



Position Paper on Draft Law No 3593-d

The undermentioned organizations are gravely concerned by Draft Law No 3593-d “On the Temporarily Occupied Territory of Ukraine,” which is currently en route to being adopted by the Parliament of Ukraine. Despite the intense advocacy efforts of the humanitarian community and national civil society organizations warning against the repercussions of the Draft Law, the initiators pursue the bill, albeit in a revised form. We have reviewed the latest revisions and maintain that the Draft Law, if adopted, will further contribute to the isolation of the areas in question, deny protection of human rights and freedoms to the people, and hinder the prospects of reconciliation and post-conflict settlement.

The efforts of the parliament to set legal standards with relation to non-controlled areas and the population thereof is appreciated by the undersigned as within Ukraine’s sovereign power. However, such power needs to be exercised in conformity with Ukraine’s obligations under the relevant bodies of international human rights and humanitarian laws as well as other international law obligations pertaining to the current crisis. The letters and spirit of the Draft Law run counter to the Minsk II Package of Measures. The law, if enacted, will signal a serious breach by Ukraine of its international obligations as mandated by the United Nations Security Council Resolution 2202/2015.

Restricted humanitarian access due to the further economic and transport blockade of the “temporarily occupied territories” may lead to the disrupted provision of essential supplies to inhabitants of non-controlled parts of the country. In turn, this tightening of the regime may cause new waves of displacement.

The Draft Law misleadingly declares the protection of rights and freedoms of individuals as one of its purposes. The international humanitarian community and national civil society organizations have been deeply engaged with the relevant government ministries and central and local authorities in identifying areas for relevant adjustments in existing laws and administrative processes. The Draft Law is counter-productive inasmuch as it is more restrictive in nature than the existing bodies of laws and practices.

As humanitarian and civil society communities, we are committed to the protection and promotion of rights and freedoms despite limited access to the people in need, diminishing resources, and restrictive legislative and administrative frameworks. The Draft Law will not only compound these challenges, it will countervail the only existing initiative for a peaceful resolution of the conflict, a resolution which would end significant human suffering. As such, we call for the withdrawal of Draft Law No 3593-d from parliament.

Action Contre La Faim
Danish Refugee Council
Dorcas
International Alert
Medecins du Monde
Mercy Corps
Right to Protection
SOS Children’s Villages Ukraine