





# Report of the Eastern Ukraine Forum "Reconstruction through Dialogue"

13-14 May 2015, Kramatorsk

The Forum was organized by the OSCE Project Coordinator in Ukraine together with the Donetsk Oblast Military-Civil Administration and the Foundation for Support of Reforms in Ukraine, under the "National Dialogue" Project, financed by the Norwegian Government.

This document does not contain OSCE's official assessments of the situation in the region, but rather reflects opinions and assessments expressed by participants.

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# **Executive Summary**

The Eastern Ukraine forum "Recovery through Dialogue" gathered more than 150 officials, elected representatives, civic activists, entrepreneurs, journalists and diplomats, from Kyiv and Donetsk Oblast, in Kramatorsk on 13-14 May 2015. The OSCE Project Coordinator in Ukraine organized the event at the request of the Donetsk Oblast Military-Civil Administration and the Foundation for Support of Reforms in Ukraine. It was held within the framework of the project "National Dialogue," and was financed by the Norwegian Government.

The event marked the beginning of a dialogue between decision-makers in Kyiv and representatives of communities in Donetsk Oblast, meant to identify problems and solutions in Eastern Ukraine. The event had five working groups:

- 1. Economic development
- 2. Humanitarian needs
- 3. Civil society and volunteerism
- 4. Community security
- 5. Independent, responsible mass media

A subject-matter expert and a professional facilitator led each working group. The expert acted as moderator, posing questions to the participants and sharing updates on certain aspects of the problem at discussion to make the dialogue meaningful and diverse ideas and approaches. The facilitators assisted the participants in formulating ideas and key thoughts in a clear-cut constructive manner, while allowing them to vent their emotions.

The discussions adhered to four key principles:

- 1. equal participation of all
- 2. thoughts, not people, can be criticized
- 3. the Chatham House rule
- 4. the moderator-facilitator tandem contributes to keeping a constructive atmosphere and arranges the process of discussion.

This initial meeting was preceded by preparation, including a series of preliminary meetings abd visits with participants and coaching of moderators and facilitators, with assistance of the Mediation Support Unit of the Conflict Prevention Center, OSCE Secretariat in Vienna.

It will be followed by a series of meetings, as dialogue is a process, not a one-time event, subject to availability of resources.

### **Summary of Recommendations**

The working groups prepared a wide range of recommendations, which are described later in the report. The below five are summative, and reflect consensus views.

#### 1: Dialogue between authorities and society should be continued

Participants strongly expressed the need to establish a new system of communication and effective interaction in the Ukrainian society and in the government, to lay a foundation for a new culture of dialogue. This need is especially acute in Donetsk Region.

# 2: Public authorities and officials on all levels should pay greater attention to the need for dialogue communication with civil society

Advancement of a dialogue culture largely hangs on government officials' attitude toward communication. Organization of the Forum illuminated this problem vividly, in particular due to a low level of direct participation of high-ranking officials in the topic discussions. Specific efforts should focus on raising high-ranking officials' awareness of the goal and advantages of dialogue initiatives, of content and need for personal participation in them.

# 3: At the current stage, participation of the international community in dialogue initiatives can contribute to their success

Given decades of no effective dialogue between authorities and society, and the building of a public administration system based on vertical communication, there is a large need to build relations of trust and safety under dialogue initiatives. From this perspective, participation of the international community is of special importance, since it is considered by the participants as a multilateral guarantor of the dialogue process.

## 4: Dialogues should take place not only in vertically, but horizontally

Dialogue initiatives should also be focused on relations between different parts of civil society. Many problems can be solved either through better coordination or through familiarizing a community with positive experiences and best practices that were applied and succeeded in other communities. Lack of a dialogue culture determines problems in both communication and self-organization of civil society.

#### 5: A need for means to trace effectiveness of a dialogue.

The participants emphasized the need to support feedback subsequent to a dialogue and the opportunity to feel real shifts/changes/impacts of discussions in terms of resolution of problems as an essential thing both for a success of future dialogue initiatives and for establishment of the very culture of dialogue as a whole.

# **Agenda of the Forum**

**Venue**: Jewelry House "Saga", 41 Kramatorskyi Boulevard Kramatorsk, Donetsk Oblast, Ukraine

#### Day 1 (Wednesday, 13 May 2015)

12:30	-	arrival of participants, transfer to hotel by bus
15:00-18:00	_	civil initiatives fair
18:00-19:00	-	brief awareness-raising tour to Sloviansk by bus
19:00-20:00	_	dinner for participants

#### Day 2 (Thursday, 14 May 2015)

<b>Participants</b>	check-out of hote	I. luggage sto	red in the	transfer bus

#### 9:30-10:00 - registration of Forum participants

#### **WELCOMING REMARKS**

Moderated by: Vaidotas VERBA, Ambassador, OSCE Project Co-ordinator in Ukraine

- Oleksandr KIKHTENKO, Head of Donetsk Oblast Civilian-Military Administration
- Vitaly MALYKOV, Head of Joint Staff of Central Department of State Security Service of Ukraine
- Yuriy SHKIL, Advisor to Deputy Head of Administration of President of Ukraine,
   Foundation for Support of Reforms in Ukraine
- Roman ABRAMOVSKY, Deputy Minister for Regional Development, Construction and Utilities of Ukraine
- Oleksandr BRYHYNETS, Member of Parliament, Advisor to Minister of Information Policy of Ukraine
- Andreas von BECKERATH, Ambassador of Sweden to Ukraine
- Vaidotas VERBA, Ambassador, OSCE Project Co-ordinator in Ukraine

#### 10:45-11:30 - coffee-break and press briefing

#### THEMATIC DISCUSSIONS (PARALLEL SESSIONS)

Economic development, business environment and infrastructure initiatives

<u>Moderated by:</u> Yuriy SHKIL, Advisor to Deputy Head of Administration of President of Ukraine, Foundation for Support of Reforms in Ukraine

Humanitarian issues

<u>Moderated by</u>: **Oleksandr BRYHYNETS**, Member of Parliament, Advisor to Minister of Information Policy of Ukraine

11:30-13:30

10:00-10:45

- Civil society and volunteer movement: relations with the state

Moderated by: Mr. Ayder KHALILOV, CSO Capacity Building Expert of UNDP

Community security

<u>Moderated by:</u> Serhiy GALUSHKO, Colonel, Deputy Head of Chief of Staff of ATO for public relations at the territory of Donetsk and Luhansk regions

Development of Independent and Responsible Mass Media

Moderated by: Oksana ROMANIUK. Director of Institute of Mass Information

13:30-14:30	– dinner
14:30-15:30	THEMATIC DISCUSSIONS (continued)
15:30-16:00	GENERAL SUMMING – UP OF THEMATIC DISCUSSIONS
	Moderated by: Vaidotas VERBA, Ambassador, OSCE Project Co-ordinator in Ukraine
16:00-16:30	<ul> <li>transfer of participants to railway station</li> </ul>

# **Purpose of the Event**

This gathering was planned as the first in a series, to become a new format for an open, effective and inclusive dialogue both in horizontal (community-level) and vertical (community-central government) dimensions. The key message to be delivered to participants was that it opens up a dialogue format for communication between citizens and between central government and citizens, with engagement of the international community. In view of that, the following goals were identified for the forum:

- To jumpstart direct discussion of problems and prospects for development of local communities subject to frequent and productive interaction between them and decision-making centers in Kyiv; to start shaping a dialogue discourse as a problem resolution mechanism
- To identify an agenda for further meetings or other feedback formats between communities and central government
- To spark the interest of central government, expert and international communities in supporting a frequent and efficient dialogue with local communities as a platform for effective problem resolution, mitigation of risks of tension escalation both inside local communities and in relations between the capital and local communities.

### A democratic dialogue is:

- a format under which problems failing to find a solution within the framework of existing institutes, legislation or practice are discussed
- a process involving all interested parties (a) which may influence problem resolution, (b) which are impacted by resolution or non-resolution of a problem
- a process open to people and thoughts, built on the principle of cooperation and aimed at common finding of solutions.

# Discussion I: Economic Development, Business Environment, Infrastructural Projects

**Moderator of the discussion**: Yuriy SHKIL, Advisor to the Deputy Head of the Ukrainian Presidential Administration, Foundation in Support of Reforms

Facilitator of the discussion: Hanna HORINA

The participants of the discussion touched upon a broad range of problems dealing not only with the business environment in communities and development of small- and medium-size businesses, but also with issues faced by communities due to the Anti-Terrorist Operation being underway (lodging of internally displaced people, repair of roads in inhabited localities, communication between local self-government bodies and central authorities). As a whole, most of the doing-business problems seem to pertain not only to the Donetsk oblast. Nonetheless, several important issues raised in course of the discussion are directly associated with the situation in the region, namely the termination of business lending in the region, the situation with internally displaced people and responsibility for recovery of urban roads damaged due to movements of heavy weaponry.

In view of time limitations, the participants managed to address only a part of the region's problems, namely the following ones were raised in course of the discussion:

- no business lending in the liberated areas of the Donetsk oblast;
- small-size businesses affected by the requirements for payers of the single tax to use cash registers (CRs)<sup>1</sup> starting 01 July 2015. The discussion participants stressed that installation of such CRs and their maintenance at each retail outlet constitutes an additional and sometimes unbearable burden for small-size businesses;
- monopoly buyers' pressure on small- and medium-size businesses through imposing delayed payments and arbitrary non-performance of contracts;
- an insufficient level of knowledge of legislation among executive authorities on the ground;
- a breakage of technological and production chains that involved enterprises and manufactures in the areas of the Donetsk oblast beyond control of the Government;
- an inefficient and corrupted system of technical regulation. In addition to the need
  for deregulation, the participants made an emphasis on the sophisticated nature of
  the functioning of the permit system in the liberated areas of the Donetsk oblast,
  since different local permit-issuing bodies turned out to be in different, sometimes
  remote, places throughout the region;
- a great decay of the road surface and bridges due to movements of heavy weaponry;
- problems with haulage of municipal solid waste (MSW). The participants stressed that due to an increase in the number of residents of small towns in the western part of the Donetsk region, caused by an influx of internally displaced people, the volume of MSW went up, while the haulage tariffs remained unchanged. However, the participants pointed at not the need to raise such tariffs, but at the need to improve cost-recovery in the sector and bring strategic investors into it, which would solve the problem of MSW utilization as well as enhance the environmental situation.

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<sup>&</sup>lt;sup>1</sup> This requirement was introduced by the Law of Ukraine "On Making Amendments to the Tax Code of Ukraine and Some Legislative Acts of Ukraine concerning the Tax Reform" No. 71-VIII dated 28 December 2014.

- 1. to cancel the provisions of the Law of Ukraine No. 71-VIII in the part dealing with the use of CRs by payers of the single tax
- 2. to propose introducing changes to the legislation on the procedure for application of the inflation factor
- 3. to approve a national program on Donetsk oblast recovery
- 4. to restore business lending in the Anti-Terrorist Operation zone controlled by the Ukrainian Government;
- 5. to launch operations of the already established State Agency for Donbas Recovery;
- to introduce a frequent dialogue between local and regional businesses, and authorities for the sake of problem-discussing. The participants underlined that there is a need not only to communicate information to regions, but also to set up feedback channels for the authorities to hear the voice of local and regional smalland medium-size businesses;
- 7. to support self-organization of business communities into business associations for joint protection of rights and interests;
- 8. to hold business forums, in particular for the purpose of creating new economic ties.

### **Discussion II: Humanitarian Issues**

Moderator of the discussion: Oleksandr BRYHYNETS, Ukrainian MP, advisor to the Minister

of Information Policy of Ukraine **Facilitator**: Lada KANEVSKA

The discussion participants touched upon a broad range of issues which could be grouped into the following blocks:

Inefficiency of the legislation on internally displaced people. The law on internally displaced people (IDPs) does not function. In particular, as the participants noted, some of its provisions are at variance with the Constitution of Ukraine, there are no specifics on certificates subsequent to registration of IDPs, there is inconsistency and, sometimes, a conflict between the Law and the COM's Resolutions No. 79 and No. 509. The pass system on the separation line in its current shape is a profanation of the very idea standing behind it and sets outs conditions for corruption. As to the procedure for record-keeping on IDPs and inspecting IDPs in their places of living:

- 470,000 people cannot be covered; according to statistics voiced by the participants, since 20 March 2015 the following numbers of people got registered: Mariupol more than 20,000; Sloviansk more than 14,000; Kramatorsk 7,000; total for the Donetsk oblast 107,270; that is, only one fourth of the overall number of IDPs;
- one day for establishment of a person's identity (required documents: passport, taxpayer's code) lost documents cause insurmountable difficulties, since all archives remain in the uncontrolled areas. The issue could be solved at least partially by virtue of the State Registry of Voters or testimonies of witnesses;
- interaction between public authorities and volunteers, given hindrances posed by the legislation on protection of personal data;
- children aged 14-18 who are registered according to their places of living in the areas uncontrolled by the Government may not be registered as IDPs, since there is no registration procedure for minor-age people without parents.

In general, the discussion participants concluded that the Ukrainian legal framework is not adjusted to the situation in the country: people are left alone with their problems.

**Pass system**. The participants pointed out that the purpose of the pass system on the separation line is unclear and emphasized that it is necessary to compare the statistics on captured terrorists and on deaths of those who failed to leave the area not controlled by the Government. As part of the discussion, a large corruptive component in this system was highlighted: an amount of the bribe varies from 300 to 1,200 UAH. Government-run hotlines for the pass system are out of order in the sectors A and B. The working government-run hotline and that of the Security Service of Ukraine forward calls to the idle hotlines of other public authorities.

Another important aspect of the problematic situation is the lack of feedback: residents and IDPs have no place to lodge their action-taking complaints with. There is no clarity with the norms for transporting foodstuffs across the separation line, while frontier guards and customs officers are involved, which results in violation of the principles of humanitarian law.

**Discrimination of Donetsk and Luhansk oblasts residents.** The discussion participants pointed out limited opportunities for relocation from the areas that are not controlled by

the Government (due to age, health, security, humanitarian, employment and other considerations). The case is aggravated due to certain clichés in the way local residents treat IDPs (image of the enemy). This is further complicated by the discrimination against businesses and the lack of conditions for launching and running small- and medium sized business activities by IDPs.

While there is no martial law in place, restrictions imposed on the residents of the Donetsk and Luhansk oblasts are a violation of constitutional rights and freedoms.

IDPs need psychological assistance, which requires establishment of a wide network of psychological assistance sites.

**Delivery of humanitarian aid.** The participants pointed out the lack of systemic governmental support: currently, for the most extent, international organizations and volunteers work. The indifference of the government leads to the burnout effect in the volunteer movement and the limitation of resources. While resources are limited, government could contribute to solving many problems as part of the program in support of development of small- and medium-size businesses. A particular attention is deserved by approaches to construction of lodging facilities for IDPs: this should not lead to creation of ghetto.

**Medical care**. The current health system on the ground was made for local residents of a city. The influx of IDPs results in a situation when health facilities are incapable of providing their services to all those in need. Furthermore, the authorties' attention does cover people with special needs (those dependent on insulin, TB patients, HIV patients, etc.). A standalone essential problem is immunization: there are not enough vaccines or they are completely absent.

**Public services.** In the field of registration of civil status acts, given the fact that databases are located in the areas that are not controlled by the Government, there is an issue concerning interaction with institutions in such areas for the purpose of identification. Another problem in the field of public services is non-transparent utilization of proceeds from the state duty and public services, which have been received by local budgets since the beginning of 2015: there is no information on either their receipt or spending.

**Psychological health.** The participants pointed out the lack of monitoring of psychological health within the Anti-Terrorist Operation area and in the places of compact residence of IDPs. Furthermore, psychological problems are also felt in the communities of volunteers, social and health workers, public servants and officers of local self-government bodies who are engaged in the work with IDPs and liquidation of the conflict consequences. This requires launching Help the Helpers programs.

- 1. To improve the legislation on IDPs, in particular the COM's Resolutions No. 79 and No. 509 concerning registration of IDPs, social and property support for them.
- 2. To finalize and launch an electronic database for the purposes of the pass system;
- 3. To change a principle underlying the pass system: there should be a free exit from the areas uncontrolled by the Government and an entry subject to passes only;

- 4. To set the record straight concerning local budgets in terms of their possible use for solving burning problems associated with IDPs, particularly for supporting document flow management, registration, medical and psychological assistance.
- 5. To use various ways of assistance in solving burning issues with active interaction between local initiatives, organizations and local authorities;
- 6. To introduce education and awareness-raising programs for IDPs: on selforganization, responsibility for one's life and future, "responsible citizen", programs for teachers, including online ones, family programs, etc.
- 7. To arrange for psychological preventive work, in particular through psychological debriefings for IDPs, local residents, volunteers, combatants and health workers.

# Discussion III: Civil Society and Volunteer Movement: Relations with Government

Moderator: Aider KHALILOV, expert on civil society capacity building, UNDP

Facilitator: Iryna BRUNOVA-KALISETSKA

The discussion participants touched upon a wide range of problems in the activities of institutions of civil society and its interaction with public authorities. In their opinion, key challenges for the activity of civic organizations, civil society and volunteer movement are the following:

- Lack of reforms;
- Lack of a dialogue with authorities, a selective approach of public authorities and officials to communication with NGOs on the ground (city and oblast authorities communicate with some of them, but not with others, without explaining reasons of such limited communication).
- Ideological pressure and oppression of patriotic NGOs are common, in particular through municipality-owned media outlets, on the level of local self-government bodies;
- Results of volunteer activities are appropriated by local authorities without recognizing merits of the volunteers;
- Lack of collective civic watch over local budgets and spending of the funds;
- Lack of civic representation in commissions at city councils;
- Hindrances by local self-government bodies against civic events and initiatives;
- Loss of institutional memory in working with NGOs; the authorities don't have skills and a system for communication with NGOs;
- In the domain of NGOs, many communities have no uniform stance on identifying a specific entity for interaction with the authorities;
- Direct pressure on members of NGOs (including explicit and implicit threats);
- Poor competency of civil servants; weak incentives for professional staff in public service; unsound public services due to the lack of staff;
- The authorities do not recognize their incompetency;
- The authorities do not consider civil society as an equal partner;
- The volunteer movement has a limited resource base; an insufficient level of protection of the rights of volunteers;
- Outdated electoral legislation which under current circumstances does not enable civil society forces to come to power;
- Insufficient competency of NGOs, particularly in terms of working with donors, creating coalitions or associations, in the scope of competence of authorities of various types and levels, etc.;
- Problems in communication and interaction between NGOs (in a community, region, between local and national NGOs).

As the discussion participants summed up, NGOs themselves constitute an example of new challenges and a new type of problems, while the authorities have no elaborated mechanisms to address them.

In course of the discussion of civil society problems and interaction with authorities, quite a lot of important ideas and recommendations were expressed. In particular, it was proposed that measures should be arranged to raise NGOs' awareness of the scope of competences of authorities on the level of a city, oblast and the central government. The international community represented by international organizations should serve as an essential link in the dialogue between civil society and authorities. Developments in the east of Ukraine brought about rather important consequences for the civil society in this region: there was a large thrust in the development of NGOs in small towns of the Donetsk oblast. While in the past the central of civil life was Donetsk, currently there is a developed mighty network of NGOs throughout small cities. Furthermore, the civil society has become politically conscious and has an intention and capacity to become a part of local councils. Another aftermath is the significant emancipation of the civil society: it has overtaken the authorities in terms of efficiency and promptness.

The authorities face an essential issue of learning communication and cooperation with the civil society.

Given time limitations, the discussion participants focused on several pivotal problems and ways to solve them, which were grouped as follows:

#### **Problems** in communication.

- 1. The lack of skills and knowledge both among officers of public authorities and local self-government bodies in charge, and NGOs and activists necessitates training civic activists in organization and planning of the activities of NGOs, coordination between NGOs. To this end, it is recommended that both experts and local activists with relevant experience and skills should be involved.
- 2. To introduce a program for internships of management students and graduates of higher education institutions (e.g., Donetsk State University of Management) at NGOs (to this end, for the time of such internship students should be procured with financial resources for travelling, accommodation and meals);
- 3. NGOs should get involved into discussions on the new draft Law "On Public Consultation";
- 4. There is a great need for exploring international experiences of the work in post-conflict areas, interaction between authorities and NGOs. Exploring such experiences may have different formats (involvement of experts, organization of trainings on key subjects, webinars, study tours to post-conflict areas in other countries, etc.);
- 5. Advancement of qualifications of public servants involving resources of the Donetsk State University of Management (currently hosted by Mariupol). However, it is necessary to finance travelling, accommodation and meals for the faculty, if training events are organized in other cities of the oblasts, or for public servants, if training is provided in Mariupol;
- 6. To scrutinize training/advanced training needs of public servants and NGOs in a systemic manner.

# Interaction/cooperation between NGOs on the level of a community, oblast, between regions and the capital:

1. The Coordination Center under the Ministry of Social Policy should have direct contacts with local NGOs on the ground;

2. For the purpose of ensuring transparency and accountability, one has to provide for feedback between local authorities and a community. NGOs stand ready to assist in creation of appropriate information resources to that end.

Problems of legitimacy in relations with the authorities and community, partner relations, network relations in the civil society:

1. Official legitimization of volunteer organizations, their acquiring of a formal status.

# **Discussion IV: Security of Communities**

<u>Moderator:</u> Serhiy HALUSHKO, colonel, Deputy Head for Public Relation in the Donetsk and Luhansk oblasts, Headquarters of the Anti-Terrorist Operation

Facilitator: Pavlo KOZELETSKYI

The discussion participants debated on a wide spectrum of problems in the field of community security, which emerged in the wake of developments in the region. The participants identified the pass system across the separation line as the most crucial purpose of the discussion, since under the current system mechanisms for reissuance of lost documents don't work. As a result, it is impossible to leave the area which is not controlled by the Government. The system also remains to be inefficient, because waiting for passes lasts up to two months, while its administration has been marked by a large level of corruption.

Other problems raised by the discussion participants include:

- **Bodies of interior**. There are no patriotic people among officers of bodies of interior in the anti-terrorist operation zone and in the liberated areas. As the discussion participants estimated, up to 90% of officers of bodies of interior have a hostile attitude towards Ukraine. At the same time, the Ministry of Interior and the Security Service of Ukraine make no efforts to replace the staff. The reform of the Ministry of Interior is taking place "rearwards". These problems appear to be even more crucial in view of a (fivefold) hike in the number of crimes with firearms. According to the discussion participants, such an increase should be primarily considered as a problem within law enforcement bodies, rather than that of the illegal circulation of weapons;
- Organization of self-defense formations. There are considerable doubts concerning legality of the existence of self-defense formations, let alone legislative settlement of their possession of weapons. This should be added up with the issue of legislative regulation of their joint patrolling of inhabited localities with units and bodies of interior. However, according to the representative of the Ministry of Interior, these issued have been already settled on the legislative level, while the problem is that the staff of regional bodies of the Ministry of Interior, city executive committees, NGOs are not aware of this body of legislation;
- On the ground, there is a lack of NGOs' and executive authorities' awareness of the legislation;
- No temporary shelters and bomb shelters in Kramatorsk and other cities due to the destroyed system of civil defense.
- **Trust in mass media.** In course of the events in this region, trust in mass media was largely undermined. This requires building up independent local media outlets;
- **Transport logistics.** Transport communication is present towards Kyiv only; links between cities of the region are complicated or absent.

In course of the discussion on possible recommendations regarding ways of addressing the problems, the participants formulated two overall recommendations and several specific ones.

On the strategic level, according to the discussion participants, the general recommendations of the Forum may include the following conclusions:

- The dialogue should be continued! In this respect, the participants stressed that the
  format of events should be shifted towards a bigger dialogue component. In view of
  that, timing for events should be revised, one should encourage a possibility for
  down-to-earth work in groups with involvement of high-ranking decision-making
  officials;
- The work of the group should be continued, while its outcome should be a concrete plan of actions.

As for ways of addressing the problems risen in course of the discussion, the participants identified two priority areas:

#### Checkpoints:

- 1. Civic watch over checkpoints and strengthened accountability of the staff of checkpoints;
- 2. Interaction with electoral commissions in identification of the identity;
- 3. Introduction of psychologists' presence at checkpoints;
- 4. Introduction of a temporary ID card;
- 5. Introduction of mandatory fingerprinting in the Anti-Terrorist Operation zone;
- 6. Merger of government-run databases;
- 7. Introduction of video surveillance at checkpoints;
- 8. Advanced training for the staff of checkpoints, incorporation of international experiences;
- 9. Legislative regulation of the functioning of checkpoints, reasoning of expedience for the existence of checkpoints in their current shape;
- 10. Initiation of establishment of a council on security of communities under the Parliament, the Cabinet of Ministers.

#### Mindset of the Population:

- 1. The Institute for National Memory should be involved into the work with the public;
- 2. Problems should be analyzed.

# Discussion V: Development of Independent and Responsible Mass Media

Moderator: Oksana ROMANIUK, Director, Institute of Mass Information

**Facilitator**: Andriy DZIUBENKO

The discussion participants not only emphasized the scope of problems in the activity of local media outlets, but also underlined an impact of these problems on the audience. The media do not fully perform the function of satisfaction of the local community's needs: national press does not provide enough information which is pertinent for local residents, focusing mostly on the negative side; local press equally lacks news that would touch upon essential local interests. Furthermore, it is difficult to find analytics on the local situation in the press; there is practically no genre for investigation, critical and comprehensive analysis of actions by authorities. Equally, the group voiced an opinion that there is insufficient public awareness of the nature and course of reforms that are undertaken on the central level, but affect the life of a community and rank-and-file people (e.g., increases in utility tariffs).

Media-related issues from the audience's perspective. The Donetsk oblast media have the same problems that are typical for the media in other regions, but the conflict and military hostilities have largely sharpened them, posing significant hindrances for resolution of problems in other domains. A negative impact on the life of the local community from the media's coverage or non-coverage was noted by the participants of other sessions, particularly those on security of communities and humanitarian issues. Furthermore, there was the following remark regarding the media: due to the race for negative news, they do not pay attention to positive initiatives from the civic sector and local authorities, which distorts the picture of the life in the region and sharpens the problems. Overall, the participants noted a drop of trust in the media because of them being used for the propaganda purposes or due to violation of journalism standards.

Extremely difficult financial standing / consequences of the conflict restrict a possibility for the local media to produce sound and competitive deliverables. Printed outlets are in a specially sad plight in view of expenses of production. A better outlook is with web-based media due to a relatively low level of doing-business costs; furthermore, social networks have started playing the role of media. However, the observation of standards of journalisms is an issue with the social networks. All the more, the web does not meet the information needs of a large share of the community, being not used by it. The local authorities, particularly in the city of Sloviansk, express their favorable opinion concerning the need for publication and dissemination of leaflet-type newspapers, while the central government stands against, since this contradicts the course towards destatization, i.e., this would create new media controlled by the government.

**Dependence of the journalist community on owners/an influence of owners on editorial policies.** The discussion participants noted that since journalism has poor cost-recovery prospects now, there is excessive dependence of the media on owners and a strengthened toolkit for their influence on editorial policies. The participants pointed out that there are pre-cooked materials in the press and expressed concerns regarding stronger pressure due to the upcoming local election.

Lack of professional journalists/problems with personnel. Due to the lack of funds, local editorial offices are extremely small and, given objective reasons, are in no position to produce in-depth and timely analytics. The conflict also drove a number of journalists from the region, and even the media that find possibilities for expansion face problems in finding professional journalists.

**Government-owned media** keep following the traditions of government-dependent press, avoiding coverage of acute and potentially controversial topics. Because of this, protocol information about events involving bureaucrats replaces topical news pieces, in particular on events that deal with the course of the Anti-Terrorist Operation. At that, government-owned media compete with private ones both for the audience and for the advertisement market, narrowing opportunities for development.

Ongoing complexities in launching new projects in the domain of traditional electronic media. Although national electronic media are largely accessible in the areas of Donetsk oblast that are controlled by the Ukrainian Government, the participants noted the insufficient diversity of sources of information about local news. Launching new projects in the domain of traditional electronic media (TV and radio) is problematic, given complex governmental procedures for access to, among other things, broadcast frequencies.

### Possible Approaches to Resolution of the Problems

### Media-related issues from the audience's perspective:

- 1. More focus on resolution of the problems of recovery and development of the region's media sector is needed in view of their impact on the situation in other domains;
- 2. Support of the dialogue between volunteers/civil society mass media (Donetsk press-club's practices of arranging meetings with civic organizations and volunteers for journalists is worth attention);
- 3. Training civic activists in practices of work with the media;
- 4. The work on spreading media literacy principles in the community (possibility for the government, donor organizations) as a counterweight to attempted use of the media for the purpose of propaganda.

### Economic condition / consequences of the conflict:

- In the long-term prospective, advancement of small- and medium-size businesses will become a source of increased profits from ads for the local media; still, there is a need to seek out mechanisms of support for the nearest future (a dialogue on a possible national earmarked program in support of press with guarantees and arrangements for independent editorial policies);
- 2. the local media need a better access to resources of international organizations (information campaigns on possibilities to receive grants, project assistance, training in both principles of compilation of grant applications and use of donor resources, reporting);
- 3. training in the use of toolkits of new media for the staff of traditional outlets;
- 4. training local media managers in novel tools for running a modern media business (including crowd-funding);
- 5. sharing doing-business experiences between local and national media.

# Dependence of the journalist community on owners/influence of owners on editorial policies:

- Stronger attention to development of self-regulation within the journalist community, training in self-regulation principles and mechanisms, building of solidarity, trade-union movement, mechanisms for dispute resolution and protection of journalists in disputes with owners of the media;
- 2. The government-owners-journalist community dialogue about formulation of, and compliance with, clear-cut principles of editorial policies in private media, procurement of transparent media ownership;
- 3. Support of an internal dialogue in the local journalist community, encouragement of professional solidarity.

#### Lack of professional journalists/problems with personnel:

- 1. It is necessary to get from the donor community programs in support of return of internally displaced professional journalists who are aware of local realities;
- 2. An idea was expressed to train local volunteers in journalism basics, professional standards and ethics;
- Better physical infrastructure and, respectively, greater independence of local
  journalists can contribute to strengthening contacts with national and foreign media
  that look for local correspondents; there is a need to arrange and maintain such
  contacts, take efforts for national media to train local journalists in their approaches
  to the work;
- 4. Creating conditions for students of journalism faculties in the media of the region can contribute to solution of the problem.

**Government-owned media.** Representatives of the central authorities stressed that denationalization of printed media outlets is inevitable, although it is questionable that local oblast state-owned TV and radio companies would turn into an active and sound element of the national system of public broadcast due the loss in their physical infrastructure and human resources.

# Regulatory difficulties in launching new projects in the domain of traditional electronic media:

- 1. Exploration of possible ways to simplify the regulatory procedures on the regional level;
- 2. A special attention of the regulator to the functioning of the information space of the region which suffered from crisis events; studying the condition of the TV and radio space in the region.

# **Background on the National Dialogue Project**

On 20 March 2014 the OSCE, following the request of Ukraine, deployed a team of 15 international experts to Ukraine as part of a National Dialogue project to identify areas for further OSCE activities to support confidence-building between different parts of Ukrainian society. The project team was deployed for four weeks in various locations to meet with local authorities, NGOs, and follow public events in these cities and surrounding regions to gather information about issues of concern, in particular political, humanitarian and minority issues. The project recommendations for future OSCE engagement to foster social cohesion and dialogue in Ukraine, and were presented to all participating States, including Ukraine, at the Permanent Council in Vienna on 30 April 2014. More details on the report can be found <a href="https://example.com/html/permanent-council-lin-vienna-nd-council-lin-vienn

As part of other efforts within the Project and following those recommendations the OSCE Project Co-ordinator organised a conference "Dialogue Tools to Respond to Crisis Developments: International Experience and Prospects for Application in Ukraine" on 10-12 December 2014. The event, organised in response to request of Odesa Oblast State Administration together with the Odesa Regional Group on Mediation, addressed the needs for building professional competence and for facilitating exchange of experience for professional mediators working to resolve conflicts and bridge differences at local and regional level, as well as of international experts involved in facilitation of dialogue and conflict resolution in Ukraine. Renowned international experts in mediation and dialogue-facilitation were attracted to lead the conference and workshops, by providing expert training, support and advice, and share lessons learned from other conflict and post-conflict experiences.

Also on 17 December 2014 the project facilitated a meeting of Ukrainian NGOs and representatives of OSCE institutions and missions to exchange information and study specific mechanisms of interaction in improvement of Organisation's response to the current crisis.

The National Dialogue Project helped assess needs for further enhancement of national cohesion and dialogue in the country, tapped the areas where OSCE was not previously involved in Ukraine and laid foundation for a new multiyear initiative "National Dialogue for Reforms Justice and Development", an extra-budgetary project to be implemented in 2015-2017. This new project provides a platform for discussion at nationwide and local levels of the content and substance of reforms; supports development of Ukrainian community of mediators and dialogue facilitators; helps improve accessibility and transparency of constitutional justice; and enhances participation of civil society in preventing human rights violations.

The National Dialogue Project is implemented with the financial support from the governments of Austria, Denmark, Germany, Italy, Lithuania, Norway, and Japan.

The OSCE Project Co-ordinator in Ukraine is the permanent OSCE field presence in Ukraine. It was established in 1999 to plan, implement and monitor projects to help the country enhance its security and stability, develop its legislation, institutions, and practices in line with democratic standards. The goal is to support the country in adapting legislation, structures, and processes to the requirements of a modern democracy built on a secure environment for its people. The projects are planned in response to requests by Ukrainian partners, including governmental and non-governmental institutions. See more at <a href="mailto:osce.org/ukraine">osce.org/ukraine</a>.

The OSCE Special Monitoring Mission was established by a consensus decision all 57 participating States of the OSCE on 21 March 2014 in response to crisis developments. The Mission is operating under the principles of impartiality and transparency. Its civilian international monitors gather information and report on the security situation; establish facts in response to incidents; establish contacts and facilitate dialogue on the ground to promote normalisation of the situation. See more at osce.org/ukraine-smm.