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## 1452<sup>nd</sup> meeting, 14 December 2022

2 Current political questions

### 2.4 Council of Europe Action Plan for Ukraine “Resilience, Recovery and Reconstruction” 2023-2026

Document prepared by the Directorate of Programme Co-ordination

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#### INTRODUCTION

Following the aggression of the Russian Federation against Ukraine, and the subsequent decision of the Committee of Ministers to exclude the Russian Federation from the Organisation, the Council of Europe immediately adjusted its support to Ukraine in response to the national partners' requests and needs. The Priority Adjustments to the Council of Europe Action Plan for Ukraine 2018-2022 (hereinafter – the Priority Adjustments) were adopted by the Committee of Ministers in Turin on 20 May and were then implemented throughout 2022, thus contributing to the national reconstruction efforts, guided by the Government of Ukraine's National Recovery and Development Plan, aimed at rebuilding a democratic and prosperous Ukraine. The Council of Europe remains fully committed to Ukraine's independence, sovereignty, and territorial integrity within its internationally recognised borders.

The Council of Europe Action Plan for Ukraine “Resilience, Recovery and Reconstruction” 2023-2026 (hereinafter – the Action Plan) has been prepared in close consultation with the Ukrainian authorities, as a response to the determination and resolve of Ukraine's authorities and people to engage in rebuilding the country. The proposed measures, based on Council of Europe standards, are aimed at accompanying the reconstruction process and economic recovery in Ukraine with support to strengthen the resilience of Ukrainian public institutions, to enhance democratic governance and the rule of law and to protect citizens' fundamental rights.

The document builds on the progress achieved by Ukraine in meeting Council of Europe standards in the areas of human rights, the rule of law and democracy, notably within the previous Action Plan 2018-2022 and its Priority Adjustments and is aimed to continue supporting the country's efforts to honour its obligations as a Council of Europe member State. The Action Plan priorities take into account decisions, resolutions, recommendations, report conclusions and opinions issued by the Committee of Ministers of the Council of Europe (CM), the Parliamentary Assembly of the Council of Europe (PACE), the Congress of Local and Regional Authorities of the Council of Europe (the Congress), the Commissioner for Human Rights of the Council of Europe (the Commissioner), the European Commission for Democracy through Law (Venice Commission) and other advisory and monitoring bodies of the Organisation.

The Action Plan is also aimed to support Ukraine's European perspective reform agenda, following the decision by the European Council on 23 June 2022 to grant EU candidate status to Ukraine, and the commitment made at the Ukraine Recovery Conference in Lugano (Switzerland), on 4-5 July 2022, to link Ukraine's European perspective and the recovery process.

The Council of Europe Action Plan for Ukraine “Resilience, Recovery and Reconstruction” 2023-2026 will address immediate and medium-term needs of the country in areas where the Council of Europe has expertise.

While some interventions planned in the document are in continuity with the previous co-operation in the framework of the Priority Adjustments, some new areas have been added in agreement with Ukrainian authorities focusing on a longer-term perspective of implementation once the situation on the ground allows.

The proposed actions were developed to delivering also on the steps outlined in the European Commission's opinion on Ukraine's membership application, which recommends *inter alia*: enacting and implementing legislation on selection and appointment procedures for judges of the Constitutional Court of Ukraine and functioning of the Court in line with the European Commission for Democracy through Law (Venice Commission) recommendations; further strengthening the fight against corruption and money-laundering; implementation of integrity vetting procedures for the candidates to the High Council of Justice and the re-establishment of the High Qualification Commission of Judges of Ukraine; adopting a media law in line with the EU audio-visual media services directive and strengthening of the independent media regulator; finalising the reform of the legal framework for national minorities and establishing effective implementation mechanisms.

The Action Plan is a result of a structured dialogue with the Ukrainian authorities and other relevant actors with a view to strengthening Ukraine's resilience, recovery and reconstruction efforts in the areas of human rights, rule of law and democracy in line also with the Guiding Principles for Ukraine's Recovery Process ("Lugano Principles").

This also includes a parliamentary dimension where appropriate aimed at increasing the impact of actions of the Parliament and ensuring ownership by the members of Verkhovna Rada.

This support will come along with the significant interventions by the Council of Europe Development Bank (CEB). The CEB can provide a relevant contribution by part-financing investment projects with high social added value fostering inclusion and contributing to improving the living conditions of the most vulnerable groups. It has already provided support in the form of grants and loans to Ukraine's neighbouring countries. Co-ordination with possible interventions of the CEB will be ensured and will be reflected in future updates of the document, when Ukraine becomes a member thereof and thereby eligible for actions inside Ukraine.

The Council of Europe action will be carefully co-ordinated with other actors and stakeholders. In particular, co-ordination with the European Union and international organisations, including United Nations agencies and the Organization for Security and Co-operation in Europe (OSCE), as well as with bilateral donors, will ensure complementarity of actions. High level meetings and the day-to-day co-ordination of activities at operational level will be complemented by the participation in thematic donor-government co-ordination groups, in order to increase the impact of the Council of Europe action on the ground.

The Action Plan provides a four-year framework for co-operation while offering the flexibility required to respond to evolving needs in the current volatile context and high-risk environment. As a living document, it will be updated as needed in line with developments in the country to adapt priorities to emerging needs. Risks and threats mitigation strategies and management mechanisms will be evaluated and discussed with the Ukrainian authorities.

The overall budget for the four-year co-operation framework is estimated at €50 million.

Progress made under the document will be jointly assessed by the Council of Europe and the authorities of Ukraine. For this purpose, a Steering Committee will be established, composed of representatives of the Ministry of Foreign Affairs and other national stakeholders involved in the implementation of the Action Plan, as well as of representatives of the Council of Europe. The Steering Committee will meet when the situation allows, as agreed between the Council of Europe and the Ukrainian authorities.

The Council of Europe will also provide regular updates on the progress and outcomes of the document. Strategic and operational key performance indicators (KPI) are part of the logical framework of the Action Plan allowing to measure the progress achieved toward the priorities, objectives and timeline set in the document.

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## PROPOSED ACTIONS

### 1. HUMAN RIGHTS

#### 1.1. Promoting better protection and effective implementation of human rights

##### Implementation of the European Convention on Human Rights (ECHR)

**Objective:** Support and advice to the Ukrainian authorities related to the implementation of the ECHR in the war and/or post-war context and other Convention-related issues.

**Proposed Action:**

- provide expert assistance upon request on the Convention-related issues;
- provide legal advice as well as professional and operational capacity building to the competent authorities (in particular the public prosecution and pre-trial investigative bodies) in the process of investigation and prosecution of gross human rights violations in the context of the war, with a focus on ECHR requirements and guarantees; in this respect, particular attention is to be given to the co-ordination efforts lead by the Office of the Prosecutor General, aimed at ensuring coherence of international expertise and advice provided;
- support the full execution of the European Court of Human Rights (ECtHR) judgements against Ukraine with a particular focus on cases under the enhanced supervision procedure, notably by strengthening the capacity of the Office of the Government Agent / Ministry of Justice to lead and co-ordinate the implementation of ECtHR judgments as well as the role of Verkhovna Rada in enhancing the existing mechanisms for the parliamentary supervision of the judgements' execution;
- increase the effectiveness of the ECHR system in respect of Ukraine, through supporting the implementation of a national legal framework on human rights protection, with a focus on most vulnerable groups, including the war-affected people, strengthening capacities of legal professionals, academic and university law institutions, on the ECHR and ECtHR case-law, including through use of the methodology and implementation/integration of all relevant courses of the European Programme for Human Rights Education for Legal Professionals (HELP) in line with the CM/Rec(2009)5 on the ECHR system on university education and professional training, as well as enhancing judicial protection of the conflict-affected people rights in civil and administrative proceedings and supporting the development of appropriate mechanisms to secure their property rights;
- promote more effective teaching of ECHR case law in higher education, particularly in law faculties/universities;
- support the inclusion of HELP courses or its adaptation, and other training programmes in the area of national and international human rights mechanisms (focus on European ones) for students of the law faculties/universities;

##### Rights of Internally Displaced Persons and Returnees

**Objective:** Strengthening human rights protection for displaced persons and returnees, improving their living conditions and reducing the adverse consequences of displacement, in a gender sensitive manner, in line with Council of Europe and European standards.

**Proposed Action:**

- provide legal assistance and policy advice to central, regional and local authorities, as well as to the Ukrainian Parliament Commissioner for Human Rights and NGOs on the human rights protection and access to basic services (housing, social protection, free legal aid, access to justice) of internally displaced persons (IDPs), to people whose housing is destroyed or damaged as result of military aggression against Ukraine and to returnees by creating effective digital solutions as well as reintegration and resocialisation practices. Special attention will be given to the protection against discrimination and to the involvement of vulnerable groups, including Roma, in consultation processes;

- strengthen capacities of the Commissioner on IDPs for improving interagency co-operation and advancing national policies towards IDPs and returnees, including effective operation of the national hot line for IDPs and returnees and co-ordinative digital platforms;
- provide support to the local and regional authorities responsible for policy and decision-making at the local level regarding (re)integration of IDPs and returnees and to strengthen co-ordination mechanisms and information flows between the Commissioner on IDPs, the relevant authorities and civil society organisations on the issues related to displacement;
- disseminate displacement related information and relevant HELP courses in local languages.

### **National Human Rights Institutions and Mechanisms**

**Objective:** Assist the authorities in promoting and protecting human rights through efficiently functioning national human rights institutions (NHRI) and mechanisms in the war and/or post-war period.

#### **Proposed Action:**

- provide institutional support to the Ukrainian Parliament Commissioner for Human Rights (Ombudsperson's Office) in ensuring effective protection of human rights and responding to the needs and challenges related to reporting of gross human rights violations and human rights monitoring of the war-affected people;
- provide support to the national preventive mechanism (NPM) under the Ombudsperson's Office in its efforts to combat ill-treatment (noting the update of the HELP course on Prohibition of Ill-treatment and the addition of a new module on PIT during armed conflict);
- support the establishment of a rehabilitation mechanism for the victims of torture and ill-treatment and its further functioning, in line with international and European standards, and to ensure that individuals receive high quality rehabilitation services in a co-ordinated manner;
- support creation of specialised training programmes and courses in the area of national and international human rights mechanisms for the staff of the Ombudsperson's Office, legal professionals and human rights defenders.

### **Rights of veterans, personnel of armed forces**

**Objective:** Support the Ukrainian authorities in protecting the human rights of military personnel, veterans, and their family members, including their social rights.

#### **Proposed Action:**

- support the Ministry of Defence, the Ministry of Veterans, the Ministry of Social Policy, the Ministry of Internal Affairs, the Security Service and other relevant authorities through policy advice, capacity building and other tools to protect in the short and longer term the human rights, including their social rights, of military personnel, veterans, law enforcement officers and their families;
- deliver expert advice and methodological support to the national authorities on the policy, legal and regulatory framework, promoting best practices, experience-sharing, awareness raising;
- support human rights institutions, including the Ombudsperson's office, its staff and civil society organisations in addressing the human rights of military personnel, veterans, and their family members;
- provide support to the Ministry of Veterans, the Ministry of Education and Science and institutions of in-service training, professional pre-university and higher education in developing special educational programs for military personnel and veterans for the purpose of professional adaptation to return to civilian life;
- promote relevant HELP courses (Human Rights in the Armed Forces, Introduction to the European Social Charter, labour rights and human rights, right of persons with disabilities, prohibition of ill-treatment, transitional justice and human rights) among all relevant actors.

## **Healthcare and Human Rights in emergency and crisis**

**Objective:** Support the Ukrainian authorities in addressing emergency healthcare issues to deliver human rights-compliant healthcare to its citizens in a context of infrastructural and other limitations caused by war.

### **Proposed Action:**

- provide expert support to the national authorities in identifying the human rights needs and challenges, posed by the war, in the healthcare area, in particular related to access to healthcare, patient's rights and data protection for citizens, with special focus on vulnerable groups and the war affected people, and defining possible solutions to address these needs and challenges with all relevant stakeholders and partners in a co-ordinated manner;
- provide expertise, training and methodological support to the relevant authorities for introducing human-rights compliant measures and tools into healthcare in order to ensure human rights protection, including distance healthcare;
- assist Ukrainian authorities in the implementation of comprehensive drug treatment provisions in temporary pre-trial detention facilities and prisons in crisis situation through training activities serving the protection of health and human rights of people in detention, effectively limiting the spread of communicable diseases among the prison population and reduce the burdens on the country's health system.

## **Safeguarding Freedom of Expression and Freedom of Media**

**Objective:** Enabling a pluralistic media environment in Ukraine through harmonisation of legal and policy frameworks in line with European standards.

### **Proposed Action:**

- enhance the alignment of Ukraine's media and freedom of expression framework with the European standards;
- support the alignment of Ukraine's Freedom of Access to Information legislation in line with European standards;
- enable an effective implementation of the legal framework governing ethics, safety and protection of journalists in line with Council of Europe standards and the case law of the European Court of Human Rights;
- assist the Ukrainian National Council on TV and Radio Broadcasting (audio-visual regulator), National Public Broadcaster Company of Ukraine (UA-PBC), and self-regulating media bodies and media outlets;
- promote effective and efficient communication strategies for law enforcement and a balanced media coverage while preventing information disorder.

## **1.2. Promoting Equality and Human Dignity**

### **Promoting Gender Equality and combating Violence against Women**

**Objective:** Promote gender equality and equal rights for women and men, girls and boys in the war and/or post-war period and provide support to victims of violence against women and girls, including displaced persons and returnees in Ukraine.

### **Proposed Action:**

- support Ukrainian authorities on the implementation of the Council of Europe Gender Equality Strategy 2018-2023 and of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention);
- provide technical assistance to deepen gender mainstreaming in policy development, decision making and service provision at national and regional levels in order to address the long-term impact of conflict and violence;

- strengthen the capacities of Ukrainian civil servants, prosecution service and law enforcement to promote gender equality and to combat violence against women through development of thematic trainings, promotion of relevant HELP courses, coaching and twinning programmes with a special focus on vulnerable groups and people affected by the war;
- enhance understanding regarding European and international standards on gender equality and violence against women among civil servants, law enforcement, media and the general public;
- support women's rights civil society organisations to combat violence against women, promote gender equality and raise awareness of gender equality standards and the Istanbul Convention at national and local levels;
- provide support to the authorities in addressing barriers and challenges for women's access to justice.

### **Protecting the Rights of Children in the war and a post war context**

**Objective:** Contribute to the protection of the rights of the child during the war and in a post-war context.

#### **Proposed Action:**

- provide support in protecting the rights of all children, in particular displaced children, children without parental care, unaccompanied children, children who have had to leave care institutions, and children with disabilities, in line with Council of Europe standards;
- provide support in ending all forms of violence against children, in particular trafficking, abduction sexual exploitation and abuse, including online, in line with the Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), for example through the establishment/strengthening of children's houses (Barnahus) and the training of professionals to detect, prevent and investigate such crimes, and by facilitating co-operation on these matters between Ukraine and other Council of Europe member States;
- provide expertise and support for psychological assistance/post-traumatic services to children in Ukraine, by building the capacities of Ukrainian professionals to provide mental health services in line with international standards;
- provide strategic advice and legal support to the national authorities on the safety and protection of children's rights, prevention of juvenile delinquency in post-war conditions and establishment of a mechanism for the rehabilitation and integration of child witnesses, victims of crimes and children in conflict with the law in accordance with international and European standards;
- provide opportunities for meaningful participation of children in decision-making processes in particular on the issues concerning children themselves (the right to be heard and to have a say in all decisions affecting them);
- provide strategic advice and expert support for the development and functioning of an independent, effective and reliable juvenile justice system;
- build capacities of relevant state authorities, including prosecutors, pre-trial investigation bodies, courts in the process of investigation and trial of criminal proceedings involving children;
- support further improvement of existing reporting systems and criteria for assessing the effectiveness of the work of state authorities, in particular pre-trial investigation bodies, prosecutors and courts in criminal proceedings involving children;
- provide information related to the protection of human rights of temporary displaced children through the Asylum and Migration HELP e-desk.

### **1.3. Anti-discrimination, Diversity and Inclusion**

#### **Promoting anti-discrimination and strengthening the protection of the rights of national and other minorities**

**Objective:** Provide support to the authorities and other Ukrainian stakeholders in ensuring inclusiveness and non-discrimination and protecting the rights of national and other minority groups in the war and in a post-war reconstruction process.

**Proposed Action:**

- provide legal and policy advice to the State Service for Ethnic Affairs, Parliamentary Committee on Human Rights, the Ministry of Culture and Information Policy, the Ombudsperson's Office and other relevant central, regional and local authorities in order to contribute to capacity and institution building on inclusion, non-discrimination, and protection of the rights of national and other minorities, including Roma and Travellers, and minority language rights; so as to further enhance implementation of Council of Europe standards;
- support civil society organisations working to protect the rights of national and other minority groups, in raising awareness of anti-discrimination and the rights of such groups, as well as to protect victims of discrimination based on Council of Europe standards and share international experience and good practice on combatting hate speech and hate crime;
- ensure that the implementation of post-conflict policies on anti-discrimination and protection of the rights of national minorities are a cross-cutting issue for all the measures implemented in the framework of the present document.

**1.4. Promoting social rights****Decent Social protection for war affected population**

**Objective:** Support the Ukrainian authorities in providing decent level of social protection to the population affected by war, including displaced people, older people, children, persons with disabilities and persons from vulnerable groups, in a transparent, sustainable and gender sensitive manner, as a substantive part of the authorities' sustainable human rights protection policies.

**Proposed Action:**

- provide expert support to the national authorities in creating a new model for social policy, with a special focus on most vulnerable groups and the war affected people, including a transparent and efficient social insurance system, which is in line with European standards, in particular with the European Social Charter (ESC), and helps to overcome discrimination in all its forms and corresponds to the financial capabilities of the state;
- strengthen capacities of the national authorities responsible for the social policy development and implementation and to support provision of efficient, quality and timely social services by trained professionals to the people/families in need, including population affected by the war and to facilitate alternative care forms of social support to older people and people with disabilities in line with the ESC standards;
- provide support with implementation of the National Strategy for Barrier-Free Environment in Ukraine until 2030 and monitoring of its Action Plans;
- provide expert support for developing a policy and a strategy on reducing poverty in Ukraine and strengthen capacities of the national and local authorities to implement the policies in place;
- contribute to the strengthening of social human rights protection for vulnerable groups of people, including the war affected population, via provision of quality social services in line with Council of Europe and European standards and to support the development of the network of social service providers: secure transparent reporting and the "money follows people" principle;
- provide assistance in updating the policy on social integration and participation in society of persons with disabilities and implementation of the updated policy for the employment of persons with disabilities to improve the access to the labour market for persons with disabilities in line with the ESC standards;
- strengthen capacities of the Ministry of Social Policy of Ukraine to develop the national reports on implementation of the European Social Charter in Ukraine, including development of the Action Plans, and provide expert support in the course of preparation to the ratification of the Additional Protocol to the ESC providing for the system of collective complaints;
- provide expert support in the course of implementation of projects aimed at promoting social rights, particularly tackling the non-take up of social rights by raising awareness among people from vulnerable groups, and public in general, of social rights and their protection mechanisms in line with the ESC and in accordance with policies and practice in place.

## 2. RULE OF LAW

### 2.1. Strengthening Rule of Law based Institutions

#### Constitutional Justice

**Objective:** Provide support to the Ukrainian authorities in the reform of the Constitutional Court of Ukraine during the war and in the post-war context in line with the recommendations of the European Commission for Democracy through Law (Venice Commission) and Council of Europe standards.

#### Proposed Action:

- support the application of Council of Europe standards-compliant procedures related to the selection, appointment and disciplinary accountability of judges of the Constitutional Court.
- support the efficient functioning of the Constitutional Court of Ukraine and development of the constitutional justice;
- support further improvement of the quality of legal interpretation by the Constitutional Court of Ukraine, in line with European standards, in co-operation with academic and university law institutions;
- provide further legal and expert support by the Venice Commission and other relevant Council of Europe standards-setting and monitoring bodies, as appropriate.

#### Supporting the Justice System

**Objective:** Support the justice system in conformity with European human rights standards, in particular the European Convention on Human Rights and the case-law of the European Court of Human Rights

#### Proposed Action:

- provide expert support to the Ukrainian authorities in their ongoing efforts to ensure comprehensive accountability for the serious violations of international law, including serious / gross violations of human rights and the crime of aggression against Ukraine, with a view to securing full reparation for the damage, loss or injury caused by Russia's violations of international law in and against Ukraine, in line with relevant decisions of the Committee of Ministers of the Council of Europe and with due regard to the competence and work of other international organisations on this topic, in particular the United Nations;
- provide expert and legal advice on legal initiatives in the field of access to justice and judicial protection of the rights of individuals and legal entities affected by the aggression;
- provide strategic and legal advice to the national authorities (Government, Parliament, judiciary, prosecution service, law-enforcement bodies, etc.), as well as the bar and the free legal system to redress the harm suffered by victims of human rights and international humanitarian law violations and to fight impunity through measures and reforms, including related to investigations of human rights violations, criminal prosecution of perpetrators, reparations, memorialisation and guarantees of non-recurrence, as well as in broader terms within the criminal justice and law enforcement reforms;
- support the functioning and development of an independent, effective and trusted justice system, including restoration of the national system of courts, further strengthening the structural independence of the judiciary, reinforcing access to justice and the efficiency of justice, enhancing the effectiveness of the system of execution of national judgments, developing judicial self-governance, as well as contributing to further strategic planning and implementation of the judiciary, following the phasing-out of the current national strategy for the development of the judiciary 2021-2023. The support will also include but not be limited to promoting solutions based on European practices to longstanding issues such as financing of the judicial system and better courts' allocation resources, judicial backlog reduction, workload of judges including case-weighting methodology, large number of vacancies in the judiciary, integrity checks, as well as further digitalisation and anti-corruption measures;
- strengthen the professional capacity of lawyers, quality of legal education, and support the development of the Ukrainian National Bar Association, other legal associations and civil society organisations, and the system of free legal aid;

- assist the authorities in further strengthening the institutional independence of the public prosecution service and procedural autonomy of public prosecutors, including the effective functioning of prosecutorial disciplinary and self-governing bodies addressing, *inter alia*, issues related to disciplinary proceedings, career development, performance evaluation, ethics, distribution of workload of prosecutors;
- support the institutional capacity of the Prosecutors' Training Centre and the National School of Judges in delivering demand-driven training as well as to support in-service training systems for the staff of law enforcement bodies and help ensuring uninterrupted access to the in-service training at the time of war, including through legal adaptation to Ukrainian context of relevant HELP courses;
- provide expert and legal support for implementation of initiatives aimed at building resilience of prosecutors and law enforcement officers to better address the range of traumas suffered by the people and communities prosecutors serve during an international armed conflict;
- assist the authorities with the adoption of measures for the protection of witnesses and collaborators of justice;
- support institutional capacity of forensic institutions, including through needs-driven training, with the aim of developing effective mechanisms of evaluation of damage caused to victims of grave human rights violations in the context of war and within a broader context of criminal justice and law-enforcement reform;
- support the inclusion of HELP courses (covering Council of Europe standards and EU *acquis*) or their adaptation in educational programs for lawyers in high education institutions.

## **2.2. Action against crime, security and protection of citizens**

### **Fighting corruption, economic crime and cybercrime**

**Objective:** Support the Ukrainian authorities in assessing, mitigating and managing economic crime risks including those associated with corruption, money laundering and financing of terrorism, cybercrime and electronic evidence and of cross-border relevance, in view of the weakened institutions and governance structures, low absorption capacity, and massive inflows of foreign aid, in the context of the reconstruction efforts and the measures to facilitate the return of displaced persons.

#### **Proposed Action:**

- with a view to achieving compliance with the Financial Action Task Force (FATF) standards provide technical support, legal and policy advice to the authorities in addressing the outstanding recommendations from The Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL) and aligning the Ukrainian system for prevention and combating money laundering and terrorism financing, as well as the financing of proliferation, with the evolving EU standards and developments in financial technologies;
- provide support for enhancing the effectiveness of application of measures against economic crime, by assessing risks, including those of cross-border nature, and increasing the capacity of the financial intelligence system, competent supervisors, law enforcement and the judiciary to mitigate those risks;
- increase the capacity of the financial intelligence unit to further assist the law enforcement authorities in investigating money laundering and/or terrorist financing by providing high-quality financial information;
- provide support for the implementation of the standards and good practices adopted by the European Union to prevent the use of the financial system for money laundering and terrorist financing, in particular, regarding the creation and use of registers (e.g. of accounts of individuals and legal entities and individual bank safes), which will facilitate the prompt identification of assets and the conduct of financial investigations;
- assist in the development of measures for increased transparency of beneficial ownership, in particular a methodology to identify an ultimate beneficial ownership and ensuring its uniform application, as a mechanism for preventing and combating economic crime, including money laundering and corruption;
- contribute to the alignment of the legislative framework with international standards and strengthening the capacity of institutions for effective asset tracing, seizure, confiscation, recovery, and management, including of crypto assets and, where relevant, assets of persons subject to applicable EU and international targeted sanctions or restrictive measures;

- support the co-operation of Ukrainian authorities with the private sector and civil society in combating corruption, money laundering, terrorism financing and the financing of proliferation, as well as in strengthening financial inclusion while avoiding the unintended consequences of international standards;
- contribute to the reinforcement of capacities of top executive functions and law enforcement authorities to effectively apply anti-corruption measures;
- support the national authorities in implementing the provisions of the Anti-Corruption Strategy for 2021-2025 and the state programme for its implementation;
- advise on the enhancement of the system of asset declaration, which was suspended due to the introduction of martial law, as an effective tool not only to prevent corruption, but also to identify illicit enrichment and other corruption-related offences;
- facilitate the resumption of periodic reporting of political parties on property, income, expenses and financial liabilities, in order to ensure state control over compliance with the statutory restrictions on party financing, legal and targeted use by political parties of funds allocated from the state budget to finance their statutory activities;
- support authorities in developing and implementing effective measures relating to investigation, prosecution and adjudication of top officials for corruption-related offenses, in particular through co-operation with the High Anti-Corruption Court;
- provide support for strengthening and further alignment of legal frameworks and practical tools for the purpose of investigation, prosecution and international co-operation on cybercrime and electronic evidence, particularly in view of the implementation of the Second Additional Protocol to the Budapest Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence;
- provide support for the full implementation of procedural powers under the Budapest Convention on Cybercrime to facilitate the investigation and collection of electronic evidence in cases of gross violations of human rights, including war crimes;
- strengthen European co-operation in the field of forensic science and further harmonisation of the legal framework and practical tools for conducting forensic examinations in order to investigate and prosecute economic crimes and cybercrime, taking into account their cross-border and transnational nature;
- support development and delivery of specialised training courses on topics that are relevant for the protection of national critical infrastructure against cybercrime, such as malware/ransomware investigations, live data forensics, network forensics and investigations, energy sector/supervisory control and data acquisition (SCADA) investigations, open-source intelligence (OSINT) and other relevant themes;
- support improvement of existing cybercrime and cyber incident reporting systems focused on particular needs of general population and businesses in Ukraine;
- support studies of cybercrime threats and trends specific to the context of the Russian aggression against Ukraine and continuing cyber threats.

### **Combating Trafficking in Human Beings**

**Objective:** Support the Ukrainian authorities in preventing and combating trafficking of women, men and children in Ukraine, including amongst displaced persons and returnees.

#### **Proposed Action:**

- provide expert support to the authorities at central and regional level to strengthen the prevention of human trafficking for different forms of exploitation in line with Council of Europe standards, including the Council of Europe Convention on Action against Trafficking in Human Beings, as well as its recent Guidance Note;
- strengthen capacities of the national authorities to identify child victims of trafficking, by paying particular attention to children in street situations and/or in difficult life circumstances, internally displaced (evacuated) children within Ukraine, children in or leaving institutions, and unaccompanied and separated children;
- assist in developing procedures and tools for preventing and combating trafficking for the purpose of labour exploitation, taking into account the new (forthcoming) recommendation of the Committee of Ministers on this issue;
- support the authorities and civil society in providing safe accommodation and specialised assistance to victims of trafficking and facilitating the reintegration of victims of trafficking into society;
- strengthen capacities of the national authorities to detect and investigate cases of human trafficking committed with the use of social media/Internet.

## Prisons and probation

**Objective:** Continue the support to the authorities in building modern prisons and probation systems with a focus on shifting from punitive to rehabilitative approaches in the context of war and post-war recovery period.

### Proposed action:

- provide expert support in developing, revising, adopting, and implementing strategic legal and policy documents in the field of penitentiary reform that envisage transition from a punitive to a rehabilitative approach and further strengthening protection of prisoners' rights in line with Council of Europe standards, taking into account the special needs emerging from the war and post-war recovery period;
- build capacity of the authorities in developing, piloting, and introducing methodologies, tools, guidelines on modern prison management, enshrined in Council of Europe recommendations and best practices, with a special focus on improving management of human resources, and of the provision of healthcare, including mental health;
- support strengthening of effective safeguards against ill-treatment in prisons, including, but not limited to, capacity building of the internal and external prison oversight mechanisms to conduct preventive prison monitoring, improving documentation of injuries in line with the Istanbul Protocol, developing of independent complaints mechanisms;
- assist the authorities in applying rehabilitative approaches to the execution of criminal sanctions including community sanctions and measures, through developing and piloting various rehabilitation programs as well as other possible measures that improve engagement of prisoners and persons under probation in purposeful activities.

## 2.3 Strengthening the society through sport and reinforcing sport integrity

**Objective:** Assist in rebuilding the sport sphere in Ukraine, to support and strengthen capacities of the Ukrainian authorities in promoting the integrity of sport as an instrument for social recovery, notably in better fighting against doping in sport and manipulation of sports competitions, as well as improving safety, security and services in sporting events.

### Proposed Action:

- provide expert and methodological support to the authorities aimed at ensuring implementation of the Revised European Sports Charter (EPAS) during the war and in the post-war context;
- assist the authorities and, notably, the Ukrainian National Anti-Doping Organisation (NADC) with the promotion and implementation of the anti-doping legislation and regulations in order to strengthen the Ukrainian anti-doping system in line with the Anti-Doping Convention;
- assist the established National Platform of Sport Integrity to better prevent, detect and sanction the manipulation of sports competitions (Macolin Convention);
- provide legal and technical assistance to the national authorities in adopting and implementing a national strategy on safety, security and service at football matches and other sporting events and improve the legal, regulatory and administrative framework in this field.

## 3. DEMOCRACY

### 3.1. Strengthening Democratic Governance

#### Supporting good governance and public administration reforms

**Objective:** Strengthen good democratic governance and public administration in Ukraine during the war and in a post-war context.

**Proposed Action:**

- provide legal assistance and policy advice to national and local/regional authorities and their national associations in the light of the European Charter of local self-government, in particular on strengthening the legal framework, laws and by-laws, including policies, related to the constitutional reform and processes, re-decentralisation of competences, responsibilities and finances to the local/regional level, as well as legal and administrative supervision, metropolitan governance, accountability at local level and the provision of public services under the martial law and in the post-war recovery;
- facilitate dialogue between the key stakeholders in the area of implementation of the principles of good democratic governance and the way forward in post-war period;
- support dialogue and co-ordination of reconstruction efforts, partnership and consultation between national and local/regional authorities, and their national associations, as well as with their counterparts from other European countries;
- ensure support to local/regional authorities in fostering innovative and collaborative approaches for open government and integrating a human-rights based approach into renewed local policies and strategies, for enhanced social cohesion, inclusion and participation, in particular of under-represented groups;
- ensure support of central, local/regional levels with leadership-oriented programmes, toolkits for member States and training materials as well as capacity development activities to uphold;
- support decentralisation and ensure inclusive and participatory policymaking, in the light of the additional Protocol on the right to participate in the affairs of a local authority, service delivery, recovery and renewal;
- ensure awareness raising and carry out opinion polls surveys about municipal governance and public administration in a post-war context for general audience in Ukraine and beyond.

**Elections and Referenda**

**Objective:** Provide support with a view to ensuring that European standards are applied to the electoral law and practice, including with regarding to referenda.

**Proposed Action:**

- provide support for voters' registration and on access to voting, in view of the significant number of citizens having been displaced within the country and abroad in line with recommendations of the Committee of Ministers, Venice Commission reports and opinions and other standards of the Council of Europe;
- provide technical support, legal and policy advice to the authorities for strengthening and further alignment of election related legal frameworks and practical instruments for organisation and conduct of elections/referenda in line with European standards and good practices, given post-war challenges and constraints;
- support capacity building of the Central Election Commission and Electoral Administration at all levels, as well as other relevant stakeholders, considering the post-war challenges and constraints, with a view to ensuring that respective European standards are applied during elections/referenda processes;
- raise public awareness about elections/referenda standards and good practices, existing procedures and rules, via developed online platforms and tools, with a view to promote inclusion and active participation of internally displaced persons, youth, women and people with disabilities, in electoral, as well as public and political decision-making processes;
- support balanced participation and representation of women and men in electoral processes, as well as in political and public decision-making processes, given the war and post-war challenges and perspectives;
- facilitate dialogue between the key stakeholders with regard to the organisation and conduct of elections in the post-war period.

**Civic Participation**

**Objective:** Promote civic participation at regional and local levels, strengthening the resilience of democratic processes, during the war and in a post-war context.

**Proposed Action:**

- support local and regional authorities in establishing the decision-making process, based on wider participation and engagement of all stakeholders, ensuring transparency and inclusiveness, disclosure and access to information, by applying a wide spectrum of participatory tools, resulting in sustainable policies and decisions resolving most pressing problems and responding to the needs of citizens in general and in particular of those affected by war;
- support the implementation of inclusive and transparent public consultation practices with engagement of civil society organisations (CSOs) in the reform agenda-setting, development, implementation and monitoring of reforms in the war and post-war context;
- strengthen the capacity of local and regional officials and civil servants in the implementation, monitoring and evaluation of participatory decision-making, disclosure, and access to information;
- provide legal and technical support to the parliament, central, regional, and local authorities to enhance existing or develop new regulatory frameworks and policies concerning citizen participation and enabling environment for civil society and voluntary activities;
- raise awareness of citizens and strengthen their capacities, in particular children, youth, IDPs and vulnerable groups, and civil society organisations (CSOs), about participatory mechanisms and opportunities to influence the development and implementation of decisions and policies on local, regional and national levels and strengthening their role in the civic oversight of the activities of public authorities;
- provide support in strengthening the role of volunteers in general, civic and volunteer initiatives in the recovery and reconstruction of communities and regions affected by the war, strengthening the capacity and potential of volunteers and CSOs, providing support to local self-government bodies in the development and implementation of programmes on promoting volunteer activities and enabling environment for civil society development.

**3.2. Strengthening Democratic Participation****Provision of Education and Capacity Building for Education Professionals**

**Objective:** Assist the authorities in ensuring the right to education and strengthening an education system based on human rights and democratic values that fosters recovery, inclusiveness and social cohesion.

**Proposed Action:**

- strengthen the capacity of education authorities at national, local, and institutional levels to ensure a participatory and inclusive system of education governance that guarantees equal access to quality education for all;
- facilitate improved implementation of the values and principles of plurilingual and intercultural education in order to develop competencies that enable all learners to act as active citizens and develop open attitudes;
- build capacities of education professionals for establishing democratic, diverse, and inclusive history curricula and pedagogy that incorporate the teaching and learning of the complex history of democracy, in line with Council of Europe standards, and for the creation of safe learning environment that promote dialogue, inclusiveness and social cohesion and address potentially sensitive and controversial issues;
- improve the capacity of education professionals to provide safe and adaptable learning settings that promote dialogue, inclusivity, and responsiveness to the needs of the community.

**Promoting democratic culture and human rights education in higher education institutions**

**Objective:** Assist the authorities and higher education actors in enhancing human rights education in higher education programmes of studies in universities

- support implementation of the legal education reform aiming at alignment of its system and structure with international and European standards, improving the content of educational programs for lawyers in high education institutions, in particular, expanding the study of EU acquis and Council of Europe standards. The support will, *inter alia*, include improving the system of competitive admission to higher legal education institutions by selecting motivated and prepared individuals and monitoring the quality of learning outcomes through the external quality assurance system of higher education and independent educational measurements;
- support higher education institutions in strengthening an open and inclusive higher education system capable to foster the development of cohesive and democratic societies at local level, including also support to student projects and initiatives which promote leadership and democratic participation in public administration;
- promote more effective teaching of ECHR case law in higher education institutions for applicants for higher law education;
- promote the development of teaching courses (or inclusion of topical HELP courses) in the field of human rights and their protection to students, pedagogical and scientific specialists, through the creation of special certificate programs, advanced training programs and non-formal education programs.
- promote more effective teaching of the Council of Europe standards, the European Union Audio-Visual Directive and the case law of the European Court of Human Rights in higher education institutions for students of journalism education.

### **Strengthening Youth Policy and Youth Participation**

**Objective:** Strengthen participatory youth policies and reinforce youth work in the war and in a post war context taking into account the specific needs of young people.

#### **Proposed Action:**

- reactivate and update local youth participation mechanisms and processes associating young people for reconstruction efforts and inclusive local policy-making;
- review and update competence frameworks, including *inter alia* leadership, planning and management, strategic thinking skills, and support structures enabling youth workers and youth leaders, as well as youth managers and youth administrators to respond to the needs of young people affected by the war, and facilitate their access to rights;
- support peer exchange and international co-operation with the labelled youth centres having been awarded the Council of Europe Quality Label in order to strengthen institutional capacities of Ukrainian youth centres;
- ensure responses to emerging challenges and needs of youth centres providing services for young people particularly from those vulnerable groups such as IDPs, returnees and the war-affected people;
- support youth policies and programmes at national and regional levels so as to take into account the war and post-war realities of young people;
- provide institutional support to youth organisations as platforms of civic engagement and democratic participation, capacity building, and to mitigate the effects of the war (including by European Youth Foundation grants).

### **3.3. Culture, Nature and Heritage**

#### **Preservation and Enhancement of Culture and Cultural Heritage**

**Objective:** Promote cultural heritage as a starting point in reconstruction and enhance culture and creative industries.

#### **Proposed Action:**

- contribute, in co-operation with relevant partners, to the elaboration of a capacity building programme for securing movable, immovable and intangible cultural heritage that is put at risk by the war;
- support initiatives towards holding a "Year of culture from Ukraine in Europe", involving also displaced people from Ukraine, in the spirit of both the European cultural Convention and the Faro Convention;

- promote the integration of heritage into reconstruction and development processes to respond to the needs of the population after the war and assist Ukraine as necessary by using all possibilities offered by the Council of Europe's conventions and legal and technical frameworks in the area of culture, creative industries and cultural heritage;
- provide expert support in developing the budgets and creating models of financial support to cultural institutions in Ukraine based on European standards and practices;
- strengthen capacities of Ukrainian cultural institutions and individual artists who continue their work in Ukraine;
- contribute to strengthening the capacity of Ukrainian cultural managers (providing professional training programs for cultural managers);
- provide expert evaluation and assistance in accounting and evaluating damages suffered by cultural institutions;
- facilitate coproduction between Ukrainian and European artists and cultural institutions.