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PRIORITY STEPS

in the field of human rights protection in the context of armed aggression against Ukraine in 2025

The armed aggression of the Russian Federation, which began with the occupation of Crimea in February 2014, has led to massive destruction and killing, injuries to hundreds of thousands of people, and the displacement of millions of Ukrainians both inside and outside the country. Parts of the Kharkiv, Kherson, Zaporizhzhia, Mykolaiv, Donetsk, Luhansk regions and the Autonomous Republic of Crimea and the city of Sevastopol remain under occupation. Overcoming the consequences of hostilities, shelling of Ukrainian settlements and energy infrastructure, which are continuing in 2025, requires further joint action by the state, civil society, and international partners. Despite the fact that the size of the temporarily occupied territories (hereinafter – TOT) of Ukraine is increasing every day, the state should continue to build policies aimed at supporting and stimulating ties with the residents of the TOT of Ukraine.

We, the representatives of the coalition of organisations dealing with the protection of the rights of victims of armed aggression against Ukraine¹, have a consolidated position on the priority steps of the state to protect human rights in 2025. Implementation of the following recommendations will ensure a consistent state policy towards victims of war, promote justice, and ensure predictability of the state's actions towards those affected by the armed aggression against Ukraine.

¹ The Coalition includes: Human Rights Centre ZMINA, NGO Donbas SOS, NGO CrimeaSOS, CF Right to Protection, CF East SOS, NGO Civil Holding GROUP OF INFLUENCE, CF Stabilisation Support Services, and the Crimean Human Rights Group.

TO THE VERKHOVNA RADA OF UKRAINE:

1

Harmonize national criminal law with international law.

On 24 August 2024, Ukraine ratified the Rome Statute of the International Criminal Court (hereinafter – the ICC), and on 22 October 2024, the implementing law was signed, which began the process of harmonising Ukrainian criminal law with international law. Thus, the Criminal Code of Ukraine (hereinafter – the CCU) was supplemented by Article 442-1 (“Crimes against humanity”), Article 438 was renamed (from “Violation of the laws and customs of war” to “War crimes”), and the new Article 31-1 provides for the liability of military commanders. However, the amendments are not sufficient. In particular, the article on the crime of aggression changed only the name, but the crime remained much broader than the Rome Statute of the ICC. The situation is similar to Article 438 of the CCU – the title “war crimes” does not correspond to the article’s content, which includes violations of international humanitarian law (hereinafter – IHL) in general, not just gross violations. The introduction of a new Article 442-1 of the CCU, which provides for liability for crimes against humanity, leaves the issue of the time limit for this provision unresolved. The main objectives of further amendments to criminal law should be to include proper definitions of crimes, to provide for liability for both war crimes, with clearly defined elements of certain crimes, and for non-gross violations of IHL, and to resolve the issue of the application of Article 442-1 of the CCU in time. It is also important that any further changes do not jeopardise the work with the initiated criminal proceedings, which already number more than 150,000.

2

Ensure the protection of Ukrainian citizens living in the TOT of Ukraine from the risk of losing their citizenship.

On 17 December 2024, the Draft Law of Ukraine “On Amendments to Certain Laws of Ukraine on Ensuring the Exercise of the Right to Acquire and Retain Ukrainian Citizenship” ([No. 11469](#) of 07.08.2024) was adopted in the first reading. This draft law, among other things, contains a list of grounds for the loss of Ukrainian citizenship. These grounds include the voluntary acquisition of the citizenship of the aggressor country, with the submission of a passport application being considered evidence of voluntariness. The draft law also contains other grounds, such as participation in armed aggression against Ukraine as part of the armed forces of the aggressor state. However, taking into account Russia’s policy towards the TOT of Ukraine and [the imposition](#) of Russian citizenship as a targeted policy of the Russian Federation, it is important to prevent the emergence of a rule in Ukrainian legislation that will put millions of Ukrainian citizens under occupation at risk of losing Ukrainian citizenship. It is also worth considering that the Russian Federation violates IHL by forcing Ukrainian citizens in the occupied territory to swear allegiance and commits an international crime by forcing Ukrainians to serve in the armed forces and/or mobilise them into the ranks of its armed forces, in particular by forcing them to sign a contract to create the illusion of “voluntariness”.

3

Identify mechanisms for using information from documents issued under occupation.

In accordance with the approach established in Article 9 of the Law of Ukraine “On Ensuring Rights and Freedoms and Legal Regime in the Temporarily Occupied Territories of Ukraine” back in 2014, any documents issued during the occupation are invalid and do not create legal consequences. The only exceptions are documents confirming the fact of birth, death, and registration (dissolution) of marriage in the TOT of Ukraine, which should be attached to the application for state registration of the relevant civil status act. However, as of the beginning of 2025, Ukraine has not introduced such a procedure for civil status acts. Instead, there is a judicial procedure that applies only to

births and deaths that occurred under occupation, and it is not effective and does not facilitate state registration of relevant acts. For example, in 2022-2023, only about 8,000 children from the TOT of Ukraine received a Ukrainian birth certificate, although the estimated number of births in the TOT of Ukraine during this period was 72,000. The Verkhovna Rada of Ukraine has registered a government draft law [No. 9069](#), which introduces an administrative procedure for the recognition of civil status acts that took place in the TOT of Ukraine. Its adoption would allow citizens who lived or are still living under occupation to obtain Ukrainian documents and ensure access to the exercise of their rights. As of 1 January 2025, the draft law has not been adopted. At the same time, civil status acts are not the only documents issued in the TOT of Ukraine that have a significant impact on the ability to exercise the rights of adults and children now and after de-occupation. These documents include medical documents, property documents, court decisions, etc. The state should reconsider its approach to the complete non-recognition of documents issued during the occupation and develop and implement mechanisms for using information from certain types of such documents.

4

Ensure the proper functioning of mechanisms for accounting and compensation for destroyed or damaged movable and immovable property as a result of armed aggression against Ukraine. Introduced in February 2023 by Law of Ukraine [No. 2923-IX](#), the mechanism of compensation for damage and destruction of real estate as a result of Russia's armed aggression against Ukraine has demonstrated several systemic problems and shortcomings that require attention and comprehensive solutions from the state. The approach that prevents homeowners from receiving compensation for housing destroyed or damaged before 24 February 2022, or located in the temporarily occupied territories of Ukraine as of that date, is discriminatory. Draft law [No. 11161](#), adopted by the Parliament on 19 December 2024, provides for the possibility of receiving compensation for real estate located in the area of hostilities or in the TOT of Ukraine, which, for compensation purposes are equated to destroyed, and is also limited to the period after 24 February 2022. At the same time, access to the compensation procedure is significantly restricted for owners of destroyed or damaged real estate, the ownership of which is not recorded in the State Register of Real Property Rights. It is impossible to enter information on the basis of paper documents on the ownership of such properties that arose before 1 January 2013, due to the destruction of and loss of access to the archives of the Bureau of Technical Inventory (hereinafter – BTI). Despite an important legislative initiative aimed at simplifying the procedure for state registration of ownership of real estate in the absence of access to the materials of BTI enterprises (draft law [No. 11440](#)), the judicial procedure for confirming ownership of real estate that was destroyed or damaged as a result of Russia's armed aggression also needs to be simplified. Currently, owners are forced to go to court to obtain the right to compensation, incurring significant legal costs in a lengthy court procedure.

5

Amend the CCU to ensure compliance with the principle of legal certainty in the issue of bringing to justice for collaborative activities. In the spring of 2022, the CCU was supplemented with new offences: “collaborative activity” (Article 111-1) and “aiding and abetting the aggressor state” (Article 111-2). An analysis of the practice of applying these provisions [shows](#) that the current wording creates the basis for excessive discretion of law enforcement officers in qualifying acts and misunderstanding by citizens of the limits of permissible activities in the occupied territory. In addition, the broad wording leads to the prosecution of persons who are considered to be providing vital functions in the occupied territory under IHL. Since March 2022, 18 draft laws have been submitted to parliament that provide for amendments to Article 111-1 of the CCU or address the issue of restricting the rights of those accused of collaborationism, which

is evidence of the imperfection and need to revise the law. Despite the importance of making changes and numerous [reports](#) by international organisations, there has been no thorough discussion of this issue in parliament. In addition to clarifying the wording of Article 111-1 of the CCU, consideration should be given to removing the least serious category of violations from the criminal justice system and ensuring lustration measures, as well as considering the possibility of developing amnesty legislation.

6

Adopt comprehensive amendments to legislation to ensure the rights of IDPs.

In order to effectively ensure the development of the state policy on internal displacement, taking into account the challenges posed by the full-scale armed aggression against Ukraine, it is necessary to adopt a new version of the Law of Ukraine “On Ensuring the Rights and Freedoms of Internally Displaced Persons”, the relevant draft law has been registered in the Verkhovna Rada of Ukraine ([No. 12301](#)). The draft law, among other things, provides for the introduction of a mandatory assessment of the needs of IDPs at different stages of displacement to determine the scope of additional guarantees provided to a person, including financial assistance in the form of housing support, social and pension payments to IDPs on a general basis regardless of the date of displacement, and state support measures at different stages of displacement. The need to revise the relevant legislation is also justified by the need to prevent disproportionate and unlawful restrictions on the rights of IDPs. The most recent example of such a limitation is Article 40 of the Law of Ukraine “On the State Budget of Ukraine for 2025”, which stipulates that funds deposited in IDP accounts must be returned to the Pension Fund of Ukraine if these funds are not used for more than one year. This action of the state can be qualified as an illegal deprivation of property rights of IDPs and needs to be eliminated, taking into account the arguments set out in [the Coalition’s Position](#) before the draft amendments.

TO THE CABINET OF MINISTERS OF UKRAINE:

7

Prioritise the reintegration of residents of the TOT of Ukraine and support for IDPs and other people affected by the armed aggression against Ukraine.

In December 2024, the Ministry of Reintegration of the Temporarily Occupied Territories of Ukraine (hereinafter – the Ministry of Reintegration) was renamed into the Ministry of National Unity of Ukraine, and the powers concerning the TOT of Ukraine, IDPs, deportees, persons deprived of their personal liberty as a result of armed aggression against Ukraine were transferred to the Ministry of Development of Communities and Territories of Ukraine (hereinafter – the Ministry of Development). Since September 2024, when information about the possible liquidation of the Ministry of Reintegration first appeared, the government’s activities to protect and support these categories of survivors, for whom the Ministry of Reintegration was considered to be the main agency, have been “put on hold”. In particular, the drafts of several strategies – on ensuring the housing rights of IDPs in Ukraine, IDP employment, restoration of state authority in the de-occupied territories, and reintegration – are not being finalised and approved. The final determination of the responsible ministry (Ministry of Development) should create conditions where representation and protection of the rights and interests of a large number of affected persons and reintegration issues will again become a priority for the Government of Ukraine, including taking into account existing developments and ensuring the preservation of institutional memory. The Ministry of Development should coordinate the policies of other ministries and agencies to ensure the implementation of the powers transferred to it as a result of the reorganisation of the Ministry of Reintegration.

Although the development and implementation of certain policies seem to be a task that does not fit into the logic of the Ministry of Development, these powers transferred from the Ministry of Reintegration should be fully implemented in partnership with civil society organisations and international partners. The Ministry of Development, in turn, needs to strengthen its structure in connection with the powers granted to it.

8

Introduce a comprehensive system of support for people affected by the armed aggression against Ukraine. On 20 November 2024, the Law of Ukraine “On Accounting for Information on Damage to Personal Property Rights of Individuals as a Result of the Armed Aggression of the Russian Federation against Ukraine” [No. 4071-IX](#) was adopted, the transitional provisions of which stipulate that the Cabinet of Ministers of Ukraine must develop and submit to the Verkhovna Rada of Ukraine a draft law on support for persons whose personal property rights were damaged as a result of the armed aggression of the Russian Federation against Ukraine within one month from the date of publication of this law (18.12.2024). Part 4 of Article 10 of this Law also stipulates that the Cabinet of Ministers of Ukraine is responsible for defining the categories of affected persons, which is an important step towards ensuring a unified, fair and sustainable approach to protecting the rights of such persons. More than a decade after the start of the armed aggression, the national legislation of Ukraine does not define the categories of persons who are affected persons, and there is no comprehensive and holistic system of support for affected persons. Moreover, persons who have suffered harm to their lives and health, in particular as a result of war crimes, remain without adequate support from the state. On 20 November 2024, Law of Ukraine [No. 4067-IX](#) was also adopted, which introduced the institution of urgent interim reparations, including the provision of urgent financial assistance to individuals affected by sexual violence related to the armed aggression against Ukraine. It is advisable that such support be provided to other individuals among those who suffered the most severe and multiple harm as a result of the armed aggression against Ukraine.

9

Ensure the exercise of rights and protection of interests of persons who have been deprived of their personal liberty as a result of armed aggression against Ukraine. As of January 2025, according to human rights organisations, the Russian authorities are holding at least [220](#) Ukrainian citizens in detention facilities in the occupied Crimea and the Russian Federation for political reasons. In addition, the number of civilians deprived of their liberty after 24 February 2022, continues to grow. According to the Prosecutor General’s Office of Ukraine, the number of civilians in Russian captivity is [over 10,000](#). As a result of governmental changes, the Ministry of Development has been entrusted with measures to ensure the rights and interests of persons deprived of their liberty as a result of armed aggression and their family members. Consequently, the relevant Interagency Commission on establishing the fact of deprivation of personal liberty as a result of armed aggression against Ukraine will also function on the basis of the Ministry of Development. At the same time, it is advisable to consider the possibility of ensuring the functioning of the commission on the basis of the Ministry of Social Policy of Ukraine, which is already responsible for establishing the fact of belonging to several categories of affected persons of armed aggression against Ukraine. In addition, based on an analysis of the practice of applying the Law of Ukraine “On Social and Legal Protection of Persons Deprived of Personal Liberty as a Result of Armed Aggression against Ukraine and Members of Their Families”, it is important to develop and submit to the Cabinet of Ministers of Ukraine amendments to the relevant Law, as well as to Government Resolutions [No. 1210](#) dated 28 October 2022, and [No. 296](#) dated 15 March 2024, to provide civilians released from captivity with adequate medical and rehabilitation assistance, temporary housing, adaptation measures, etc.

10

Support children and young people from the TOT of Ukraine, in particular by creating conditions for education. The state should introduce support programmes for children and young people to facilitate their adaptation and integration after leaving the TOT of Ukraine, including education. For example, these could be short-term integration programmes similar to [the preparatory course with scholarships](#) implemented by the Ministry of Reintegration in 2021. Programmes to support children and youth from the TOT of Ukraine, as well as creating conditions for them to receive Ukrainian education, will ensure that those under occupation maintain ties with the state of Ukraine. In the field of education, the Government should ensure the conditions for obtaining education through various forms: distance/individual forms in accordance with a standard educational programme adapted to the needs of children from the TOT of Ukraine, or individual forms to prepare for the state final attestation. Educational and model programmes should be adapted, taking into account the existing educational losses of children, the limited time for learning materials, the need to build civic resistance to propaganda, etc. It is important to note that some of the schools that have been operating in the TOT of Ukraine since 24 February 2022, have been displaced and are providing education remotely for both displaced children (within the state and abroad) and those in the TOT. The Ministry of Education and Science of Ukraine should transform the educational centres “Crimea-Ukraine” and “Donbas-Ukraine” into a single educational centre and ensure a timely information campaign aimed at increasing the number of applicants. The Procedure for the Recognition of Learning Outcomes at the Levels of Vocational (Vocational and Technical), Professional Pre-Higher and Higher Education should be approved and implemented in accordance with the final provisions of Law of Ukraine [No. 3482-IX](#), which is a positive step by the state. The adoption of the bylaws will create an opportunity for children from the TOT to receive Ukrainian education, and for young people, in addition to the possibility of continuing their education, it will also provide access to the Ukrainian labour market, which is essential in the context of a staff shortage.

11

Ensure payment of pensions to IDPs without discrimination. IDP pensioners are completely dependent on their pensions, which are mostly the only source of their livelihood. To ensure full provision of pensions to IDPs, it is necessary to eliminate discrimination against IDPs who moved before 24 February 2022, and to simplify the mechanism for renewing and paying pensions to Ukrainian citizens living in the TOT of Ukraine. Since 2014, the Ukrainian government has applied different approaches to pension payments for IDPs and other citizens of Ukraine living in the government-controlled areas. Additional restrictive requirements were introduced for IDPs (e.g., they must have a certificate of IDP registration, undergo periodic identification, and use only one bank - JSC Oschadbank). These discriminatory restrictions and additional requirements continue to apply to those who moved before 24 February 2022. On the other hand, persons displaced after 24 February 2022, receive their pensions under general conditions. In this regard, there is a need to eliminate discrimination, namely to repeal CMU Resolution [No. 637](#) and equally regulate the procedure for receiving pensions for IDPs, including those who have left and are abroad. In addition, citizens of Ukraine living in the territories occupied before 24 February 2022, cannot resume pension payments remotely in case of termination, as the current legislation requires a person to apply to the PFU in person. Law of Ukraine [No. 3674-IX](#) was intended to simplify the mechanism of receiving pensions by Ukrainian citizens who live in the TOT of Ukraine or who moved to the government-controlled territory during the temporary occupation. Instead, the Ministry of Social Policy has not developed a mechanism for implementing this law, making it impossible to implement it.

12

Ensure the creation of accommodation facilities for evacuated people with reduced mobility (including people with disabilities and the elderly). During the large-scale armed aggression against Ukraine, the issue of creating conditions for the evacuation of civilians from the territories of hostilities and nearby areas, as well as from the TOT of Ukraine, became more relevant. Civil society organisations assumed responsibility for the evacuation of certain categories of the population in a situation where the state could not effectively cope with this task. However, in addition to evacuation, there is an important problem of accommodation of the evacuated population. Currently, NGOs are exhausting their resources to find and prepare premises and further accommodate evacuated persons with disabilities and the elderly. The regional military administrations answer that the region is either running out of places or has no places. [The Strategy](#) for the Reform of Psychoneurological, Residential Institutions and Deinstitutionalisation of Care for People with Disabilities and the Elderly, adopted on 24 December 2024, fails to answer the question of what to do with the large number of evacuees in need of inpatient care. Therefore, it is necessary to develop a solution for the period of martial law to address the problem of accommodating a large number of evacuees in need of residential care. For example, the creation of additional places of temporary residence with inpatient care.

13

Define the general vision of the state regarding the TOT of Ukraine and support for people living there. The Law of Ukraine “On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine” defines the specifics of state policy to ensure Ukraine’s state sovereignty in the TOT of Ukraine. However, after more than a decade of armed aggression, there is a lack of a common vision of the state’s vision for the TOT of Ukraine, which will be consistently followed in the actions of the state authorities. Analysing state policy documents and draft laws registered in the parliament, it can be stated that the lack of a clear understanding of the vision of the future of the TOT of Ukraine and their residents, unpredictability and reactionary nature of legislative acts supported by the parliament pose threats to the preservation of ties between Ukrainians under occupation and the state. The weakening or severance of these ties is the result of Russia’s deliberate policy. Therefore, Ukraine should take all possible steps to strengthen ties with those citizens living in the TOT of Ukraine. At the same time, it is necessary to take into account the peculiarities of the consequences of the long-lasting occupation of part of Ukraine’s territory, in particular the more than ten-year occupation of the Autonomous Republic of Crimea and the city of Sevastopol, and certain districts of Donetsk and Luhansk regions.



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