



**CIVILM+IPHR**  
Together for conflict resolution in Donbas

International  
Partnership  
for Human Rights



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Public Event at the European Parliament in Brussels

**Armed conflict in Eastern Ukraine: political prisoners, access to justice in non-government controlled territories, and accountability efforts for international crimes**

Co-organized by Assemblée Européenne des Citoyens (AEC),

Platform CivilM+, FIDH, IPHR and Ukraine Action

**21 November 2019, Brussels**

## Event objectives

Five years after the beginning of the armed conflict in Ukraine, many residents of the non-government controlled territories face daily infringements in implementing basic rights, in particular access to justice. The event is aimed at raising awareness and discussing policy solutions and possible concrete steps to be taken on the international level in order to remedy gross violations and fight against the blatant impunity for these violations and international crimes committed in Ukraine since the break out of the conflict, decrease the suffering and speed up the process of release of hostages related to the conflict between Ukraine and Russia, enhance access to justice for people living in non-government controlled territories in Ukraine, document the crimes and trigger other national, regional or international justice mechanisms to support victims' access to effective justice mechanisms. Russian and Ukrainian civil society organisations, together with international civil society experts, including from EU countries, have joined to raise awareness on the situation, develop advocacy and litigation strategies, and present recommendations to European policy makers. The suggestions take into account the realities on the ground and the limited, yet tangible, window of opportunities available in the current political set up.

The event proposes an analysis of the capacity of the Ukrainian legal system to provide access to justice for people living in uncontrolled territories of the Donbass region and effectively investigate and prosecute perpetrators of crimes committed during the armed conflict and the release of political prisoners. It also explores other avenues for accountability at other national, regional and international level, including the International Criminal Court (ICC). The event gives the floor to field actors, representatives of NGOs and human rights activists from Russia, Ukraine, and international experts and activists, including from European countries involved in restoring peace and in the fight against impunity for international crimes committed in Donbass.

The conference gives to the newly elected Parliament a sight on the current situation in Ukraine and calls on European leaders to support initiatives in favour of a political resolution of the conflict, while underlining the need for accountability and effective remedies for victims of grave human rights violations in light of the changing, political landscape in Ukraine since the election of Vladimir Zelenskiy at the presidency in May.



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## Background

Over the past five years, armed conflict in the East of Ukraine has brought back war into Europe, as did 20 years before the former Yugoslavia's wars, and presents a crucial security challenge to the whole region.

Since 2014, more than 13,000 people were killed during the fighting between governmental forces and separatists in Donbass region, and around two million of people were forced to leave their home. Infrastructures have been badly damaged due to the hostilities preventing people to access water and electricity, children to go to school and to move freely due to mines.

By now more than 100 of Ukrainian citizens are held as political prisoners in Russia and as hostages in the non-government controlled territories. Numerous Ukrainian and international NGOs, as well as international organisations, have documented these grave human rights violations and supported victims to access regional and international justice mechanisms. The International Criminal Court has publicly opened a preliminary examination into the situation in Ukraine (including Donbass and Crimea) since April 2014, and has been supplied with Article 15 communications submitted by civil society organisations on the international crimes committed in Ukraine since February 2014 and the lack of remedies for victims of these crimes.

Soon after the beginning of the armed conflict, Europe got involved in negotiations for peace through the so-called "Normandy format" negotiations and the Minsk Agreements. But it is clear that violence continues, as the Organisation for Security and Co-operation in Europe, which monitors the conflict, still reports daily violations of the ceasefire. Five years later, there are no signs of a resolution in sight.

For several years, residents of uncontrolled territories live in the absence of the rule of law. To access state services and claim their entitlements more than 40 000 people risk their life every day crossing the demarcation line. Such situation creates among the population of the occupied territories, a general feeling of being forgotten by the Ukrainian authorities, and paves the way to Moscow to strengthen its influence in the region: in April 2019, Russian President Vladimir Putin signed a decree that makes it easier for Ukrainians to obtain Russian citizenship. This happened only three days after the election of Vladimir Zelenskiy at the Presidency of Ukraine, creating new tensions in the country.

Since the beginning of the armed conflict, number of experts and members of the Ukrainian and Russian civil societies have reported on human rights and international humanitarian law violations, raising awareness about the issues of human trafficking, prosecution of crimes and victims' rights.

In this respect, the concept of transitional justice in Ukraine will be addressed by the participants, taking into account - in addition to legal aspects - the issues of political prisoners, punishment of those responsible for war crimes and human rights violations and reparation of victims, in order to explore opportunities of peacebuilding and mutual trust between groups participating in the conflict.

This public event calls on the European Parliament to take into account the new political situation in Ukraine as well as the general challenges of European security, in addition to the challenges of supporting victims of international crimes' access to effective justice mechanisms, and to participate in creating conditions for the stabilization of the country and the region. It advocates European leaders to encourage Volodymyr Zelenskiy to conduct a policy that cares for citizens of occupied territories. Finally, this advocacy event aims to avoid that the conflict in Ukraine turns into the Europe's forgotten war.

**Raphael Glucksmann, MEP from France, S&D, and Petras Austrevicius, MEP, Lithuania (Renew Europe), have kindly accepted to co-host the event.**



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## Panel program

❖ **10:00 - 10h10**

**Welcome and Introduction: Petras Austrevicius, Lithuania, Renew Europe**

❖ **10:10 - 10h45**

**Panel 1: The illegally detained persons in Russia, Crimea and Donbass**

**Olexandra Romantsova (CCL, Kyiv) and Aleksandr Cherkassov (Memorial HR center, Moscow)**

20 minutes of presentation, followed by a 15 minutes Q&A session

**Moderator: Anna Garmash (Ukraine Action, France)**

❖ **10h45 - 11h20**

**Panel 2: Access to justice for residents of non-government controlled territories of Donetsk and Luhansk regions.**

**Valerii Novikov (Alternativa, Ukraine)**

**Moderator: Iris Muraz (European Citizens' Assembly, France)**

20 minutes of presentation, followed by a 15 minutes Q&A session

❖ **11h20 – 11h55**

**Panel 3: Accountability for international crimes committed in Ukraine**

**Evgueni Zakharov (KHRPG, Kharkiv) and Volodymyr Shcherbachenko (EUCCI, Kyiv)**

**Moderator: Delphine Carlens (FIDH)**

20 minutes of presentation, followed by a 15 minutes Q&A session

❖ **11h55 - 12h00 concluding remarks: Raphael Glucksmann, France, S&D**

*Simultaneous translation from Russian to English will be provided*

## Speakers short biographical statement

**Alexandre Cherkassov** is member of the board of the famous organization Memorial, Russia, and director of the Human Rights Center Memorial. The Human Rights Center's mission is to promote general respect and observance of human rights and fundamental freedoms both in the Russian Federation and in other states.

**Valerii Novikov** is the head of the human right organisation "Alternativa". In 2010, he was elected as a deputy of the local assembly in Altchevsk in Luhansk oblast that is currently a non-government controlled territory. In 2014, at the beginning of the armed conflict in Eastern Ukraine, he was forced to move to Kyiv with the members of his organization. His work focuses on the documentation of human rights violations in relation to the armed conflict and on the commitment of activists from civil society in a peaceful conflict resolution.

**Oleksandra Romantsova** is a human rights defender, deputy head of the Center for Civil Liberties created in 2007 in Kyiv. The CCL's mission is to promote the values of human rights, democracy and solidarity in Ukraine and Eurasia by the way of asserting the principle of human dignity in practice. The organization which has launched the EuroMaidan SOS, #Letmypeoplego, and #SaveOlegSentsov initiatives.



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**Volodymyr Shcherbachenko** – head of the board of an NGO “Eastern-Ukrainian Center for Civic Initiatives,” board member of the “Justice for Peace in Donbas” Coalition of human rights NGOs. Mr. Shcherbachenko is the editor in chief and coauthor of series of publications devoted to the situation of human rights violations during the armed conflict in Donbas. Among them «Surviving Hell: Testimonies of Victims on Places of Illegal Detention in Donbas,” “War without Rules: Gender-Based Violence in the Context of the Armed Conflict in Eastern Ukraine,” “Crimes Without Punishment: Human Rights Violations in the Context of the Armed Conflict in Eastern Ukraine” and others.

**Evgueni Zakharov** is the head of one of the oldest Ukrainian human rights organisations, Kharkov human right protection group. The organisation is aimed at helping individuals whose rights have been violated; the public investigation of evidence of human rights violations; legal education; promoting human rights concepts through public events and publishing; analysing the human rights situation in Ukraine (especially civil rights and liberties).

## Organizing partners

- *European citizens assembly (AEC)*

AEC (European Citizens’ Assembly) is the French section of the Helsinki Citizens’ Assembly (HCA), a non-governmental organization of citizens dedicated to peace, democracy and human rights in Europe. Created in 1990, “to enhance civil societies” solidarity and promote peace in larger Europe, HCA turned into a pan-European network working on conflict resolution, peacemaking and reconciliation, as long as armed conflicts have occurred mainly in the Balkans and the Caucasus. For 25 years, (AEC) has been participating in a series of concrete initiatives for citizenship, European integration, peace, social justice, democracy and human rights.

After the beginning of the conflict in Ukraine, AEC has decided to develop new partnerships in this country as well as to get involved into dialogue initiatives between Russian and Ukrainian civil society movements sending volunteers in Ukraine to work with various organizations of the Ukrainian civil society. Since 2017, AEC is a member of the “CivilM+” platform for peace in Donbass created by the German-Russian Exchange.

- *European civil society platform “CivilM+”*

“ CivilM+” was created in December 2017 with the aim to unite non-governmental organizations and independent experts from Ukraine, Russia, Germany and other countries working in the field of human rights, humanitarian and peacekeeping spheres on issues related to the resolution of the conflict in eastern Ukraine and overcoming its consequences.

The mission of the Platform “CivilM+” is to actively promote civil society initiatives to restore Donetsk and Luhansk Oblasts as peaceful, integrated and developed regions within democratic Ukraine and common European space, with the active participation of the region’s population and those who left the region because of the conflict.

- *Center for Civil Liberties (CCL)*

The Centre for Civil Liberties was established in 2007 to promote the values of human rights, democracy and solidarity in Ukraine and Eurasia to reinforce the principle of human dignity. The organization works on protection of fundamental rights and freedoms; representation of the public and public control over the observance of human rights in the activities of national and local governments; work with young people to create a new generation of human rights defenders and



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civil society activists; advocacy and education on human rights and democracy, implementation of programs of international solidarity.

- *Luhansk Regional Human Rights Centre “Alternativa”*

The Luhansk Oblast Human Rights Center “Alternativa” is a human rights organisation with the aim of establishing and developing democratic institutions in Ukraine by developing civil society and reducing the impact of the negative consequences of the armed conflict on the civilian population.

The organisation’s work primarily focuses on documenting human rights violations in the course of the armed conflict in the east of Ukraine; engaging representatives from civil society in dialogue, with the aim of building peace and understanding; protecting the rights and freedoms of internally displaced people; working on legislation regarding the occupied and temporarily uncontrolled territories.

- *International Federation for Human Rights (FIDH)*

FIDH is an international human rights NGO federating 192 organisations from over 110 countries. Since 1922, FIDH has been defending all civil, political, economic, social and cultural rights as set out in the Universal Declaration of Human Rights. It acts at national, regional and international levels in support of its member and partner organisations to address human rights abuses, consolidate democratic processes and support victims of grave human rights violations to obtain truth, justice and reparation. Its work is directed at States and those in power, such as armed opposition groups and multinational corporations. Its primary beneficiaries are national human rights organisations who are members of FIDH, and through them, the victims of human rights violations. FIDH also cooperates with other local partner organisations and actors of change.

- *International Partnership for Human Rights (IPHR)*

IPHR is a human rights organization founded in 2008 and based in Brussels. IPHR works closely together with civil society groups from different countries to raise human rights concerns at the international level and promote respect for the rights of vulnerable communities. IPHR is committed to promoting human rights worldwide. It acts to empower local civil society groups who are working to advance the protection of human rights in their respective countries and assists them with raising human rights concerns at the international level. In cooperation with partner organizations, IPHR advocates on behalf of individuals and communities who are among those most vulnerable to discrimination, injustice and human rights violations.

- *Ukraine Action*

The aim of the association ‘Ukraine action’ is to inform French society about human rights in Ukraine, the fate of Ukrainian political prisoners in Russia and events connected with the war in Donbass. Developing the dialogue between Ukrainian and French civil society, the organisation facilitates the development of the rule of law in Ukraine.



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