17th of March 2014, the Union repeatedly broadened the scope of economic sanctions and extended the time of their operation

STRUCTURAL ASPECT

Adhering to the comprehensive approach to conflict management, the EU provided Ukraine with unprecedented support for the long-term transformation. The outstanding examples of the EU's structural peacebuilding efforts are:

−	The signing of the ambitious EU-Ukraine Association Agreement (27 June 2014), provisional application of the important parts of this Agreement (04 November 2014), as well as the provisional application of the Deep and Comprehensive Free Trade Areas between the EU and Ukraine (1 November 2014)

−	The EU's Advisory Mission to Ukraine (EUAM), formed under the auspices of the CSDP, started its operation in December 2014. The mandate of the EUAM encompasses civil security sector, making special emphases on the distribution of competences between various civil security agents, community policing, support for order during mass events, criminal investigations and human resource management (EUAM, 2016).

−	Introducing Special Measures 2014 and 2015 in favour of Ukraine that are financed from the General Budget of the EU. The 2014 Special Measure focused on the State-Building Contract for Ukraine (fight against corruption, integrity and accountability of the public sector, transparency and competitiveness in public procurement, civil service reform etc) and the Civil Society Support Programme, allocating the budget lines of EUR 202 million and EUR 40 million for the implementation of them respectively (European Commission, 2014). In turn, the 2015 Special Measure was dedicated to supporting the Private Sector Development and Approximation in Ukraine via the "EU Support to Relaunch the Economy" and Technical Cooperation Facility. The total amount of financing, allocated for these programs, is EUR 70 million (European Commission, 2015).

–   A EUR 97 million-worth programme, jointly financed by the EU (EUR 90 million), Germany (EUR 6 million) and Poland (1 million), was launched in December 2015 to support the reform of decentralization and re-enforce local governance in Ukraine.

–   Ukraine has been receiving funding from the EU in terms of a range of its unilateral financial support instruments, such as EU Neighborhood Instrument, EU Instrument for Democracy and Human Rights and, last, but not least, the Instrument contributing to Stability and Peace, preventing conflicts around the world.

PERSONAL ASPECT

Transferring to the personal dimension of the conflict, it is necessary to underline the difficulty of determining the EU's contribution to relieving individuals' sufferings and transforming the individuals' attitudes to the conflict[16]. However, several vectors of actions, wherein the Union evidently contributes to the above issues can be still singled out:

–First, in September 2014 the EU launched an umbrella initiative "Support to conflict-affected areas" (worth EUR 17) that brought together 17 projects, targeting internally displaced persons (IDPs) in Ukraine. While the majority of the funded projects were directed towards improving the physical conditions of the IDPs' life (mainly providing temporary accommodation), some aimed to facilitate IDPs' integration and improve their wellbeing in psychological terms (EuropeAid, 2016).

–Using its multiple civil society support instruments (e.g, the Civil Society Support Programme, EIDHR) the EU provides financial support to various projects, Launched by civil society organizations. Given the current situation, the projects, targeting IDPs and other individuals, affected by the conflict, are welcomed.

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[16] This difficulty is concerned with the fact that the application of various EU instruments in Ukraine can influence individuals' wellbeing and attitudes to the conflict in an indirect way.

−Last, but not least, the EU projects, not targeted to support the IDPs, can indirectly influence their wellbeing (e.g., Erasmus + and other opportunities to facilitate contacts between people)

SUMMARY

The examination of particular actions, included into the EU's response to the Ukraine crisis testifies to the fact that the scope of the EU's peacebuilding efforts in Ukraine is definitely inspired by the concept of comprehensive approach to crisis management. In the case at hand the EU invested significant efforts into the relational aspect of peacebuilding, exerting diplomatic pressure on Russia and facilitating reconciliation between the parties. At the same time, the Union made important steps to support the long-term transformation of Ukraine's political, economic and social systems. At the strategic level, the EU-Ukraine Association Agenda can be viewed as a Roadmap for both promoting the bilateral engagement between the EU and Ukraine, and the EU's structural efforts in Ukraine.

While the EU evidently contributed to the personal aspect of peacebuilding via its financial support for multiple projects, the Union did not elaborate on a single strategy to promote psychological wellbeing of those, affected by the conflict, and promote understanding between individuals from the different parts of Ukraine.

It is also important to mention that the EU did not present an overarching strategy of its response to the Ukraine crisis. While the EU-Ukraine Association Agenda can be considered as a Roadmap for the structural dimension of the EU's peacebuilding efforts in Ukraine, the relational and personal aspects of peacebuilding seem not to follow a written strategy, possibly, for the sake of response's flexibility.

THE EU'S DEPLOYMENT OF MULTIPLE INSTRUMENTS

The above examination of the EU's response to the Ukraine crisis allows distinguishing a set of instruments the EU employs to promote peace.

According to Gross (2013), consolidating capacities and deploying multiple instruments to bring together diplomacy and development represents an essential aspect of the EU's comprehensive approach to peacebuilding (p.15). It is claimed that the Ukraine case testifies to the Union's having deployed a variety of political and legal instruments under the umbrella of its peacebuilding efforts.

First, the Union employs diplomatic (soft) instruments to express its attitude to the current political situation and call for the observance of the principles and norms of international law. In the majority of cases, different bodies of the Union used political statements to react to the toughening of the crisis. At the political level, the EU and its Member States also used their political influence to suspend Russia from the participation in the G8 and continuing the negotiations regarding its accession to the OECD.

Second, the EU effectively applied sanctions policy against the Russian Federation. The legal basis for the application of sanctions is constituted by the Art.215 TFEU. Art. 215 TFEU provides for "the interruption or reduction, in part or completely, of the Union's economic and financial relations with one or more third countries, where such restrictive measures are necessary to achieve the objectives of the CFSP" (Foster, 2016). Apart from the measures, targeting individuals (e.g., asset freeze and visa ban), the sanctions include embargo on arms, dual-use goods and technology; restrictions related to the issuance and trade in certain "bonds, equities or similar financial instruments"; bans on the provision of "certain types of services" etc. According to Mirimanova (2014), "keep engaging into talks and adhere to principles' strategy, seems to be a good complement to the punitive measures" (p.13).

Third, the EU has continuously expressed its support for the peaceful resolution of a conflict via the conclusion of international agreements (Geneva, Minsk) and the oversight of their implementation, conducted by the OSCE Special Monitoring Mission in Ukraine. Despite the EU's ongoing efforts to strengthen its mediation and dialogue capacities (EPLO, 2011), the Union participated only in the Geneva talks in 2014, choosing not to be directly involved into the Minsk process.

Fourth, the EU's response to the crisis in Ukraine involves "assistance for the fundamental reform of the police, other law enforcement agencies and the overall civilian security sector" (Mirimanova, 2014, p.17). Being strictly civilian, the EU's mission aims not only to facilitate the internal reforms within the law enforcement agencies, but to promote democratic civilian control over the functioning of the above agencies. The major achievements of the EUAM include its support for the formation of the National Police of Ukraine and the National Anti-Corruption Bureau, as well as the introduction of community policing. Apart from the CSDP-based mission, the EU Border Assistance Mission to Moldova and Ukraine and the Support to Justice Sector Reforms mission are deployed by the Union in Ukraine.

Fifth, the Union used a range of its unilateral technical and financial assistance instruments to support reforms in Ukraine and provide relief to those, affected by the conflict. Among the above instruments one can mention the European Neighborhood Instrument (ENI), Instrument contributing to Stability and Peace and the EuropeAid funding schemes. While some of these instruments are continually employed by the Union to contribute to the democratic reforms in Ukraine (e.g., the ENI), others were deployed specifically to react to the Ukraine crisis.

Sixth, the development of the bilateral dimension of the EU-Ukraine relations via the conclusion of the EU-Ukraine Association Agreement and the provisional application of

selected parts of the Agreement represents an important instrument of facilitating cooperation and supporting the long-term transformation in Ukraine.

To conclude, the EU peacebuilding efforts in Ukraine included the deployment of multiple political and legal instruments, varying from strong political statements to assisting long-term transformation and Europeanization of Ukraine via the ambitious Association Agreement.

THE BALANCE BETWEEN SHORT- AND LONG-TERM EFFORTS

The aim of this chapter is to show that the EU's efforts to bring peace to Ukraine include both short-term (operational) and long-term (structural) dimensions, as provided by the conceptual framing of the EU's 'comprehensive approach to peacebuilding'.

Among the operational peacebuilding efforts one can single out the application of political and economic sanctions against the Russian Federation, as well as providing those, who suffered from the conflict in Crimea and Eastern Ukraine with the means of immediate relief. The above measures are directly responding to the threats, posed by the crisis, and their application is fully dependent on the presence of such threats. Similarly, the efforts, employed by the Union, to bring about the political solution of the crisis, can be classified as operational.

In turn, the structural peacebuilding measures are directed towards influencing "long-term processes and shaping political, legal and other structures" in the countries, affected by the crisis (Keukeleire and Delreux, 2014, p.208). Thus, the structural dimension of the EU's peacebuilding includes the EU's application of the unilateral technical and financial assistance instruments and upholding the bilateral aspect of the EU-Ukraine relations.

To sum up, the analysis of the scope of relational, structural and personal aspects of peacebuilding, reflected in the EU's response to the Ukraine crisis, testifies to the fact that the EU's crisis response entails both operational and structural dimension.

CONCLUSIONS

The aim of the paper was to test the EU's comprehensive approach to peacebuilding, using the EU's efforts to engage into the resolution of the ongoing Ukraine crisis.

The conducted analysis allows formulating the following results. First, the multidimensional concept of peacebuilding that includes relational, structural and personal (individual) dimensions was found to be a suitable framework for studying the whole palette of actions the EU was taking to respond to the crisis in Ukraine. While the relational and structural aspects of peacebuilding were emphasized by the EU in its agenda, the personal (individual) aspect did not get considerable reflection in the EU policy documents, especially in strategic terms. Thus, particularly this aspect of the EU's peacebuilding is least prone to further analysis, and evidently requires a strategic vision to be adapted.

It was proved that the comprehensiveness of the EU's action was fully reflected in two crucial dimensions, namely the deployment of multiple political and legal instruments and observing the balance between short- and long-term efforts. However, no single strategy of the Union's response to the crisis was elaborated.

Obtaining further insights into the comprehensiveness of the EU's response to the Ukraine crisis requires analyzing the mode of the EU's cooperation with its Member States in terms of its peacebuilding efforts; the mode of the EU's cooperation with other institutions (e.g., the OSCE Monitoring Mission in Ukraine), as well as the balance between the civilian and military aspects of the crisis response. Further studies of the practical application of the

'comprehensive approach' concept are essential in the light of the priorities, set by the EU's

Global Strategy.

REFERENCES

Alliance for Peacebuilding 2012, *Peacebuilding 2.0. Mapping the boundaries of an expanding field.* Available from http://www.allianceforpeacebuilding.org/site/wp-content/uploads/2013/08/AfP-Mapping-Report_online_FINAL.pdf [29 August 2016]

BBC 2015 'Ukraine crisis: 'Last chance' for peace, says Hollande', *BBC,* 7 February. Available from: http://www.bbc.com/news/world-europe-31185027 [29 August 2016]

Becher, K 2004 'Has-been, wannabe or leader: Europe's role in the world after the 2003 European Security Strategy', *European Security,* Vol.13, No.4, pp.345-359

Bercovitch, J and Jackson, R 2009 ´Conflict resolution in the twenty-first century: principles, methods and approaches, University of Michigan Press, Michigan

Borger, J., Luhn, A 2014, 'Ukraine crisis: Geneva talks produce agreement on defusing conflict', *The Guardian,* 17 April. Available from https://www.theguardian.com/world/2014/apr/17/ukraine-crisis-agreement-us-russia-eu [29 August 2016]

Buckley, N., Hille, K., Olearchuk, R 2015, 'European leaders cautious over 'Minsk II' agreement, *FT.com,* 13 February. Available from http://www.ft.com/cms/s/0/5e2b7a0e-b2dc-11e4-a058-00144feab7de.html#axzz4InUCLxJR [29 August 2016]

Carnegie Commission 1997, *Executive Summary.* Available from https://www.insightonconflict.org/media/wp-content/uploads/2013/07/Carnegie-Commission_Summary.pdf [29 August 2016]

Coning, C 2008, *The United Nations and the comprehensive approach,* Danish Institute for International Studies, Copenhagen

Duke, S and Coutier, A 2009, *EU Peacebuilding: concepts, players and instruments*, Centre for Global Governance Studies, Leuven

EEAS 2013, *Joint Statement by EU High Representative Catherine Ashton and Commisioner Stefan Fuele on last night's events in Ukraine.* Available from: http://www.eeas.europa.eu/statements/docs/2013/131130_02_en.pdf [29 August 2016]

EEAS 2014a, *Statement by EU High Representative Catherine Ashton on the developments in Ukraine's Crimea*. Available from: http://www.eeas.europa.eu/statements/docs/2014/140301_01_en.pdf [29 August 2016]

EEAS 2014b, *Remarks by EU Representative Catherine Ashton following the Foreign Affairs Council*. Available from: https://eeas.europa.eu/statements/docs/2014/140317_04_en.pdf

EEAS 2014c, *Statement by EU High Representative Catherine Ashton on the situation in Eastern Ukraine.* Available from: http://eeas.europa.eu/statements/docs/2014/140413_01_en.pdf [29 August 2016]

EEAS 2014d, *Statement by EU High Representative Catherine Ashton on the EU response to the worsening security situation in Eastern Ukraine.* Available from: http://eeas.europa.eu/statements/docs/2014/140429_02_en.pdf [29 August 2016]

EEAS 2014e, *Statement by the Spokesperson on violations of the ceasefire in Eastern Ukraine*. Available from: http://www.eeas.europa.eu/statements/docs/2014/141002_03_en.pdf [29 August 2016]

EEAS 2014f, *Statement by the Spokesperson on the early local elections in Eastern Ukraine.* Available from: http://eeas.europa.eu/statements/docs/2014/141029_02_en.pdf [29 August 2016]

EEAS 2015, *Statement by the Spokesperson on the recent escalation of fighting in Eastern Ukraine.* Available from: http://eeas.europa.eu/statements-eeas/2015/150811_03_en.htm [29 August 2016]

EPLO 2011, *EU Support to Peace Mediation: Developments and Challenges*. Available from: http://www.eplo.org/assets/files/2.%20Activities/Working%20Groups/EU%20Support%20for%20Peace%20Processes/EPLO_Policy_Paper_EU_Support_to_Peace_Mediation.pdf [29 August 2016]

EUAM 2016, *Mandate of the Mission*. Available from: http://www.euam-ukraine.eu/ua/what-we-do/5-priorities [29 August 2016]

Euronews 2013, ´EU's Fuele rues Ukraine's 'missed chance" *Euronews,* 26 November. Available from: http://www.euronews.com/2013/11/26/eu-s-fule-rues-ukraine-s-missed-chance [29 August 2016]

EuropeAid 2016, *Support to conflict-affected areas.* Available from http://ec.europa.eu/europeaid/projects/support-conflict-affected-areas_en [29 August 2016]

European Commission, High Representative of the Union for Foreign Affairs and Security Policy 2013, *Joint Communication to the European Parliament and the Council 'The EU's comprehensive approach to external conflict and crisis*. Available from http://www.eeas.europa.eu/statements/docs/2013/131211_03_en.pdf [29 August 2016]

European Commission 2014, Special Measure for Ukraine. Available from: http://ec.europa.eu/europeaid/special-measure-2014-ukraine_en [29 August 2016]

European Commission 2015, Special Measure 2015 for Private Sector Development and Approximation in favour of Ukraine to be Financed from the General Budget of the European Union. Available from: http://ec.europa.eu/enlargement/neighbourhood/pdf/key-documents/ukraine/20150521-special-measure-2015-for-private-sctor-development-and-approximation.pdf [29 August 2016]

European Council, Council of the European Union 2016, Timeline – EU restrictive measures in response to the crisis in Ukraine. Available from http://www.consilium.europa.eu/en/policies/sanctions/ukraine-crisis/history-ukraine-crisis/ [29 August 2016]

European Parliament News 2013, *Key MePs warn Ukraine authorities not to use force against pro-Europe protesters.* Available from: http://www.europarl.europa.eu/news/en/news-room/20131126IPR26201/key-meps-warn-ukraine-authorities-not-to-use-force-against-pro-europe-protestors [29 August 2016]

Foster, N Blackstone 2016, 'EU Treaties and Legislation 2016-2017', Oxford University Press, Oxford

Grevy, G., Helly, D., Keohane, D 2009, *European Security and Defence Policy: the first ten years*, the European Institute for Security Studies, Paris

Gross, E 2013 'Peacebuilding in 3D: EU and US approaches', European Union Institute for Security Studies, Paris

High Representative of the Union for Foreign Affairs and Security Policy 2016, *EU Global Strategy.* Available from https://eeas.europa.eu/top_stories/pdf/eugs_review_web.pdf [29 August 2016]

John Hopkins School of Advanced International Studies 2016, *Peacekeeping.* Available from https://www.sais-jhu.edu/content/peacekeeping [29 August 2016]

Keukeleire, S. & Delreux, T 2014, *The foreign policy of the European Union*, Palgrave McMillan, New York

Lanoszka, A. 2016, 'Russian hybrid warfare and extended deterrence in Eastern Europe'. *International Affairs*, vol.92, no.1, pp.175-195

Larive, M 2014, 'Western strategic poverty; The Ukrainian crisis and the new world order', *Jean Monnet/Robert Schuman Paper Series,* Vol.14, pp.3-6

Maiese, M 2003, *What it means to build a lasting peace*. Available from http://www.beyondintractability.org/essay/peacebuilding [29 August 2016]

Mirimanova 2014,Peacebuilding in Ukraine: What Role for the EU? *Civil Society Dialogue Network,*No 8, pp.1-29

Natorski, M 2011, *The European Union peacebuilding approach: governance and practices of the Instrument for Stability*, Peace Research Institute, Frankfurt am Main

Newman, E., Paris, R., Richmond, O.P (eds) 2009 *New perspectives on liberal peacebuilding*, United Nations University Press, Tokyo

Office of the Spokesman, U.S. Department of State 2014, *G7 Foreign Ministers Joint Statement on Ukraine.* Available from http://www.state.gov/r/pa/prs/ps/2014/09/232123.htm [29 August 2016]

Pirozzi, N 2013, 'The EU's comprehensive approach to crisis management', *EU Crisis Management Papers Series,* DCAF Brussels

Renard, T 2014, 'The European Union: a new security actor', *EUI Working Papers RSCAS*, pp.1-20

Smith, E 2005, 'Beyond the civilian power Europe debate', *Politique Europennee*, No.17, pp.63-82

Solana, J 2009, *Remarks at the conference ESDP@10: What lessons for the future?, the EU Institute for Security Studies*, Brussels, 28 July. Available from: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/esdp/ 109456.pdf [29 August 2016]

UN Secretary General 1992, *An Agenda for peace: preventive diplomacy, peacemaking and peacekeeping.* Available from: http://www.un.org/en/sc/repertoire/89-92/Chapter%208/GENERAL%20ISSUES/Item%2029_Agenda%20for%20peace_.pdf [29 August 2016]

Whitman, R.G. and Wolff, S (eds.) 2012, *The European Union as a Global Conflict Manager,* Routledge, London

Woolard, C 2013, *The EU and the Comprehensive Approach,* EPLO, Brussels

Zadorozhny, O 2014, Ukrainian Revolution of Dignity and international law, K.I.S, Kyiv.

Zwolski, K., Kaunert, C 2013, *The EU as a global security actor – a comprehensive analysis beyond CFSP,* Palgrave McMillan, Basingstocke