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| **132nd Session of the Committee of Ministers**  **(Turin, Italy, 20 May 2022)**    **Priority adjustments to the Council of Europe Action Plan for Ukraine 2018-2022** |

**Introduction**

In the aftermath of the Russian Federation aggression against Ukraine, and the subsequent decision of the Committee of Ministers to exclude the Russian Federation from the Organisation, the Council of Europe continued to carefully monitor the needs for expertise and experience relevant for Ukraine at this moment in time.

The present document proposes to re-focus the Council of Europe Action Plan for Ukraine 2018-2022 on a limited number of priority areas, which can have immediate effect. The document is one element of the broader range of assistance provided to Ukraine in the context of its institutional relations with the Council of Europe. For the future, it could be complemented by other assistance measures or programmes, including for post-war support.

Democratic institutions continue to function in Ukraine – the government and the president are performing their constitutional functions, the Verkhovna Rada adopts laws, courts adjudicate, municipalities prove to be remarkably resilient while also welcoming internally displaced persons (IDPs). They demonstrate institutional continuity and their commitment to human rights, the rule of law and democracy. Civil society, too, is active in many contexts, as are independent media, and the safety of journalists requires support. In addition, assistance for the many IDPs is a priority as well as for the most vulnerable members of society which are even more at risk now.

All activities referred to in this document are based on request from long-term partners and beneficiaries. They will be implemented on the basis of Council of Europe experience and expertise and with existing networks. Complementarity with partners on the ground, including with regard to the support of externally displaced people from Ukraine is ensured.

Given the situation, this is an evolving document, which will take into account emerging needs, which may require additional action.

As always, Council of Europe action will be carefully co-ordinated with other actors and stakeholders. In particular, consultations with the European Union and international organisations, including UN agencies and the OSCE, as well as with bilateral donors, will ensure complementarity of actions. Fragmentation and overlapping of efforts are to be avoided. Implementation monitoring and quality assurance will be carried out in the strictest possible manner with the support of trusted partners on the ground.

High level meetings and the day-to-day coordination of activities at the operational level will be complemented by the participation in thematic donor-government co-ordination groups, in order to increase the impact of Council of Europe action on the ground.

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**Proposed interventions**

**1. Support to the authorities in addressing immediate consequences of Russia’s attack on human rights and displacement**

**1.1 Facilitation of protection services to displaced persons**

**Objective:** Provide support to the Ministry for Reintegration of the Temporarily Occupied Territories of Ukraine, regional and local authorities (inter alia, Chernivtsi regional and local authorities, Storozinets, Kryvyi Rih, Kramatisk local authorities), the Office of the Ukrainian Parliament Commissioner for Human Rights, the State Fund for Youth Housing Assistance, as well as NGOs on the human rights protection of internally displaced persons (IDPs) and conflict affected people.

**Proposed Action:**

* Facilitate access to needs assessments and protection services including registration, counselling, transportation, accommodation, medical assistance, emergency helplines and other such essential services and relevant digital solutions. This will, inter alia, be ensured through the provision of grants / direct awards and/or smaller contracts to NGOs that are currently responding to the emergency protection needs of IDPs on the ground.
* Ensure access to reliable information for IDPs and raise awareness about the specific needs and risks faced by vulnerable persons in the context of mass displacement. This, for example, would include the development of print and/or on-line materials about inter alia (a) protection risks, e.g. preventing exploitation, family separation, trafficking in the context of mass displacement etc.; (b) available support services, e.g. accommodation, food, health aid, etc. in the receiving communities and how to access them.
* Provide legal and technical expertise related to the protection of IDPs and the conflict-affected people, including on emergency amendments to national legislation, regulations and procedures, in particular on creation of the register of destroyed and damaged housing etc.
* Organise capacity-building activities for relevant professionals providing emergency psychological support and counselling to IDPs and conflict-affected people, with a focus on trauma and post-traumatic stress disorder (PTSD) treatment techniques.
* Provide technical support for consultations between the relevant Ukrainian authorities and the Council of Europe Development Bank on Ukraine’s membership at the Bank following the decision of the Government.

**1.2 Support to legal professionals assisting displaced persons**

**Objective:** Provide support to National School of Judges of Ukraine, Co-ordination Center for Legal Aid Provisions, lawyers and other relevant professionals assisting displaced persons and conflict-affected people in protecting their rights and accessing information needed for informed decision making.

**Proposed Action:**

* Establish special virtual pages in the HELP e-learning platforms including national legislation of recipient countries in local languages.
* Disseminate displacement related information and relevant HELP courses in local languages.
* Organise capacity building on displacement for NGOs, lawyers and first responders.

**1.3 Support provided with regard to the ECHR**

**Objective:** Provide expert support and advice to Ukrainian authorities related to the implementation of derogation and other Convention issues.

**Proposed Action:**

* Provide expert assistance upon request as to the implementation of derogation.
* Facilitateexpert advice on Rule 39 of the Rules of the Court and other related Convention issues.
* Support the Government Agent Office in addressing ECHR violations as a result of the Russian military aggression.

**1.4 Support for documenting human rights violations**

**Objective:** Provide support to the Office of the Prosecutor General of Ukraine (OPG), Ministry of Justice (MoJ) and the Ombudsperson Office as well as NGOs in documenting and assessing human rights violations.

**Proposed Action:**

* Provide legal advice to the MoJ and Verkhovna Rada on legislative initiatives in the area.
* Support the MoJ and/or OPG in the development of methodologies on collecting and assessing information related to gross human rights violations and the collection, registration and storage of such information.
* Raise awareness of the different dimensions of documenting gross human rights violations in times of armed conflicts.
* Disseminate best practices and lessons learnt from other similar contexts and experiences.
* Support capacity building and knowledge transfer to key national experts (e.g., Ombudsperson’s Office, NGOs) on practices and skills necessary for the effective collection, storage of information and evidence as well as reporting on gross human rights violations.
* Provision of expert assistance to contribute to/strengthen joint mobile OPG teams responsible for documenting gross human rights violations and in this context:
* act as advisors to the 26 regional prosecutors’ offices
* act as advisors to the war crimes department of the OPG
* participate in the strategic task force to support the OPG
* Provision of professional capacity building on various related topics and areas of work of the prosecution service, including appropriate collection and preservation of information and evidence; open-source research in regard to gross human rights violations, etc.
* Support a coordination mechanism/effort lead by the OPG to ensure coordination between the OPG, MoJ, Ombudsperson office, donors and other actors (e.g., NGO coalitions) who are engaged in the process of the gathering, fixation and documentation of the crimes and human rights violations.
* Support the OPG in the area of strategic communication (internal or external communication) within the newly emerged needs.
* Support the enhanced operation of online platforms (e.g., OPG portal on the war crimes and other initiatives), including a coordination mechanism to ensure that all platforms may eventually be consolidated or interlinked or coordinated with other actors.
* Support human rights NGOs initiatives contributing to the documenting the gross human rights violations.

**1.5 Protect the rights of children affected by armed conflict**

**Objective:** Contribute to the protectionof the rights of the child in times of armed conflicts.

**Proposed Action:**

* Support the Ukrainian Parliamentary Commissioner for children and her regional representative(s) in collecting data for independent monitoring based on the existing Council of Europe methodology; support to document the violations of the rights of the child in times of armed conflicts which include killing and maiming, recruiting and use of children as soldiers and combatants, sexual violence, abduction, attacks on schools and hospitals and denial of humanitarian access.
* Support to NGOs to register children, including children without parental care, unaccompanied children, children who have had to leave care institutions, children with disabilities. These children are at an increased risk of becoming victims of all forms of violence, trafficking, exploitation and abuse, including at the border before crossing.
* Support to NGOs providing psychological or trauma intervention assistance by developing specific protocols, online seminars and easy to use factsheets for relevant professionals in Ukrainian.
* Support in setting up of an online network of child rights professionals (lawyers, psychologists, migration specialists), speaking Ukrainian (including those living and residing abroad), to provide psychological support to children and their parents (GetSupportNow Network).

**1.6 Combatting violence against women in Ukraine and in displacement**

**Objective**: Provide support and protection to women and girls in and/or fleeing Ukraine, including IDPs, refugees and asylum seekers.

**Proposed Action:**

* Support to local NGOs with grants aimed at protecting and promoting women’s and girls’ rights tailored to the situation of armed conflicts and the specific vulnerabilities of woman and girls.
* Support the National Social Service of Ukraine in developing and disseminating awareness raising material of their ongoing campaign on violence human trafficking over social media.
* Training of NGOs for hotline operators and data collection regarding all forms of violence against women in Ukraine during the war. Data will feed into larger monitoring efforts regarding human rights of women during the war.
* Online international conference on addressing VAW/DV in emergencies, together with international and local partners.
* Support the Ukrainian authorities to put in place gender-sensitive reception procedures and support services for IDPs.

**1.7 Protection of vulnerable groups, including Roma, and prevention from discrimination**

**Objective**: Provide support and protection to vulnerable groups in times of armed conflicts.

**Proposed Action:**

* Ensure responses to urgent needs of vulnerable groups, by providing grants to NGOs; to provide support to community members in times of armed conflicts.
* Support the Ombudsperson’s regional offices and the Parliamentary Committee for Human Rights through direct award contracts to local NGOs for the provision of services such as legal and other social form of assistance, collecting reports of violations against vulnerable groups.
* Support local authorities via existing networks (ICC UA network, local action groups for minorities/ROMED, etc.) and NGOs to address the urgent needs of vulnerable groups at risk of exclusion and violence, in particular minority communities and Roma.

**2. Democratic governance**

**Objective:** Strengthen local democracy, good democratic governance and public administration in Ukraine in times of war.

**Proposed Action:**

* Legal and policy advice at national level (to the Ministry for Communities and Territories Development of Ukraine and Parliament of Ukraine, Special Committee on State Power, Local Self-Government, Regional and Urban Development, as per their request).
  + Support in preparation, discussion and finalisation of legal instruments (possibly laws, by-laws, decrees, orders and instructions) in respect of new arrangements concerning local government in the current and post-war situation.
  + Support reassessment of local financial needs and grant distribution criteria to take into account the current situation local authorities are facing.
* Support intermunicipal co-operation and offering of local services to the population, including support to policies for local economic development and integration of IDPs.
  + Support co-operation between local authorities constitutive of metropolitan areas in respect of services which need to be provided jointly to the population, including IDPs.
  + Provide practical support to negotiations, decisions and their implementation via expert assistance and grant programmes.
  + Develop methodological recommendations and practical guidelines for public authorities relating to exercise of their functions in the current and post-war situation.
* Support capacity building of local authorities on decentralisation, especially in relation to the provision of basic services in an inclusive and participatory manner, in particular through promoting effective collaboration with local authorities, their national associations with European municipalities and associations based on the developed online platforms and tools.
* Awareness raising about municipal governance in a time of crisis for general audience, professional networks from Ukraine and beyond, in close co-ordination with intervention 3.
  + Organise a series of online conferences dedicated to the exchanges between the Ukrainian local authorities and local authorities from around the world on the broad topic “Local governments unite for welfare and peace”.
  + Promote partnership and interaction between local authorities of Ukraine, other European countries and beyond.
  + Monitor and report on offences against local authorities in Ukraine.

**3. Strengthening youth policy and youth participation processes**

**Objective:** Facilitate implementation of participatory youth policies to take into account the specific needs of young people in times of war.

**Proposed Action:**

* Support the adjustment of priorities and means of youth policies and programmes at national and regional levels so as to take into account the war realities of young people.
* Ensure responses to urgent needs of youth centres and youth organisations providing services, humanitarian aid to young people, IDPs, returnees and the conflict-affected people.
* Organise capacity-building activities for youth workers in order to provide assistance and help to IDPs, returnees, vulnerable groups in the war period.
* Support the survival and adjustment of youth organisations as spaces of civic engagement and democratic participation.

**4. Support to Safety of Journalists and Media; and access to Information in Ukraine**

**Objective:** Support the Ukrainian media community in addressing current needs and consequences of the war.

**Proposed Action:**

* Assist the Ukrainian Audio-visual Regulator (The National Council for TV and Radio Broadcasting) and National Public Broadcasting Company (UA: PBC) in enabling their capacities discharge their functions under the new circumstances: (Relocated/internally displaced from HQ to Lviv and other cities):
* Enabling Grants aimed at improving working conditions and governing systems.
* Standard advising on Audio-visual regulating and Broadcasting during times of war.
* Available information and tools on legal, social and medical protection of media workers.
* Provide a HQ Hub for Media Support, Safety and Prevention of Information Disorder through:
* Information Sharing/connecting to CoE/Platform for Safety of Journalism alerts.
* Standard based advising and policy information on Freedom of Expression and Safety of Journalists in times of armed conflicts.
* Provision of links to debunking websites and monitoring misinformation, fake news, and hate speech.
* Assist the Ukrainian media and journalists’ organisations in informing public on war reporting while internally displaced or refugeed.
* Enabling Grants aimed at strengthening capacities to report and visibility.
* Training and capacity building on war reporting and its consequences.
* Provision of information and tools on legal, social, and medical protection of Journalists.

**5. Support to Central Election Commission**

**Objective:** Ensure the functioning, maintenance, technical support and hosting of the CEC online platform “**CEC:Prosvita”.**

**Proposed Action:**

* Securing the preservation and further development of the Central Electoral Commission’s (CEC) Prosvita electoral platform.
* The functioning, maintenance and hosting of the platform must be properly ensured and secured (including with regard to all its data). Further development will be needed, in particular in light of the likelihood of the perdurance of a situation where a significant number of citizens may be displaced as IDPs or refugees.

**6. Support to the judiciary in time of war**

**Objective:** Provide support for the functioning of the judiciary (ordinary courts, Supreme Court, judicial self-governing bodies, National School of Judges) and enforcement in time of war.

**Proposed Action:**

* Provide expert advice and support on the legal standards applicable to the functioning of the judiciary in the context of the martial law, including setting up a facility to ensure connectivity and access to the ECHR under conditions of armed hostilities as well as mechanisms for mitigating procedural issues due to the war. Support the Ukrainian judiciary by providing expert and peer-to-peer online consultations and advice in the current context.
* Support the Ukrainian judiciary in preserving key procedural documentation related to closed and on-going judicial cases.
* Support online platforms of relevant judicial and prosecutorial entities and training centres to strengthen their proper functioning.