

PROJECT NEWSLETTER

STRENGTHENING THE HUMAN RIGHTS PROTECTION OF INTERNALLY DISPLACED PERSONS IN UKRAINE

Issue №4 (April – December 2017)

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DEAR COLLEAGUES,

Please welcome to the final newsletter of the Council of Europe Project “Strengthening the Human Rights Protection of Internally Displaced Persons in Ukraine”.

The Project has been implemented under the framework of the Council of Europe Action Plan for Ukraine 2015–2017, in response to the Ukrainian Government’s request for support and protection of the rights of internally displaced persons.

In its final phase, the Project has further facilitated improvements to the legislative and regulatory framework on IDPs, built up the capacity of authorities, civil servants, lawyers, NGOs in efficient protection of IDPs’ rights, has raised public awareness on the needs and concerns of internally displaced persons, supported initiatives for the integration and empowerment of IDPs at local level with the focus on finding durable solutions.

This newsletter contains information on major developments and events, which have been successfully completed in the final months of the Project implementation between April and December 2017.

During this period, marked by a number of positive developments in the legislative support and practice of protecting the rights and freedoms of internally displaced persons, we were proud to see the results achieved through consolidation of efforts made by the Project and all our partners in supporting IDPs’ access to housing programmes and free secondary legal aid.

We would like to draw your particular attention to the newsletter section that describes products and resources recently developed under the Project, including first in Europe manual systematising the case-law of the European Court of Human Rights relevant to internally displaced persons.

Practitioners will find useful the leaflets with examples of advices related to the provision of free legal aid to IDPs in such matters as recovery of documents, establishment of legal facts, access to social protection; as well as information materials on prevention of gender-based violence, which provide contact details of organisations that assist victims.

Publications, videos and other Project resources will still be available at the webpage that will continue to function, even after the Project completion, at the following address: <https://www.coe.int/en/web/kyiv/idps>

As always, I take this opportunity to thank our strong network of partners, colleagues and everyone who took part in the Project activities.

Our team is thankful for your reliability, expertise, constructive approaches, good practices, joint search for unique solutions, and for your contribution to the achievement of the Project objectives.

During 2015–2017, the Project worked actively; however, not all the issues facing internally displaced persons have been entirely resolved.

One may point to a number of human rights issues that need to be brought to the foreground, requiring expert and technical assistance to Ukrainian authorities towards their solution.

Hopefully, the international community and Ukrainian partners will further pay attention to better protection of internally displaced persons in Ukraine in line with Council of Europe standards, achieving both systemic changes and changes to actual people's lives.

Sincerely yours,

Ganna Khrystova,

***Senior Project Officer
"Strengthening the Human Rights
Protection of Internally Displaced
Persons in Ukraine"***

STAGE OF PROJECT IMPLEMENTATION HIGHLIGHTS and ACHIEVEMENTS – APRIL to DECEMBER 2017



On **April 5 the Working Group meeting on Improving National Legislation on the Protection of the Human Rights of Internally Displaced Persons took place.** As a result of the meeting, participants expressed their wish to modify the format of the working subgroups in order to engage more experts into discussions, to improve communication between subgroups, and to set clear priorities to work on focusing on feasible and concrete solutions.



Regional Forum “Integration of IDPs and community development: best practices” was organised on April 7, 2017 in Dnipro, Dnipropetrovsk region. The purpose of the Forum was to create a space for communication, experience exchange and networking for representatives of public institutions and civil society organizations which implement projects promoting integration of IDPs into host communities in Dnipropetrovsk region. The Forum brought together up to 60 participants representing departments of regional administration, educational and cultural institutions, centers of social services, international organizations, UN agencies, national and local NGOs. Participants had an opportunity to present their practices in three different sections: integration through implementation of cultural and educational projects, integration through provision of social services, integration through initiatives on employment and capacity building of

IDPs. In the same sections participants have elaborated suggestions on activities and measures that they could jointly implement in cooperation with Dnipropetrovsk Regional State Administration in 2017–2018.



National Conference “Protection of human rights of internally displaced persons: integration policy on national and regional levels” organised on April 25, 2017 in Kyiv. The purpose of the event was to familiarize the partners from governmental and non-governmental sectors with the state of implementation of the national and regional programs of social adaptation and integration of internally displaced persons in Ukraine. The main challenges of national policy and regional responses to internal displacement, as well as the effective practices of the member states of the Council of Europe on this issue were also discussed. Participants of the event discovered regional practices on

the adaptation and integration of displaced persons in host communities, as well as necessary measures to ensure a reintegration of the residents from “grey zone”. A common vision has been reached on the steps to improve national legislation on the protection of the rights of internally displaced persons.



Integration activity “Young Leaders Club” was successfully organized on April 26, 2017 in Dnipro.

The main purpose of the activity was to promote integration of displaced young people into host communities and to show different lifestyles useful to follow. Activity brought together around 300 senior students who now live in different districts of Dnipropetrovsk region. Participants of the event had an opportunity to communicate with leading businessmen and representatives of IT sphere. They also learned from several success stories as an element of motivation for self-improvement and development.



Integration activity for internally displaced persons located at IDPs camp in Nikopol, Dnipropetrovsk region was organized on April 27, 2017. Inhabitants of the camp together with representatives of host community and public authorities planted various flowers and trees in the territory of the camp. Later children took part in a series of hand-made workshops and entertaining program with animators.

Alike integration activities for residents of the camps were organized with the support of the Project in Pavlograd, Kamyanske, Kryvyi Rih in Dnipropetrovsk region, which allowed participants to work and rest together.



Workshops “Gender-based violence: what the organizations working with IDPs and host com-

munities should know” held in Severodonetsk (May 15, Luhansk region), Kramatorsk (May 16, Donetsk region) and Dnipro (May 30). The aim of the workshops was to present standards and developments in preventing gender-based violence (hereinafter – GBV) during armed conflict and to improve capacities of inter-agency cooperation in preventing and responding to violence at the regional level. More than 100 participants were involved in the activities in three regions.

In particular, the specialists of district departments of social protection, departments of family and youth, centers of social services for family, children and young people, which are responsible for implementing activities towards preventing and responding to domestic violence, advocates of the centers of free legal aid provision, representatives of UN agencies, international, national and local NGOs working with internally displaced people and the communities.

Participants learned about the concept and factors of GBV and the connection between GBV and internal displacement in the context of human rights standards of the Council of Europe. In the practical part of the workshop participants worked on the tools of preventing gender-based violence and discussed the mechanisms to raise awareness and to assist the victims.



Seminar on the prohibition of discrimination in the context of internal displacement held by the Council of Europe and UNHCR was organized on June 9 in Kiev. Participants got acquainted with the manual “Council of Europe Handbook on Internal Displacement”, prepared within the Project by Mr Costas Paraskeva, lecturer in Public Law, University of Cyprus, member of the Council of Europe Committee for the Prevention of Torture.

The manual includes an analysis of the relevant case-law of the European Court of Human Rights in the context of internal displacement and it aims on guiding the lawyers, practitioners, policy makers and IDPs to the better understanding of the human rights of IDPs in order to ensure relevant instrument to protect those rights. The event brought together a wide range of experts from Bosnia and Herzegovina, Georgia, Cyprus, France, Ukraine, who represented international organizations, research institutions, government agencies, local authorities and civil society.

The results of the discussion and suggestions of participants were included into the final document of the seminar “Internal displacement as a factor and possible ground for discrimination in Ukraine”.



Seminar “Protecting of Internally Displaced Persons’ Rights: Council of Europe Standards and Regional Practices in Ukraine” held on June 15 in Odessa.

The seminar aimed at presenting the Project pillars and main achievements, experience exchange in the field of protection of IDPs rights with a focus on good practices and initiatives in Mykolayiv, Odesa and Kherson regions. The event gathered around 45 participants representing government agencies, non-governmental organizations, centers of free legal aid and academic community.

As a result, of thematic sessions and discussions, participants increased their knowledge on the Council of Europe standards on internal displacement and deepened understanding of the ways of practical application of European human

rights standards including PACE and CM recommendations to conflict affected population.



Training “Preventing burnouts of professionals working with IDPs and affected population” was successfully held on 20–22 June in Luhansk region.

Participants of the training represented local departments of social protection, pension funds and centers of social services from 10 districts of Luhansk region (3 contact line districts and other areas with the largest number of registered IDPs). Being staff members of the services directly working with clients (IDPs and affected population) participants mostly never took part in such trainings.

Participants learned about themselves, their factors of burnouts and then tried to discover different sources of psychological renovation, practiced art, breathing, talking methods. They elaborated personal stress-coping strategies and security technics. Additionally, the training

enhanced capacities of professionals to respond to the needs of IDPs and promoted integration and positive community relations.



Ukrainian delegation took part in the conference “Social And Economic Rights For Forcibly Displaced Persons During the Conflicts in Former Yugoslavia” which was organized 27–28 June in Sarajevo (Bosnia and Herzegovina). The conference was focused on implementing economic and social rights agreed within the Sarajevo Declaration process. It was also aimed at promoting the use of the European Social Charter, the ratification of the revised treaty by all Council of Europe member States and the acceptance of the collective complaints procedure. It addressed the issue of whether, to what extent and how, the Council of Europe and its human rights instruments, in particular the European Social Charter and its monitoring mechanisms, can be of assistance in

devising and implementing such durable solutions notably the right to housing but also the right to benefit from social welfare services. Reflecting on the conference discussions, Ukrainian delegation specifically stressed on positive experience and lessons learned from the Regional Housing Program implemented by the Council of Europe Development Bank providing housing solutions for IDPs and returnees in four Balkan states.



June – July 2017 11 trainings ***“Providing free legal aid to internally displaced persons: national practices and tips for legal consultations”*** for lawyers working in legal aid offices were organized in Dnipropetrovsk, Donetsk, Kyiv and Luhansk regions.

As trainers the members of the network of lawyers-trainers performed. The network has been initiated by the Project in 2016. During the trainings participants worked on situations related to exercising rights of IDPs to property, education, free-

dom of movement, social protection. They discussed the standards of the Council of Europe in protection of human rights of IDPs, the role of the legal aid offices in ensuring the rights of internally displaced persons.

Additional session to discuss the factors of gender-based violence in a conflict and the role of the system of free legal aid in preventing this phenomenon has been organized. It was facilitated by the regional coordinators of UNFPA in Ukraine.

As a result of the trainings participants noted the relevance and practicality of the information received and stressed the need to organize such activities regularly.



Round table “Regulation of the regional labor market situation by creating new job opportunities, promotion of small and medium enterprises development: experience and perspectives” was organized on July 19 in Kramatorsk, Donetsk region. More than 50 participants of the round table dis-

cussed practical mechanisms and programs for promoting employment by creating new jobs, expanding the scope of employment and developing small and medium-sized businesses. The event has been concluded by the adoption of the final resolution, which contains the key areas for the facilitation of effective employment with the integration of vulnerable groups.



Study visit on the Council of Europe standards on internal displacement, especially, relevant case law of the European Court of Human Rights took place in Strasbourg, July 27–28. During the visit Ukrainian delegation got acquainted with the recent developments of the Project within the European Programme for Human Rights Education for Legal Professionals (HELP). Thus, an online course on internal displacement has been developed. Participants provided comments regarding its adaptation to Ukrainian realities and further dissemination. Autumn this year, the Project plans to finalize the content of the course

and start to work on its further implementation. The study visit provided a space for discussions on governmental policies on IDPs in the Council of Europe member states, practical application of the European Convention on Human Rights and the European Social Charter towards internally displaced persons.



Summer School for organizations and institutions dealing with internally displaced persons “Internal Displacement in Ukraine: Learning for common solutions” took place in Truskavets, Lviv region 14–18 August 2017. Intensive five days program of the School included inputs from international and national experts, panel discussions, thematic workshops, meetings of the Working Group on Improving National Legislation on the Protection of the Human Rights of Internally Displaced Persons, space for experience exchange and study visits to organizations working with IDPs. Panel discussions of international experts were devoted to the Council of Europe standards of the protection of the rights of IDPs, in particular, the

European Social Charter and the case-law of the European Court of Human Rights. During thematic workshops participants learned about the practice of national courts and the case-law of the European Court of Human Rights protecting IDPs, discussed the forms of advocacy and tools to combat gender-based violence and discrimination, practiced methods to support internal resources for preventing of burnouts, discovered the tips for successful project management, partnership building and working with media. On the last day of the School participants visited three organizations working with internally displaced persons in Lviv region and exchanged experiences of integration projects implementation.



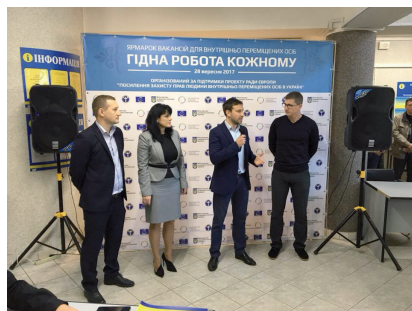
In September a regular meeting of the Working sub-group on the issues of confirmation of civil status and agreements, and recognition of relevant legal facts took place in Kyiv. Number of proposals for the draft Law of Ukraine “On Amend-

ments to Certain Legislative Acts of Ukraine on the Protection of the Rights of Internally Displaced Persons” has been developed as a result of the sub-group members’ activity. The draft law has received a positive expert opinion from the Ministry of Justice of Ukraine with some comments. Responding to the comments, representatives of the sub-group processed out the relevant package of documents with the approval of the interested Ministries, and finally proposals will be forwarded for consideration by the Cabinet of Ministers of Ukraine.



September 21, a high-level round table “Protection of the human rights of internally displaced persons: towards durable solutions on housing issues” was organized in Kyiv. At the round table participants considered the European standards of ensuring housing rights of internally displaced persons, analyzed legislative initiatives and regional practices which respond to housing issues for internally displaced persons. The high

level of participants showed the importance of the topic of the activity. Representatives of diplomatic missions and international organizations in Ukraine, central executive authorities, members of the Parliament, Representative on IDPs of the Ukrainian Parliament Commissioner for Human Rights, Deputy heads of Luhansk and Donetsk regional administrations, Permanent Representative of the President of Ukraine in the Autonomous Republic of Crimea, civil society organizations attended the meeting. During discussions participants emphasized on the need to develop regional housing programs for displaced persons or to make relevant amendments to already existing programs, as well as to create a register of internally displaced persons who are entitled to improvement of living conditions. Representatives of national civil society organizations stressed the importance of providing state support for the reimbursement of the cost of housing construction and the provision of preferential mortgage loans for housing.



Job fair for internally displaced persons “Decent work for everyone” held in September. The activity took place in Brovarsky district employment center and gathered more than 200 participants. Internally displaced persons and members of host communities who visited the Fair received free legal consultations on current employment legislation in Ukraine, learned about the Council of Europe standards in the field of human rights protection of IDPs, got acquainted with information materials of the Project. Employers presented their enterprises, described the current vacancies, working conditions and requirements for candidates. Also the speakers discussed with potential employees their expectations towards working load and salaries. As an additional educational opportunity two workshops on “Fundraising for entrepreneurs” and “Power of Facebook: paid and free methods of developing business through social networks” were organized for participants.



Seminar “Emergency and Immediate Interventions” for more than 25 psychologists and psychiatrists from different regions of Ukraine held October 1–4 in Kyiv. The seminar was the first one in the series organized by the Project, Pompidou Group of the Council of Europe in cooperation with the Ministry of Health of Ukraine. The seminar focused on early detection, diagnosis and treatment of acute stress reactions among IDPs who experienced traumatic situations. The participants also practiced various simulation and relaxation techniques that are used to help people in distress. International experts from Israel shared their best practices.



Round table “Protection of the rights of internally displaced persons: the Council of Europe standards and national challenges” held within the 1st Kharkiv International Legal Forum on October 6 in Kharkiv. During the Forum from 3 to 6 October, publications and materials of the Council of Europe projects which are being implemented within the framework of the Council of Europe Action Plan for Ukraine for 2015–2017 were widely represented on the information stands of the Forum.

Around one thousand participants of the Forum, academics, legal professionals, representatives of civil society organizations, leading national and international experts from 30 countries of the world had an opportunity to get acquainted with the latest developments of the Council of Europe activity in Ukraine. Participants of the round table increased their awareness on the issues of human rights protection of IDPs according to the European Convention on Human Rights and other

Council of Europe standards, discussed the dynamics of national legislation and the practice of national courts regarding the protection of subjective public rights, property rights, the right to vote of internally displaced persons.



National forum “Three Years of Displacement: Challenges and Good Practices of IDPs Integration” held in Kyiv October 19–20. The event took place on the third anniversary of the adoption of the Ukrainian law “On Ensuring of Rights and Freedoms of Internally Displaced Persons” aiming to create a space for communication, inspiration, experience exchange and networking of internally displaced persons as well as various stakeholders which implement policies and practices promoting integration of IDPs into host communities.

The Forum brought together over 100 participants from 13 different regions of Ukraine, representatives of relevant national, regional and local authorities, academics, state

institutions and civil society organizations working with IDPs, international organizations and media.

Within thematic sections of the Forum participants shared their experience and presented practices in three different fields: integration through implementation of cultural and educational activities; integration by providing social services and psychological support; integration through initiatives on employment and capacity building of IDPs.

Two separate sessions of the event were dedicated to discussion on a draft “Strategy of Integration of Internally Displaced Persons and Providing Durable Solutions for IDPs till 2020” elaborated by the Ministry. Participants’ feedback, suggestions and constructive critique were focused on the amendments to the text of the draft to be processed by the Ministry for further promotion of its adoption and implementation.



September-October 2017, 4 two-day trainings “Protection of the rights of internally displaced persons” have been conducted in Donetsk and Luhansk regions.

Around 80 lawyers working in Luhansk and Donetsk region took part in activities.

During the trainings participants worked on situations related to exercising rights of IDPs to property, education, freedom of movement, social protection. They discussed the standards of the Council of Europe in protection of human rights of IDPs, the role of the legal aid offices in ensuring the rights of internally displaced persons.

For the participants of the trainings and target groups they work with thematic information materials on free legal aid in Ukraine have been disseminated.

Legal Sciences of Ukraine and supported by the Project.

The visit was aimed at sharing experiences, studying the legislative framework and practical approaches to organize responses to migration and displacement in Slovak Republic and to reflect on the role of academics and legal science in contribution to development of durable solutions for IDPs.



On October 23–27, 2017, a delegation of Ukrainian experts visited Slovakia in the framework of the visit “Rights of Refugees and Internally Displaced Persons: Good Practices and Implementation Ways” organized by the Slovak Agency for Cooperation and International Development, Slovak NGO “SME SPOLU” National Academy of

November–December 2017 three informational breakfasts with members of the Parliament devoted to the issues of internally displaced persons in Ukraine were organized in cooperation with non-governmental organization “Civil Holding “GROUP OF INFLUENCE”.

There are people’s deputies of Ukrainian Parliament representing various parliamentary factions and groups, as well as non-factional deputies, representatives of national authorities and state institutions, international organizations, UN agencies and leaders of national civil society organizations dealing with internally displaced persons took part in the activities.

In total, three breakfasts were held. Each of them was devoted to a defined topic: legislative initiatives on the implementation of voting rights of IDPs at all levels of elections; realization of social and economic rights, in particular, receiving of pensions by internally displaced persons and residents of non-government controlled areas of Donetsk and Luhansk regions; housing and property rights of IDPs.

During the events, legislative initiatives aimed at solving systematic issues of internally displaced persons were introduced, international and European standards of the protection of the rights of IDPs were discussed, and obstacles to the formation of parliamentary consensus in certain areas were analysed.



On 12 December a discussion platform “Donbas Talks: the stories of those who create the future” held in Kyiv. The event was organized by the “Parliamentary platform for the future of Donbas” in cooperation with the Project. Speakers from dif-

ferent spheres, but united by the displacement, shared their stories about their life of the last three years, their challenges and achievements in culture, charity, sports, business, journalism. The inspiring stories and advice were shared by Ms Oksana Sazhevska, director of “Isolation” Foundation, Mr Serhiy Stukanov, journalist of Hromadske Radio, Ms Daria Kasyanova, National Program Development Director of “SOS Children’s Village”-Ukraine, Mr Danylo Boldyrev, silver prizewinner of the World Games of non-Olympic sports, World champion in climbing.



On 15 December an extended meeting of the working group on improvement of the national legislation on the human rights protection of IDPs held in Kyiv. Besides the members of the working group – representatives of relevant state actors, international organizations and civil society – also the experts of the Project shared their findings and conclusions on realiza-

tion of the notarial activities on IDPs, custody and release of IDPs and persons from NGCA in penitentiary institutions, regimes of provision of housing, results of the national court practices monitoring in relation to internally displaced persons.



On 18–19 December the Project “Strengthening the Human Rights Protection of Internally Displaced Persons” organized a study visit with the purpose to focus on the Council of Europe standards on internal displacement, especially, relevant case law of the European Court of Human Rights.

In two days visit to Strasbourg a wide range of experts took part. In particular, the senior managers and specialists of the central executive

bodies (Ministry For Temporarily Occupied Territories and Internally Displaced Persons of Ukraine, Ministry of Social Policy of Ukraine, Pension Fund of Ukraine, State Fund for Youth Housing Assistance, Coordination Center for Legal Aid Provision); representatives of Kyiv Regional State Administration; coordinators of the leading national civil society organizations and the inter-factional deputy association); judges of regional courts of appeal, managers and lawyers of regional Centers for Free Secondary Legal Aid Provision.

Ukrainian delegation had a possibility to get acquainted with the Council of Europe institutions in different ways addressing the issues of internal displacement in Ukraine, such as, the European Court of Human Rights, the PACE Committee on Migration, Refugees and Displaced Persons, Commissioner for Human Rights and the Pompidou Group.

During the visit the Project facilitated further cooperation and partnership between participants on national and regional level.

RESOURCES:

<https://www.coe.int/en/web/kyiv/idps>

Publications



Handbook “Protecting internally displaced persons under the European convention on human rights and other Council of Europe standards”



Leaflets on provision of secondary free legal aid for IDPs in Ukraine



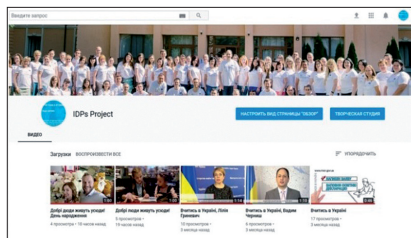
Leaflets on prevention of violence and human trafficking

RESOURCES: PROJECT VIDEOS

Project Channel has been created:

goo.gl/KEwkeK

It contains social videos on access to education and housing programs for IDPs, on formation of positive relationships in host communities, as well as project activities videos.



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