

CONFLICT-RELATED SEXUAL VIOLENCE MULTI-PARTNER TRUST FUND

UN TEAM OF EXPERTS ON THE RULE OF LAW AND SEXUAL VIOLENCE IN CONFLICT

INTERIM NARRATIVE REPORT COVER PAGE

Participating UN Organization(s): IOM	Project¹ Title: “Developing a Comprehensive Reparations Legal and Policy Framework for Survivors of Conflict-Related Sexual Violence” Project Number: 00133846 / RP.0119
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	Project Location(s): Ukraine
UN Action pillar of activity: <input type="checkbox"/> Advocacy <input type="checkbox"/> Knowledge building <input checked="" type="checkbox"/> Support to UN system at country level	Reporting Period: 15 November 2022 – 31 December 2022
Project Budget: \$110,370.50	

¹ The term “project” is used for projects, programmes and joint programmes

Interim Narrative Report Ukraine

I. Background

The full-scale invasion of Ukraine, which started in February 2022, as well as the preceding hostilities in the Donbas and Crimea regions since 2014, have been characterised by numerous human rights violations. The United Nations Office of the High Commissioner for Human Rights (UN OHCHR) has verified occurrences of rape and other forms of conflict-related sexual violence (CRSV) during the invasion as well as other human rights violations, such as enforced disappearances, forced deportation, forced displacement, torture, housing, land, and property rights violations, and more. In response, the Government of Ukraine (GoU), Ukrainian civil society and non-governmental organizations, the UN, and the international community have mobilized efforts towards investigating serious international crimes in order to hold the perpetrators accountable and liable for reparations in the near future.

The GoU has made special efforts to address CRSV. In this regard, the GoU signed a Framework of Cooperation on the Prevention and Response to CRSV between the Government of Ukraine and the United Nations (Framework of Cooperation) on 3 May 2022. This Framework of Cooperation states in Section VII that the UN would assist the GoU in "strengthening the rule of law and accountability for sexual violence crimes through support to the justice sector including the design of reparations programmes for victims (emphasis added on designing the reparations programme)." The need for remedies for survivors of CRSV is also firmly embedded in Ukraine's National Recovery Plan (particularly in its Human Rights Section). The Office of the Deputy Prime Minister for European and Euro-Atlantic Integration has developed a detailed plan to implement the pillars of the Framework of Cooperation. The implementation plan has a dedicated section on reparations and compensation. The first steps under that subheading are the development of a reparations policy for survivors of CRSV, especially designing the necessary legislative frameworks and setting up and capacitating the different institutions that will be responsible for translating the law into concrete action.

Based on the experience of the UN Team of Experts on Rule of Law and Sexual Violence in Conflict (TOE) and IOM, the development and implementation of reparations frameworks, policies, laws and mechanisms for CRSV represents a significant challenge for any state or non-state actor, regardless of the level of development in terms of legal infrastructure and capacities. This factor was acknowledged and recognized by the Ukrainian authorities, who have called upon the TOE and IOM to provide adequate expert advice, technical assistance and capacity-enhancing support. This included a formal request from the Office of the Deputy Prime Minister to IOM to provide immediate support with the development of a reparations framework, including policies, laws, and mechanisms delivering such reparations to survivors of CRSV as well as an invitation for the deployment of the TOE through the Framework of Cooperation.

II. Objective/Outputs

To address the requests by the Ukrainian authorities and thereby contribute to the Government's Implementation Plan of the Framework of Cooperation, the objective of the intervention was to endow the GoU with context-specific tools, knowledge, and a strategy to develop and implement inclusive, timely, and effective policies and legal frameworks that ensure the provision of reparations to conflict-affected populations is enabled. In seeking to achieve this and during the interim reporting period, the TOE and IOM achieved the following outcome:

Outcome 1: The GoU leads an initial technical-level workshop with the support of international experts to categorize victims of human rights violations, including CRSV survivors

Output 1.1: The foundation of a reparations framework is defined in a report based on a government-led

III. Progress/Results

A. Narrative of activities

As part of this intervention, IOM, the TOE, and its partners provided expert advice and technical assistance to the GoU to develop a comprehensive reparations framework for CRSV survivors and victims of other human rights violations. In particular, the proposed intervention was focused on the first goal defined by the Implementation Plan: the development of a reparations legal and policy framework to inform the design of comprehensive reparations laws, policies, and mechanisms. In collaboration with the relevant authorities, UN partners, civil society and survivors' associations, the TOE and IOM supported the GoU in leading an initial technical-level workshop with the support of international experts to categorize victims of human rights violations, including CRSV survivors.

One of the first challenges identified and acknowledged by the Ukrainian institutions was the definition and categorization of victims and beneficiaries of CRSV. For these reasons, the TOE and IOM supported the GoU in organizing an initial three-day workshop during which international experts engaged with Ukrainian interlocutors to start examining and elaborating on the above issues. Acknowledging the fact that many civilians in Ukraine have suffered multiple types of violations, the TOE and IOM adopted an intersectional approach and addressed victimization and reparations in general with a specific focus on CRSV. The workshop consisted of three components: reparations and victims' definitions in general, reparations for CRSV (as one of the most sensitive and vulnerable victim categories) and restitution and compensation for housing, land and property destruction (as one of the most prevalent types of violations). The outcomes were the definition of a broad range of victim categories as well as of the appropriate approaches for engaging survivors of CRSV in the development of CRSV-specific reparations mechanisms, the provision of urgent, interim and long-term reparations, the categorization and models for mass claim processing for violations, and the development of a roadmap to address all items of the agenda. The activities undertaken were a desk review of existing reports, information and data on occurrence, circumstances, volume, typologies and impacts of CRSV in Ukraine, the organization of the workshop itself, and the development of an event report (Annex 1) and a joint roadmap (Annex 2) outlining the milestones that need to be accomplished by the GoU with the support of the international community in order for survivors to receive interim and long-term reparations.

B. Monitoring report

	<i>Indicator</i>	<i>Target</i>	<i>Result</i>
<i>Note: The objective-level indicator was calculated as part of the final end of project survey and is therefore not relevant to the interim reporting period.</i>			
Outcome 1: The GoU leads an initial technical-level workshop with the support of international experts to categorize victims of human rights violations, including CRSV survivors	# of representatives from the GoU who have participated in the workshop	10	16 (achieved)
Output 1.1: The foundations of a reparation's framework are defined in a report based on a Government-led workshop	# of technical reparations workshop held	1	1 (achieved)
	# of reports written based on the Government-led workshop	1	1 (achieved)

C. Visibility

Reparations Workshop (23-25 November 2022):

- Video recordings: [Day 1](#) and [Day 2](#)
- Visibility items:



- Pictures:
[Day 1](#) and [Day 2](#)

- Video compiling interviews of key stakeholders: (in the process of video editing; raw materials):
[Day 1](#) and [Day 2](#)

- Social media posts:

<https://www.facebook.com/IOMUkraine/posts/pfbid02ZArYk7Fwp3AZyVFoRbRA3MBr8uU2W5DvEPPhiyBbcJ6oUYxPG6zBo1Z1g968BcBl>

<https://www.linkedin.com/feed/update/urn:li:activity:7003732167180627968>

<https://twitter.com/IOMUkraine/status/1595478979179429894>

<https://twitter.com/IOMUkraine/status/1595818979498541056>

<https://twitter.com/IOMUkraine/status/1596175370558271488>

IV. Conclusion

The present intervention, based on a partnership between the TOE and IOM, aimed to support the GoU with the legal and policy foundations, tools, and resources necessary to start developing reparations mechanisms for survivors of CRSV. As part of this intervention, the TOE and IOM already conducted a set of activities and delivered preliminary products, including an initial technical-level workshop, which took place in Kyiv between 23-25 November 2022. This workshop gathered Government ministers including the Deputy Minister of Justice, the Government Commissioner for Gender Policy and members of the Office of the Deputy Prime Minister of European and Euro-Atlantic Integration, international legal and technical practitioners on reparations spanning from Holocaust claims; the United Nations Claims Commission for Iraq/Kuwait; the ICC Trust Fund for Victims; funds for survivors of “The Troubles” in Northern Ireland; the Global Survivors Funds; UN entities including OHCHR, UNDP, UNFPA, UN Women; and most importantly civil society and survivors’ groups. The outcome of that meeting discussed the importance of the development of a reparations legal and policy framework and the elements contained within it. Immediately after the workshop, at the United Kingdom Preventing Sexual Violence Initiative Inter-Ministerial Conference held in London on 28 and 29 November, Commissioner Levchenko stressed the importance of the workshop to the SRSG-SVC and in particular, having the joint TOE/IOM expert on the ground in Ukraine to progress pillar five of the implementation plan. The conference in London was followed by the drafting of the framework in consultation with different government partners, which was finished after the current reporting period. As such, the intervention has delivered all planned interim outputs and achieved the interim outcomes envisioned during the joint design of the project.