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| **2021 Mid-Year Progress Report** | Human Rights for Ukraine Project |
|  |  | Date: 31 July 2021 |

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| *Progress reporting template in longer version, which is adjusted from the "General guidelines for grant administration through Danish NGO’s (Annex 2)." Revised 7th of January 2015.* *Complete the form electronically in Word using Calibri 11 font. The report should be forwarded in English.* |

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| **Does this status report contain any information requiring specific decisions?** (*e.g*., changes in the project’s objectives, expected output or budgets?)  | YES | In which point is it described?Annexes X, Y and Z |
| **NO** |  |
| **1. File no.** |  |
| **2.** **Contact person and email** | Ms. Svitlana Kolyshko – Project Coordinator (svitlana.kolyshko@undp.org) United Nations Development Programme in Ukraine |
| **3. Programme title** | Danish Neighbourhood Programme |
| **4. Total budget (DKK)**  and accumulated expenditures in the end of reporting period. | Budget: **DKK 30,000,006 / USD 4,573,317.00**(as per exchange rate of the signed Cost-Sharing Agreement: 1USD=6.559DKK)Expenditures during the reporting period:**DKK 3,198,365/ USD 521,927.00**(as per UN USD/DKK weighted average rate: 1USD = 6.128DKK) |
| **6. Programme period** |
| **Start** (day/month/year)1 January 2019 | **Completion** (day/month/year)31 December 2023 |  |
| **7. Reporting period** |
| **From** (day/month/year)1 January 2021 | **To** (day/month/year)30 June 2021 |  |
| **8. Monitoring and reviews***Give an account of the main monitoring activities during the period, e.g. steering committee meeting, visits, review etc. (in bullet points)*18 March 2021 – Annual 2020 Project Board took place  |

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| **9. Assessment of external context, assumptions and risks relevant to the Programme***A brief description of the national context that is relevant for the Programme.* **Key contextual changes and considerations**COVID-19 pandemic restrictions and challenges continued to have an influence throughout the first half of 2021. During the reporting period, the number of new cases of infection remained high across Ukraine. Ukraine, which has a population of 41 million, has been among the most impacted of the countries in Europe so far, with around 2.23 million COVID-19 cases and over 52,000 deaths as of June 2021. Two large waves of cases took place during the reporting period, and in January and during March and April strict lockdowns were imposed in a number of Ukrainian cities. These included Kyiv, Odesa, Lviv and Ivano-Frankivsk, which under Ukraine’s “adaptive quarantine” regime were designated as “red zones” due to their high coronavirus infection rates. In April, the number of new recorded infections in Ukraine per day reached more than 20,000.The vaccination campaign in Ukraine was launched on 24 February 2021. According to the Ministry of Health, 2,136,563 people have received doses of COVID-19 vaccine since the start of the campaign. However, progress on vaccination and the provision of Ukraine with a sufficient amount of vaccines in the first half of this year was very slow. Parliament has fired three health ministers – most recently Maksym Stepanov – since the outbreak of the coronavirus pandemic. Similarly to 2020, this year’s pandemic-related quarantine measures were introduced without a comprehensive analysis of possible consequences, causing a negative impact on micro-, small- and medium-sized businesses.**Reforms and strategic vision.** At the same time, it should be underscored that notwithstanding the difficult situation with the pandemic during the reporting period, a number of strategic reforms were launched and documents approved in key areas, among them the National Economic Strategy until 2030, the Strategy for the Development of the Justice System and Constitutional Justice for 2021-2023, the National Security Strategy of Ukraine, the National Strategy on a Barrier-free Ukraine until 2030, the National Human Rights Strategy and Action Plan, and the National Youth Strategy. Ukraine anticipates making significant headway in all these areas, but it is impossible to give an assessment today on whether real progress will be made in implementing these documents. **Overview of the context*** **Political situation**

At the beginning of 2021 Ukraine was enjoying a period of political stability. However, in May parliament dismissed several ministers: Infrastructure Minister Vladyslav Kryklii; Minister of Economic Development Ihor Petrashko; and Health Minister Maksym Stepanov. The MPs criticisms of the economy and infrastructure ministers were primarily related to the state’s regulation of fuel prices and the country’s deteriorating investment climate.In order to enhance the humanitarian work of the President’s Office, the Institute of Commissioners of the President of Ukraine was replaced by a group of presidential advisers. Four presidential advisers were appointed – on barrier-free, the rights of the child, the rehabilitation of armed conflict participants, and on the President's Fund for the support of education, science and sports.* **Reforms overview**
* *Economic Development.* The National Economic Strategy until 2030 (NES-2030) was approved in March. The document identifies 20 vectors for ensuring economic growth, and concrete initiatives to achieve this. The NES-2030 also foresee a number of actions aimed at simplifying access to and enhancing the protection of economic rights. In addition, the strategy reinforces the rule of law through establishing the Bureau of Economic Security – a new tool is foreseen that would automate (i.e. without the participation of the state registrar) the registration of a sole proprietorship. A reduction in role of the state in the economy is also foreseen. However, experts stress that the NES-2030, while including positive measures, does not have provisions to prevent there being an excessive tax burden or to bring business out of the shadow economy.
* *Judicial reform.* The reform of Ukraine’s judicial system can be described as stalled, and in some areas in retreat. In particular, the judges of the High Intellectual Property Court have not been selected, thus preventing the court from being launched; the selection of judges for the High Anti-Corruption Court has not been completed; and the Constitutional Court of Ukraine also remains understaffed. Moreover, the problem of the adequate staffing of local and appellate courts remains acute.

At the same time, on 12 June 2021, the president approved the Strategy for the Development of Judiciary and Constitutional Justice for 2021-2023. While the strategy is designed to run from 2021 to 2023, experts say there is a high risk that little progress in its implementation can be made in such a short period. Moreover, the implementation of some of its provisions requires a clear understanding of their sequence, which the document does not provide. In June, the Verkhovna Rada of Ukraine approved a bill on the first stage of judicial reform, which has been in high demand by both the Ukrainian public and the international community – including the International Monetary Fund. The document introduces a new procedure for the selection of the members of the High Qualifications Commission of Judges (HQCJ), the main body that evaluates judges and recommends them for appointment. The selection of candidates for membership of the HQCJ is to be handled by the Competition Commission on Integrity. Three of the six members of this commission will be international experts – a key provision of the law aimed at reducing corruption risks.* *Law enforcement authorities reform.* There were no significant steps taken or achievements made in this area. The term stipulated in the 2020 strategy for reforming the bodies of the Ministry of Interior Affairs expired in December 2020. The reform plan and its achievements were met with mixed a reaction from officials and the public. No progress has been made in investigations into high-profile crimes against public activists and journalists.
* *Decentralisation.* In 2020, the reform of the administrative-territorial system under Ukraine’s government decentralisation process reached its final stage. The new administrative-territorial system includes 1,469 territorial communities at the basic level, and 136 rayons (districts) at the subregional level, covering the entire territory of Ukraine. By the beginning of 2021, the vast majority of the new administrative units had held elections for their local councils. At the same time, the imperative approach taken to accelerating the formation of new administrative units at the basic and sub-regional levels creates risks of potential conflicts. Additionally, the new territorial division is still not duly reflected in the Constitution – in particular, Article 140 of the Constitution only provides for the unification of villages into one community. In the course of decentralisation, basic self-government units (territorial communities) were given broader powers, including the management of educational, cultural, health and other socially important facilities, as well as the responsibility to maintain them independently. The process of transferring property from the rayon level to communities is currently underway, and as of end of January 2021, some 79 percent of the relevant objects and facilities had been transferred.
* *E- democracy & E-governance.* Progress has been made as of 2021 in introducing new forms of e-government, as well as state e-services, to provide services and information to citizens. The imposition of lockdown restrictions triggered a shift in demand towards online public services, and they have become the new normal. Diia – a one-stop e-portal for government services that has been steadily increasing its range of available options – is in operation and further developing. The portal also includes the Diia.Business and Diia.Digital Education platforms. The cabinet has also adopted a resolution “On approval of Provisions for human resource management information system (HRMIS) in government bodies”, which instructed all ministries, along with central and local executive bodies, to connect to the HRMIS. It is expected that the system’s introduction will reduce the bureaucratic burden, minimise the implementation time of management decisions, and promote openness and transparency of information about human resources in government, and about salaries. However, while opening up new digital highways, the coronavirus pandemic has also exposed digital gaps between groups in society. It has highlighted inequalities and revealed that many men and women, boys and girls are being left behind due to their low incomes, lack of digital literacy, age, disability, and many other social, economic and systemic challenges.
* *Gender equality.* Ukraine fell from 59th (2020) to 74th place (2021) in the world in the World Economic Forum’s latest Global Gender Gap Index, which was issued in March 2021. While demonstrating good progress in educational attainment (27th place) and achieving moderate results in economic empowerment (44th place) and health and survival (41st place), Ukraine is yet to make significant progress in political empowerment (103rd place). The biggest fall was seen in the category of women in ministerial positions (from 20.8 percent to 13.6 percent).

Ukraine has submitted its ninth periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which covers the period 2017–2020. The report was drafted by the Ministry of Social Policy of Ukraine (MSP) with the participation of the Government Commissioner for Gender Policy, ministries, other central executive bodies, and regional state administrations[[1]](#footnote-2). * **Human rights reform agenda**
* *Adoption of the National Human Rights Strategy.* After a series of public hearings in 2020, the Ministry of Justice took the lead in developing the new National Human Rights strategy, which was approved by presidential decree at the end of March 2021. The new strategy focuses on 27 spheres of human rights, including: fulfilling the right to justice, freedom of assembly, eradication of discrimination, ensuring equal opportunities for men and women, combating domestic violence, and fulfilling the rights of children, ex-combatants, IDPs, and people living in the Non-Government Controlled Territories. It also includes several new areas, such as addressing the consequences of the armed conflict and protecting the rights of men and women living near the contact line, protecting environmental rights, and promoting human rights principles in business. Specifically, the strategy uses the United Nations Guiding Principles on Business and Human Rights (UNGPs) as a benchmark, calling on the government to protect human rights, and for all businesses of every size, shape, and sector to respect them.

In June the Ukrainian government approved the strategy’s action plan, which includes around 100 actions to be implemented over the next three years. * Barrier-free strategy (positioning as a new social norm). The National Strategy on a Barrier-Free Environment in Ukraine was adopted in April 2021. The strategy focuses on six spheres – eliminating physical, informational, digital, social, educational, and economic barriers – and declares digital accessibility as a cornerstone for building greater inclusiveness in Ukraine. The development of the National Strategy on a Barrier-free Ukraine was prompted by the Big Talk initiative of First Lady Olena Zelenska, and by a presidential decree. The ultimate goal of the strategy is to make barrier-free principles a new social norm. More than 150 experts are engaged in thematic groups to develop the strategy. The experts, who have strong expertise in the abovementioned areas, include representatives of the state authorities, the expert community, relevant civil society organizations, charity funds, businesses, and researchers from across the regions of Ukraine.
* **Conflict-related issues**

The state has launched a number of initiatives to strengthen conflict and post-conflict regulation at both the strategic and the ad-hoc levels. In particular, these are:* + the Decree on the Strategy for the De-occupation and Reintegration of the Temporarily Occupied Territory of the Autonomous Republic of Crimea and Sevastopol. Signed by the president in March 2021, this is the first document since 2014 to define the main directions of state policy aimed at the reintegration and de-occupation of the temporarily occupied territory of Crimea. It also foresees the implementation of a set of measures in the diplomatic, military, economic, information, humanitarian and other spheres.
	+ the establishment of the Crimean Platform – a diplomatic initiative of Ukraine for the coordination of the Crimea issue, the protection of human rights in Crimea, and the promotion at the international level of the de-occupation of the peninsula.
	+ the draft Law on the Principles of State Policy in Transitional Justice, which has been developed and posted for public discussion on the official website of the Ministry of Reintegration of the Temporarily Occupied Territories. The draft law proposes a number of positive changes for people living in temporary occupied and non-government-controlled territories. At the same time, a detailed analysis of the text of the draft law conducted by experts and UN agencies indicates numerous gaps and issues. Due to the attempt to cover the whole range of conflict-related challenges, the draft law omits to regulate certain areas (for example, the issues of lustration, the right to truth, etc.). As of now, the ministry is accepting comments and suggestions regarding draft law from stakeholders, including UN agencies and NGOs.
* **The Ombudsperson’s role**
* **Update of international standards regarding national human rights institutions (NHRIs).** On 31 March 2021, given that the members and staff of NHRIs are at times exposed to challenging working conditions, threats, pressure, and attacks, the Council of Europe’s Committee of Ministers adopted a recommendation for its member states on the development and strengthening of effective, pluralist and independent NHRIs. The recommendation aims to ensure that these institutions are established and governed in accordance with the minimum standards set out in the Paris Principles, in particular with regard to their terms of reference and competence to promote and protect all human rights for all, and their autonomy from governments. The adoption of the recommendation is a milestone in further embedding the NHRIs’ central role in promoting and protecting human rights in Europe. The added value of the recommendation is its building of mutual support for interdependence between NHRIs and the Council of Europe, and the exchange of information between them. This was exemplified on 26 April 2021, when the European Network of National Human Rights Institutions (ENNHRI) and the German Presidency of the Committee of Ministers of the Council of Europe held a high-level event.
* **Attempts to revise national legislation regarding Ombudspersons.** In parallel with the international processes aimed at strengthening the role of NHRIs in Ukraine, during the reporting period a second attempt to reform legislation in the sphere was made in parliament in the form of the submission of a relevant draft law. This attempt generated controversy among experts[[2]](#footnote-3), although there is clear agreement over the necessity to reform the Ombudsperson institution and increase its effectiveness. The new draft law "On amendments to certain legislative acts of Ukraine on improving the legal basis of activity of the Commissioner of the Verkhovna Rada of Ukraine for Human Rights (Ombudsperson)" No. 5019 was registered on 4 February 2021, replacing draft law No. 3312 of 7 April 2020. The draft law was included on the list of legislative work of the VRU, and it was recommended by the Parliamentary Committee on Human Rights to request that the Office of the Council of Europe in Ukraine prepare an assessment of the compliance of the draft Law with Council of Europe standards.

Another initiative regarding the Ombudsperson’s mandate should be mentioned: The idea of strengthening the law-enforcement powers of the Ombudsperson was included in the draft Law of Ukraine "On Amendments to the Code of Ukraine on Administrative Offenses and the Criminal Code of Ukraine to Combat Discrimination" No. 5488 of 13 May 2021, through empowering representatives of the Ombudsperson and authorized persons of the Ombudsperson’s Office to draw up protocols on administrative offences. The government and the Ombudsperson’s Office appear to support this strengthening of the Ombudsperson’s mandate. However, there is serious concern over the Ombudsperson’s Office’s ability to use these additional powers effectively, given its current staff limitations and large workload. * **Annual Report.** In March 2021 the Ombudsperson submitted to the Verkhovna Rada of Ukraine its annual report on the state of the observance and protection of human and civil rights and freedoms in Ukraine in 2021. The report highlighted cases of the violation of human and civil rights and freedoms, in respect of which the Ombudsperson took the necessary measures, and gave conclusions and recommendations aimed at improving the situation with the observance of human and civil rights and freedoms.

The Ombudsperson reported receiving 48,405 notifications of human rights violations, which is an increase of more than 40 percent compared to 2019. Most of the notifications (50.3 percent) concerned violations of civil and political rights; while another 22.1 percent concerned economic, social and cultural rights. In order to remedy violations of human rights. The commissioner submitted 20,044 requests to the authorities and local authorities; 60 applications were submitted to state authorities and local authorities; 39 instructions on the elimination of violations of the legislation in the field of personal data protection were issued; and 237 protocols on administrative offences were drawn up. Moreover, in 2020, the staff of the Secretariat of the Commissioner conducted 2,654 monitoring visits and on-site inspections, of which 815 were visits to places of detention.The VRU Committee on Human Rights decided to recommend that parliament include the hearing of the annual report of the Ombudsperson on the agenda of its fifth session, and recommended its adoption in general. However, this hearing was not held during the reporting period.* **Addressing COVID-19-related challenges.** In its annual report for 2020, the Ombudsperson noted that with the beginning of the COVID-19 pandemic and quarantine measures in April 2020, the monthly number of notifications of human rights violations began to increase compared to similar periods in 2019: in May the number of notifications increased by 30 percent, in June by 75 percent, and in July by 97 percent. As of the end of the year, the monthly number of notifications was 60 percent higher than the yearly average.

Since early April 2020, within the framework of the implementation of the national preventive mechanism, the Ombudsperson Office has systematically monitored the observance of human rights in penitentiary facilities under conditions of lockdown restrictions. A total of 677 visits to penitentiary facilities were made, during which human rights violations were discovered, namely: the right to life, the right to access proper healthcare, the right to contact people outside the facility, and the right to protection. These inspections resulted in 24 criminal proceedings being initiated by the law enforcement agencies and executive authorities being recommended to take actions to restore the rights of incarcerated individuals. Ukraine was one of five European countries that continued visits to penitentiary facilities in order to monitor the observance of human and civil rights and freedoms during coronavirus pandemic. The results of the monitoring and relevant recommendations were included in a special report: “The Observance of Human Rights and Freedoms in Places Where People are Deprived of Their Liberty During the Emergency Related to the Spread of the Acute Respiratory Disease COVID-19 Caused by the Coronavirus SARS-COV-2.” The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, along with the United Nations Subcommittee on the Prevention of Torture, declared as positive the experience of the implementation by the Ombudsperson’s Office of the national preventive mechanism during the COVID-19 pandemic.At the request of the Ombudsperson, on 1 February 2021 the Constitutional Court of Ukraine started constitutional proceedings regarding certain provisions of Ukrainian laws concerning healthcare, the provision of medical services, and the liquidation and reorganization of healthcare facilities during the COVID-19 pandemic. The Ombudsperson noted that the fight against the COVID-19 pandemic was a new challenge for the country, and that most government agencies and services were unprepared for it from an organizational, legal and psychological point of view. Certain legislative changes, including the medical reforms launched in 2017 and decentralization and administrative-territorial organizational reforms had also caused difficulties in responding to the crisis, the Ombudsperson said. |
| * ***Developments in important assumptions and risks***

**Key challenges** Notwithstanding the lockdown restrictions, the government was able to adopt several important human-rights-related documents, among them the Barrier-Free Strategy and the Strategy of Economic Development. These documents were prepared in a very short period of time, with the involvement of a wide range of stakeholders, and foresee numerous important changes to address inequality, combat discrimination, enhance economic growth, and leave no one behind.However, these ambitious goals require clear action plans to be developed, sufficient budget allocations to be made, and monitoring instruments to be put in place. Thus, even given the rather positive general assessment of these very important strategic initiatives, and the presence of political will to move them forward, there is a real risk that many positive initiatives may be rendered merely declarative.In this context it is critical:* + to support the government’s implementation of these initiatives through providing expert and technical assistance and enhancing monitoring capacities;
	+ to prioritise the relevant awareness and advocacy work in order to foster the implementation of these initiatives, which will prepare the ground for the wide acceptance by society of new social norms such as inclusiveness, tolerance, and accessibility for all.

The risks identified in the previous reporting periods remain, although their probabilities and impacts on project activities have decreased. Please refer to Annex C for details. |
| **10. Status – Contribution to Programme’s outcome objectives***Give an account of selected contributions to the Programme’s objectives and indicators.* Please refer to Annex B: Status in Logical Framework**OUTCOME: BY 2023, MEN AND WOMEN, GIRLS AND BOYS ENJOY IMPROVED PROTECTION AND PROMOTION OF THEIR RIGHTS, ESPECIALLY ECONOMIC AND SOCIAL RIGHTS IN THE CONTEXT OF DECENTRALIZATION, IN ALL REGIONS OF UKRAINE, INCLUDING VULNERABLE RURAL AND CONFLICT-AFFECTED AREAS.**From the perspective of the past half year, there have been not many changes in outcome-level results. The levels of implementation of **Outcomes 1, 2, and 4** have not changed since December 2020, as the relevant data is drawn exclusively from the Human Rights Progress Study 2020[[3]](#footnote-4).However, among important shifts that should be noted are the adoption of the new Human Rights Strategy and the Barrier-Free Strategy. These two documents open the door to numerous positive changes in the human rights sphere.**Outcome 3.** As notedin Section 9 of this report, during the reporting period numerous conflict-related initiatives were launched, and decisions taken in this sphere. Chief among these initiatives were a draft law on post-conflict regulation, which could become the key legislative document in this area. Another important document is the draft concept of transitional justice, which was elaborated by a Presidential Working Group and submitted to the president for approval. It is as yet too early to assess its effectiveness and whether it will have a positive impact, but it can be considered an important step forward in the implementation of conflict- and post-conflict-related policy recommendations. **Outcome 5.** As in the previous reporting period, the Ombudsperson’s Office regional network remained stable and demonstrated flexibility regarding new approaches and its readiness to address urgent COVID-19-related challenges. The number of local staff during the reporting period was 61 public officials, and the Ombudsperson believes it critical to increase the number of the local staff in future, with 24 positions of the regional coordinators in every oblast (including three vacant at the moment positions). |
| **11. Status – programme outputs** *Describe the progress and difficulties encountered in the planned outputs and indicators during the 12-month reporting period (as above – please include the entire programme period). Indicate if an output has also been supported by another international agency. Include quantitative as well as qualitative data. [1-2 cases per country]*Please refer to Annex B: Status in Logical Framework ***CONTRIBUTIONS IN THE FRAMEWORK OF PROJECT OUTPUTS*****Output 1. THE Capacity of the Ombudsperson’s OFFICE’s REGIONAL network of CSO/civic human rights monitors IS strengthened so they are more accessible to women, men and vulnerable groups at the local level, especially in rural areas****The Ombudsperson’s Office’s regional network continues to provide consultations and legal support to women and men all over Ukraine, as well as conducting human rights awareness activities**During the reporting period, with project support the efforts of the regional network of Ombudsperson’s Offices were focused on activities that would simultaneously:1. support day-to-day work with the public;
2. enhance the Ombudsperson’s Office’s fulfilment of its mandate at the local level in the areas of access to information (A2I) and the National Preventive Mechanism (NPM);
3. provide input to monitoring and condemning instances of hate speech;
4. increase human rights awareness at the local level.

Overall, in a half year, the delivery of the Regional Coordinators has consisted of:* **193** field visits conducted (compared to 155 in the same period in 2020);
* **289** consultations provided online;
* **1,839** people (947 women and 892 men) reached for consultation (compared to 1,449 in the same period in 2020);
* **27** court trials monitored (compared to 24 in 2020, taking into account some restrictions in offline court hearings)
* **207** visits conductedwithin the framework of the National Preventive Mechanism on preventing torture and ill-treatment in places of detention (the same number of visits were conducted in the same period in 2020).

**The regional network prioritized human rights awareness at the local level in the context of the quarantine.** The regional coordinators held presentations of the Ombudsperson’s annual report and promoted the report’s recommendations at the local level, involving almost 2,200 representatives of local authorities and activists in 22 oblasts. Also, within the reporting period, 467 human rights events were conducted by the regional coordinators in order to cover topical issues of the protection and promotion of human rights at the local level – in particular, children’s rights, non-discrimination, and protecting the rights of vulnerable groups.**Digital approach to service provision.** Given the importance of digital solutions in the course of service provision as a consequence of the COVID-19 pandemic, on 19 March an online discussion with representatives of the Ombudsperson’s Office regional network in Ukraine was arranged, with the aim of informing the representatives of the network of Ombudsperson’s Offices and the Central Office (over 40 participants in total) about existing digital tools to provide citizens with simplified and unimpeded access to legal consultations and aid, with a specific focus on the “Your Rights” mobile application. The project is currently providing support to the Ombudsperson’s Office in adding a new service to the Ombudsperson’s website regarding the submission of online claims. The service has already been tested by the Ombudsperson’s Office.**Challenges and next steps:**1. Considering contextual changes, namely the sustainability of the Ombudsperson’s Office’s regional network over the last two years and its further enhancement, it is critical to revise the draft of the office’s regional strategy, which was drawn up in 2019, and put forward a vision for its further development;
2. Awareness of this NHRI institution still remains insufficient, and thus development of a comprehensive communications strategy for the Ombudsperson’s Office was launched during the reporting period: An external consultant conducted a background analyses of office communications, which included a SWOT analysis, the polling of office staff on their communications experience to identify their needs and potentials, and an analysis of how well current office communications activities reflect the mission and vision of the institution. The consultant’s findings have been presented to the office leadership and will serve as the basis for a comprehensive communications strategy.

**Output 2. The Ombudsperson’s OFFICE and CSO partners/civic human rights monitors have the knowledge and skills to collect data that is disaggregated by gender, age and vulnerabilities****Despite the quarantine, the Ombudsperson’s Office’s regional network has been conducting monitoring campaigns on the issues of access to public information and open data, NPM monitoring, and monitoring and condemning instances of hate speech.****Access to information**Considering that it is a strategic priority for the Ombudsperson’s Office to monitor access to public information and open data on a regular basis, the results of an all-Ukrainian monitoring campaign in 2020 were included in the Ombudsperson’s annual report, including data from COVID 19-related monitoring. In March, the results of the monitoring in 2020 were discussed in detail with the Representative of the Ombudsperson on Access to Public Information, the staff of regional network, and experts. As a result, the Ombudsperson’s Office identified key priorities for the monitoring in 2021, noting the gaps that should be covered, taking into account decentralisation reform and the new functions of the hromada (community) level authorities. Moreover, given the further lockdown restrictions in 2021, it was critical to assess if the situation with access to information was as relevant, timely and simple as foreseen by the law. Thus, the Ombudsperson’s Office regional network conducted a second wave of the urgent monitoring of access to official information on local preventive measures regarding COVID-19. This monitoring was conducted from 6 to 30 April 2021[[4]](#footnote-5), and assessed the quality of the provision and disclosure of public information on combating the spread of COVID-19. The data gathered was used in a comparative analysis with the 2020 monitoring results. The preliminary results of the monitoring identified some systemic problems that had already been noted in 2020 and that remain relevant – namely, a lack of information on contacts from which the public can obtain the necessary information on measures to prevent the spread of COVID-19. The ease of navigation of online information sites remains consistently low. Monitors repeatedly emphasised the poor structure of official websites and a lack of data on the relevance of the published information (missing dates of publication/no updating of information). Based on the results of the monitoring, a report on the most typical violations was prepared. As a follow-up, these typical violations will be addressed in the Ombudsperson’s recommendations to the local authorities.**Hate speech monitoring** With the project’s support, the Ombudsperson’s Office regional network is becoming more active in monitoring and condemning instances of hate speech by state and local government officials, religious leaders, and others. For example, UNDP in cooperation with OHCHR has launched an online course on tackling hate speech for the Ombudsperson’s Office’s regional network, and periodically conducts seminars on this topic. As a result, the Ombudsperson’s Office regional network staff (more than 60 individuals) have increased their capacity to monitor and condemn incidents of hate speech. In some cases, the Ombudsperson’s Office has reacted publicly, in particular by condemning hate speech against the LGBTI community and Roma people. During the reporting period, regional coordinators reported about 50 cases of hate speech, which were included in the UNCT hate speech compilation. The compilation highlights high-profile hate speech incidents and informs all key stakeholders about concerning trends. **National Preventive mechanism** Due to the pandemic, many international organizations and human rights defenders have raised concerns that the protection of human rights has been jeopardized in places of detention and imprisonment. The Ombudsperson’s Office also recognized this issue as being of concern, and paid particular attention to ensuring the smooth and continuous implementation of its NPM mandate. In order to respect the rights of people who have been deprived of their liberty, and to develop joint actions to prevent the spread of COVID-19 in penitentiary facilities, the Ombudsperson’s Office and its regional network supported by the Project conducted in 2020 a comprehensive NPM monitoring campaign. In particular, 677 NPM visits to penitentiary facilities were made, during which occurrences of human rights violations were found. These included violations of the right to life, the right to access proper healthcare, the right to contact people outside the facility, and the right of access to justice. The inspections resulted in 24 criminal proceedings being initiated by the law enforcement agencies, as well as recommendations being made to the executive authorities to take actions necessary to restore the rights of people. On 27 April, the Ombudsperson’s Office, with the support of the Project, presented a Special Report on NPM during COVID-19 at a meeting of the Coordination Council on NPM. The key findings and recommendations of the report have been presented to human rights defenders, civic activists, government representatives, and international organizations that reach out key stakeholders.[[5]](#footnote-6)**Ombudsperson’s Office Strategic Advisory Unit** At the request of the Ombudsperson’s Office, and in accordance with a decision of the Project Board of 18 March 2021, the project recruited a Leading Strategic Advisor (LSA) to the Ombudsperson’s Office of Ukraine. The LSA will be a part of the Ombudsperson’s Office Strategic Advisory Unit (SAU). The SAU is to be an advisory group of the Ombudsperson’s Office under the general supervision of the office’s leadership, and is intended to support the reform and strategic development of the office to make it a more efficient, accountable, and transparent institution, exercising its constitutional role in the field of parliamentary oversight over the observance of human and civil rights and freedoms in Ukraine on a regular basis, while following the best international practices. The main tasks of the SAU are to: 1. improve parliamentary oversight over the observance of constitutional human rights and freedoms;
2. strengthen the Ombudsperson’s Office’s institutional capacity; and
3. strengthen the Ombudsperson’s Office’s transparency and accountability to citizens through the use of new technologies and methods of communication.

A SAU concept note is expected to be formalized in the next reporting period through consultations between the Ombudsperson’s Office’s leadership and project team. * *Strengthening the strategic planning of the Ombudsperson’s Office.* With a view to supporting the development of the Ombudsperson’s Office’s strategic vision and identifying its priority activities, the LSA held several meetings with office leadership and the HR4U project team. This resulted in a concept note on the reform and strategic development of the office for 2021-2025 being drafted and provided to the office’s leadership. Specifically, the concept note was aligned with strategic dimensions of the Ombudsperson’s work in 2021 and the newly adopted Council of Europe Recommendation CM/Rec(2021)1 on the development and strengthening of effective, pluralist and independent national human rights institutions.
* *Professional development of the Ombudsperson’s Office staff* was considered a first step to enhancing the institutional capacities of the Ombudsperson’s Office and making its influence on the human rights reform agenda more effective. Thus, a relevant concept on the professional development of Ombudsperson’s Office staff was developed, which foresees, among other things, the following priorities:
1. improving the system of career support;
2. enrolling staff in MA degree programmes in public administration;
3. providing advanced training to staff within general and special programmes for civil servants;
4. establishing a virtual educational environment for professional development;
5. introducing onboarding training that takes into account the specifics of working in the field of human rights;
6. improving expert work, in particular in the framework of parliamentary oversight over the implementation of Ukraine’s international human rights commitments, and preparing reports for international institutions on anti-discrimination, gender equality, human rights in the context of “digital transformation”, and so on;
7. setting up internships and self-education programmes for the staff of the Secretariat in the field of human rights and public administration;
8. involving international technical assistance projects in the professional development of staff; and
9. improving the level of proficiency of the staff in foreign languages.
* *Ombudsperson’s Office cooperation with development partners.*Considering the wide range of partners of the Ombudsperson’s Office, and the necessity to avoid the duplication of activities, it is crucial to build a mechanism for effective communications and the exchange of information. The SAU has developed a relevant package, including internal rules of procedure to arrange this work. It has also identified the key spheres requiring enhanced support from, and/or discussion with, international development partners
* *Enhancing the Ombudsperson’s Office’s capacities in RBM.* One of the recommendations of the civic monitoring[[6]](#footnote-7) was to enhance the strategic thinking and monitoring and evaluation capacity of the Ombudsperson’s Office. As results-based management (RBM) is a crucial element in human rights strategies, at the request of the office’s leadership the project organized a series of professional training sessions on RBM for the institution’s management. The first training session on RBM was conducted with the 20 heads of the Ombudsperson’s Office units. The post-event evaluation showed excellent results in most of the topics, including the results chain, the Theory of Change, risk management, monitoring and evaluation, project documentation, and so on. A practical exercise related developing project proposals and analysing results achieved was the key element of the training session.

**Challenges and next steps**: 1. The activities of the Strategic Advisory Unit require formalization in order for it to provide consistent support for the strategic development of the Ombudsperson’s Office. During the inception phase, the possible strategic directions of the Ombudsperson’s Office were identified, but these require further discussion with the office’s leadership in order to be institutionalized or enacted. The project will therefore continue to support the Strategic Advisory Unit’s activities, as planned.
2. To promote the sustainability of results, the project will invest in the adoption of Ombudsperson’s Office strategies in various spheres, including those in communications, professional development, international presence, and oversight of Ukraine’s international human rights commitments.
3. To ensure the sustainability of results, the project will continue to support the development of the Ombudsperson’s Office methodology of human rights data collection in various spheres, as well as conduct training sessions on RBM and strategic planning.

**Output 3. The Ombudsperson’s OFFICE, CSO partners and human rights journalists are able to effectively promote awareness of human rights****Representatives of civil society, public officials, journalism educators and students have a better understanding of what Ukrainians know and think about human rights, and use this data to advocate human rights in Ukraine.** In December 2020, UNDP presented the results of its third large-scale sociological survey, entitled "What Ukrainians Know and Think About Human Rights: Assessment of Changes (2016 - 2020)", which was conducted in 2020 by the Ilko Kucheriv Democratic Initiatives Foundation in cooperation with the ZMINA Human Rights Centre. Thanks to a comprehensive communications campaign held from February to June 2021, the results of the study were widely promoted among specific target groups – civil society organizations, journalism educators, and public officials, via:* + a series of Zoom events targeting civic activists and featuring the results of the Human Rights Progress Study, which reached more than 31,000 men and women via social media. Additionally, a festival for young people in Chernivtsi reached out to young men and women with information from the study. This helped to raise public awareness about human rights remedies, and explained to the public the importance of inclusiveness and non-discriminatory practices.
	+ a presentation of data on the achievements of the free legal aid system was held on 2 June to raise the awareness of men and women about this system. The event, targeting public officials and human rights defenders, was devoted to 10th Anniversary of the free legal aid system and reached more than 2,000 people; and
	+ the Human Rights Academy for Journalism Professors, which was held during March and June 2021, and which stressed the importance of the media as source of human rights information. The event promoted the further integration of the human rights-based approach and human rights principles and standards in journalistic education.

**There has been an increase in the number of journalism professors who have a strong understanding of human rights and high ethical standards, and who promote these among their students.** The Human Rights Progress Study confirmed that the media continue to be a key source of information about human rights, and that the media shape the views of Ukrainians on human rights. UNDP launched the Third Human Rights Academy, which engaged 33 new journalism professors from 21 universities that teach journalism. A comprehensive training programme, which included internships conducted by the international journalism organization Free Press for Eastern Europe, helped to shape a strong understanding of human rights issues and high ethical values. During the internship, a specific focus was placed on human rights and ethical standards in journalism during conflicts. These training activities raised human rights awareness among journalism professors. Besides, human rights topics and approaches were integrated into journalism curricula, reaching more than 2,400 journalism students in 2021 alone. Journalism professors and students showed a high level of interest in human rights topics, as demonstrated by the series of contests that the universities organized without UNDP involvement. Universities replicated competitions held in previous years, and through April and June 2021 organized contests for students based on the rules developed by the HR4U project in 2019. **Challenges and next steps:** 1. During the first half of the year, the HR4U project, in partnership with the CSO ZMINA and other stakeholders, widely promoted online the results of the third large-scale sociological survey "What Ukrainians Know and Think About Human Rights: Assessment of Changes (2016 - 2020)", using all available channels and formats, such as online media, social media, Zoom events, online discussions and presentations. At the same time, due to the pandemic and travel restrictions, such online campaigns leave behind those who do not have access to internet or who lack digital skills. To address this challenge, after COVID-19 restrictions are lifted the project will organize road-shows to promote the results of the study at the local level.
2. The academy proved to be a very effective tool for promoting human rights among journalism educators. Considering that the network of journalism professors has been significantly enlarged, it needs to develop a strategic vision and identify areas for collaboration to remain sustainable. A strategic session for journalism professors will address this challenge, providing educators with insights on how to sustain the knowledge gained and partnerships formed.

**Output 4. The Ombudsperson’s OFFICE and CSO partners are enhanced, AND PROVIDED WITH THE knowledge and skills TO use international human rights instruments and advocaTE for relevant changes in UKRAINE’S human rights agenda****The new National Human Rights Strategy, approved in March 2021, took into account recommendations from a joint UNDP-CSO assessment of the implementation of the 2015-2020 strategy** The new Human Rights Strategy, which was [approved by Presidential Decree in April 2021](https://www.ua.undp.org/content/ukraine/en/home/presscenter/articles/2021/ukraines-government-approves-action-plan-for-new-national-human-rights-strategy.html), charts the next stage in bolstering human rights observance in Ukraine. This new strategy aims to consolidate society on the basis of human rights values, to address systematic problems in the human rights area, ensure that human rights are fulfilled on the basis of principles of equality and non-discrimination, and address new challenges that have arisen.The new strategic document considers a number of UNDP-CSO recommendations and findings identified by an [assessment](https://www.ua.undp.org/content/ukraine/en/home/library/democratic_governance/the-national-human-rights-strategy-assessment.html) of the implementation of the previous human rights strategy. Specifically, the timeframe of strategy action plans was reduced to three years, a monitoring mechanism was proposed, and indicators to track implementation and assess progress were stipulated.  In order to strengthen the effectiveness of the monitoring mechanism, in May 2021 the Cabinet of Ministers of Ukraine established an [inter-sectoral working group](https://www.kmu.gov.ua/npas/pro-utvorennya-mizhvidomchoyi-robo-a516?fbclid=IwAR0CnD_t88CY5IIOM1qv8NWv5OjUCA2hUvudah9R4z6cEUvsf4rzn2aZUkk) to evaluate progress made in the implementation of the National Human Rights Strategy and its action plan, which will identify possible bottlenecks and suggest immediate actions to address them. The inter-sectoral working group engages representatives of state and local executive bodies and other state institutions, the Ukrainian Parliament Commissioner for Human Rights, members of parliament, and representatives of civil society, scientific institutions, and international organizations – including UNDP. **Inclusiveness, accessibility, and equal opportunities for everyone were recognised as the key strategic priorities for the country, and new social norms.**The Cabinet of Ministers of Ukraine on 14 April adopted the National Strategy for a Barrier-free Environment in Ukraine, under an initiative by First Lady Olena Zelenska and the Presidential Decree "On a Barrier-Free Environment in Ukraine". The project, in partnership with civil society organisations, supported broad and inclusive discussions that resulted in the development of a core document and analysis. These went on to become the backbone of the national strategy document.A wide range of sectoral experts, civil society organizations, and international organizations were engaged in developing the strategy. More than 230 experts from all over Ukraine took part in its development. Their work was coordinated by the inter-sectoral working group of the Cabinet of Ministers of Ukraine, which included 11 ministers, members of parliament, officials of the Office of the President of Ukraine, and representatives of state government bodies, the National Institute of Strategic Studies, civil society, and the expert community. The Cabinet of Ministers also supported an initiative to develop a Council for Barrier-Free Space tasked with monitoring and overseeing the implementation of this strategy. This consultative and advisory body will monitor the implementation of the strategy’s measures and programmes, and will report on progress achieved. HR4U project experts were included on the council and will help monitor the implementation of the strategy. [The Council had its first meeting](https://www.president.gov.ua/news/u-mezhah-iniciativi-oleni-zelenskoyi-vidbulosya-pershe-zasid-69249) in June, while public hearings on the Action Plan were conducted in parallel.**Ukraine is moving forward with the accessibility of public information, in accordance with indicator 16.10.2 of the Sustainable Development Goals.**SDG indicator 16.10.2, along with other indicators of progress towards the Sustainable Development Goals, was developed and approved by the United Nations Statistical Commission to establish universal evaluation standards at the global and national levels. The focus of this indicator is on the status of the adoption and implementation of constitutional, statutory and/or political guarantees for public access to information. The project supported [an analysis of the key findings of the three assessment cycles of the SDG indicator 16.10.2 in Ukraine](https://www.ua.undp.org/content/ukraine/en/home/library/democratic_governance/progress-on-the-sdg-indicator-16-10-2-in-ukraine.html?fbclid=IwAR1ZYEpDiFBlBc8k5yXNsq2FQp5MoHY8T8xuI6LQzOWw-H50Xg1zJp19dCM). These assessments, which form the basis of recommendations for improvement, were conducted in accordance with methodology developed by the Freedom of Information Advocates Network – an international network that brings together organisations and individual experts in the access to information sphere. In general, Ukraine demonstrates a high level of implementation of this indicator. However, the results of the evaluation also clearly highlight key shortcomings in legislation and in administrative practice in the access to information sphere. The three SDG 16.10.2 evaluation cycles, conducted according to the Freedom of Information Advocates Network Methodology, showed there was a need: • to improve the efficiency of the supervisory authority and increase the role of the authority taking measures aimed at forming and implementing state policy in the access to information sphere. This gap require efforts and political will to establish a new, or strengthening the existing, RTI Oversight Body;• to review legislation and administrative practices with the purpose of introducing work planning in the sphere of access to information at the level of individual administrators; and• to enhance systematic education on access to information legislation at the level of individual administrators, and introduce a unified curriculum for civil servants specialising in access to public information.**Challenges and next steps**: 1. While ahead of its approval the National Human Rights Strategy was widely discussed with stakeholders, such as civil society, human rights organizations, and international organizations, its action plan was adopted without public discussion. Though the action plan was adopted on 23 June, it had still not been published as of 1 July 2021. This creates certain risks to the smooth implementation of the national strategy, and to address this challenge the project will closely monitor its implementation;
2. In a follow-up to its support for the development of the National Strategy for a Barrier-free Environment, the project will next support the development and adoption of its action plan. This area remains new to Ukrainian society, and the various stakeholders and target audiences lack information about it. Accordingly, the project will promote this topic through its available channels and will collaborate with the Ministry of Digital Transformation to promote educational materials on the topic of a barrier-free society on the Diia.education web portal;
3. The COVID-19 pandemic has greatly affected the work of the UN human rights treaty bodies, such as CEDAW, CAT, CRC, etc. In particular, the dates for the consideration of state reports are regularly postponed. When they do come up for consideration, state periodic reports are likely to be outdated, and so the role of NHRI and CSO shadow reporting is highly important if the emerging time gaps are to be covered. To respond to this challenge, the project will invest in supporting NHRI reporting using international human rights tools;
4. In order to strengthen the Ombudsperson’s Office’s capacities in monitoring and data collection, specifically with regard to parliamentary oversight over the implementation of international human rights treaties and national strategic documents in the sphere of human rights, a concept note on an Electronic Information and Analytical System (EIAS) was developed by the project team. As a next step, the project will focus of the development of this database and on an information portal providing access to this data on the implementation of Ukraine’s human rights commitments, and on monitoring of the National Human Rights Strategy.

**Output 5. ENHANCED Capacity of duty-bearers, Ombudsperson’s OFFICE and CSOs to provide effective input into THE integration of HRBA into THE decentralization process, with a focus on social and economic rights** **Human rights dimension strengthened in the reform of public services.** The human rights programme for civil servants was developed, piloted and certified as obligatory by the National Agency of Ukraine on the Civil Service (NACS). The programme consists of a basic online course on the Prometheus educational platform, which has already started[[7]](#footnote-8), and off-line training for a group of civil servants that will commence this autumn at the Ukrainian School of Governance. Moreover, the project supported the development of the training of trainers for the programme on human rights, so as to ensure the sustainability of the education process for civil services across Ukraine. UNDP in Ukraine, in partnership with the Ukrainian School of Governance, has announced a contest to select candidates to be trained as trainers in human rights[[8]](#footnote-9). **Challenges and next steps:** 1. The project continually assesses the effectiveness of the steps taken to integrate the HRBA into the civil service, and measures the level of human rights awareness of civil servants. For this reason, a poll of civil servants was included in the 2020 Human Rights Progress Study. The poll found that civil servants remain very close to the general public in their human rights awareness. Notwithstanding their higher level of tolerance and better knowledge of human rights remedies, there are still numerous gaps that should be addressed.

The results of the poll once again proved the important need for a broad-ranging human rights course. At the same time, it was agreed with the NACS to develop a number of additional more narrowly focused educational courses for various target groups of civil servants.1. Considering the approval of the Barrier Free Strategy and the ambitious plans for its rapid implementation, it is critical to enhance the knowledge and skills of public officials regarding inclusiveness and accessibility principles. Otherwise, there is a great risk of there being only a formal approach to the strategy’s implementation. To address this challenge, the project – in cooperation with the Ministry of Digital Transformation, the NACS and CSO partners – is to develop a special learning series to provide the relevant knowledge and skills, along with practical examples of the application of inclusiveness and accessibility principles.

**Output 6. The knowledge and skills OF THE Ombudsperson’s OFFICE, CSO partners and duty-bearers to effectively address conflict-related human rights challenges ARE strengthened**The HR4U project, together with the Office of the President of Ukraine in the Autonomous Republic of Crimea presented a sociological study[[9]](#footnote-10), conducted on December 2020, which identified what the public thought about post-conflict regulations and transitional justice. In order to acquire deeper analyses and fuller data this year, the project supported the Office of the President of Ukraine in the Autonomous Republic of Crimea in conducting a national sociological study on the attitudes of Ukrainians to issues related to overcoming the negative consequences of the armed conflict in Ukraine. The survey was conducted from March to April 2021 by the Kharkiv Institute for Social Research, in cooperation with the ZMINA Human Rights Centre.According to the survey, the majority of Ukrainians (67.2 percent in relation to the non-government-controlled areas (NGCAs) and 64.5 percent in relation to Crimea) believe that the end of the conflict will primarily depend on Russia and its position. About a third indicate that the conflict should be resolved by Ukraine (35.6 percent for in relation to the NGCAs and 30.9 percent for Crimea). Significantly fewer count on the efforts of European countries (14 percent for NGCAs and 11.7 percent for Crimea) and the United States (16.8 percent and 14 percent respectively). More than a half of the respondents (54 percent) said Ukraine should not agree to compromises in order to end the armed conflict in the NGCAs. A significant percentage of respondents (46.6 percent) consider the residents of the NGCAs and Crimea to be victims of the conflict, and believe that they need full support from Ukraine. The majority of respondents (72.4 percent) believe that it is necessary to ensure maximum access to public services for residents of the NGCAs and Crimea, and to create conditions for maintaining ties and communications with the government-controlled territories of Ukraine. However, 12.9 percent of Ukrainians do not agree that resources should be allocated to maintaining ties with the residents of the NGCAs and Crimea, and 24.6 percent of respondents said that since the residents of Crimea and the NGCAs have continued to live in non-Government-controlled territories of Ukraine of their own volition, Ukraine should not support them.**Challenges and next steps:** 1. The results of the survey were presented internally to the Office of the President and the National Security and Defence Council, and will be used to develop a communications strategy on mediation in society to alleviate tensions;
2. The Human Rights Progress Study showed the growing effectiveness of the Free Legal Aid (FLA) System – 13 percent of Ukrainians consider it to be an effective remedy (compared to 8 percent in 2018). Importantly, the FLA system has clear and potent potential for social equity and human rights protection. In 2019 alone, FLA lawyers and contracted attorneys handled close to 40,000 cases from low-income individuals, among them over 7,000 IDP cases and nearly 7,000 cases involving military personnel or combatants. The FLA system is thus at the forefront of access to justice and strengthening the rule of law for Ukrainians who may not have the resources or knowledge to defend themselves – specifically conflict-affected men and women. The integration of mediation through the FLA system should thus guarantee the sustainability of such services, enabling the most vulnerable groups of men and women to be reached.

Considering this, and following successful piloting in 2020, in March 2021 UNDP [signed a Memorandum of Understanding](https://www.ua.undp.org/content/ukraine/en/home/presscenter/pressreleases/2021/undp-and-coordination-centre-for-legal-aid-provision-sign-memorandum-of-understanding.html) to enhance its partnership. In June 2021 UNDP allocated additional funds to the HR4U project, [and in cooperation with the Free Legal Aid Coordination Centre launched](https://www.ua.undp.org/content/ukraine/en/home/presscenter/pressreleases/2021/vulnerable-populations-in-ukraine-to-get-better-access-to-justice-through-new-online-tool.html) the Free Legal Aid – Mediation Enhanced (FLAME) Catalytic Project, which is aimed at supporting the efforts of the Coordination Centre in building a better referral system for mediation services as a means for alternative dispute resolution for the most vulnerable groups throughout Ukraine. ***SYNERGIES***In 2021, UNDP continued partnering with key stakeholders to promote key project topics and messages. Such synergies helped to promote and enhance the human rights agenda in Ukraine, as well as to reach out to target groups. The project maintained close links with the CSDR project, collaborating with it on several occasions. Specifically, in partnership with the project a communications campaign on transition masculinity was launched, and a number of products were issued – specifically a Zoom talk-show on how the pandemic has affected men, with the aim of combatting toxic masculinity and unsafe behaviours. A set of infographics based on previous studies conducted by the HR4U and CSDR projects on this topic was also issued. Additionally, the HR4U project provided expert support to the CSDR project in developing a set of articles for the Diia.Business portal on how to create barrier-free workplaces at medium- and large-sized businesses. The project also worked closely with the UN Recovery and Peace Building Programme on such issues as mediation and transitional justice to enhance consolidated messaging from UNDP on these topics. The project continued to partner with the OHCHR in prevention and monitoring initiatives for combating hate speech. Moreover, the project coordinated with other UNDP Democratic Governance projects on the work to develop the Barrier-free Strategy. Among new partnerships, the project established linkages with UNDP’s newly launched DIA Support project, which, in close collaboration with the Ministry of Digital Transformation, aims to promote inclusive digital services for Ukrainians. The HR4U project took the opportunity to highlight its publications on the relevant topics at the UNDP stand at the Diia Summit in spring 2021. The stand was visited by top Ukrainian officials.  |
| **12. Deviations from planning in the original programme document***Give an account of significant differences in implementation compared with the approved project document.* There are no deviations from the planning in the initial programme document. However, two new UNDP funded initiatives that came as a result of the Project activity should be highlighted:* + Business and Human Rights (BHR) in Ukraine
	+ Free Legal Aid – Mediation Enhanced (FLAME) Catalytic Project

These initiatives will be implemented with UNDP core resources and will intensify efforts and allow to achieve better results.  |
| **13. Sustainability and exit strategy***Select important activities, which have been undertaken in the reporting period that contribute to organisational and/or financial sustainability. Describe if exit strategy has been discussed in the reporting period.*A Sustainability and Exit Strategy has been developed, taking into account lessons learned from the Strengthening Capacities of the Ombudsperson’s Office Project, and based on data yielded by the 2020 Human Rights Progress Study (please refer to Annex D).  |
| **14.  HRBA and gender equality***Give an outline of the most important activities that have been undertaken in the reporting period for promoting gender equality and working with an HRBA.*In 2021, the HR4U project continued to prioritise gender equality and the HRBA while developing every type of activity. The following initiatives are of particular note:* During the Third Human Rights Academy for Journalism Professors, the topic of gender equality was integrated into the training programme and a separate session was conducted.
* On 10 March, the HR4U project – in partnership with the CSDR project and the UNDP Gender Specialist – launched a campaign on [transforming masculinities during the pandemic](https://www.youtube.com/watch?v=IDnYajzIZzQ). In terms of the campaign, a Zoom event was held, and a series of infographics issued.
* HRBA issues are widely covered in the Barrier-free Strategy, which promotes inclusiveness, accessibility, and equal opportunities for everyone, leaving no one behind.

*Challenges and next steps*Further promotion of the topics of gender equality and the HRBA are required, given that topics such as a barrier-free society remain new to Ukrainians, and require clarification. |
| **15. 'Added Value' and Advisory from contract partners***Provide examples of how the contract partners have provided "added value" to their partner(s)*To be reported at project completion.  |
| **16. Lessons learned***Mention 1–3 important lessons learned during the reporting period.* The reporting period was marked by the approval of a number of important human rights strategic documents. However, expert society remained rather sceptical in its forecasts of the prospects for their development/approval/implementation. At the same time, the application of HRBA principles by the government – namely the broad inclusion of target groups in the drafting process, the holding of transparent discussions, and the creation of clear and transparent monitoring mechanisms – proved to be an effective instrument, and a foundation for sustainable human rights progress. Another important lesson was that evidence-based data and a clear monitoring system are critical for the effective promotion of the human rights agenda and for planning further actions. The previous Human Rights Strategy, running until 2020, was a unique strategic document, and the first of its kind. However, the Strategy was not implemented properly. Moreover, the assessments of progress made under it by civil society and by the government were dramatically different. Thus, the new Strategy, taking into consideration this lesson, has a clear system of performance indicators, and foresees the use of monitoring instruments and the wide involvement of partners and stakeholders. |
| **17. Partners’ involvement in regional activities**The project continued promoting best practices in addressing human rights challenges at the regional level through working with its international counterparts. Specifically, the Ombudsperson’s Office’s best practices in monitoring access to information during the pandemic were highlighted in a study conducted by GANHRI, OHCHR and UNDP on [COVID-19 and National Human Rights Institutions](https://mcusercontent.com/91f1cac1faf88fcfe558b8f83/files/09cd1ea1-427d-a949-9a80-694146916516/COVID_19_and_National_Human_Rights_Institutions.pdf). Along with this, the Ombudsperson’s Office’s experience in promoting human rights and the rule of law in conflict and post-conflict situations was included in an [online guide and resources portal](http://enUkranhri.org/nhris-post-conflict/) developed by the ENNHRI. The HR4U project’s work on SDG16 was also highlighted in [a global video](https://www.youtube.com/watch?v=M47v1_ho26M) covering national SDG 16 examples in the Central African Republic, Côte d'Ivoire, Lebanon, Palestine, Ukraine and Trinidad and Tobago. |
| **18. Comments on the financial reporting***Give an assessment of the expenditures on the various budget lines, in particular when different from the planned budget.*The reporting period covers cumulative expenses incurred from January 2021 to June 2021 and shows a total expenditure of USD 521,927or 49% of the budgeted amount for 2021. Cumulative expenses amounted 48% of the overall initial budget.  |
| **Annexes** |
| Annex A. Financial status Annex B. Status in logical frameworkAnnex C. Risk AnalysisAnnex D. Sustainability and Exit StrategyAnnex E. List of Publications  |

1. The report takes into account recommendations received by Ukraine from the CEDAW Committee in 2017 based on the results of the review of the eighth periodic report of Ukraine, and includes answers to the priority questions posed by the committee in March 2020. However, consideration of Ukraine’s periodic report was postponed at least until late 2022, which means the significant period will not be covered by the state reporting. In this regard, reporting by the NHRIs and CSOs may cover the resulting time gap. [↑](#footnote-ref-2)
2. The major controversies of the draft Law are as follows:

	* The provisions of the draft law are aimed at substantially reviewing the functions and powers of the Ombudsperson in favour of expanding and changing the nature of the institution’s functions in the state mechanism, including through granting the Ombudsperson the right to issue binding orders and initiate disciplinary proceedings against officials for non-compliance. The new legal status of the Ombudsperson will be a mixture of the classic powers of this NHRI (as a subject of parliamentary oversight) and powers inherent to law enforcement agencies.
	* the provisions of the draft law concerning the activities of the Ombudsperson in terms of reviewing complaints and the issuance of orders (the "law enforcement" function), are fragmentary, and do not regulate in detail the procedure for such proceedings. Neither do they define the rights, duties and responsibilities of parties during the process of inspections.
	* the proposed provisions significantly increase the tasks of the human rights commissioner in the field of justice, which may cause the participation in court proceedings to become the main focus of the Ombudsperson’s activities.
	* the fact that the scope of this law does not extend to the activities of the President of Ukraine, the Cabinet of Ministers of Ukraine, or judges of the Constitutional Court of Ukraine and other courts is controversial. However, the authors of the draft law claim that the exclusion of the activities of such bodies from the scope of the law does not mean that the Ombudsperson will not be able to influence them – though examining draft acts, making public statements and speeches, and assessing their activities in terms of risks to human rights and fundamental rights and freedoms.
	* without proper grounding, the draft Law proposes a person who has worked (served) in the prosecutor's office, the Ministry of Internal Affairs, the Security Service, or other law enforcement agencies may not be a candidate for the post of Ombudsperson.
	* the draft law proposes that candidacies for Ombudsperson may also be submitted by CSOs engaged in human rights activities through appealing to the Verkhovna Rada of Ukraine with an electronic petition in the manner prescribed by the Law of Ukraine “On Citizen’s Appeals.”
	* the draft law proposes to restore the secret ballot mechanism for the appointment of the Ombudsperson: This mechanism was abolished in 2017 under a ruling by the Constitutional Court.
	* the draft law foresees the establishment of regional offices of the Ombudsperson. However, the status of the regional representatives of the Ombudsperson is unspecified, as they will not be covered by the Law of Ukraine "On the Civil Service." [↑](#footnote-ref-3)
3. https://www.ua.undp.org/content/ukraine/en/home/presscenter/pressreleases/2020/ukrainians-became-more-tolerant-and-active-in-defending-their-ri.html,

infographics available here https://www.ua.undp.org/content/ukraine/uk/home/library/democratic\_governance/what-ukrainians-know-and-think-about-human-rights--assessment-of.html [↑](#footnote-ref-4)
4. The regional coordinators received responses to 69 requests for access to the public information, reviewed 69 official websites and filled and analysed 138 evaluation forms. [↑](#footnote-ref-5)
5. https://www.facebook.com/office.ombudsman.ua/videos/300391101556308 [↑](#footnote-ref-6)
6. Conclusions and recommendations of the public monitoring of the VRU Commissioner for Human Rights: A report on the results of the public monitoring of the VRU Commissioner for Human Rights, conducted in the period from March 2018 to September 2020 (Висновки та рекомендації громадського моніторингу Уповноваженого ВРУ з прав людини: звіт за результатами громадського моніторингу Уповноваженого ВРУ з прав людини, що проводився у період з березня 2018 року по вересень 2020 року) [↑](#footnote-ref-7)
7. [https://courses.prometheus.org.ua/courses/course-v1:Prometheus+HRCS101+2021\_T1/about](https://courses.prometheus.org.ua/courses/course-v1%3APrometheus%2BHRCS101%2B2021_T1/about) [↑](#footnote-ref-8)
8. <https://www.ua.undp.org/content/ukraine/en/home/projects/human-rights-for-Ukraine/the-training-of-trainers-for-the-certified-programme-on-human-ri.html> [↑](#footnote-ref-9)
9. <https://www.president.gov.ua/news/bilshist-ukrayinciv-ochikuye-sho-meshkanci-timchasovo-okupov-67169> [↑](#footnote-ref-10)