

CONFLICT RESOLUTION WITHIN EUROPEAN UNION: EXPERIENCE OF SPAIN

The article is dedicated to the experience of Spain within conflict resolution framework in the European Union. The goal of this article is to analyze in depth the Catalan case in order to identify the important lessons learned of the conflict resolution and search for viable options of the confrontation mitigation. The objectives of the article are as follows: to analyze the background of the Catalan conflict, to study the current status of the Autonomous Community of Catalonia, to identify vital lessons learned from the peace process and make projections for further conflict settlement.

The results of the study demonstrate that at the current stage there are serious obstacles to further conflict resolution. Yet, one can note a positive trend in continuation of negotiations between the leaders of Spain and Catalonia in 2020, despite all of the political complexities, which gives hope that the conflict can be resolved through diplomatic channels. Based on the conducted analysis, one can draw a conclusion that despite troubles in Catalan peace process, certain progress can be noted. Complete independence of Catalonia appears hardly conceivable at the moment. Besides, even under that scenario the region would still face the challenges of joining the European Union and the eurozone. The negotiations between Madrid and Barcelona are under way and it appears that both parties are determined to settle the tensions in 2020.

Prospects of further research are related to determining an optimal set of measures to solve the conflict in Catalonia, in particular, with the support of the European Union community.

Previous EU experience in conflict resolution need to be further studied in depth, in particular efforts on bridging cultural and ethnic divides. The lessons learned can be applied to the conflict resolution process in the East of Ukraine.

Key words: *Conflict Resolution, European Union, Spain, Catalonia, European integration, the European Union (EU), civil society, European Neighbourhood Policy (ENP), Ukraine.*

Formulation of the problem. Conflict mitigation efforts are an important item on the political agenda of nation states and international organizations. Among top intergovernmental organizations dealing with conflict resolution one can name the United Nations, the European Union, the Organization for Security and Co-operation in Europe, the Council of Europe, the North-Atlantic Treaty Organization. Subjects of international law take different approaches to conflict resolution, however the most important methods are peace-building, peace-making, negotiations, involvement of mediators, peace enforcement and humanitarian intervention.

Important principles of conflict resolution are laid out in the United Nations Charter. According to the UN Charter Chapter VI, Article 33, the parties to any dispute shall, first of all, seek a solution by negotiation, enquiry, arbitration, resort to regional agencies or arrangements, or other peaceful means of their own choice [27, p. 1]. Nations states and international organizations use these guidelines in order to settle conflicts in an efficient manner.

The region of Europe is considered as one of the most peaceful and stable in today's globalized world in terms of security threats. However there still exist sources of high tension even within the framework of the European Union. One of the most urgent cases in this regard is the status of the Autonomous Community of Catalonia in the Kingdom of

Spain. The long-standing confrontation spurred by ethnic, cultural, political and financial reasons became a hot spot on the map of Europe and caused a lot of debates within the country itself and the European Union.

Ukraine is currently involved in one of the most serious armed conflicts in Europe since the Cold War times. The conflict in eastern Ukraine has killed more than 13,000 people since 2014, thus becoming the biggest armed conflict in Europe since World War II [18, p. 1]. It is highly important to study previous cases of conflict resolution in the region in order to identify important lessons learned and establish long-term peace.

Problem of research. The Catalan case appears to be a highly urgent problem to research in order to identify the important lessons learned of the conflict resolution and search for viable options of the confrontation mitigation in the region. It is necessary to analyze the economic, political, ethnic and cultural dimensions of the Catalan conflict. In view of Ukraine's aspiration to join the European Union it is significant, in particular, to analyze the conflict resolution efforts exercised in the framework of this international organization.

Analysis of recent research and publications. The analysis of foreign and Ukrainian literature on the selected topic demonstrates interest of researchers in the conflict resolution issues and the Catalan case, in particular. In this regard it is also vital to mention the studies of conflict resolution efforts within the European Union framework. These aspects have been analyzed by M. Kapitonenko, M. Kulynych, H. Rudenko, A. Kudriachenko, V. Shved, V. Soloshenko, S. Samoylenko, O. Novakova, B. Parakhonsky, H. Yavorska, K. Fedorova, Z. Brzezinski, F. Cameron, R. Balfour, L. Coser, J. Crombois, K. Gorchinskaya, S. Huntington, A. Juncos, S.

Blockmans, Z. Novakova, R. Petrov, B. Schneider, G. Visoka, J. Doyle.

Goal of the research. The goal of this article is to analyze in depth the Catalan case in order to identify the important lessons learned of the conflict resolution and search for viable options of the confrontation mitigation.

Objectives of the research. The objectives of the article are as follows: to analyze the background of the Catalan conflict, to study the current status of the Autonomous Community of Catalonia, to identify vital lessons learned from the peace process and make projections for further conflict settlement.

The main research results. Barato The topic of conflict resolution has long been discussed in scholarly literature. History of humankind is a history of discoveries and oblivion, achievements and failures, war and peace, thus despite brutal wars and destruction history cannot stop, it has inner mechanisms of crises resolution and searching for compromise [1, p. 5]. According to Huntington, conflicts between states are often largely shaped by cultural and civilizational factors [19, p. 36]. Schneider points out that no internal conflict will find a sustainable and peaceful settlement if its root causes are not adequately addressed, which is a process that requires both time and commitment [22, p. 1]. Besides, as Brzezinski notes, the advent of nuclear weapons meant that a head-on war, of a classical type, between the two principal contestants would not only spell their mutual destruction, but could unleash lethal consequences for a significant portion of humanity [13, p. 6]. Parakhonsky and Yavorska hold that the final shift of focus in peace studies from war to processes of conflict transformation and peacebuilding took place after the end of the Cold War [9, p. 18]. This shift has led, in particular, to changes in the North-Atlantic Organization's strategic approaches. No particular

country was regarded as the NATO adversary, and the priority was given to the role of crisis management and conflict prevention. However, since 2014, in the context of the Russian hybrid war, the Alliance has added a containment objective to its missions, that is, partly reverting to the Cold War approaches, yet retaining the possibility of dialogue [9, p. 18]. Kapitonenko notes that a set of foreign policy traditions is often referred to as “strategic culture”, i.e. a system of values, practices and views on major foreign policy issues, foreign policy dilemmas, a kind of outlook that the state develops in relation to international politics [4, p. 25]. This concept is instrumental in finding answers to value questions, such as the limits of violence use in conflicts, ethical approaches in politics, the value of human life, role of justice and punishment etc. As a macro-sociological category, strategic culture, of course, does not have a decisive influence on the state policy, but it does contain the soft power elements that present building blocks of the state image [4, p. 25]. Parakhonsky notes that although wars and conflicts result in physical destruction or conquest of enemy, they are also a kind of communication system, entailing dialogue, negotiation and the need to understand the antagonist’s goals. War contact is also a type of communication, because interaction in combat leads to mutual enrichment of experience and technological improvement [10, p. 1]. In the opinion of Coser, despite destruction potential of conflicts they still also have positive and constructive functions [16, p. 1].

The qualitative research was conducted with the help of comparative and historical methods. These methods are appropriate in order to analyze and determine values behind the conflicting parties’ stances. The comparative method allows to detect differences and similarities among international relations’ phenomena. The historical method allows to study

the development of Spanish-Catalan relations in order to better understand the reasons behind the conflict, analyze its current state and formulate important lessons learned from the conflict resolution process.

In spite of decades of peace-making efforts of the humanity violent international conflicts are still taking place. According to the Council on Foreign Relations (CFR) data, top international conflicts to watch in 2020 are as follows,

- armed confrontation between Iran and the United States;
 - a severe crisis on the Korean Peninsula following the collapse of the denuclearization negotiations;
 - crisis between Russia and Ukraine;
 - confrontation over disputed maritime areas in the South China Sea (between China and one or more Southeast Asian claimants);
 - deteriorating security conditions in the Northern Triangle (El Salvador, Guatemala, and Honduras);
 - intensification of organized crime-related violence in Mexico;
 - increasing political instability in Iraq;
 - escalation of violence between Turkey and various Kurdish armed groups (within Turkey and/or in Syria);
 - continued violent reimposition of government control in Syria;
 - political instability in Afghanistan resulting in further advances by the Taliban insurgency;
 - intensifying economic and political crisis in Venezuela
- [15, p. 1].

Western Europe is considered as one of the safest regions of the world in terms of security, yet there are sources of civic unrest in this region as well. In particular, one should pay close attention to Catalan conflict within the Kingdom of Spain. It is important to analyze the Catalan case in depth, identify

significant lessons learned and discuss certain scenarios of the conflict resolution. This experience can be especially vital for Ukraine that is currently involved in an armed confrontation in the East of the country and actively seeks for methods of its resolution.

The role of a nation state increasingly changes in the current globalized political system. Novakova holds that international relations go far beyond interstate interactions, so the state as an international actor loses its monopoly [8, p. 2]. One of the important subjects actively involved in peace-making processes is international organizations. The European Union has been launching various initiatives aimed at conflict resolution, for example, such as the European Neighbourhood Policy (ENP) in 2004. In 2006, the European Commission even stated that “[i]f the ENP cannot contribute to addressing conflicts in the region, it will have failed in one of its key purposes” (European Commission, 2006: 9) [17, p. 1]. The EU has been taking actions in conflict management in two “sub-regions” of the neighbourhood, namely in Eastern Europe and in the Maghreb, both plagued by situations of unsolved conflicts, often called “frozen conflicts” [17, p. 1]. The EU’s potential to contribute to conflict resolution can be assessed as considerable given the wide range of instruments under the EU’s external action. Yet, the EU continues to face four key challenges in this area:

- 1) bridging the early warning-response gap;
- 2) improving cooperation with other international partners in conflict prevention and peacebuilding;
- 3) enhancing civil–military coordination;
- (4) ensuring local ownership [20, p. 1].

The ENP was not primarily designed as an instrument for conflict management or resolution, despite its links with the European Security Strategy of 2003. Nonetheless, the EU’s

policy toward its neighbours has been inseparable from the issues of regional conflicts. The linkages between these conflicts and the ENP's tools are evident in Eastern Europe, as well as south of the EU's border [21, p. 1].

The main purpose of European Neighbourhood Policy is to enhance a zone of friends and partners around the Union borders with the help of increased safety and security. Cross-border cooperation is one of the ENP's innovative features which aims to reduce the dividing lines between the EU and its neighbours, and to draw on the experiences of the Union's INTERREG and PHARE cross-border programmes [14, p. 1].

Currently the European Union undertakes multiple conflict prevention initiatives, such as facilitation of dialogue between Kosovo and Serbia. But the EU's role as regional peacebuilder could suffer drawbacks as a result of internal turbulences caused by the Brexit and other lingering disintegrationalist forces [28, p. 1]. One more problematic aspect of security in the European Union is the Catalan case.

Catalonia can boast nearly a thousand years old history. The origins of the current conflict with Madrid date back to the Middle Ages, when Catalonia was an independent state. Catalonia managed to maintain relative political independence until early 18th century. Later on the rights of the Aragonese Kingdom were abolished and the region was finally subordinated to the Spanish crown. In the middle of the 19th century the independence movement keeps growing [6, p. 97]. Catalonia has its own language, culture, flag, anthem and coat of arms, parliament and police, and a large part of the population identifies themselves as a particular ethnic group of Catalans. The independence movement was severely attacked under dictatorship regime of General Franco (mid-20th century), who abolished the autonomy of the region altogether and had Lluís Companys, president of Catalonia, executed.

It should be noted that Catalonia is highly developed economically, it is the richest region of the Kingdom of Spain. Annually, as a donor region, Catalonia pays 12-16 billion euros more to the state treasury than it receives back and although the local government is forced to help Andalusia and other Spanish regions, the inhabitants of Catalonia themselves have to save money” [3, p. 1].

In fall of 2017 a referendum on independence was held in Catalonia. According to the referendum results (90% in favor), on October 27, 2017, the Catalan Parliament declared independence of the region [5, p. 1]. In Madrid, the referendum was declared illegal, the Spanish Senate approved the introduction of direct rule in Catalonia - in accordance with Article 155 of the Constitution of the Kingdom of Spain [5, p. 1]. The Spanish Prime Minister Mariano Rajoy dismissed the Catalan Parliament and called for new elections in the region. At present, there are no distinct signals of the conflict escalation into an armed confrontation, yet violent protests take place in Catalonia, therefore the authorities in Madrid and Barcelona continue to negotiate the status of the region.

Since the beginning of 2019 there have been multiple protests in Catalonia against court proceedings of Catalan leaders who proclaimed independence from Spain in 2017. On October 14, 2019 nine of the twelve accused Catalonia independence leaders were sentenced by the Spanish Supreme Court to nine to thirteen years' imprisonment [11, p. 1]. First of all, they were convicted of organizing a Madrid-banned referendum in 2017. Nine Catalan leaders have been accused of insurgency and four of them in wasting public funds, at the same time a new international arrest warrant was issued against the then incumbent leader of Catalonia, Carles Puigdemont [11, p. 1]. Puigdemont, one of the Catalan referendum leaders and

former President of the Government of Catalonia, lives in self-imposed exile in Belgium.

However, the European Union member states took a cautious stance with regard to Catalonia's independence proclamation. In particular, the leadership of the European Union stated that the referendum on Catalonia independence self-proclamation was illegal, and even if it were conducted under the Spanish Constitution, the separate territory would immediately fall outside of the EU [2, p. 1]. Fedorova holds that it is not a viable path for Catalonia, because in the context of current European integration processes, without Spain, Catalonia will not survive as a political structure [12, p. 146]. Spain will be able to veto all of Catalonia's attempts to join the European Union. Spain is highly interested in retaining Catalonia within its political and economic structure, because otherwise the country will lose a fifth of its economy, which will make its situation even more difficult than it is now [12, p. 146]. An independent Catalonia would have more fiscal revenues, but it would also have a higher debt burden than Spain. The argument that Catalans should not subsidise Andalusians is a dangerous one: apply that more widely and the euro zone could fall apart [26, p. 1]. Indeed, under current circumstances, the euro zone's leaders would hardly support an extra nation-state joining this structure.

According to the latest updates of February 2020, Spain plans to proceed with Catalonia talks before regional election, changing its earlier decision. The talks are a precondition for left-wing separatist party Esquerra Republicana de Catalunya (ERC) to facilitate Prime Minister Pedro Sanchez's recent investiture [23, p. 1]. ERC's support is crucial for the government's budget proposal to be approved by the Spanish parliament, and the party has previously said its support for the bill would depend on the evolution of the negotiations [23, p.

1]. Catalan leaders are utilizing this political leverage in order to pursue their own agenda. The announcement of the President of the Catalan government, Quim Torra, that he will call elections when budgets are approved opens a new political scene in Catalonia [25, p. 1]. Quim Torra plans to discuss with Pedro Sánchez the right of self-determination and amnesty for the jailed and self-exiled Catalan leaders involved in organization of 2017 referendum. The Spanish government and leaders of Catalonia started formal talks in February 2020 in a bid to end one of the biggest political crises since Spain's return to democracy in the late 1970 [24, p. 1]. As expected, the first meeting produced no major breakthroughs on the divisive issue of Catalonia's independence, however Prime Minister Pedro Sánchez and president of Catalonia Quim Torra plan to continue the talks on the matter.

The Catalan crisis remains one of the most serious points of tension within the European Union and this conflict is highly important to mitigate. Kudriachenko provides such a recommendation for solving the Catalan crisis: one could agree on a new pattern of relations between the center and the region in terms of Catalonia's share for the Kingdom's budget deducted in the form of fixed payments and taxes to offset economically underdeveloped regions [7, p. 28]. Interestingly, under Spain's constitution of 1978, Catalonia enjoys more self-government than virtually any other country of Europe. The region runs its own schools, police, medical, cultural and penitentiary institutions. It lacks only tax-raising powers and sovereignty, which nationalist politicians appear to be hungry for, yet support for independence has risen mainly because Catalans think it would offer relief from recession [26, p. 1]. Kudriachenko further holds that in the absence of mutual trust, the process of organizing negotiations between central and autonomous governments requires the involvement of external

mediation and arbitration, which could be offered by the European Commission, the Presidency of the European Council or the presiding country [7, p. 28]. Conflict mediation by definition is enshrined in the European Union founding documents, because it is a vital component of international integration. The tasks of the European integration project, such as the creation of a political union, necessitate the involvement of the European institutions in resolving internal crises in the Member States, even though there are no clear provisions on this in the European Constitutional Treaties [7, p. 28].

Regarding Ukrainian conflict case, it is important to adapt relevant lessons learned from Catalan experience. In terms of conflict mitigation scenarios, the situation in Catalonia confirms the inappropriateness of granting asymmetric rights to certain territories and ethnic communities [7, p. 28]. At the same time, it appears advisable to elaborate a balanced model of relations between the center and the regions with a fixed share of GDP of individual regions that is used for funding national needs.

Results of the research. The results of the study demonstrate that at the current stage there are serious obstacles to further conflict resolution. Such a political move by the Catalans as further push for independence can affect the economy of Spain, and also increase instability throughout Europe. This example could become a catalyst of intensifying separatist movements in other countries of the European Union which have sources of interethnic tension, exacerbated by the current influx of migrants and refugees. Yet, one can note a positive trend in continuation of negotiations between the leaders of Spain and Catalonia in 2020, despite all of the political complexities, which gives hope that the conflict can be resolved through diplomatic channels.

Conclusions. Based on the conducted analysis, one can draw a conclusion that despite troubles in Catalan peace process, certain progress can be noted. Complete independence of Catalonia appears hardly conceivable at the moment. Besides, even under that scenario the region would still face the challenges of joining the European Union and the eurozone. The negotiations between Madrid and Barcelona are under way and it appears that both parties are determined to settle the tensions in 2020.

Prospects of future research. Prospects of further research are related to determining an optimal set of measures to solve the conflict in Catalonia, in particular, with the support of the European Union community. Previous EU experience in conflict resolution need to be further studied in depth, in particular efforts on bridging cultural and ethnic divides. The lessons learned can be applied to the conflict resolution process in the East of Ukraine.

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Тараненко Г.Г. Врегулювання конфліктів в Європейському Союзі: досвід Іспанії. Стаття присвячена досвіду Іспанії щодо розв'язання конфліктів у Європейському Союзі. Мета цієї статті - проаналізувати каталонський конфлікт, щоб виявити важливі уроки припинення конфронтації і знайти ефективні варіанти пом'якшення протистояння. Завдання цієї статті полягають в такому: проаналізувати передумови каталонського конфлікту, вивчити поточну соціально-політичну ситуацію в Автономному співтоваристві Каталонія, визначити життєво важливі уроки мирного процесу і зробити прогнози щодо подальшого врегулювання конфлікту.

Результати дослідження демонструють, що на нинішньому етапі існують серйозні перешкоди для подальшого розв'язання конфлікту. Проте, можна відзначити позитивну тенденцію продовження переговорів між лідерами Іспанії та Каталонії в 2020 році, незважаючи на всі політичні складнощі, що дає надію на розв'язання конфлікту дипломатичними способами. На підставі проведеного аналізу можна зробити висновок, що, незважаючи на проблеми в каталонському мирному процесі, можна зафіксувати певний прогрес. Повна незалежність Каталонії у даний час є малоімовірною. Крім того, навіть при такому сценарії регіон все одно буде стикатися з проблемами вступу до Європейського союзу і єврозони. Переговори між Мадридом і Барселаною тривають і обидві сторони рішуче налаштовані врегулювати напруженість 2020 року.

Перспективи подальших досліджень пов'язані з визначенням оптимального комплексу заходів щодо врегулювання конфлікту в Каталонії, зокрема, за підтримки Європейського Союзу. Попередній досвід ЄС

щодо врегулювання конфліктів потребує подальшого поглибленого вивчення, зокрема, зусилля з подолання культурних і етнічних відмінностей. Набутий досвід може бути застосований до процесу врегулювання конфлікту на сході України.

Ключові слова: розв'язання конфліктів, Європейський союз, Іспанія, Каталонія, європейська інтеграція, Європейський союз (ЄС), громадянське суспільство, Європейська політика сусідства (ЄПС), Україна.

Тараненко А.Г. Урегулирование конфликтов в Европейском Союзе: опыт Испании. Стаття посвящена опыту Испании в рамках разрешения конфликтов в Европейском Союзе. Цель этой статьи - проанализировать каталонский конфликт, чтобы выявить важные уроки разрешения конфронтации и найти эффективные варианты смягчения противостояния. Задачи этой статьи заключаются в следующем: проанализировать предпосылки каталонского конфликта, изучить текущую социально-политическую ситуацию в Автономном сообществе Каталония, определить жизненно важные уроки, извлеченные из мирного процесса, и сделать прогнозы относительно дальнейшего урегулирования конфликта.

Результаты исследования демонстрируют, что на нынешнем этапе существуют серьезные препятствия для дальнейшего разрешения конфликта. Тем не менее, можно отметить позитивную тенденцию продолжения переговоров между лидерами Испании и Каталонии в 2020 году, несмотря на все политические сложности, что дает надежду на разрешение конфликта дипломатическими способами. На основании проведенного анализа можно

сделать вывод, что, несмотря на проблемы в каталонском мирном процессе, можно зафиксировать определенный прогресс. Полная независимость Каталонии в настоящее время представляется маловероятной. Помимо того, даже при таком сценарии регион все равно будет сталкиваться с проблемами вступления в Европейский союз и еврозону. Переговоры между Мадридом и Барселоной продолжаются и обе стороны решительно настроены урегулировать напряженность в 2020 году.

Перспективы дальнейших исследований связаны с определением оптимального комплекса мер по урегулированию конфликта в Каталонии, в частности, при поддержке Европейского Союза. Предыдущий опыт ЕС по урегулированию конфликтов нуждается в дальнейшем углубленном изучении, в частности, усилия по преодолению культурных и этнических различий. Извлеченные уроки могут быть применены к процессу урегулирования конфликта на востоке Украины.

Ключевые слова: разрешение конфликтов, Европейский союз, Испания, Каталония, европейская интеграция, Европейский союз (ЕС), гражданское общество, Европейская политика соседства (ЕПС), Украина.