

IFP SECURITY CLUSTER

COUNTRY CASE STUDY: UKRAINE

PUBLIC SECURITY NEEDS AND PERCEPTIONS IN UKRAINE

EU's SSR Aid Programming for Ukraine

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PUBLIC SECURITY NEEDS AND PERCEPTIONS IN UKRAINE

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ACRONYMS

ACTION	Promoting Active Citizen Engagement in Combating Corruption in Ukraine
ATP	Annual Target Plan
CIDA	Canadian International Development Agency
CoE	Council of Europe
CSOs	Civil society organisations
CSP	Country Strategy Paper
DAC	Development Assistance Committee
DfID	UK Department for International Development
EC	European Commission
EIDHR	European Instrument for Democracy and Human Rights
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood and Partnership Instrument
EUBAM	EU Border Assistance Mission to Moldova and Ukraine
IFP	Initiative for Peacebuilding
MoD	Ministry of Defence
MoI	Ministry of Interior
MoJ	Ministry of Justice
NCU	National Coordinating Unit
NGOs	Non-governmental organisations
NSDC	National Security and Defence Council
ODA	Official Development Assistance
OECD	Organisation for Economic Cooperation and Development
OSCE	Organisation for Security and Cooperation in Europe
PCA	Partnership and Cooperation Agreement
PR	Public relations
SALW	Small arms and light weapons
SBU	Security Service of Ukraine
SDC	Swiss Agency for Development and Cooperation
SSR	Security sector reform
SWAp	Sector-Wide Approach
ToR	Terms of Reference
UCAN	Ukrainian Citizens' Action Network
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UPAC	Support to Good Governance: Project Against Corruption in Ukraine
UPIC	International Cooperation in Criminal Matters
USAID	US Agency for International Development

EXECUTIVE SUMMARY

Ukraine's security and justice system is complex and oversized, and the failure to effectively reform it to date reflects both the Soviet legacy of duplication of institutional roles and competing political interests. The security of the state – as opposed to human security – is emphasised.

The lack of a clear sector-based strategy owned by Ukrainian governmental institutions makes it difficult to undertake sector-wide security sector reform (SSR) programming. The politicisation of the different security and justice institutions, weak government consensus on the need for SSR and a lack of transparency around donor programming, hinder the development of a coordinated, strategic and demand-driven approach by donors to SSR.

Donor-supported SSR in Ukraine covers many aspects of the security system. However, communities' security needs and concerns do not appear to be addressed sufficiently by these different programmes. This is linked to the way such projects are initiated, planned and designed: they are usually preceded by and based on high-level political decisions and assumptions about community needs, but not on public consultation during the planning stage.

The best examples of involvement of civil society and, to a lesser extent, communities, are in the implementation stages of donor-funded SSR programmes. These are mostly *ad hoc*; responding to the need to involve civil society and communities identified after the project has begun. Nevertheless, the flexibility shown by these projects – adjusting the project's implementation to improve consultation and outreach – should be encouraged. Furthermore, those SSR programmes that do involve communities and civil society tend to focus their engagement on one-way public outreach, rather than genuine consultation, and thus miss opportunities to learn about communities' own priorities and ideas, and focus their programming according to human security needs.

Two EU-funded projects providing support to the Ukrainian security sector are considered in this paper: the EU's Border Assistance Mission to Moldova and Ukraine (EUBAM) and 'Support to Good Governance: Project Against Corruption in Ukraine' (UPAC).

EUBAM's purpose is to work with the Ukrainian and Moldovan authorities to improve border controls with a view to 'contribute to wider efforts to find a viable and sustainable solution to the Transnistria conflict'.¹ It appears that hardly any elements of public consultation were included in EUBAM's design. Instead, EUBAM has given public outreach more importance during its operation as the need for engaging with communities became more apparent. The existing outreach activities are well received by media and others, and seem to result in raised awareness among the wider community.

Public outreach, particularly information-provision and awareness-raising, are good practice, but do not constitute consultation as such. EUBAM deserves praise for amending its programme to include outreach activities once it became clear that there was a need for these, but it would benefit from carrying out more actual consultation: people appreciate EUBAM's work to improve border controls and curb smuggling, and local communities could provide EUBAM with constructive feedback on how to do this work better.

UPAC aims to strengthen the capacity of Ukrainian institutions to tackle corruption. The project's design includes little explicit involvement of the general public and civil society organisations (CSOs), but the project team has

¹ Declaration by the Presidency of the European Union. Odessa, Ukraine, 30th November 2005. Available at http://www.eubam.org/files/0-99/79/Presidency_Declaration.pdf.

recognised the need for much closer engagement, especially with the private sector and civil society, and should be commended for showing flexibility to address this in the course of implementation.

Keywords: Ukraine, EUBAM, UPAC, EU, Saferworld, security sector reform, consultation, outreach, needs-based, border controls, anti-corruption

INTRODUCTION

The provision of security and justice is one of the main requirements for a peaceful, democratic society and sustained social and economic development. Security provision and access to justice are essential public services which should be recognised as a basic entitlement. They are fundamental building blocks to achieving good governance and are critical for the creation of a secure environment within which human rights and the rule of law are respected.

There is an increasing acceptance within the EU and Member States that security-building activities like SSR need to be holistic in scope, people-centred, locally appropriate and owned, and developed according to basic principles of good governance such as accountability and transparency.² It is a genuine challenge to move from a rhetorical to a substantive commitment to these principles and operationalise and mainstream human security and a focus on people in the SSR projects and programmes. As outlined in the *Security Mapping Exercise*,³ despite donors' shared understanding of human security, ensuring that SSR processes are people-focused remains a challenge for most donors, and the positive effect of an SSR intervention is often assumed rather than ensured or verified by consulting with the affected communities.

This report documents research findings of two case studies of EU-sponsored projects in support of the security sector reform in Ukraine that were undertaken by Saferworld in Ukraine in 2008 under the "security cluster" of the European Commission-supported Initiative for Peacebuilding (IfP). It focused on the existing elements of "good practice" in terms of ensuring people-centred and a locally appropriate approach by means of public outreach and some degree of local consultations. This report provides concrete examples of whether and how local population's security needs and concerns are reflected and addressed, and analyses the level of community participation involved in design and implementation.

The paper also outlines Ukraine's context and other donors' participation in SSR in Ukraine. It points to a need for better donor coordination and agreement on common strategies for undertaking SSR interventions, and to a lack of effective attempts to mainstream cross-cutting issues such as gender and transitional justice into SSR projects.

PURPOSE OF THE CASE STUDIES

The case studies look at barriers to implementation and challenges for efficient and people-focused SSR, as well as examples of good practice. On the basis of this analysis, a number of recommendations are made in order to improve future programming and implementation by involving communities and civil society to achieve their objectives. The purpose of this paper is thus not to look at the efficiency or efficacy of the interventions against their objectives and Terms of Reference (ToR), but rather to look at how human security has been mainstreamed, and what could be improved.

² For example, see *Council Conclusions on a Policy Framework for Security Sector Reform*; 2736th General Affairs Council meeting, Luxembourg 12/06/06; *A Concept for European Community Support for Security Sector Reform*; Communication from the Commission to the Council and the European Parliament, Brussels, 24/05/2006.

³ S. Babaud and E. Kets (2008). *Security cluster: Security mapping exercise*. Brussels: Initiative for Peacebuilding. Available at: http://www.initiativeforpeacebuilding.eu/resources/IfP_Security_mapping.pdf.

SELECTION OF CASE STUDIES

Ukraine was chosen as a case study for this project because of its significance in the region of Central and Eastern Europe: as one of the larger European states in terms of population and territory, and as a major state in transition towards liberal democracy and market economy. This process of post-Communist transition involves a profound transformation of the society and is concurrent with rising social tensions, sometimes resulting in violent conflict – as was the case in other parts of the former Soviet Union and the Balkans. As in other post-Communist countries, reform of Ukraine's security sector has been part of the process of transition since independence in 1991, and SSR remains an important component of democratisation and development of the rule of law.

While Ukraine has not experienced conflict since the end of World War II, it offers important experience for consideration under the IfP's Security Cluster, suffering as it does from its own internal divisions and bordering the "frozen conflict" of Moldova's breakaway Transnistria region. Ukraine has been a key state in connection with any attempts to resolve this conflict and an objective of one of the two projects considered under this study (EUBAM) has been 'to contribute to a peaceful resolution of the Transnistria conflict'.⁴

The two projects considered in this paper are EUBAM and the EU-funded UPAC. The decision to focus the research around EUBAM and to include UPAC as a secondary case study was motivated by the wish to look into EU-funded projects providing support to the Ukrainian security sector (or system), as defined by the Organisation for Economic Cooperation and Development's (OECD) Development Assistance Committee (DAC) in their *OECD-DAC Handbook on Security System Reform*.⁵ EUBAM's success in terms of impact and sustainability provides examples of good practice in the "traditional" security sector – in this case, the border and customs agencies. UPAC is a project aimed at combating corruption in Ukraine within a broad range of sectors, including the police and the judiciary, and therefore only part of the work carried out under this project concerns the security sector. However, anti-corruption is an area where involvement of communities and civil society is crucial, and therefore lessons from UPAC are analysed in this paper to supplement those from EUBAM.⁶

4 European Commission (EC), Directorate General for External Relations (DG RELEX) (2005). *Information Note to the Council: Adoption of financing decision for the establishment of an EU Border Assistance Mission to Moldova and Ukraine under the EC Rapid Reaction Mechanism for €4 million*. Available at <http://www.eubam.org/files/0-99/79/information%20note%20to%20Council.pdf>.

5 The security sector (or system) is defined as including: 'core security actors (e.g. armed forces, police, gendarmerie, border guards, customs and immigration, and intelligence and security services); security management and oversight bodies (e.g. ministries of defense and internal affairs, financial management bodies and public complaints commissions); justice and law enforcement institutions (e.g. the judiciary, prisons, prosecution services, traditional justice systems); and non-statutory security forces (e.g. private security companies, guerrilla armies and private militia)'. See: Organisation for Economic Cooperation and Development (OECD) (2007). *OECD-DAC Handbook on SSR: Supporting security and justice*. p.5. Available at: <http://www.oecd.org/dataoecd/43/25/38406485.pdf>.

6 Following the call for proposals announced in September 2007, the implementation of the project "Introduction and Development of Quality Management within the Ukrainian Police" was awarded to the French Mol and Gendarmerie. The 18-month-long project started in October 2008, too late for Saferworld to select it as one of the case studies. The project's purpose is to 'enhance the capacity within the Ukrainian Militia and Interior Troops to prevent, detect and combat crime as well as to maintain public order, peace and security in accordance with principles of democratic policing, the rule of law and respect to the internationally recognised human rights'. Its primary beneficiaries are the Ukrainian Police and Interior Troops, and the project's key elements include reform of their legal framework and structure, training, recruitment and career development, piloting of Community Oriented Policing in two districts in Kiev, cooperation and coordination with other law enforcement bodies, adopting a strategy of information and communication technology for the Interior Troops. See: Center for the Adaptation of the Civil Service (September 2007). *The Center for Support of the Civil Service Institutional Development under the Main Department of the Civil Service (Ukraine)*. A project synopsis is available at http://www.center.gov.ua/data/upload/publication/main/en/565/project_synopsis_interior-eng.pdf.

METHODOLOGY AND GENERAL APPROACH

This report was based on research undertaken by Saferworld between December 2007 and November 2008. The research team used a variety of research methods, including:

- Desk-based research: Analysing project and policy documents available online and received from project staff, and independent reports relevant to the security sector and donor assistance in Ukraine;
- Key informant interviews: Twenty-one key informants were interviewed, representing project officials, academia, media, civil society, Border Guards Service and Customs Service;⁷
- Focus group discussions: Four were undertaken in the Odessa Region, two in Kotovsk and two in Rozdilna. In each instance, one of the focus groups consisted of a representative sampling of the local population and the other consisted of market traders or those representing local small businesses; and
- Group interviews: Two group interviews were held with students studying in Odessa.

It should be noted that the methodology differed for the two case studies: while all of the methods listed above were employed to research the primary case study (EUBAM), the secondary case study on UPAC was primarily based on desk-based research and key informant interviews.

⁷ For more details, see Annex 1.

COUNTRY CONTEXT

Having gained independence in 1991 after the collapse of the Soviet Union, Ukraine has now transitioned from a communist system to a free-market democracy without any wide-scale conflict. It is the second-largest country in Europe, with a population of about 46 million people; the population is relatively homogeneous, consisting of about 78 percent Ukrainians, 17 percent Russians and a handful of other minorities. Ukraine does not have a recent history of wide-scale internal conflict and does not suffer from existential threats to its security, but like many post-Soviet countries there are a number of issues, such as crime, corruption and a weak judicial system, that continue to hamper consolidation of the rule of law. At the core of these problems is the enduring relationship between big business and politics.

Unlike many states emerging from the break-up of the Soviet Union, Ukraine's independence in 1991 did not bring with it a sweeping political change, and many of the "new" ruling elite were previously members of the Communist Party with little inclination to bring about significant political or structural change. A break with the *ancien régime* took several years and culminated in 2005 with the "Orange Revolution". However, the past three years have been dominated by power struggles between the three largest political blocs, paralysing the parliamentary process. As an essentially political endeavour, sustainable, coherent and integrated SSR requires a degree of political stability not yet achieved in Ukraine.

SECURITY CHALLENGES

Ukraine emerged as an independent state in early 1990s facing a number of security challenges. The process of state-building was complicated by the fact that in the preceding decades Ukraine, while nominally a fully autonomous Soviet republic, had been effectively ruled from "the centre" in Moscow. In 1991, the relationship with its neighbours, and Russia in particular, had to be redefined on the basis of equal sovereign states. The country is often seen as broadly split between the predominantly Russian-speaking population in the industrial southeast and the Ukrainian-speaking west and northwest. The Crimean peninsula, the population of which are mostly Russian-speaking, and which has enjoyed autonomy since the 1990s, was incorporated into the Russian empire in the 18th century and was part of the Russian Soviet Socialist Republic until its transfer to the Ukrainian Soviet Socialist Republic in 1954. Achieving national cohesion and securing the allegiance of all its citizens, while also celebrating diversity and building nationhood around the sense of civic – rather than ethnic – nationalism, have proven challenging for the young democracy.

Ukraine's international environment has also been a difficult one, defined by the break-up of the Eastern Bloc and the former Soviet Union and exposed to the complex "East-West" dynamic linked to the painful and limited process of NATO and EU expansion and Russia's reaction to their "encroachment" into its traditional "sphere of influence". Having witnessed civil conflict across its western border, the country now borders one of the "frozen" conflict zones still remaining in Europe: that of Moldova's breakaway region of Transnistria, which shares a 470km border with Ukraine. Russia is an influential party in any efforts to resolve this conflict. It also has a stake in Ukrainian politics via its strategic interests in the region, its Black Sea Fleet based in Sevastopol, and its strong historic, cultural and linguistic links with the predominantly Russian-speaking population in southeast Ukraine and the Crimean peninsula. This creates a significant security challenge for Ukraine. For example, there are voices in Russia suggesting that Ukraine's sovereignty over Crimea should be reconsidered; a suggestion that has found some support in Crimea.

Ukraine heavily depends on Russia for its energy supplies. Russia's influence is further bolstered by the economic links between the two countries, including trade, traditional cross-border production cooperation and investment, as well as the job opportunities available in Russia for many of Ukraine's migrant workers.

The above factors make it difficult for Ukraine to build a national consensus around its strategic foreign and security policy interests. Thus, one of the main cleavages in Ukraine is the relationship with, and influence of, Russia versus the "West". The desire to build the future through integration into Euro-Atlantic institutions expressed by the current leadership is not universally shared in Ukraine. The above-mentioned east-west split permeates attitudes toward NATO membership and Russia, business relationships, political parties' priorities and rhetoric – as well as SSR programming.

HUMAN SECURITY NEEDS AND CHALLENGES

Ukraine faces a range of human security challenges. As explained below, and despite rhetorical commitments to the contrary, security policy in Ukraine is still dominated by a state-security approach rather than a focus on human security. This in part reflects a wider issue of how both the state and citizens view the role of the state. As observed in the United Nations Development Programme's (UNDP) *Human Development Report*: 'It has yet to be fully appreciated in Ukraine that it is not the responsibility of the state to determine individual's needs; rather it is the responsibility of the individuals themselves'.⁸

Numerous factors constitute actual or potential threats to human security in Ukraine. These range from violent crime or vulnerability in the face of economic hardship, to health issues (e.g. those linked to HIV and AIDS), to environmental issues (not least, linked to the effects of the catastrophe at the Chernobyl Nuclear Power Plant in 1986, which directly affected significant areas and numbers of people in Ukraine), to exposure to natural or man-made disasters. An example of the latter is incidents at depots where huge quantities of ammunition are stored, and where fires and subsequent explosions have been a regular occurrence in the last few years. Apart from surplus ammunition, large quantities of small arms and light weapons (SALW) are stockpiled in a number of facilities around the country, often near residential areas and with insufficient security capacities. While security is reported to be at acceptable levels at most sites, the sheer scale of the issue multiplies the associated risks – a NATO programme is currently being implemented to destroy surplus small arms and ammunition (see below). At the same time, illicit SALW ownership does not constitute a major problem in Ukraine.

Corruption is endemic in Ukraine⁹ and common at every level from the political elites downwards, which influences the relationship between citizens and security providers. While citizens in general do not feel unsafe, and crime levels have come down since the immediate post-independence period, the credibility of the police is undermined by its reputation as being corrupt;¹⁰ this decreases the likelihood of citizens reporting crime or security concerns to their local police, and hinders the efficiency of security provision. In particular, corruption affects vulnerable groups (such as the poor – particularly poor women – and minorities) disproportionately, as these individuals are often less able to pay the bribes, etc., and therefore less able to access the service they require; they are thus more likely to suffer insecurity. Limited perception surveys have shown that the majority of respondents consider the police to be inefficient and not ready to help ordinary citizens; respondents generally express concerns about corruption, rudeness and low professionalism.¹¹

8 United Nations Development Programme (UNDP) (2008). *Human Development Report Ukraine: Human development and Ukraine's European choice*. Kiev, Ukraine: United Nations Development Programme in Ukraine. p.27. Available at http://www.undp.org.ua/files/en_80896eng_full.pdf.

9 Ukraine ranks 134th on Transparency International's *Corruption Perception Index 2008*, alongside Comoros, Nicaragua and Pakistan. See: Transparency International (2008). *Corruption Perception Index 2008*. CPI Table. Available at http://www.transparency.org/news_room/in_focus/2008/cpi2008/cpi_2008_table.

10 The traffic police have a particularly bad reputation, but there are apparently plans for improvement, for instance by changing the registration of speeding violations so that they are caught on automated surveillance cameras and fines are collected automatically via post, thereby eliminating the direct interaction between citizen and traffic police officer, and reducing incidences of corruption. Interview with senior NGO representative, London, November 2008.

11 A. Beck (2005). "Reflections on policing in post-Soviet Ukraine: A case study in continuity", *The Journal of Power Institutions in Post-Soviet Societies: Reflections on Policing in Post-Communist Europe*, Issue 2. Available at <http://www.pipss.org/document294.html>.

There is also tension with the Crimean Tartars, almost 250,000 of whom had by 1996 returned to Ukraine after being deported in 1944. Around 150,000 of them were automatically eligible for citizenship under Ukraine's 1991 Citizenship Law, but the remainder faced greater problems in obtaining Ukrainian citizenship: 28,000 of the returnees became *de facto* stateless by leaving their country of deportation before the new citizenship law was enacted there but after this had already happened in Ukraine.¹² Many ethnic Tartars have since settled "illegally" in Crimea by building houses and developing small businesses on land to which they have no legal rights. This has put them in conflict both with the local authorities (who are reportedly tacitly preventing them from acquiring their legal rights) and with the local population, many of whom are descended from those resettled in Crimea from Russia in the aftermath of the Tartar expulsion of the 1940s. These ethnic Tartars increasingly face eviction by the authorities and harassment by local vigilante gangs, and are responding by organising themselves in "self-defence units", some of which are armed.

OVERVIEW OF THE UKRAINIAN SECURITY SECTOR

Ukraine's security and justice system is complex and oversized, and the failure to effectively reform it to date reflects both the Soviet legacy of duplication of institutional roles and competing political interests. And at many levels, there are still strong contacts to security services in Russia, for example in the secret services.

The **governance and control of the security system** is vested in the **President of Ukraine** as the guarantor of national security under the 1996 Constitution and confirmed in the later constitutional changes. The **National Security and Defence Council** (NSDC) is defined in the Constitution as the key coordinating and supervisory body operating under the President.

The **Armed Forces of Ukraine** comprise Land, Air and Naval Forces. At the end of 2007, after a series of reductions over the years, their total strength stood at 200,000 personnel, including 152,000 service personnel, with a further reduction to 191,000 (mostly by losing civil servants) projected by the end of 2008.¹³

The **police service** in Ukraine comprises the Criminal Police (with responsibility for crime prevention and investigation); Public Safety Police (with responsibility for public order, including street patrols, prevention of crime and administrative violations); Transport Police; State Automobile Inspectorate; Special Police Forces; Judicial Police (mostly servicing the courts); as well as the State Protection Service under the **Ministry of Interior** (which is contracted out to companies, private individuals, etc.). As the first and main point of contact for most Ukrainians with the security sector, the police remain one of the most change-resistant institutions. There have been repeated attempts at reforming the police, but none of considerable or lasting significance to ensure a break with the Soviet legacy.

The Mol has its own 39,900-strong armed forces,¹⁴ the **Interior Troops**, a military force with significant capacity, including aviation. Among other tasks, they can be deployed to deal with natural and other emergencies, and to maintain or restore public order, including during street protests and mass unrest.

Breaking with Soviet tradition, the **State Border Guard Service** in Ukraine is no longer subordinated to the security services. Instead, it is an independent agency of around 37,000-40,000 personnel, most of whom are troops. Its primary responsibility is to protect Ukraine's international borders. The **State Customs Service** has 18,322 staff in total, in nine regional custom offices, 44 local customs offices, 156 customs stations, and eight 'specialised customs agencies and organisations'.¹⁵

Ukraine's current **security services** include the Security Service of Ukraine (SBU), Foreign Intelligence Service and the Ministry of Defence's (MoD) Foreign Intelligence Directorate. A uniformed service with law-enforcement

12 "Helping Crimean Tatars feel at home again", *UNHCR News*, 8th June 2007, available at <http://www.unhcr.org/news/NEWS/42a710bf2.html>.

13 Ministry of Defence of Ukraine (2008). *White Book 2007: Defence policy of Ukraine*. Kiev, Ukraine. p.38 and Annex 6. Available at http://www.mil.gov.ua/files/white_book/white_book_en2007.pdf.

14 Jane's Information Group (2007). *Sentinel Security Assessments – Ukraine*. Surrey, UK.

15 As of 1st November 2006. See: State Customs Service of Ukraine (2007). *A comprehensive review of the security sector of Ukraine*. Kiev, Ukraine.

and investigative authority, the SBU is responsible for counter-intelligence. It is more open than its predecessor, the KGB, however. Accountable to the Cabinet of Ministers and scrutinised by parliament, SBU is headed by a civilian and has an advisory Public Council.

The **courts** are one of the most conservative elements of the justice sector while they are also 'severely vulnerable to corruption'.¹⁶ The state retains significant control over the courts system via the prosecution service, *inter alia*. The law guarantees judges independence and self-governance within the court system, but in practice this is not the case. The system is administered by the State Court Administration, created in 2003, with its functions principally derived from those formally performed by the Ministry of Justice (MoJ). The Constitutional Court is a separate constitutional body outside the system of courts of general jurisdiction.

The **Prosecutor's Office** retains a supervisory function over the courts system and other law enforcement institutions, with the stated purpose of 'upholding the law'. State prosecutors represent the state in criminal proceedings. This can result in excessive interference by the Prosecutor's Office in the administration of justice.

The **penitentiary system** (Execution of Punishments State Service of Ukraine) is headed by the central executive body, the State Department for Execution of Punishments, which oversees 25 regional bodies and 703 sub-departments of the criminal-executive inspection, 33 pre-trial detention centres, 136 criminal-executive institutions, 11 educational colonies (juvenile correctional facilities), as well as four educational institutions.¹⁷ The Service has its own armed personnel (paramilitary units). Since 1998, the State Department for Execution of Punishments has been a central government agency and its legal status is similar to that of a ministry.

Parliament is a key institution for ensuring scrutiny of the security sector in Ukraine, but so far has had a very limited role in these matters. Its role is primarily limited to developing and passing relevant legislation.

BARRIERS TO SSR

Many of Ukraine's present-day challenges in the security and justice sector stem directly from its Soviet legacy: the existing institutional culture is strictly hierarchical and bureaucratic; the security and justice sector appears highly politicised; and the security of the state – as opposed to human security – is emphasised.

Addressing the twin issues of transparency and accountability meets much resistance within the security sector, and all reforms that have so far occurred have been "top-down". "Bottom-up" initiatives are rare and meet bureaucratic and political obstacles. Inter-agency cooperation is a problem at two main levels: at the political level, agencies can be held hostage to high-level political squabbles and personal ambitions; and at a lower level, many serving officials complain privately of non-cooperation and inter-agency competition. This stovepiping hampers efficient deployment of the sector's capacity. Political influences throughout the security and justice sector are obstacles to effective and sustainable reform, in particular regarding introducing civilian control of the sector. Corruption within the sector is both a cause and effect of weak accountability.

The workings of the security and justice sector in Ukraine remain largely non-transparent, making it difficult to assess its capacity properly. There are particular questions over the sector's capacity to absorb international assistance. Further, because of the significant turnover of people who are important drivers of change within the sector (in the government and civil service), entrenching any reform sufficiently for it to endure beyond a particular individual's advocacy is difficult.

Traditionally, the security and justice sector has not been responsive to the needs of the public, seeing itself instead as serving the needs of the state (a perception seemingly shared by the public). Since the early 1990s, a plethora of official declarations, changes to legislation and presidential decrees have demonstrated a rhetorical

16 Management Systems International (2006). *Corruption Assessment: Ukraine*. Report produced for USAID. Washington, USA . pp.25-26. Available at <http://ukraine.usaid.gov/lib/evaluations/AntiCorruption.pdf>.

17 Ukraine State Department for Execution of Punishments website, accessed 26th May 2008, available at <http://www.kvs.gov.ua/punish/control/uk/index>.

break from this focus, expressing instead support for people-focused and democratic policing, stressing values such as legitimacy (a police service that meets the needs of the individual first and is focused on the local level), accountability (public access to information and the police cooperation with local authorities) and professionalism (recognising the need to review structure and pay of the police force, and for the Ministry of Interior to become more flexible). However, these rhetorical commitments have for the most part not been translated into actual change, and '[t]he notion of democratic policing as defined by many scholars is for the most part singularly absent in Ukraine'.¹⁸

All agencies in the sector have poor communication and engagement with the public, similar to other post-communist countries. This is changing only gradually. Police performance targets, for example, are based on crime rates and the percentage of solved crimes, which do not necessarily encourage effective crime prevention-oriented policing and can lead to abuse, thus resulting in mistrust. Whereas the legitimacy of the services is not in question, the low level of public trust creates problems with authority. The police have an ethics code of conduct that dates from the Soviet era and is largely inapplicable to the demands of modern policing.¹⁹

18 A. Beck (2005). Op. cit.

19 OECD, Anti-Corruption Network for Eastern Europe and Central Asia (ACN) (2006). *Monitoring of national actions to implement recommendations endorsed during the reviews of legal and institutional frameworks for the fight against corruption: Ukraine Monitoring Report*. p.25. Available at <http://www.oecd.org/dataoecd/18/37/37835801.pdf>.

SSR PROCESSES

One of the difficulties of undertaking sector-wide SSR programming in Ukraine is the lack of a clear sector-based strategy owned by Ukrainian governmental institutions which could allow donors to provide assistance using a Sector-Wide Approach (SWAp).²⁰ The politicisation of the different security and justice institutions, and weak government consensus of the need for SSR, continues to hinder the development of a coordinated, strategic and demand-driven approach by donors to SSR. At the same time, while donors do coordinate on an *ad hoc* basis, a lack of transparency around donor programming in this field and some competition between donors also hamper the development of this approach.

UNDP directly contributes to the **United Nations Development Assistance Framework (UNDAF) for Ukraine, 2006–2010**.²¹ Of its three areas of focus, the one most relevant to SSR is Democratic Governance and Access to Justice, which focuses on administrative reform and civil society empowerment, decentralisation and local governance, access to justice and human rights, gender equality and regional integration/improvement of border management. UNDP calls citizen involvement and information in Ukraine still “feeble”.²² Its project to cooperate with communities in the Odessa Region launched in November 2008 should begin the process of helping citizens to self-organise and gradually increase their involvement in public-sector initiatives, presumably including those related to the security sector;²³ but it has started as a pilot project and any positive impact will likely be felt only in the longer term. As UNDP is an implementing partner for EUBAM, whose principal area of operation is the Odessa Region, there is future potential to link these strands of work in order to add value to both projects.

The **EU Country Strategy Paper (CSP)**²⁴ for Ukraine covers the period 2007–2013 and elaborates the priorities for assistance to be provided under the new European Neighbourhood and Partnership Instrument (ENPI) to Ukraine. It identifies the overall aim of the assistance as supporting Ukraine’s reform agenda on the basis of the policy objectives defined in the Partnership and Cooperation Agreement (PCA) of April 1998 and the EU-Ukraine Action Plan of February 2005. The following priority and sub-priorities are of particular relevance for SSR:

- Priority Area 1: Support for Democratic Development and Good Governance
 - Sub-priority 1: Public administration reform and public finance management;
 - Sub-priority 2: Rule of law and judicial reform; and
 - Sub-priority 3: Human rights, civil society development and local government.

Actions to implement these priorities have been taken under a number of different European Commission (EC) support mechanisms:

20 Ministry of Economy of Ukraine and UN Ukraine (2007). *Capacity Assessment Report: Aid effectiveness, coordination and management in Ukraine*. Kiev, Ukraine: UN in Ukraine. p.17. Available at http://www.un.org.ua/files/aidcoordinationreport_en.pdf.

21 UN in Ukraine (2006). *UN Development Assistance Framework (UNDAF) for Ukraine, 2006-2010*. Kiev, Ukraine: UN in Ukraine. Available at: http://www.un.org.ua/files/undaf_en.pdf.

22 UNDP Ukraine website, accessed 18th November 2008, at <http://www.undp.org.ua/?page=areas&area=1>.

23 “Joint EU/UNDP Project starts cooperation with communities in Odessa region”, UNDP Ukraine, accessed 25th November 2008, available at <http://www.undp.org.ua/en/media/44-local-development-and-human-security/711-joint-euundp-project-starts-cooperation-with-communities-in-odesa-region>.

24 EC (2007). *European Neighbourhood and Partnership Instrument – Ukraine: Country Strategy Paper 2007-2013*. Kiev, Ukraine. Available at http://ec.europa.eu/world/enp/partners/enp_ukraine_en.htm.

- Under the programme of **Twinning projects**, support is being provided to: the MoI for the introduction and development of quality management within the Ukrainian Police; the State Customs Service for the development of a post-audit control; the Academy of Judges of Ukraine; the MoJ for an analysis of the impact of harmonisation of Ukrainian legislation and EU legislation; the MoD for reform of defence and the state's military organisation, and the destruction and recovery of ineligible ammunition, excessive arms and anti-personnel mines; and the higher administrative court.²⁵
- EUBAM was launched in November 2005 at the joint requests of the Presidents of Moldova and Ukraine. EUBAM is aimed at the enhancement of the overall border management capacities of Moldova and Ukraine, and approximation with EU standards and best practices, assisting the countries in fulfilling their commitments under the European Neighbourhood Policy (ENP) Action Plans.²⁶ (This is dealt with in more detail below.)
- The **EU-Ukraine Action Plan** includes the following SSR-related priorities:
 - Further strengthening the stability and effectiveness of institutions guaranteeing democracy and the rule of law;²⁷
 - Development of possibilities for enhancing EU-Ukraine consultations on crisis management;²⁸
 - Enhanced cooperation in the field of disarmament and non-proliferation;
 - Enhanced cooperation in our common neighbourhood and regional security, in particular working towards a viable solution to the Transnistria conflict in Moldova, including addressing border issues; and
 - Gradual approximation of Ukrainian legislation, norms and standards with those of the EU; further reinforcing administrative and judicial capacity'.²⁹

Consultation and dialogue by donors, including by EU institutions, is done almost exclusively with the Ukrainian government, and does not reach out to communities. The EC's Delegation to Ukraine has been involved in some attempts to involve Ukrainian civil society, holding a conference from 10th–11th July 2008 on the "European Commission and civil society in Ukraine: Lessons learnt and new opportunities", and supporting the European Economic and Social Committee to run a workshop on 2nd–3rd October 2008 on "Involving civil society in the EU-Ukraine relations". However, there appears to be no evidence of structured attempts to involve local civil society in programming (design, implementation, monitoring or evaluation) in the security and justice sector, and little attempt to consult with communities. There is some involvement of NGOs in implementation, for instance the European Instrument for Democracy and Human Rights (EIDHR)-funded 'Improving Access to Justice for Rural Population' project run by the Counterpart Creative Center from January 2006 to January 2009.³⁰ This area is one well-suited to local NGO involvement, and the EC should consider extending its involvement of NGOs and communities to the design, monitoring and evaluation of its projects, including in public administration reform of the security sector.

The **Council of Europe** (CoE) has delivered a number of joint programmes with the EC related to SSR in Ukraine,³¹ key among which were the following:

- **International Cooperation in Criminal Matters in Ukraine (UPIC)**. The project objectives are to: (a) strengthen the capacities of Ukraine to fully implement European treaties on cooperation in criminal matters; (b) strengthen the human and institutional capacities of the MoJ and Prosecution Service for international cooperation in criminal matters; and (c) promote networking and direct contacts between national MoJ officials and prosecutors with those of neighbouring and other European countries. The project officially ended in November 2008.³² According to the most recent progress report available (June-

25 For more information, see: Center for Adaptation of Civil Service website, 'Twinning in Ukraine'. Available at <http://www.center.gov.ua/en/205.htm>.

26 For more information, see http://www.eubam.org/doc/EUBAM_brochure_eng.pdf and <http://www.eubam.org/>.

27 Which includes specific measures to reform law enforcement organs and the prosecution system, court system and prisons.

28 Including Ukrainian participation in European Security and Defence Policy (ESDP) operations.

29 EC (undated). *EU-Ukraine Action Plan: European Neighbourhood Policy*. pp.3–4. Available at http://ec.europa.eu/world/enp/partners/enp_ukraine_en.htm.

30 For more information, see <http://www.ccc.kiev.ua/Projects.html?q=0>.

31 For a full list of joint programmes, see <http://www.jp.coe.int/CEAD/JP/Default.asp?ProgrammID=71>.

32 For more information, see the Council of Europe (CoE) website, 'UPIC: International co-operation in criminal matters in Ukraine'. Available at http://www.coe.int/t/dghl/cooperation/economiccrime/JudicialCooperation/projects/upic/upic_en.asp.

November 2007), no activities were scheduled to involve civil society or communities, nor was provision for this included in the project design,³³ despite the integral role of civil society in particular in strengthening the rule of law.

- **Support to Good Governance: UPAC.** This project is considered in some detail below – see section ‘Secondary Case Study: Project against Corruption in Ukraine’.³⁴
- **Transparency, independence, efficiency of judicial system and increased access to justice for all citizens.** This is an on-going project, which aims to: (a) strengthen the efficiency and independence of the judicial system; (b) improve access of citizens to, and confidence in, justice; (c) reinforce the capacity of legal professionals; and (d) make operational the system of enforcement of judgments.³⁵
- **Improving independence of the Judiciary.**³⁶ This is a completed project which aimed to: (a) establish an independent, impartial and professional judiciary in Ukraine; (b) support the selection procedure and disciplinary liability procedure; (c) ensure that judges are equipped to perform their duties efficiently through initial and continuous training; and (d) enhance the professional capacity and efficiency of the judicial system within Ukraine.

The **NATO-Ukraine Action Plan** (November 2002)³⁷ provides strategic direction for NATO-Ukraine relations. Key SSR objectives include: strengthening judicial authority and independence; strengthening civilian and democratic control over the Armed Forces and the whole security sector; reforming state security structures to reflect the Euro-Atlantic policy of Ukraine; reorganising the Armed Forces of Ukraine into a well-trained, well-equipped, more mobile and modern armed force; strengthening state structures to better reflect challenges highlighted by non-military and asymmetrical threats; and strengthening state inter-agency coordination to better respond to consequences of manmade and natural disasters. The Plan was adopted by the NATO-Ukraine Commission, which directs cooperative activities and adopts the Annual Target Plans to achieve the objectives. In December 2008, NATO Foreign Ministers agreed that under the NATO-Ukraine Commission, ‘an Annual National Programme will be developed to help Ukraine to advance her reforms, which will be annually reviewed by Allies’.³⁸

Importantly, NATO has established a Working Group on “Civil and Democratic Reform of the Intelligence Sector”, and under this in 2006 the Ukraine-NATO Partnership Network for Civil Society Expertise Development was established. Meetings have since been held regularly, including a two-day working meeting in November 2007 attended by 15 NGOs from throughout the country,³⁹ which seemed genuinely to take into account ideas of local civil society. The NATO Liaison Office in Ukraine and the Ukrainian authorities are to be commended for this early-stage involvement of civil society in a sphere traditionally dominated by government and with little access for civil society.

United States Agency for International Development (USAID) is the biggest donor to Ukraine and has provided technical assistance in the spheres of democratic governance, rule of law and civil society. Since 1992,

33 CoE and EC (2008). *TACIS Ukraine Action Programme 2004: Project on international cooperation on criminal matters in Ukraine (UPIC) – Fourth Progress Report*. Available at http://www.coe.int/t/dg1/legalcooperation/economiccrime/JudicialCooperation/Projects/UPIC/UPIC_4th%20_Progess_Report_en.pdf.

34 For more information, see: CoE website, ‘Support to good governance: Project against corruption in Ukraine (UPAC)’. Available at http://www.coe.int/t/DGHL/cooperation/economiccrime/corruption/Projects/upac/upac_en.asp.

35 CoE and EU website, ‘Joint Programmes – Logframes and Activities: UKR-Justice Ukraine: Transparency, independence, efficiency of judicial system and increased access to justice for all citizens’. Available at <http://www.jp.coe.int/CEAD/JP/Default.asp?TransID=146>.

36 For more information, see: CoE and EU website, ‘Joint Programmes – Logframes and Activities: Ukraine-JU: Improving independence of the judiciary’. Available at <http://www.jp.coe.int/CEAD/JP/Default.asp?TransID=90>.

37 NATO (November 2002). *NATO-Ukraine Action Plan*. Kiev, Ukraine. Available at <http://www.nato.int/issues/nato-ukraine/index.html>.

38 Chairman’s statement, Meeting of the NATO-Ukraine Commission at the level of Foreign Ministers held at NATO Headquarters, Brussels. Press Release (2008)155, 3rd December 2008. For the Annual Target Plan for 2008, including a summary of SSR, see: ‘NATO (2008). NATO-Ukraine Annual Target Plan for the Year 2008 in the Frameworks of NATO-Ukraine Action Plan’. Kiev, Ukraine. Available at <http://www.nato.int/issues/nato-ukraine/index.html>.

39 For details of this meeting, see: NATO (November 2007). ‘Ukraine-NATO Partnership Network Task Force I and II members meeting with regard to civil society expertise development in the sphere of security and defence’ Kiev, Ukraine. Available at http://ukraine-nato.org.ua/files/djialnist_eng_13.11.2007_4.doc.

USAID has run a **Rule of Law** programme,⁴⁰ including projects to create legal advocacy centres specialising in human rights, environmental law, and election law; training judges on new legislation and application of international conventions; developing student legal clinics and furthering the acceptance of clinical legal education in the Ukrainian law curriculum; designing and implementing pilot projects on a new case flow management system; and implementing a wide range of public legal literacy initiatives. USAID has been strengthening civil society capacity through the Ukrainian Citizens' Action Network (UCAN) project, and has made efforts to support civil society's involvement in rule-of-law programming, for instance with monitoring of courts. It is not clear whether the civil society capacity-building programme is explicitly linked to the rule-of-law programme, but there are obvious synergies between the two. The CoE's UPAC project is informally linked to UCAN, including through sharing surveys for baseline data and working with the same civil society actors.

Swiss Agency for Development and Cooperation (SDC) cooperates with the State Department for Execution of Punishments in its effort to assess and consolidate previous results and experiences of Swiss-Ukrainian cooperation in the field of penitentiary system reform in Ukraine, in the programme "Rule of Law and Democracy Sector – Justice Systems". Despite its assertion that '[c]ivil society initiatives play an important role in educating, demanding and monitoring the respect for human rights',⁴¹ there is little evidence that the programme involves civil society beyond specialist legal-focused organisations, and none that community-based pilot initiatives consulted with communities in their design phases.

MAINSTREAMING HUMAN SECURITY

From the available evidence, it seems that communities' security needs and concerns are usually not sought or incorporated when designing and implementing support to the Ukrainian security sector. Furthermore, only a few programmes work directly to influence the sector to operate in a people-focused and needs-based manner. The main positive example of civil society involvement is NATO's programme of work outlined above, which has been focusing on strengthening civilian oversight over the armed forces and of the intelligence sector, and strengthening civil society's capacity to perform this monitoring/oversight role more broadly via its Partnership Network for Civil Society Expertise Development, which has as its primary objective 'to increase interaction between civil society groups and security practitioners in NATO member countries and Ukraine in order to share experience and develop ideas on the role of civil society in defence and security affairs'.⁴² Another positive example is USAID's efforts to involve civil society in rule-of-law programming.

However, most attempts to move away from the state security focus towards a more human security approach can be classed as indirect. The most obvious is general civil society strengthening (a strong civil society is a prerequisite for demanding accountable and needs-based security provision from local and national authorities), which takes place at a number of levels and in a broad range of sectors. Other "indirect" actions are those taken under the general objective of the EU-Ukraine action plan to approximate Ukrainian legislation, norms and standards to those of the EU, and strengthening exchange of experiences between Ukrainian and European officials (as carried out under the CoE's UPIC programme). These attempts to introduce a "European" institutional culture will arguably translate into pressure towards a more people-focused approach in the security sector in the long term.

40 For more information, see United States Agency for International Development (USAID) website, 'USAID programs in Ukraine: Democracy and Governance'. Available at http://ukraine.usaid.gov/ukraine_democracy.shtml.

41 Swiss Cooperation Office in Ukraine, Swiss Agency for Development and Cooperation (SDC) website, 'Rule of Law and Democracy Sector – Justice Systems', accessed 18th November 2008. Available at http://www.swisscooperation.org.ua/en/Welcome_to_the_Office_of_Activities_of_Swiss_International_Cooperation/Rule_of_Law_and_Democracy_Sector_Justice_Systems.

42 Inauguration of NATO-Ukraine Partnership Network, NATO News, 12th March 2007, Available at <http://www.nato.int/docu/update/2007/03-march/e0312b.html>.

PRIMARY CASE STUDY: EU BORDER ASSISTANCE MISSION TO MOLDOVA AND UKRAINE

PROJECT BACKGROUND

The EU Border Assistance Mission to Moldova and Ukraine was launched on 30th November 2005 in response to an official request to the EU from the Presidents of Moldova and Ukraine. EUBAM's initial two-year mandate was extended in 2007 through the end of 2009. The Mission has its headquarters in Odessa and six field offices, three on each side of the border. It employs 233 staff, 111 local and 122 staff from EU Member States. The core project is fully funded by the EU (via the EC's ENPI),⁴³ and a number of EU Member States provide additional support by funding secondments of staff to the Mission.⁴⁴ UNDP is the project's implementing partner, and it provides administrative and logistical support via its Moldova and Ukraine country offices.

The purpose of the Mission is to work with the Ukrainian and Moldovan authorities to improve border controls by harmonising standards and customs, building organisational and professional capacity, strengthening risk analysis capacity and improving cross-border cooperation. EUBAM's purpose is not to assist with the actual enforcement of border controls, but to provide technical assistance to the existing authorities dealing with border enforcement – it is an advisory body with no executive powers. EUBAM summarises its mandate as follows:

- 'Be present and observe customs clearance and border guard checks;
- As part of our advisory role, to examine border control documents and records (including computerised data);
- Provide assistance in preventing smuggling of persons and goods;
- Request the re-examination and re-assessment of any consignment of goods already processed; and
- Make unannounced visits to any locations on the Moldovan-Ukrainian border, including border units, customs posts, offices of transit, inland police stations, revenue accounting offices and along transit routes'.⁴⁵

EUBAM has no presence in Transnistria. However, part of the EU's motivation for implementing the programme related to conflict prevention, in that EUBAM was to combat smuggling in arms thought to occur across the border. Subsequently, surveys and research have shown that smuggling of arms and ammunition does not appear to be as significant as assumed. (For more detail, see EUBAM and SALW box below.)

INITIAL PUBLIC CONSULTATION/OUTREACH

The decision on the establishment of EUBAM was a political one and did not involve public consultations. In the short period of time between the joint request in June 2005 by the Presidents of Moldova and Ukraine, Vladimir Voronin and Viktor Yushchenko, calling for additional EU support in overall capacity-building for border management on the Moldova-Ukraine border, and the launch of EUBAM in Moldova and Ukraine on 30th November 2005, no public consultations took place.

Such consultations were not included in the two-week fact-finding mission to Moldova and Ukraine which preceded the establishment of EUBAM. According to an EU official based in Brussels, the local authorities in Odessa organised some kind of consultation with the local population, but the research team was not able to obtain any more detail, or see any documents referring to such activity, nor did anyone the research team spoke to in Odessa recall such activities.

Given that EUBAM's establishment was a political decision, it was not designed with local communities' needs in mind. However, this should not have precluded public consultations, which could have flagged up risks and opportunities to inform the design of EUBAM's ToR.

43 The budget for the Mission until November 2007 was €20 million and will be €24 million for December 2007 to November 2009. Source: EUBAM, Questions and Answers on the EUBAM, available at: <http://www.eubam.org/index.php?action=group&group=14&sid=7m6elyx8drl0nfzctvdzwo1>.

44 EU and United Nations Development Programme (UNDP) (2008). *EU Border Assistance Mission to Moldova and Ukraine (EUBAM) – Press Pack*. Odessa, Ukraine. Available at <http://www.eubam.org/files/300-399/323/press-pack-eng-jan08.pdf>.

45 EU Border Assistance Mission to Moldova and Ukraine (EUBAM) website, "Mission: What is our mandate?" Available at <http://www.eubam.org/index.php?action=group&group=4&sid=ijjnues9xvodb318dcwbz5i5rq6pa66i>.

PUBLIC CONSULTATION/OUTREACH IN PROJECT DESIGN

It appears that hardly any elements of public consultation were included in EUBAM's initial design, and that public outreach and some limited consultations were an element in EUBAM's work that developed after it became operational. It also appears that EUBAM has given public outreach more importance in its operation than what its background/guiding documents mandate.⁴⁶

The EUBAM Advisory Board does not include any representatives of local communities and/or civil society, even as observers, from either Ukraine or Moldova.⁴⁷ Another indication of the limited importance attached to public outreach or consultation in the project design is the ToR for the Reporting and Communication Officer, a key member of EUBAM's staff in its relations with the public. These omit a clear mandate to engage with local communities or civil society representatives, and instead focus on inter-agency communication and one-way information provision (for instance, on EUBAM's website).⁴⁸

However, once EUBAM became operational, the need for outreach to, and raising awareness of EUBAM among, local communities became apparent. No formal surveys were undertaken to substantiate this need, or to collect baseline data against which to measure the efficiency of the subsequent outreach activities. The need was identified through contacts and discussions that EUBAM's members had with members of the local population: it became clear that few local citizens were aware of EUBAM, and that EUBAM was often confused with other Western organisations and initiatives, including NATO for example.⁴⁹ The Mission deserves credit for identifying this gap and altering its implementation to address the gap.

EUBAM's current objectives (Phase 5, December 2007 to November 2008) include:

Public awareness raising: To provide objective information to the local population in Moldova and Ukraine regarding EUBAM's tasks and assistance provided to the countries, ongoing activities at the border from which travellers and/or the local population benefits, rights and responsibilities of persons crossing the border (in order to complement anti-corruption measures), health risks of purchasing smuggled food (in order to complement consumer protection measures), etc.⁵⁰

EUBAM Project Details reported by UNDP Moldova state:

Public awareness: EUBAM promotes transparency and openness when working with its counterparts, with such concepts embedded in the mission's mandate.⁵¹ Special activities are planned to raise the communications skills of border press services and their staff involved in communicating with the public. National partner agencies are trained on the benefits of a coordinated information strategy, to keep both personnel of the services and the public informed of any changes in regulations or other developments in the area.⁵²

It is unclear at which stage this element of public awareness-raising was introduced into the annual workplans, given that the research team has not been able to obtain objectives for project phases prior to Phase 5. However, EUBAM currently carries out a range of public outreach initiatives, such as media work, publicity materials, participation in "Europe Days", meetings with university and school students (involving Ukrainian services), offering placements to students, and limited surveys.

46 From discussion with various key informants. No background documents were available to Saferworld to verify this point.

47 EUBAM (2007). *Annual Report 2007*. Annex B: "Terms of Reference for the EUBAM Advisory Board". Odessa, Ukraine: EUBAM. Available at http://www.eubam.org/files/500-599/500/Report_2008_ENGL.pdf.

48 EUBAM (2008). *Terms of Reference*. Odessa, Ukraine. Available at <http://www.eubam.org/files/0-99/94/Reporting%20&%20Communications%20Officer-090208.doc>.

49 Interview with Burkhard Bogensperger, Operations Section, Terrorism, Organised Crime, Border Management, Asylum and Migration, Delegation of the EC to Ukraine, 12th November 2008.

50 EUBAM (2007). *Op. cit.* Annex C, p.24.

51 EUBAM's legal mandate can be found in the official Memorandum of Understanding (MoU), which is the legal basis for the Mission. See: EUBAM (2005). *Memorandum of understanding between the European Commission, the Government of the Republic of Moldova and the Government of Ukraine on the European Commission Border Assistance Mission to the Republic of Moldova and to Ukraine, 7th October 2005, Palanca, Moldova*. Available at <http://www.eubam.org/index.php?action=group&group=25&sid=yymyrgo5x50uc9x2bir6tyl4d2uwn> cpb. It does not refer to these principles of transparency or openness.

52 UNDP Moldova, "Project Details: Project Card". Available at <http://www.undp.md/projects/EUBAM.shtml>.

It should be noted that public outreach, and particularly information-provision and awareness-raising, are good practice, but do not constitute consultation as such. There are some examples of EUBAM's willingness to establish two-way communication: in meetings with university students, the Head of EUBAM, Ferenc Banfi, asked questions to students and solicited their opinion on EUBAM, something appreciated greatly by the students themselves (see below).⁵³ Civil society has also demonstrated its eagerness to be involved in the design stage, exemplified by a report produced by the Chişinău-based Institute of Public Policy in 2005.⁵⁴

BASELINE DATA ON HUMAN SECURITY AT THE DESIGN STAGE

Given that no prior consultations were held, neither at the national level, nor with local communities in the border areas with Moldova (including Transnistria), and these were not part of the fact-finding mission, EUBAM's design phase missed an important opportunity to address local communities concerns, including security priorities, more directly and engage with local communities and the country's population as a whole from the onset. Data on human security were not collected because the initial political decision establishing EUBAM did not consider human security issues *per se*. The failure to carry out public surveys at that initial stage or to undertake representative ones later means that EUBAM missed an opportunity to establish a benchmark against which to measure future success in terms of addressing human security needs and the impact of awareness-raising activities.

DATA ACQUIRED IN THE COURSE OF THE PROJECT

No statistically significant public surveys have been carried out by EUBAM, or on EUBAM's behalf, since it became operational. EUBAM did carry out a public survey during "Europe Days" in Chişinău and Odessa, and at border crossings in May 2008.⁵⁵ With a limited sample of 414 respondents, and with many of them visitors to EUBAM's information stands, its statistical significance was limited. Nonetheless, it yielded some useful results, and pointed to certain regional differences in general awareness and understanding of EUBAM. The survey showed that in Ukraine, general awareness of EUBAM among people in Odessa is lower than in those areas near EUBAM's field offices, which is consistent with Saferworld's observation in the course of the research. One of the conclusions drawn by EUBAM from this survey was the need to raise more awareness among young people and those who do not regularly cross the Ukraine-Moldova border.

From the information available to the research team, it does not seem that the data collected has had any significant impact in terms of influencing the Mission's programming, but it may have influenced the decision to carry out awareness-raising activities in schools and universities.

PUBLIC CONSULTATION/OUTREACH IN PROJECT IMPLEMENTATION

Consultation constitutes two-way communication: raising awareness and providing information, and actively soliciting the views and feedback of a community, which can then be used to inform future programming. The EUBAM communications strategy and public relations activities comprise mainly one-way communication, but with some elements of public consultation. Key aspects have been the following:⁵⁶

- **Media work.** EUBAM has approached media work in a particularly open and engaging way, at least in Odessa. Journalists interviewed by Saferworld note that they are regularly invited to events organised by EUBAM, including visits by senior EU and national officials. Interviews with EUBAM's leadership are easy to organise, including exclusive interviewing opportunities – a marked difference from the experience of local media in organising interviews with local officials. EUBAM has also invited local journalists to accompany staff on field missions to the border and has provided all the necessary official clearance with the Ukrainian authorities.⁵⁷

⁵³ Group interview, Odessa National Law Academy, 11th November 2008.

⁵⁴ Institute of Public Policy (IPP) in cooperation with the Ministry of Foreign Affairs and European Integration, Border Guard Service and Custom Service of the Republic of Moldova (2005). *European integration, regional cooperation and border management programs: Establishing joint border checkpoints on the Transnistrian sector of the Moldova-Ukraine border*. Chişinău, Moldova. Available at <http://www.ipp.md/public/biblioteca/96/en/JBC%20versiune%20site%20eng1.pdf>.

⁵⁵ Survey on Awareness of EUBAM Conducted on "Europe Days" in Chişinău, Odessa and at Border Cross-Points, May 2008. [Internal document.]

⁵⁶ EU and UNDP (May 2007). *EU Border Assistance Mission to Moldova and Ukraine (EUBAM) – Summary of activities of EUBAM in the sphere of public relations in 2006-2007*. Odessa, Ukraine. Available at <http://www.eubam.org/index.php?action=group&group=30&sid=b1ntxah3lz7b3wmlgdgpr88doqvrhzi>.

⁵⁷ See Annex 1 for details of media representatives interviewed by the research team.

- **Outreach to universities in Odessa.** Apart from regular meetings with university academics in Odessa on an individual basis (once every 2–4 months, according to one interviewee),⁵⁸ EUBAM holds regular events with students of the Odessa National University and the Odessa National Law Academy, as well as other local universities. These include:
 - University visits and lectures. On EUBAM's initiative, representatives of the Ukrainian Border Guards and Customs Services were also included in these visits. At least five such events have taken place;
 - Student visits to EUBAM's head office, with one-day placements there for selected students, providing an opportunity to see the office in operation and practice communicating in English;
 - Student visits to the border crossing in Kuchurhan and accompaniment of EUBAM during its field operations in the Odessa Sea Trade Port; and
 - Academic conferences: EUBAM's members of staff have taken part in such conferences in local universities.

University staff and students gave very positive feedback on their contacts with EUBAM, particularly appreciating the practical angle of the exchange and its welcoming, informal style. For many students, this was a unique experience. A number of students reflected on EUBAM as a real sign of cooperation between Ukraine and the EU, and one student described it as a sign that the EU was taking security in the region seriously, and linked EUBAM to the EU's efforts not only to stem economic smuggling across the border with Transnistria, but also to address the issues of arms and human trafficking. The general level of understanding of EUBAM's operation and objectives was very high among the students – a noticeable contrast to every other member of the public Saferworld has spoken to in Odessa and Odessa Region.

A number of students at the Odessa National Law Academy were impressed that the Head of Mission Dr Banfi himself came to the meeting to speak about EUBAM and asked students about their opinions on the Mission, its objectives and relevance, and of the legal issues relating to border protection and cooperation between Ukraine, Moldova and the EU. Actively soliciting feedback in this way is an example of best practices, deviating from the one-way communication which characterises many of EUBAM's outreach activities.

- **School visits.** Since 2007, EUBAM has organised visits to schools in towns and villages across Odessa Region. On EUBAM's initiative, the visits typically included members of the Ukrainian Border Guards and/or Customs Services. The research team visited three such schools.⁵⁹ School staff and students gave very positive feedback on these visits. Apart from learning about the rules concerning crossing the border, this was primarily an opportunity for them to talk to the Ukrainian services about the children's career prospects. This was far from a process of consultation with local communities, and one might question the value of school visits as a means of raising local awareness of EUBAM, but the research team also discovered that the level of awareness among the general population about EUBAM was significantly higher in areas where such school visits took place: many participants in a focus group held with members of the general public in Rozdilna referred to the school visits as the first instance they had heard of EUBAM (presumably having learnt about it from their children).
- **General publicity events.** Among the general publicity that EUBAM undertakes is its participation in the annual Europe Days.⁶⁰ Most recently, EUBAM set up an information stall at the "Europe Days" in Odessa on 14th May 2008, together with the Ukrainian Customs and Border Guard Services. The stall was visited by over a thousand people who could learn about EUBAM and the Ukrainian services' work, learn about the rules for border crossing and receive information leaflets (sponsored by EUBAM and produced in cooperation with the Customs and Border Guard Services). On 17th May 2008, similar events were organised at different border crossing points.⁶¹ EUBAM has also organised a number of photo exhibitions, such as an event called

58 Interview with Professor Igor Koval, Director, Institute of Social Sciences and International Relations, Odessa National University, 18th September 2008.

59 In Bolgarka (relatively far from the border), Rozdilna (a town close to the border with Transnistria) and Stepanivka (a village near a border crossing point with Transnistria).

60 Europe Day is an annual cultural event organised by the Government of Ukraine in cooperation with the EC's Delegation to Ukraine and the embassies of the EU Member States and Candidate Countries. Details are available at http://www.delukr.ec.europa.eu/europe_day.html.

61 'EUBAM celebrated Europe Day jointly with partner services', EUBAM, 19th May 2008, available at <http://www.eubam.org/files/0-99/83/Press-ED-190508-eng.doc>.

“Crossing the borders” on 13th–15th April 2007 in Odessa (and later in Chişinău) at which photos taken by Moldovan and Ukrainian photo correspondents on the border were displayed. These events received good local and regional media coverage.

- **Encouraging the Ukrainian and Moldovan services to be more open to the public and more responsive to public needs.** This has been a constant strand in EUBAM's work, and an indirect way of raising awareness among the local communities of its work and promoting service-oriented practice intended to better address public needs. It includes joint visits to schools and universities and joint participation in various publicity events, which have received very positive feedback from the media and the staff and students of the relevant schools and universities. (See above.)

Public relations trainings

Partly in response to the needs felt by the Ukrainian services, EUBAM has begun running a series of public relations (PR) trainings for the Ukrainian and Moldovan border guard and customs services. While ‘on-the-job training and advice to Moldovan and Ukrainian border officials’ have always been part of EUBAM's mandate, the idea of PR training specifically was put forward by EUBAM later. Since October 2007, a Short-Term PR Training Expert hired for the project has delivered a number of PR training sessions for the Ukrainian and Moldovan services.

The ToR for the expert state that EUBAM is ‘seeking to make a sustainable contribution to support the counterpart services of Moldova and Ukraine in press and public affairs’, and that the training was ‘aimed at upgrading their skills in: media handling; provision of information to the general public; creating and using information materials; designing a PR strategy; developing a culture of openness; cooperative working practices and sharing of materials’.⁶²

Representatives of the Ukrainian Border Guard and Customs services interviewed by the research team had initially expected the training to focus on media handling, instead of public outreach. Some participants in the training also felt that their specific difficulties and circumstances, such as those relating to their job descriptions and workplans, organisational and budgetary constraints, and busy schedules, had not been fully taken into account in the training programme.⁶³ Feedback forms from each session were ultimately instrumental in adjusting the training to the participants’ requests, and the latest session (in November 2008) received a very positive appraisal from those participants interviewed by the research team.

The participants’ overall assessment of the PR training was clearly positive, and representatives of the Ukrainian Border Guards and Customs Services interviewed feel encouraged and better skilled to adopt elements of public outreach in their work as a direct result of the training. Both services had also made some organisational and budgetary provisions to this end. One other specific, very positive outcome cited by both services was the fact that their respective PR and press services had developed a closer relationship with each other.

IMPACT OF COMMUNICATION AND PUBLIC CONSULTATION EFFORTS

In the absence of statistically reliable baseline data, measuring and documenting the impact of the public outreach efforts undertaken by EUBAM is a challenge. The research team undertook key informant interviews and focus group discussions to provide some analysis of the impact of these measures. Four focus group discussions were held in two towns, Rozdilna and Kotovsk, one with members of the general public and one with market traders/ local business representatives in each. The two locations were selected due to EUBAM's presence: one of the Mission's field offices is located in Kotovsk, another in close proximity to Rozdilna, which is the nearest town to EUBAM's Kuchurhan field office.

While the office in Kotovsk has been established more recently, it is located significantly further away from both the border and Odessa. Some of EUBAM's public outreach activities had started only weeks before the focus group discussions were held, but as yet no school visits had been carried out. In Kuchurhan, near Rozdilna,

62 UNDP Moldova (2006). *Terms of Reference – Short Term PR Training Expert: EUBAM*. Chişinău, Moldova. Available at http://www.undp.md/employment/2007/ToR-EUBAM_STE_PR_training-100707.doc.

63 EUBAM had foreseen some of these risks. For example, the risk that ‘the proposed work may place a significant financial and staffing burden on the beneficiaries in respect of the training and subsequent operations’ had been included in the Terms of Reference (ToR) for the Short Term PR Training Expert. See: *Ibid*.

EUBAM has been present from the beginning of the mission. EUBAM's public outreach activities, including school visits, have been undertaken here for over a year, and media visits to Kuchurhan have been taking place since 2005. The two towns are medium-sized. Kotovsk has a population of about 20,000, and Rozdilna of about 40,000. (See Annex 2 for a map of EUBAM's area of operations.)

The findings from the focus group discussions can be summarised as follows:

- **Generally low awareness of EUBAM and a desire for more information:** Awareness of EUBAM in Kotovsk was notably lower than in Rozdilna, although in both locations understanding of EUBAM's specific role and functions was poor. People generally would like to receive more information about EUBAM. Most would prefer to see it in the media (although a couple of participants voiced doubt about the media's credibility); some people in Rozdilna had seen information in the local and regional media, but none had in Kotovsk. In Kotovsk, focus group participants suggested that EUBAM visit schools and meet with parents (not being aware that this type of activity is taking place elsewhere). Other suggestions included: holding regular meetings with the general public (e.g. in the town hall); producing and distributing leaflets; putting up posters in public places (e.g. in the market or at bus stops); opening a drop-in consultation centre; and opening and advertising a hotline/telephone consultation service. There was a shared feeling that even if direct meetings with the public were limited, word of mouth would spread information further. The market trader group in Rozdilna agreed that more information would be a welcome initiative, but most of its members disagreed that general public or local market traders/small businesses would be the right people to consult regarding such an initiative as EUBAM, given that they were not border-management professionals.
- **Differences in the way men and women had obtained their knowledge on EUBAM:** Of those who were aware of EUBAM, many of the male respondents had first noticed EUBAM when they saw cars with EUBAM's logo. However, in all four groups the participants typically confused EUBAM with the Organisation for Security and Cooperation in Europe (OSCE), and when asked about this, members of the group of market traders in Rozdilna explained that EUBAM cars had the OSCE logo on it. Female respondents in Rozdilna had mainly learnt about EUBAM following the school visits, demonstrating the multiplication effect of this particular type of awareness-raising activity. None of the female respondents in Kotovsk (where there had been no school visits) had heard of EUBAM.
- **Lack of knowledge about EUBAM's impact on border travel:** Most of the focus group participants (with the exception of the market traders and local business people's focus group in Rozdilna) did not regularly travel across the border, and the participants therefore had no clear sense of whether border management had improved in the last three years. Many speculated that things had remained the same.
- **Despite a lack of knowledge, many respondents expressed a positive opinion on EUBAM's role in improving border controls:** Probably because of the low level of knowledge about EUBAM, most participants were not sure whether EUBAM was a good initiative. Most speculated that it was, and typically cited the need to curb smuggling among the reasons. No one voiced concern that curbing smuggling would mean higher prices in the market. This seems to disprove the assumption held by some key informants that EUBAM would prove unpopular in the border communities because of the drop in revenues from illegal smuggling and the increase in the price of available (non-smuggled) goods that effective border controls would entail. The idea of the border control services moving towards the European standards of border management appealed to most people. In each of the two groups consisting of members of the general public, one person sounded a cautious suspicion that they did not know what specifically these standards were, while everyone shared the view that they would like to know more about these.
- **Generally higher awareness among market traders, and a positive view on EUBAM's counter-smuggling impact:** Most of the market trader participants from the group in Rozdilna were regular travellers and/or professionally dealt with regular cross-border travel (e.g. running a transportation business), and appeared to be the most aware of EUBAM. There was clear consensus that border management with Transnistria had visibly improved, that the relevant Ukrainian services had become more professional, and that this was the result of EUBAM's work. There was also a shared (positive) view that smuggling in some items, such as alcohol and cigarettes, had been effectively curbed. This goes some way to dispel possible

concerns that EUBAM's efforts linked to curbing smuggling will encounter significant resentment among some elements of the local communities.

- **Differing views on the wider political context and stabilising impact of EUBAM:** A small minority raised suspicion over what interests a “Western” mission may pursue on Ukraine's border and whether it was right for Ukraine as a sovereign state to allow foreigners to operate there. In Rozdilna, a participant reminded the others that EUBAM was established at a time when tensions were growing over Transnistria and contemplated whether this was the real reason for EUBAM; if so, then the mission had served its purpose. Two women readily agreed that the mission appeared to have helped preserve regional stability.

Based on the above findings from focus group discussions and key informant interviews undertaken with a variety of stakeholders, the impact of EUBAM's outreach activities can be described as positive but limited. There is a demand in the communities for more information about EUBAM's role and impact. EUBAM is an institution that some people mistrust as merely an expression of a greater geopolitical game. Raising awareness helps dispel some of the misperceptions, and highlights the positive achievements that the mission has accomplished in its relatively short existence. Had EUBAM carried out this form of community consultation itself, it could have allocated resources efficiently to improving awareness – in this way, consultation should *precede* any awareness-raising activity to ensure it is locally appropriate.

The available evidence on EUBAM's outreach efforts points to some lessons learnt. First of all, there are elements of good practice – the existing outreach activities are well received by the media and other recipients, and seem to result in raised awareness beyond the immediate recipient. As previously mentioned, EUBAM also deserves praise for amending its programme to include outreach activities, once it became clear that there was a need for these. However, EUBAM would benefit from carrying out more actual consultation. For instance, this research suggests that initial concern that EUBAM would not be welcomed locally owing to its efforts to curb smuggling seems to be unjustified. But had such concern been correct, early consultation with local communities would have been even more important. Moreover, people seem generally to appreciate the work being carried out by EUBAM to improve border controls and curb smuggling, and there is reason to believe that local communities could give EUBAM constructive feedback, which might in turn give EUBAM ideas on how to do its work better.

EUBAM could also benefit from more cross-learning and synergy with other projects. For example, while combating corruption is very relevant to efforts to improve border management, not all members of EUBAM were aware of UPAC, an anti-corruption project described below. EUBAM project staff might therefore benefit from exchanging experiences with UPAC project staff.

EUBAM and SALW

Given that its role is limited to building organisational capacity and strengthening official cross-border cooperation, EUBAM's mandate does not extend to directly preventing the smuggling of weapons or ammunition, but it builds the capacity of the border services to carry out their inspections, and the presence of EUBAM has helped bring about an improvement in border controls, as well as increased transparency about the nature and extent of licit and illicit flows of goods and people across the border. This in turn has helped shed some light on the actual occurrence of arms trafficking, and has served to undermine allegations about the scale of arms trafficking via Transnistria.

Alleged illicit arms production in Transnistria and trafficking of weapons across the Transnistrian border have been the subject of heated exchanges between Chişinău and Tiraspol in the past, with the Moldovan authorities accusing Transnistria of being a legal “black hole” and producing US\$2 billion of arms annually. The Transnistrian authorities have denied the allegations, although admitting to some production of SALW before 2001 for internal use, and continued production of components for the Russian military. After its inception, EUBAM has on several occasions reported that it has not been able to find any evidence of arms smuggling.⁶⁴

64 EUBAM's findings correspond to those of other research. A Saferworld report from 2006 states that: ‘Evidence for the illicit production and trafficking of weapons into and from Transnistria has in the past been exaggerated. While trafficking of SALW from the territory controlled by the Transnistrian authorities is likely to have occurred prior to 2001, there is no reliable evidence that this still occurs’. See: Saferworld and the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) (2006). *SALW survey of Moldova* p.viii. Belgrade, Serbia: SEESAC. Available at <http://www.saferworld.org.uk/publications.php?id=211>.

Regardless of whether arms smuggling was indeed a problem, and whether EUBAM's presence helped curb it, there is agreement on both sides of the border that EUBAM's work has had a positive effect. In establishing clarity around this issue, EUBAM has contributed to establishing the preconditions for a more positive relationship between Tiraspol and Chişinău.

SECONDARY CASE STUDY: PROJECT AGAINST CORRUPTION IN UKRAINE

PROJECT BACKGROUND

UPAC aims to strengthen the capacity of Ukrainian institutions to tackle corruption and to contribute to its prevention and control so that corruption 'no longer undermines the confidence of the public in the political and judicial system, democracy, the rule of law and economic and social development in Ukraine'.⁶⁵ With its focus on a number of sectors, including the security and justice sectors, it is directly relevant to this research: one of UPAC's expected results is reducing the risk of corruption in the police (Output 2.3).⁶⁶ The project is jointly funded by the EC and CoE, and is implemented by the latter. The project lasts from June 2006 to June 2009. It has three components:

- 'Support to the creation of the strategic and institutional framework against corruption;
- Strengthening capacities for the prevention of corruption; [and]
- Strengthening the legal framework and the enforcement of anti-corruption legislation'.⁶⁷

With its strong focus on state institutions and the legal framework, UPAC's project design had only one component explicitly concerned with building the capacity of civil society, involving drawing up a ToR for a CSOs grant programme (see below).

PUBLIC VIEWS AND PERCEPTIONS AS A BASIS FOR PROJECT DESIGN

UPAC's ToR identify corruption as 'one of the most pressing problems Ukraine is currently faced with and a major threat to democracy, the rule of law and economic progress, as well as a threat to national security'.⁶⁸ This is said to be '[a]ccording to recent surveys and studies',⁶⁹ although the surveys and studies are not specifically referenced. One relevant document cited on the CoE's website, however, is a survey carried out on corruption and service delivery in the justice sector under a previous project implemented by the CoE and co-funded by the EC, "Strengthening Democratic Stability in Ukraine".⁷⁰

The UPAC ToR refers to the need for carrying out a survey on perceptions and attitudes on corruption (as well as sector studies) at an early stage, to enable an evaluation of the effectiveness of anti-corruption measures undertaken in the context of the national anti-corruption strategy. Such surveys would enable baselines to be established against which the effectiveness of the anti-corruption efforts can be measured, and these surveys would have to be repeated annually.⁷¹

However, such annual surveys did not become an element of the project, and apart from the above-cited survey, none were conducted within the project itself. It was decided that in order to avoid duplication of efforts, UPAC would rely on the existing surveys and data collected by other, non-CoE/EC-funded projects, in particular the systematic data produced by the USAID-funded "Promoting Active Citizen Engagement in Combating Corruption

65 EC and CoE (2004). *Technical Aid to the Commonwealth of Independent States (TACIS) Action Programme 2004 – Ukraine: Support for institutional, legal and administrative reform*. Annex 1: Terms of Reference – Support to good governance: Project against corruption in Ukraine. p.21. Available at http://www.coe.int/t/dghl/cooperation/economiccrime/corruption/Projects/upac/upac_en.asp.

66 Ibid. p.22.

67 Ibid. p.18.

68 Ibid. p.3.

69 Ibid. p.3.

70 EU, CoE and Kiev International Institute of Sociology (June 2006). *Final report – Survey on corruption and service delivery in the justice sector in Ukraine*. Kiev, Ukraine. Available at http://www.coe.int/t/DGHL/cooperation/economiccrime/corruption/Projects/upac/upac_en.asp.

71 This priority is also captured in UPAC's ToR in the list of planned project outputs and activities, Activity 1.1.4: 'National and regional public baselines surveys (perception, experience) on corruption and "service delivery" in the system of justice (police, prosecution, state notary service, enforcement of civil judgments, judiciary), within public administration in general, among elected officials and officials of local and regional authorities'. EC and CoE (2004). Op. cit. p.21.

in Ukraine” (ACTION) project.⁷² There are no formal links between UPAC and ACTION, but members of the project teams are in regular contact, and information exchange is part of their cooperation.

As part of UPAC's contribution, a consultant contracted by it produced a methodology outline and a draft questionnaire for a national baseline survey, focused specifically on interactions between citizens and public employees in Ukraine. This document was specifically designed to enable cross-referencing with some previously conducted surveys. Instead of holding a national survey, and in addition to the regular surveys conducted under the ACTION project, UPAC decided to conduct sectoral surveys of public opinion as part of three “system studies” on corruption risks within the public administration, the judiciary and the bodies in charge of investigation and prosecution of criminal cases, undertaken by the Centre for Political and Legal Reforms and Kharkiv Institute of Applied Humanitarian Research. The sectoral surveys will be undertaken for UPAC by the Democratic Initiatives Fund and MA Consulting.

PUBLIC CONSULTATION IN PROJECT IMPLEMENTATION

UPAC correctly identifies the need to consult with the public and solicit their feedback and buy-in for its work to be successful. In the section “Problems and needs to be addressed”, UPAC's ToR identifies the need to promote public participation in the anti-corruption effort:

In the final analysis, an anti-corruption strategy is successful to the extent that the attitude of people changes and that they become less tolerant to corruption. The anti-corruption strategy action plan should therefore include specific measures aimed at enhancing public awareness and promoting public participation in the anti-corruption effort. However, public awareness and participation will have to be an overall principle of the strategy and action plan, which means that most measures will need to have a public awareness aspect and facilitate public participation. This ranges from the consultation process in the elaboration of the strategy, to public debates on draft laws, and guidelines for the public on how to report suspicions of corruption to law enforcement. In order to further promote an active role of civil Ukrainian society organisations, it has been proposed to set up a grant programme which is to be managed by the EC Delegation.⁷³

However, the level of public participation foreseen in the Scope of Work section of the project's ToR appears much lower than the above quote from the same document implies it should be. In one instance, the project outputs and activities plan contains scope for an ‘expert workshop and public consultations on specific issues related to the elaboration of the anti-corruption action plan’.⁷⁴ This activity does not appear to have been defined more specifically anywhere in the project design, although there have been elements of consultations involving civil society and business community representatives in the process of expert review of the national Anti-corruption Action Plan undertaken by UPAC.

The general public and CSOs did not feature much as the intended primary target groups and beneficiaries of the specific project activities and outputs. An exception to this is Output 2.6, ‘Public participation in the anti-corruption effort promoted’, under which NGOs and other civil society groups and media were identified as ‘direct beneficiaries and recipients’. However, the “expected impact” under this output is the above-mentioned ToR for a grant programme for CSOs. (The ToR for such a programme have been elaborated by UPAC; however, the grant programme for CSOs itself is beyond UPAC's scope and does not exist yet.) Under the same output and elsewhere, ‘Ukrainian society in general’ is identified as an indirect beneficiary.⁷⁵ In contrast, target groups and direct beneficiaries under various outputs focus on government institutions in the security and justice sector:⁷⁶ most interlocutors in Ukraine for the UPAC project team have been officials.

72 Promoting Active Citizen Engagement (ACTION) in Combating Corruption in Ukraine is a two-year project launched in December 2006 and supported by USAID. It specifically supports monitoring and advocacy by CSOs in priority areas in the fight against corruption. ACTION ‘carefully tracks corruption indicators in a consistent, detailed and regularized fashion using large national surveys, special sector surveys, citizen report cards, indicators that monitor procedural transactions and outcomes, and focus groups. The objectives of this tracking are to define a baseline for corruption levels in particular functions and sectors, to monitor progress (or backsliding) in advocacy or reform strategies, to mobilize civil society, business and the mass media to action, and to demonstrate to government the critical nature of corruption in an objective way that is hard to refute’. Under the ACTION project, small grant programmes are administered to support civil society groups, as well as journalists and media outlets. For more details, see the ACTION website: <http://www.pace.org.ua/content/view/1/2/lang,en/>.

73 EC and CoE (2004). Op. cit. p.15.

74 Ibid. p.21.

75 One other relevant exception is Output 2.5: ‘Capacities enhanced at the level of local and regional authorities for the prevention of corruption and strengthening of integrity’, which identifies as its target groups and direct beneficiaries national associations of local self-government, congresses of local and regional authorities of Ukraine, and five pilot municipalities. Ibid. p.26.

76 Ibid. pp.25–26.

Given this shortcoming in the project's design, the project team should receive credit for showing flexibility and addressing it in the course of implementation. As noted by one of the key programme staff: 'We realised that the general public and the private sector are ultimately the primary "consumers" of public services'.⁷⁷ This realisation resulted in the initiative of holding a roundtable entitled "Effectiveness of the national anti-corruption policy, role of the civil society and private sector" on 16th October 2008.⁷⁸ The seminar aimed to contribute to the strengthening of the role of civil society and private sector in the national anti-corruption efforts, in particular through sharing lessons learnt and good practices (including by NGOs in Moldova and Georgia), learning about anti-corruption programmes undertaken by a number of government agencies, and through raising awareness of the CoE's anti-corruption standards. The project team consulted with ACTION, and the invitation to the roundtable was also circulated via various NGO circulation lists, and participation was open to (and sponsored for) interested NGOs. More future involvement of CSOs in UPAC is considered.

UPAC has also involved a number of Ukrainian non-governmental think tanks and academic institutions, such as the Centre for Political and Legal Reforms, the Laboratory for Legislative Initiatives and the Kharkiv Institute for Applied Humanitarian Research, in development of assessment and methodological documents. The idea behind this is to support their development as centres of excellence for the future. This initiative has been noted by the National Academy of Public Administration under the President of Ukraine, which has offered its facilities for videoconferencing with the regions. This would enable some 800 participants to take part in the relevant discussions.

There has also been public consultation of sorts regarding the pilot site projects (Output 2.5), which focused on disseminating 'The European Score Card' and 'On the Implementation of the Model Initiatives Package on Public Ethics at Local and Regional Levels' to five municipalities. The purpose was to create a National Benchmark, conduct a peer review and 'raise interest among local government stakeholders and create a Steering Group for supporting public ethics in local government in cooperation with the Club of Mayors of Ukraine'.⁷⁹ An example of a best practice here are the peer review meetings held in March-May 2007 (Activity 3) to evaluate the participants' experience to see how the pilots could be improved and if appropriate, disseminated and replicated throughout Ukraine. Each peer review led to the preparation of reports, including recommendations for the improvement of the situation in the municipality under review (May 2007; October-November 2007).⁸⁰ This appears to be a genuine and predetermined instance of soliciting citizens' (primarily in their capacity of public servants) feedback in order to alter project implementation, thus helping the project to become both more locally appropriate and locally owned.

Mainstreaming Gender

There is broad agreement among practitioners that gender should be an integral part of the design and implementation of security sector interventions. This is reflected in a number of guidance and best practice tools on SSR.⁸¹ Progress has been made over the past years, but Ukraine still has some way to go in terms of gender equality (particularly in terms of female representation in senior economic and political posts). This also holds true in the security sector, which remains dominated by male staff. Research carried out in 2003 shows that female police officers in Ukraine are significantly more dissatisfied with their role, have a poorer

77 Interview with Roman Chlapak, Team Leader/Project Coordinator of UPAC, CoE Office in Kiev, Ukraine, 23rd September 2008.

78 This was done under the Activity 1.1.2: "Expert assessment of the effectiveness of previous anticorruption strategies and measures in Ukraine and formulation of lessons for the future" – the assessment could have only involved government officials and experts. For a programme of the roundtable, see: http://www.coe.int/t/dg1/legalcooperation/economiccrime/corruption/Projects/UPAC/344-UPAC-d-RTD-ACpolicy-Outline-16Oct08_en.pdf. A roundtable report, containing a summary of the discussion and recommendations is being prepared and will be sent out for comments to the event's participants before its finalisation. Due to the involvement of media representatives, the roundtable received media coverage in Ukraine – aside from the EC Delegation's own biweekly English-language newsletter, *EU Co-operation News*, No. 16, 5th November 2008. Available at http://twinning.com.ua/index.php?option=com_docman&task=doc_download&gid=784&Itemid=86. In particular, *Vseukrainskaya Gazeta*, No. 199, 22nd October 2008, gave three full pages to the report of this event.

79 CoE and EC (2008). "UPAC Project: Support to good governance: Project against corruption in Ukraine 8 June 2006–7 June 2009 - Activities under Output 2 : To Enhance capacities for the prevention of corruption". *Joint Programmes - Logframes and Activities*. Available at: <http://www.jp.coe.int/CEAD/JP/Default.asp?ID=23015>

80 Thus, a handbook *Introduction to the standards of public ethics at local and regional levels: Ukrainian practices and European experience*, was published in May 2008.

81 For example, see: UN International Research and Training Institute for the Advancement of Women (INSTAW) website, "Gender and SSR: Framework". Available at <http://www.un-instraw.org/en/index.php?option=content&task=blogcategory&id=152&Itemid=211>; OECD (2007). Op. cit.

relationship with their line managers and feel that they receive a more authoritarian and directive style of management than their male counterparts.⁸²

Security institutions dominated by male staff can impact on the way security is provided to the citizens, a classic example of this being the way police respond to cases of domestic violence. A well-functioning and accountable security sector needs to be sensitive to the different needs and requirements of different parts of the population, including women and girls. One factor that can prevent a gender-sensitive approach is the lack of gender-disaggregated data on security and safety perceptions, highlighting the specific security needs of women and girls.

Neither UPAC nor EUBAM seem to include gender as a specific or overarching issue in project design. However, this does not seem to be because of a lack of gender-disaggregated data; certainly, UPAC's planned survey of perceptions (see above) will yield data broken down by gender, which will make it possible for the implementing body (CoE) to gender-sensitise its anti-corruption interventions, including in the Ukrainian security sector. Furthermore, evidence from field research conducted near the border suggests that EUBAM would benefit from including a gender dimension in its outreach efforts: the research suggests that in Kotovsk, where general awareness of EUBAM was low, it was predominantly the men who knew about EUBAM – because they had noticed EUBAM vehicles in the streets. In Rozdilna, the awareness level was higher and knowledge was more detailed, and here, many women who knew about EUBAM acquired their knowledge indirectly through the school visits. These differences in awareness levels between men and women, and the different ways in which they had obtained their information are merely indicative, but it points to an area for further investigation which could be explored by EUBAM in order to better target its outreach activities.

EU institutions and other donors need to make more concerted efforts to ensure that the support provided to the security sector in Ukraine is gender-sensitive. Ensuring that programmes and policies are not just targeting community needs, but are developed and tailored with the input of a broad range of community representatives, including women, men, girls and boys, would contribute to achieving this goal.

82 A. Beck, V. Barko and A. Tatarenko (2003). 'Women militia officers in Ukraine: Exploring their experiences in a post-Soviet policing organisation', *Policing: An International Journal of Police Strategies and Management*, Vol. 26, No. 4, pp.548–565.

COORDINATION OF ACTORS AND HARMONISATION OF PROGRAMMES

There is general consensus that donor coordination in Ukraine needs to be improved. Some donors continue to focus their assistance around geo-strategic considerations, such as those linked to the future of EU and NATO, while subordinating priorities of coordination and aid effectiveness. One of the reasons for weak donor coordination and harmonisation has been the absence of a national development plan that donors could refer to.

The Ukrainian Government has signed up to the Paris Declaration on Aid Effectiveness, but its efforts to function as a coordinator suffer from a lack of institutional capacity and political will. The ENP Action Plan and government plans for EU integration have provided some opportunities for donors to coordinate within a common framework, but as an example of the limitations faced in this area, the National Coordinating Unit (NCU), the institutional body responsible for planning and coordinating most EC-funded programmes in Ukraine, has over the past three years suffered from several rounds of ministerial reorganisation and changes in responsibilities and authority, as well as a permanent lack of resources and staff; resulting in significant limitations on the ability of the Ukrainian Government to act as a coordinator on EC-funded aid.⁸³

Work has recently taken place to improve donor coordination, significantly by the drawing up in 2007 of a joint Ministry of Economy of Ukraine/UN in Ukraine capacity assessment report on “Aid Effectiveness, Coordination and Management in Ukraine”,⁸⁴ funded by the Canadian International Development Agency (CIDA) and the UK Department for International Development (DfID), and setting out an action plan particularly focused around improving the capacity of the Ukrainian Government and improving donor coordination. Donor-Government Working Groups have also been established, based on key sectors and broken down into sub-groups: for example, the Working Group on “Support to Institutional Reforms and Governance” has a sub-group on “Justice and Law Approximation in Accordance with the Norms of the EU”. These working groups seem to still be relatively new structures (the website on Official Development Assistance in Ukraine only provides details in terms of members and contact details for some of the groups),⁸⁵ but represent a positive development, provided they are given the resources and attention to grow into functional structures. At this stage, however, there does not seem to be a working group addressing the issue of donor coordination in the security sector.

While it would seem that progress is being made to address the problem of poor coordination of international support to Ukraine at a general level, in the specific field of SSR, coordination still seems very weak indeed, with several interventions going on without any structured attempts to exchange information and ensure synergy. This report gives one example of the lack of knowledge of other relevant programmes of work being undertaken – let alone coordination – between the two programmes that constitute the case studies in this report (see above), despite both being funded at least partially by the same donor.

Given the sensitive, complex and political nature of SSR, making sustainable progress is difficult without a comprehensive framework. In the absence of an official Government strategy on SSR which could perform

⁸³ *Specific Terms of reference: Support to the National Coordinating Unit (NCU) in Ukraine.* EuropeAid, Lot No. 7: Culture, Governance and Home Affairs – Framework Contract Beneficiaries. Available at http://www.europeansolutions.nl/upload/download/tor_1225986616.doc.

⁸⁴ Ministry of Economy of Ukraine and UN in Ukraine (2007). *Capacity Assessment Report: Aid effectiveness, coordination and management in Ukraine.* Kiev, Ukraine: UN in Ukraine. Available at http://www.un.org.ua/files/aidcoordinationreport_en.pdf.

⁸⁵ The website of the donor coordination agency situated within the Ministry of Economy is still under development, accessed 25th November 2008, at <http://odaua.netagency.com.ua/>.

this role, donors that support the many programmes that attempt to improve the functioning of the Ukrainian security sector could do well to think more strategically about their efforts, and try to avoid *ad hoc* approaches that risk having little sustainable impact. Hopefully, the efforts currently underway to improve the overall donor coordination in Ukraine will filter through to the support being given to reforming the Ukrainian security sector.

CONCLUSIONS

Donor-supported SSR in Ukraine covers many aspects of the security system as defined by the *OECD-DAC Handbook on SSR*⁸⁶ (see the section “SSR Processes” for details of major projects), from defence reform to border services reform to anti-corruption initiatives, covering a broad public administration but encompassing security and justice sectors. However, communities’ security needs and concerns do not appear to be addressed sufficiently by these different programmes. This is linked to the way such projects are initiated, planned and designed: they are usually preceded by and based on high-level political decisions and not on public (or civil society at the very least) consultation during the planning stage. The projects mainly seem to be based on an *assumption* about public needs – an assumption that is untested through public consultation. This entails risks to the project design, in that the projects’ theory of change is not validated by project beneficiaries or external stakeholders. The result is a lack of public awareness, support, participation and accountability, with implications for a projects’ lasting impact, and potential for public mistrust or scepticism even among those that are aware of the projects. These deficiencies often become apparent during the implementation stage, and the projects researched for this paper have made efforts to address this by planning and carrying out different kinds of consultations with civil society and public outreach.

SSR-related projects in Ukraine do involve civil society as a bridge to communities in varying degrees, but none of the projects identified by the research team directly involve local communities in their design or evaluation phases. There is little will or understanding on the part of donors to undertake such community-based consultation, the development of which is essential if Ukraine’s security sector development is to be needs-based and locally appropriate.⁸⁷

Further, there is no overarching coordination mechanism (vertical or horizontal) to join up donor interventions in the different parts of the security and justice sector, which means *inter alia* that there is no mechanism through which donors can share lessons from consultation processes and that local beneficiaries risk being confused by the number of different interventions. Opportunities for reinforcing good practice among donors and for creating sustainable changes in norms and culture are also missed. For instance, the research team saw much evidence of good practice in EUBAM’s public outreach activities, but it appears that little of this was communicated effectively to the EC in Kiev or Brussels.

The case studies also provide an example of good practice in the field of coordination: UPAC programme staff are in regular contact with the USAID-funded anti-corruption project, and UPAC specifically designed its perception survey so that it would yield results that would be comparable with those of the surveys carried out earlier. This demonstrates that efficient and fruitful coordination and exchange of experiences can be established despite the absence of an official coordination structure. However, this does not mean that one should assume that such good practice will automatically materialise – work still needs to be done to ensure that donor coordination takes place in a regular, structured fashion in security sector programming in Ukraine.

86 OECD (2007). Op. cit.

87 This supports the findings of the *Security Mapping Exercise* undertaken in the initial phases of this project, that ‘[w]hen asked how they implement this people-focused understanding of security, most donors talk in terms of indirect impact. Bearing in mind that they promote and support reforms that are driven by values such as human rights and the rule of law, they assume that communities’ security needs and concerns are addressed or at least respected. But SSR is a highly politically sensitive process with potential to exacerbate tensions and fuel conflicts if underlying conflict dynamics and communities’ needs and concerns in terms of access to justice and relations with different security forces are not considered’. See: S. Babaud and E. Kets (2008). Op. cit. p.13.

The following conclusions are broken down into programming stages.

INVOLVEMENT OF COMMUNITIES IN THE PRE-DESIGN STAGE

In donor-funded SSR projects in Ukraine, the research team did not find any examples of community consultation or public outreach at the initial, pre-design stage. Failure to include community consultation at the pre-design stage of the project can result in a project being based on incorrect assumptions about community needs and expectations, and it misses important opportunities to build channels of communication and trust at this early stage. Moreover, people's views may vary significantly and be much more nuanced than appreciated by those designing the project. A more participatory approach to project planning and design would have enabled the project to take these different views into account from the beginning.

At the focus group discussions with members of the public in Ukraine, there was a strong appreciation of the focus group discussions themselves as an opportunity to provide views on EUBAM, although participants were divided as to whether they should be consulted regarding initiatives such as EUBAM. This perhaps stems from a lack of a "consultation culture" in Ukraine (and among donors), something that donor interventions should strive to change in the long term.

INVOLVEMENT OF COMMUNITIES AT THE DESIGN STAGE

There are some minor examples of donor-supported SSR projects involving civil society at the design stage, although none in the two projects investigated in depth in this study. From the EC's perspective, the initial decision to establish EUBAM was taken at the top political level, at a time when the value of consultation with civil society or communities seems to have been less appreciated in donor circles than may be the case today. This means that one of the underlying assumptions by some key informants – that EUBAM would negatively impact on communities on the border whose livelihoods were supported by smuggling activities – turned out to be inaccurate, and an early opportunity for positive engagement with communities was missed.

Furthermore, if a project's underlying assumption suggests that one of its risks relates to possible negative attitudes/impacts on the part of local communities, it is essential to engage with the community and address these concerns early on in order to develop appropriate mitigation strategies and avoid exacerbating concerns unnecessarily. Otherwise, the project risks compromising its long-term goals and sustainability by neglecting the need for local support and, in a more general sense, addressing local people's security concerns/human security concerns.

Another form of community consultation involves engaging with communities to gather baseline data. Gathering qualitative and quantitative baseline data is essential at the design stage so that the project's progress can be measured and adjustments made during the implementation if progress is not being made. This data should allow project implementers to measure progress in terms of how successful they are in addressing human security needs. UPAC has designed its data collection during the project to be compatible with baseline surveys undertaken previously by other organisations, which should allow it to measure success as long as the data is appropriate to its activities (it will also disaggregate data by gender in its own surveys, although this was not done previously). EUBAM undertook some limited public perception surveys during its implementation, but because it lacks original baseline data, it will likely struggle to measure the impact of its work and to attribute success to the work of EUBAM itself. Further, focus group discussions suggested that men and women know about EUBAM from different channels, a finding which should be investigated more and which demonstrates the use of disaggregating data by gender.

INVOLVEMENT OF COMMUNITIES AT THE IMPLEMENTATION STAGE

The best examples of involvement of civil society and to a lesser extent communities are in the implementation stages of donor-funded SSR programmes. These are mostly *ad hoc* measures, responding to the need to involve

civil society and communities identified after the project has begun. Nevertheless, the flexibility shown by these projects – altering the project's implementation to improve consultation and outreach – should be encouraged.

EUBAM provides several examples of innovative engagement with civil society and communities. For instance, its engagement with local schools and universities has proved popular and effective, and should be continued. Given that some members of local communities had only heard of EUBAM through their children's participation in EUBAM's school visits, EUBAM should consider involving parents in these visits too. The visits to educational institutions seem to have provided a non-threatening forum to discuss potentially sensitive issues on neutral ground, and EUBAM should be commended for this original and locally appropriate initiative. While most of EUBAM's engagement with communities and civil society has been related to information provision or awareness-raising, the Head of Mission's interaction with students, soliciting feedback as well as providing information, is a very good example of how dialogue can improve the quality of a relationship between donor and community. UPAC's inclusion of "peer review" groups to assess tools used in its pilot sites and provide recommendations for future roll-out is another example of innovation, here providing a mechanism for the programming to benefit directly from the specific expertise of local actors.

EUBAM's efforts to encourage Ukrainian border and customs services' own public outreach (PR training, involvement of services' representatives in meetings with public) are commendable, particularly given EUBAM's constraints (such as having only a consultative/observer role, no executive powers and no presence in Transnistria). Working with local counterparts in this way is one method for increasing local ownership and sustainability, and this also demonstrates a nuanced understanding of the long-term purpose of EUBAM.

For projects to be effective and sustainable, good "visibility" (general public awareness) and local and national-level support are important. In addition to nuanced engagement with local communities, therefore, donors should also be looking for high-visibility (where appropriate) engagement with the media which targets the wider public. EUBAM's open relationship with the media is praised by media representatives themselves, and is an important part of engaging with communities.

INVOLVEMENT OF COMMUNITIES IN PROJECT EVALUATION

Neither of the projects assessed have finished and there remains scope for involvement of communities in the evaluation of the projects to feed into broader lessons learned in future SSR-related programming. This makes most sense where communities have been engaged from the outset, a relationship between them and the project implementer has developed, and baseline data are available.

RECOMMENDATIONS

RECOMMENDATIONS TO THE EU

- At the design stage of a project, key beneficiary communities may not yet have been identified, and the potential positive or negative impact on them of a project may not yet be understood. If it is not possible to engage directly with communities at the design stage, the EU should consider using civil society actors to act as intermediaries for consultations. However, beginning consultation with impacted communities as early as possible in the project cycle will contribute to trust-building and sustainability, and help test assumptions, and should therefore be undertaken wherever possible.
- The EU should ensure that provisions for gathering baseline data are built into the design phase of the SSR-related programmes it supports, and that a specific budget line is included for proper baseline data collection. The indicators of success to be measured by baseline data should include whether the project contributes to improvements in human security. The data should be disaggregated by gender, age, education and socio-economic profile at a minimum, to enable projects to be tailored to the needs of specific groups where necessary.
- Communities can be accessed in different ways. When involved in SSR programmes, the EU should consider engaging with different stakeholders in the community to inform its approach and gather useful information.
- The EU should engage in building channels of communication with communities, so that it can solicit feedback which can then input into project implementation.
- In its funding and implementation of SSR-related projects, the EU should support and encourage its implementing agencies/partners to undertake proactive, sustained and open engagement with the local media.

RECOMMENDATIONS TO EUBAM

- EUBAM should consult with local communities near the field offices in particular on the impact of EUBAM, the changing border and customs controls, and expectations for the future, in order to inform future work in these areas and measure success. If EUBAM establishes presence at any further crossing points, it should consult in advance with local communities to raise awareness and inform implementation-related issues such as sequencing and visibility.
- EUBAM should continue to support Ukrainian border and customs agencies on improving public relations skills, while being sensitive to the needs and priorities of these agencies.
- EUBAM should involve communities in a participatory evaluation of EUBAM at some point in the future, in order to learn lessons for other SSR-related programmes in Ukraine, and other similar EU interventions elsewhere.

ANNEX 1

MEETINGS, GROUP INTERVIEWS AND FOCUS GROUPS IN THE COURSE OF THREE FIELD RESEARCH TRIPS TO UKRAINE UNDER THE IFP

PROJECT OFFICIALS

- Bernhard Bogensperger, Operations Section, Terrorism, Organised Crime, Border Management, Asylum and Migration, and Andriy Spivak, JSF Programme Manager, Delegation of the European Commission to Ukraine, 3rd December 2007.
- Roman Chlapak, Team Leader/Project Coordinator of the UPAC, CoE Office in Ukraine, Kiev, 23rd September 2008 and 13th November 2008.
- Udo Burkholder, Deputy Head of Mission, and Liva Biseniece, Reporting and Communications Officer, EUBAM Headquarters, Odessa, 26th September 2008.
- Remi Duflot, Desk Officer for Moldova, European Commission, Brussels, 5th November 2008.
- Martin Wintersberger, Head of Analysis Unit, and Liva Biseniece, Reporting and Communications Officer, EUBAM Headquarters, Odessa, 10th November 2008.
- Bernhard Bogensperger, Operations Section, Terrorism, Organised Crime, Border Management, Asylum and Migration, Delegation of the European Commission to Ukraine, 12th November 2008.

SCHOOLS, ACADEMICS AND MEDIA

- Nellia Goncharenko, School Director, Bolgarka, Odessa Region, 17th September 2008.
- Svetlana Pantas, Director, School No. 4, Rozdilna, Odessa Region, 17th September 2008.
- Konstantin Dubetsky, School Director, and school children, Stepanivka, Odessa Region, 17th September 2008.
- Natalia Scherbina, Chair of the local council, Stepanivka, Odessa Region, 17th September 2008.
- Elena Kovtun, *Vpered* newspaper, Rozdilna, Odessa Region, 17th September 2008.
- Igor Koval, Director, Institute of Social Sciences and International Relations, Odessa National University, 18th September 2008.
- Vadim Barsky, Director, International Relations Department, Odessa National Law Academy, 18th September 2008.
- Aleksey Sinilo, *Segodnya* newspaper, Odessa, 9th November 2008.
- Sergey Marin and Anatoly Kosin, *Delovaya Odesa* newspaper, 10th November 2008.
- Viktoria Fedchenko, *Glas* regional TV channel, Odessa, 10th November 2008.
- Larisa Valevskaya, *Odesa* radio, Odessa, 11th November 2008.

FOCUS GROUPS

- General population group, 15 participants (eight men, seven women), Kotovsk, Odessa Region, 8th November 2008.
- Market traders and small entrepreneurs' group, 11 participants (four men, seven women), Kotovsk, 8th November 2008.
- General population group, 13 participants (five men, eight women), Rozdilna, Odessa Region, 9th November 2008.
- Market traders and small entrepreneurs' group, nine participants (five men, four women), Rozdilna, Odessa Region, 9th November 2008.

GROUP INTERVIEWS

- A group of five students (two male, three female), Institute of Social Sciences and International Relations, Odessa National University, 10th November 2008.
- A group of seven students (four male, three female), Odessa National Law Academy, 11th November 2008.

UKRAINIAN OFFICIALS

- Andriy Beloborodchenko, Head of the Press Service, South Regional Directorate, State Border Guard Service of Ukraine, 10th November 2008.
- Svitlana Sudak, Head of the Department of Cooperation with Mass Media and Public Relations, State Customs Service of Ukraine, 12th November 2008.
- Andriy Kucherov, Head of the Department of Cooperation with Mass Media and Public Relations, State Border Guard Service of Ukraine, 12th November 2008.

ANNEX 2

MAP OF EUBAM'S AREA OF OPERATIONS

Source: EUBAM (2009). *Area of Responsibility*. Available at <http://www.eubam.org/index.php?action=group&group=27&sid=b1ntxah3lz7b3wmldgpr88doqvrnzii>. Copyright EUBAM.



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