

Forum: Human Rights Council

Issue: *The question of ensuring human rights and preventing further violations regarding current events in Ukraine.*

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Introduction

The Ukraine crisis regarding Russia has affected the countries as well as the people living in them immensely. In the course of the war, Russia has been accused and proven to commit many war crimes and violate human rights. This is intolerable and therefore has to be prevented as much as possible. This Research Report will provide information on past events and the current standpoint as well as approaches to possible solutions concerning the question of how to prevent further violations of human rights in the Ukraine.

Definition of Key Terms

NGO's

An organization that may receive funding from a government but operates without oversight or representation from that government.

International Monetary Fund (IMF)

Promotes financial stability by lending countries and states loans.

Monitors the international monetary system and global economic developments to identify risks and recommend policies for growth and financial stability.

World Bank

Biggest multilateral funder of investments in developing countries, helps countries reduce poverty and is also active in combating climate change to assess costs and develop a robust response to help the Ukrainian people during this difficult period.

War Crime

Violations of the laws of war treating the murder, torture, rape of civilians, hostages, prisoner of war as well as destruction of civilian property without military benefits, child soldiers in military, genocide or ethnic cleansing.

NATO

The West's 30-member defensive military alliance for protection of territory as well as international political stability and security.

UNHCR - United Nations Refugee Agency

Protection and organizations of refugees and the stateless regarding human rights through aid, relief and donations.

Goals that they want to achieve:

- protection of victims to human rights violations,
- advancement and implementation of protection of human rights,
- development of new concepts and policies,
- elaboration of human rights on international as well as national level,
- prevention of human rights violations

Rome Statute

Serious violations of the rules of conflict which constitute war crimes are codified as such by the Rome Statute of the International Criminal Court.

Background Information

According to Ukrainian president Volodymyr Zelenskiy, Putin's goal seems to be the death of as many people, destroying their houses, schools, hospitals, critical infrastructure, social facilities and enterprises. It lacks a clear military strategy, thus hinting at pure genocide. Furthermore, it has been increasingly difficult for refugees to leave the cities and the

country itself. It is crucial to assess to what extent the Russian military makes people suffer through war crimes such as shelling cities, bringing forth no military profit other than inflicting fear, trying to break the will of the people and pushing Ukraine to surrender. Additionally, Russia has been accused of further weakening the Ukrainian people by blocking their food, imported from the Black Sea.

Moreover, about 6 million refugees have already fled Ukraine, among them mostly women, children, and elderly people.

In Russia, censorship has been increased by authorities blocking independent media sites that report about the war and closing major independent outlets. Additionally, thousands of anti-war protestors all across Russia were unreasonably detained in just the first week of the war. The Human Rights Watch and Amnesty International regard Russia's invasion of Ukraine as a manifest violation of the United Nations Charter and an act of aggression that is a crime under international law. Hence, they urge the European Union and its member states to do everything in their power to ensure safe passage and fair treatment for all civilians fleeing Ukraine.

Many countries, including the United States of America, the United Kingdom, and Germany have approved sending aid to Ukraine, both economically and militarily with billions of dollars. Other countries like France raise concerns that sending tanks and jets would be counterproductive in reaching a cease-fire.

Further concerning is the trauma children in Ukraine are facing. Reports from UNICEF have stated that many children cannot leave the war zone due to a lack of help and support, resulting in their childhood spent in bunkers, witnessing bombardment and death. Even more worrying is the increasing number of children being spotted at the front line. Lyudmyla Denisova, Ukraine's human rights ombudswoman, requested help from the UN and the International Committee of the Red Cross (ICRC) for the evacuation of wounded soldiers and other fighting civilians who are no longer combatants and were not able to leave endangered war zones.

The Russian army, among other war crimes, has been seen executing civilians as well as raping innocent women. This has further been confirmed by images taken by satellites showing a new mass grave in Manhush, about 12 miles away from Mariupol, where Russian forces have laid siege. Ukrainian officials have claimed that Russian soldiers thereby try to hide the execution of civilians by burying them at the mass gravesite.

Risk for refugees outside of the Ukraine

Refugees from Ukraine, particularly women and girls, face heightened risks of gender-based violence, trafficking, and other exploitation due to the lack of systematic protection and security measures in Poland. Well-meaning volunteers and activists do not have the resources, support, or the needed systems to make sure of the refugees' safety. Since February 24, 2022, more than 2.9 million refugees fleeing the war in Ukraine have arrived in Poland. Most of them are women and children, largely due to the martial law requirement for men ages 18 to 60 to remain in the country for possible conscription. After research was conducted at various train stations and reception centers, in which researchers interviewed women, staff members, independent volunteers, representatives of non-governmental organizations, and a deputy police chief; the Human Rights Watch found inconsistent protection measures and a lack of government coordination, amplifying risks of abuse, especially for women and girls. However, the police state that there are no recorded cases of gender-based violence, including trafficking or other exploitation, against refugees from Ukraine. Other interviewees said a few cases have been reported and awareness of threats is high, but risks remain. They also confirmed that workers at refugee reception points, most of them volunteers, were not trained to spot signs of security risks for women and girls.

Volunteers report that the security system of the help centers are changing daily, with days in which people can enter with no police security.

With no real measures ensuring that refugees reach their destinations safely, no proper housing, or security concerns, they have difficulty finding longer-term accommodations. At border crossings, the lack of coordination and systematic protection measures allow more opportunities for abusers. Female refugees are approached by unknown men, who offer housing, jobs, or transportation, and then attempt to traffic and exploit them. Irena Dawid-Olczyk, president of the anti-trafficking organization "La Strada" in Poland said some employers hire people unofficially to avoid social security payments for workers or simply deny people wages. The lack of anti-trafficking and violence prevention, along with the lack of screening, response systems, and information that the refugees should be able to access, creates a hostile environment for refugees, especially women.

The effects of the war on an international basis

Food shortages in Africa

Due to Russia's invasion, the food security crisis in Africa, caused by weather conditions and the pandemic, has worsened to dangerous levels. Many countries in Africa depend on Russia's and Ukraine's wheat, fertilizer, and/or vegetable imports. However, the war obstructs global commodity markets and trade flows to Africa, leading to an even higher increase in food prices. The increased poverty, due to the Covid-19 pandemic, is leading to unaffordable food prices for many. The two countries at war rank among the top five global exporters of barley, sunflowers, and maize, as well as about one third of world wheat exports. Nigeria receives a fourth of its imports from Russia and Ukraine. Cameroon, Tanzania, Uganda, and Sudan source more than 40 of their wheat imports from Russia and Ukraine. The UN World Food Programme (WFP) buys half of the wheat it distributes around the world from Ukraine. As a result of the war, supplies are squeezed, and prices are rising, including fuel prices, leading to an increasing cost of transporting food in and out of the region. In the face of higher food costs, people are forced to consume less food and cut back on essential nonfood expenditures like health care. With inflations rising, the WFP warned about the consequences of the war lasting longer, namely the acute hunger increasing by 17 percent globally, particularly in East, West, and Southern parts of Africa. It's become evident to people that global food and energy markets are highly monopolized. Data shows that seven countries dispense 86 percent of wheat supplies to the global market, and just four countries are responsible for 85 percent of the global maize export supplies. Preventing a worsening food crisis requires international cooperation.

Rise of Oil Prices

The ban on Russian imports of fossil fuels has led to oil prices being at an all-time high for years. This ban has caused pushback from many countries, including Germany, as several countries are heavily reliant on Russian oil and gas for heat generation, the electricity supply and industry, as well as mobility. Around 40% of Europe's gas comes from Russia, a factor that has already come to light during the winter months. The same data applies to

crude oil and other petroleum. This also impacts global market prices for commodities, which filter through into much higher costs for ordinary people. Nevertheless, the money from consumers is funding Russia in the war, EU oil purchases alone being \$285m a day.

Major Countries and Organizations Involved

European Union

On March 4, the Council of the European Union activated the 2001 Temporary Protection Directive (TPD) for the first time, granting citizens and long-term residents from Ukraine temporary residence permits in the European Union for at least one year, with a possible extension for two more. Ukrainian citizens may travel freely within the EU and apply for temporary protection in the country of their choosing.

On 8 April 2022, the European Union Council adopted a fifth package of sanctions against Russia, in light of Russia's continuing acts of war crimes against Ukraine. This package puts a ban on coal and other solid fossil fuels imports from Russia. Additionally, it bans all Russian vessels from accessing EU ports and prevents Russian and Belarusian road transport operators from entering the EU. Moreover, imports from Russia of wood, cement, seafood and liquor are also banned.

Poland

Poland's government granted Ukrainian citizens the right to an 18-month legal stay, a one-time 300 zloty (US\$70) cash benefit, free train transportation, and streamlined access to a national identification number (PESEL), which is required to claim residency and other benefits including health care and education. They established 36 reception points in 16 regions to provide humanitarian assistance to refugees, including food and temporary housing. Some are run by volunteers, others by government employees.

United Nations Refugee Agency

UNHCR supports state authorities with its expertise in implementing their legal obligations towards all persons under UNHCR's mandate. Therefore, UNHCR and its partners contribute to the design of policies and laws as well as on specific protection programmes, aimed at identifying durable solutions and reducing vulnerabilities of persons under its mandate. It has helped in providing and monitoring shelter for Ukrainian refugees and gives material, social and medical assistance to the most vulnerable persons of concern. It also provides financial assistance to those in need.

Council of Europe

The Council of Europe (CoE), founded during World War II in 1949, aims to ensure human rights, democracy and the laws of war in Europe, consisting of 46 member states. Most countries are part of the CoE prior to joining the EU, which is to be differentiated from the CoE. Among the bodies of the CoE, the most important is the European Court of Human Rights. The headquarters are situated in Strasbourg, in France. Focussed basis of this Council are aims such as but not limited to: Prevention of Torture, Racism and Interolerance, Trafficking in Human Beings, Violence and Doemstic Abuse, Ensuring of social, linguisticsic and minority rights and cultural heritage, Protection from Sexual Exploitation and Abuse, etc.

Countries supporting Russia

Belarus is the biggest ally of Russia, allowing them to invade Ukraine from its territory. Among other countries, Iran defends Russia's actions by stating they were the consequences of NATO provocations. The UAE and Saudi Arabia are remaining neutral with Armenia voting against Russia's removal from the Council of Europe. Major Russian supporting nations include South American countries such as Cuba, Nicaragua, and Venezuela.

Timeline of Events

2014 — President Viktor Yanukovich, who had been friendly to Russia's interests, was overthrown by protestors in February. During the revolution, more than 100 people were killed in protests.

The interim government that followed this pro-Western revolution eventually signs a trade agreement with the European Union that is seen as the first step toward membership of the Western bloc.

Russia annexes the Crimean Peninsula. Two secessionist regions, the Donetsk People's Republic and the neighboring Luhansk People's Republic, later break off from Ukraine.

The war continues in the eastern Ukrainian region known as Donbas. It then spreads west. Roughly 13,000 Ukrainian soldiers and civilians eventually die in the conflict. The front lines have barely shifted for years.

2014 and 2015 — Russia, Ukraine, France, and Germany sign a series of cease-fire agreements known as the Minsk Accords. Many view these accords as ambiguous.

2015 — Ukraine made a declaration accepting ICC jurisdiction over crimes committed on its territory since 20th February 2014. Russia signed the Rome Statute in 2000 but withdrew its signature in 2016.

April 2019 — A former comedian, Volodymyr Zelensky, is elected by a large majority as President of Ukraine on a promise to restore Donbas to the country.

2021-2022 — President Vladimir V. Putin of Russia seeks to prevent Ukraine's drift toward the United States and its allies. Mr. Putin demands "security guarantees," including an assurance by NATO that Ukraine will never join it and that the alliance pulls back troops stationed in countries that joined after 1997.

Many Russians view the Ukrainian capital, Kyiv, as the birthplace of their nation and cite the numerous cultural ties between the two countries.

November 2021 — Russia began building up military forces along the borders of Ukraine, for the second time in a year. Over 100,000 Russian military personnel and assets were deployed in Crimea and in the Voronezh, Kursk and Bryansk regions of western Russia. Further Russian forces were deployed to Belarus for a series of exercises close to the Ukrainian border and Russian naval assets from the Baltic and Northern fleets were deployed for exercises in the Black Sea.

Tensions escalated following a US intelligence assessment in December 2021, which suggested that Russia could be planning an invasion of Ukraine in early 2022.

24 February 2022 - Russia launched military action in Ukraine, with forces crossing into the country from Belarus in the north, Russia in the east, and Crimea in the south. Russia's actions started just days after President Putin officially recognized the self-declared independence of the Donetsk People's Republic (DPR) and Luhansk People's Republic (LPR), the regions of eastern Ukraine that are under the control of Russian-backed separatist forces, and deployed "peacekeeping" forces to the region.

Russia's actions have been met with international condemnation. Western sanctions are being imposed on Russia, military assistance is being provided to Ukraine, and discussions are underway between Western allies on collective next steps.

Relevant UN Treaties and Events

1918-1922 — Ukraine declares its independence in 1918 during a conflict fought by Ukrainian nationalists, anarchists, Bolsheviks, the forces of Germany and Austria-Hungary, the White Russian Volunteer Army, and Second Polish Republic forces and also involving the Allied Forces of France and Romania. Its independence and sovereignty received international recognition at the Treaty of Brest-Litovsk that year. Soviet forces worked towards overthrowing independent Ukraine. The war resulted in a division of Ukraine between the Bolshevik Ukrainian SSR, Poland, Romania, and Czechoslovakia. The

Ukrainian Soviet Socialist Republic was founded in 1921 and Ukraine was subsumed into the Soviet Union the following year.

1932 and 1933 — A famine caused by Stalin's policy of collectivization kills millions of people, mainly ethnic Ukrainians in a country that is known as the breadbasket of the Soviet Union. The disaster is known as the Holodomor.

1939-1944 — The Soviet Union annexes Western Ukraine. Later, Nazi Germany and the Axis powers occupy the country during World War II. Throughout the period Ukraine suffers devastation.

1991 — The Soviet Union is terminated via a treaty. Ukraine becomes independent and begins a transition to a market economy. It also came into possession of a significant stockpile of nuclear weapons that had belonged to the Soviet Union.

1994 — Under the Budapest Memorandum, Ukraine gives up its nuclear arsenal in exchange for a commitment from Moscow that the independence and sovereignty and the existing borders of Ukraine shall be respected.

Previous Attempts to solve the Issue

On 24 May 2022, the Council adopted a regulation allowing for temporary trade liberalization and other trade concessions with regard to certain Ukrainian products. The decision will apply for a period of one year, and will suspend in particular:

- all those tariffs under Title IV of the Association Agreement between the EU and Ukraine
- the collection of anti-dumping duties on imports originating in Ukraine
- the application of the common rules for imports with respect of imports originating in Ukraine

Australia has expanded their sanctions on Russian state-possessed endeavors and forced sanctions on 14 Russian state-owned undertakings to undermine Russia's

capacity to continue funding Putin's war.'

The UN and its humanitarian partners have doubled its emergency appeal to \$2.25 billion on the 26th of April to assist those in Ukraine and refugees who were displaced by the conflict in neighboring countries. 44% of the financial requirements have been met, while the number of people in need of humanitarian assistance has increased from 12 million to 15.7 million inside the country.

Possible Solutions

As part of its refugee protection recommendations, Human Rights Watch called governments in states, taking in refugees for the development and implementation of consistent protocols to ensure refugee protection at reception points. All refugees should receive clear information about how to mitigate protection risks, seek help, and report incidents.

In addition to working with experienced humanitarian agencies, those governments should partner with non-governmental organizations in order to reduce the likelihood of gender-based violence among refugees, including trafficking and exploitation, and to make sure appropriate identification procedures are used to identify and assist victims. Services including comprehensive post-rape care should be available to all survivors of violence in Poland, including access to emergency contraception and abortion.

The European Union should ensure that funds distributed to Poland for support for refugees from Ukraine reach those coordinating and providing essential services, including experienced, independent nongovernmental organizations.

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For further watching

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