

Proposals for the Slovakia's 2019 OSCE Chairmanship: Human Dimension of the Russia-Ukraine conflict

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The Russia-Ukraine conflict causes massive harm to humanitarian situation in Donbas, resulting in **deterioration in living conditions** of millions of people, of whom 3.4 million require humanitarian assistance and protection, as UN Office for the Coordination of Humanitarian Affairs estimated.¹ **Basic human needs and rights** are threatened due to the failure of social services, damaged infrastructure, problems with electricity and pure water supply, and lack of justice.

According to the OSCE, 36 coal mines in the conflict zone have been destroyed and flooded leading to sharp **deterioration in ecological situation**; and the risks of chemical pollution resulting from major operational disruptions and related incidents occurring at industrial facilities are very high.² Direct pollution in the aftermath of the hostilities, operational disruptions and flooding of mines, incidents at industrial facilities, waste removal problems, as well as shelling near the large storages of chemicals³ – it is just a short list of current ecologic challenges in the Donbas. OSCE mediation and facilitation is needed to help the parties to the conflict address the vital ecological problems that pose a risk of turning the region into unsuitable for habitation territory.

Conflict-affected areas urgently need investment and support for the **restoration of the destroyed infrastructure, housing construction and creation of new jobs**. Housing construction and creation of new jobs is also needed for the places of compact residence of the around 1.8 million internally displaced and conflict-affected persons.⁴ The new international donor conference on comprehensive economic assistance for Donbas is needed. To become really effective, it requires proper co-ordination and co-cooperation of many international actors, as well as the comprehensively and duly conducted preparatory work to include, inter alia, a clear estimation of the concrete needs as well as proposals on the ways and resources for their satisfaction.

60% of population living along the 457-kilometre **contact line** between the conflict parties are regularly affected by shelling. Around a million of individual cross the contact line

each month, which is one of the most mine-contaminated stretches of land in the world.⁵

The de-facto authorities of the self-proclaimed 'Donetsk people's republic' and 'Luhansk people's republic' deny humanitarian organisations from **access to detainees** and places of deprivation of liberty.⁶ Over 100 Ukrainian citizens remain captive in the areas of Donbas, which are effectively controlled (are 'influenced') by Russia, while over 60 Ukrainian political prisoners remain in detention under fabricated charges in the Russian Federation and in the illegally occupied Crimea. An active and dedicated role of the OSCE Chairmanship could be played in seeking their release.

The incoming Slovak OSCE Chairmanship could provide every support to the OSCE Institutions and mechanisms in monitoring and reporting on the human rights situation in the conflict-affected territories and in responding to gross violations of human rights.

The OSCE Office for Democratic Institutions and Human Rights (**ODIHR**), the High Commissioner on National Minorities (**HCNM**), and the Representative on Freedom of the Media (**RFM**) should be a driving force here, but non-government organisations and civil society must be also actively involved.

The potential of the OSCE Track II initiatives, such as **Civil Solidarity Platform**, **OSCE Network of Think Tanks and Academic Institutions**, **New-Med Network** and etc., should be taken into account while elaborating decisions and preparing follow-up reports and assessments.

Another important option is providing support in **establishing contacts** between different civil society representatives from all parties to the conflict. Such contacts could help in seeking ways for possible cooperative approaches in overcoming difficulties and contributing to building up a constructive basis for needed political will to resolve the conflict.

Ukrainian civil society needs support of the international community, including the Russian independent civil activists, to **raise public awareness** about the conflict as well as

¹ "Humanitarian Needs Overview. Ukraine", 2018, https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/ukraine_humanitarian_needs_overview_2018_en_1.pdf.

² "Environmental Assessment and Recovery Priorities for Eastern Ukraine", 13 December 2017, <https://www.osce.org/project-coordinator-in-ukraine/362566>.

³ "Environmental Assessment and Recovery Priorities for Eastern Ukraine", 13 December 2017, <https://www.osce.org/project-coordinator-in-ukraine/362566>.

⁴ "Ukraine: UNHCR Operational Update, 01 - 30 November 2017", 15 Dec 2017, <https://reliefweb.int/report/ukraine/ukraine-unhcr-operational-update-01-30-november-2017>.

⁵ "Humanitarian Needs Overview. Ukraine", 2018, https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/ukraine_humanitarian_needs_overview_2018_en_1.pdf.

⁶ "Report on the human rights situation in Ukraine, 16 August to 15 November 2017", https://www.ohchr.org/Documents/Countries/UA/UAReport20th_EN.pdf.

to **document violations and crimes** connected with the conflict, in particular in the territories not controlled by the Ukrainian government.

With view to the above-mentioned problems, the following recommendations are proposed to be considered under the Slovakia's 2019 OSCE Chairmanship:

- **Recording by the OSCE SMM monitors of all detected violations of human rights** and freedoms in the conflict-affected areas with subsequent transmitting of such records to the Ukrainian law-enforcement authorities and the OSCE ODIHR for the further response.
- **Providing full support and access** to the Office for Democratic Institutions and Human Rights as well as to the OSCE High Commissioner on National Minorities, including in the non-government-controlled areas of Donbas. In this regard, Russia holds special responsibility due to its effective control ('influence') over the de-facto authorities in the so-called 'DPR/LPR'.
- **Identifying places of hostages' detention** in the conflict-affected areas and seeking access to them for the SMM and ODIHR representatives.
- **Appointing a special ODIHR rapporteur on the cases of intolerance**, discrimination and hate crimes committed in the conflict-affected areas.
- Supporting work of the Trilateral Contact Group on Ukraine, especially in **negotiating ceasefires, exchanges of hostages, repairs of critical infrastructure** on the contact line and searching other solutions to the concrete humanitarian issues that can improve the lives of the people in the conflict-affected areas.
- Elaborating joint efforts of the OSCE, the UN, the EU and NATO to effectively perform the **humanitarian demining** in the Donbas region of Ukraine.
- **Improving conditions of crossing the contact line** for the individual living in the conflict-affected areas. Elaborating of proposals on this issue should be discussed at the meetings of the Trilateral Contact Group on Ukraine, and the OSCE Special Monitoring Mission to Ukraine can help responsible authorities in practical implementation of the decisions to be taken.
- Assisting and co-ordinating international efforts focused on the **economic assistance** to the conflict-affected areas as well as to the internally displaced persons and other victims of the conflict. This should include the repair of the critical infrastructure, housing construction and creation of new jobs.
- Elaborating and implementing, together with the responsible Ukrainian state bodies, with support of the international donors and under co-ordination and assistance of the OSCE SMM and PCU, projects on **improving ecological situation** in the conflict-affected areas, with the minimum

task to prevent the ecological disaster.

- **Supporting Track II initiatives**, including but not limited to those within the margins of the Civil Solidarity Platform and OSCE Network of Think Tanks and Academic Institutions, devoted to the protection and monitoring of human rights in conflict regions in the whole OSCE area, including in the Donbas, as well as to the elaboration of proposals for the re-establishing a climate of trust, conflict management and conflict settlement.
- Supporting regional, subregional and national **initiatives on monitoring and protecting human rights**, including the issues of tolerance and non-discrimination.
- **Broadening cooperation** between the OSCE Special Monitoring Mission to Ukraine and the OSCE Project Coordinator in Ukraine, especially on monitoring and protecting human rights.
- Establishing cooperation of the OSCE SMM and PCU with the OSCE Mission to Moldova and the OSCE field presences in Western Balkans to **exchange experiences** in monitoring and promoting human rights protection in the conflict zones.
- Supporting the OSCE Project Coordinator in Ukraine activities aimed at **establishing the national-wide dialogue** with involvement of the civil society actors from all regions of Ukraine. Such activity to include further **strengthening of Ukraine's community of mediators and dialogue facilitators** through the training and development of learning materials and tools.
- Continuing the PCU project activity on the **conflict sensitive journalism**, including teaching on **objective reporting** from the conflict zone, **tolerance, non-discrimination, and avoiding harsh language**.
- Assisting Ukrainian law-enforcement authorities in improving the **identification, recording and investigation of crimes**, including hate-crimes, in the conflict-affected areas.
- Establishing projects on **teaching tolerance in the education institutions**; elaborating together with the Ministry of Education and Science of the program to include the human rights into the educational curricula at all levels.
- Supporting (separate or joint) **educational trips** of Ukrainian and Russian civil society activists to other post-conflict countries in order to study the different aspects of conflict settlement and post-conflict phase of development.

Russia-Ukraine conflict remains the main challenge to the peace and stability in the OSCE region, undermining trust, security and international order. Given Bratislava's good understanding of both Ukraine and Russia, as well as Slovak strong diplomatic and expert potential, the Slovakia's 2019 OSCE Chairmanship might give a new impetus to conflict management and resolution, and improvement of living conditions of conflict-affected population.
