

**FIGHT
FOR
RIGHT**



Reference on the Recovery Plan of Ukraine

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This Reference was prepared as part of the project “Advancement of the human rights agenda for the restoration of Ukraine”, which is implemented with the support of the National Endowment For Democracy (NED). Its content is the responsibility of the OPD “Fight For Right” and does not necessarily reflect the position of the donor.

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Even before the full-scale invasion, Ukraine chose the path of European integration and began reforming many sectors, trying to harmonize domestic legislation with EU standards and obligations under international human rights agreements. This process was not always fast enough and not all problematic issues regarding the provision and guarantee of human rights were fulfilled, in particular regarding the implementation [of the UN Convention on the Rights of Persons with Disabilities](#): there were [gaps](#) both in the development of an accessible environment, the guarantee of support services, and in learning opportunities on equal footing, work and participate in political life.

After 2014 and the beginning of the temporary occupation, the issue of recovery the country arose as an important process, next to the movement to the EU (we are talking about [the Association Agreement between the](#) European Union and its Member States, of the one part, and Ukraine, of the other part). The first program for the recovery of Ukraine was launched in 2020: as a result, a financial agreement was signed between Ukraine and the European Investment Bank. One of the directions is the rebuilding of Ukraine's infrastructure, which is dealt with by the Ministry for Communities, Territories and Infrastructure Development of Ukraine (Ministry of Infrastructure). Subsidies from the state budget are allocated to finance the approved list of projects to local budgets, and the monitoring of implementation is entrusted to the relevant ministry. Such a program provides for the reconstruction of not only critical infrastructure facilities, but also the re-establishment/ reconstruction / overhaul of hospitals, etc.

However, due to the full-scale invasion and significant amount of destruction that Ukraine experienced in 2022, the government was forced to prepare a new plan and seek additional resources and support from international partners. There is now a need to align both plans and, accordingly, avoid duplication of effort. In addition, integration is needed between recovery plans, conventionally "pre-war strategies" (national programs) and the state's human rights commitments, as well as between Ukraine's movement towards the EU and commitments in this process.

After all, in addition to significant amounts of destruction, the full-scale invasion showed gaps in unfinished reforms and highlighted how inaccessible Ukraine was:

- the decentralization reform was not completed;
- access to social support services was not guaranteed in practice;
- there was a lack of infrastructural and transport accessibility;
- people with disabilities did not have access to education and the labor market;
- decision-making processes, particularly regarding civilian security and protection, remained non-inclusive and opaque.

It is obvious that Ukraine, which dreams of joining the EU, restoration and a better future, cannot remain as indifferent to human rights as it has been throughout the years of independence. The recovery process must be accompanied by reforms – primarily from the point of view of improving the situation with guaranteeing the real possibility of observing human rights for everyone: civilians, military, veterans, people with and without disabilities, forcibly displaced people and those who will return to Ukraine from abroad.

Back in July 2022, at [a conference in Lugano](#), the Ukrainian government presented Ukraine Recovery Plan in the War and Post-War Periods. The plan consists of 15 national programs and is based on five main principles:

- start now and ramp up gradually; Integration in EU;
- grow prosperity in equitable way;
- integration in EU;
- build back better at national and regional scales;
- enable private investments.

Immediately after the presentation of the Plan at the international level, for its further implementation, the National Council for the Recovery of Ukraine from the War (hereinafter – the National Council) was created, which is a consultative and advisory body under the President of Ukraine.

Reference on the Recovery Plan of Ukraine

The National Council formed [24 working groups and developed a plan of measures for the post-war reconstruction and development of Ukraine](#). The plan contains a list of proposals for priority reforms and strategic initiatives, projects of normative and legal acts, the adoption and implementation of which are necessary for the effective work and recovery of Ukraine in the war and post-war periods.

Each of these 24 working groups has a corresponding Project within the framework of the Ukraine Recovery Plan:

- ▶ [European integration](#);
- ▶ *audit of war losses* ;
- ▶ [restoration and development of infrastructure](#);
- ▶ [economic recovery and development](#);
- ▶ *return of citizens who are temporarily displaced, in particular abroad and their integration into the socio-economic life of the state* ;
- ▶ [functioning of the financial system, its reform and development](#);
- ▶ [development of the military-industrial complex](#);
- ▶ *modernization and development of security and defense (there are no freely available materials)*;
- ▶ [energy security](#);
- ▶ [public administration](#);
- ▶ [construction, urban planning, modernization of cities and regions](#);
- ▶ [new agricultural policy](#);
- ▶ [digitization](#);
- ▶ [protection of the rights of war veterans](#);
- ▶ [education and science](#);
- ▶ [youth and sport](#);
- ▶ [culture and information policy](#);
- ▶ [justice](#);
- ▶ [anti-corruption policy](#);
- ▶ [healthcare](#);

- ▶ [*environmental safety*](#);
- ▶ [*social protection*](#);
- ▶ [*protection of children's rights and the return of temporarily displaced abroad children*](#);
- ▶ [*human rights*](#).

In 2023, at [a conference in London](#), the government presented a new digital DREAM system, which is intended to be a common ecosystem to provide a single digital pipeline for all recovery projects, as well as to enable communities to control the process. As promised by the government, the ecosystem should implement the highest standards of integrity, accountability, efficiency and transparency in the recovery of Ukraine to build trust between the government, citizens, businesses and financial institutions.

FFR believes that each direction of recovery, like any government initiatives, should be based on the values of human rights and inclusion and, among other things, take into account not only the ideal vision of reconstruction and the future of Ukraine, but also the lessons of mistakes and unfinished reforms of the past. In particular, all 24 projects or areas of recovery must be thoroughly agreed upon and built in such a way that everyone in Ukraine can exercise their human rights, depending on belonging to one or another group.

Instead, in the Plan, the state, on the one hand, lists certain measures and initiatives aimed at certain categories of people, such as, for example, veterans or young people. On the other hand, individual parts of the Plan are not thoroughly agreed, the description of most tasks leaves space for issues about the systematic approach, taking into account the gaps that existed before a full-scale invasion and neglecting the approach based on human rights.

Attention to issues of protection of the rights of people with disabilities is present in the project materials of the following groups:

- ▶ [*restoration and development of infrastructure*](#);
- ▶ [*return of citizens who are temporarily displaced, in particular abroad and their integration into the socio-economic life of the state*](#);

- ▶ [construction, urban planning, modernization of cities and regions;](#)
- ▶ [youth and sports;](#)
- ▶ [healthcare;](#)
- ▶ [social protection;](#)
- ▶ [human rights.](#)

However, the measures that the state proposes to carry out within these areas are not systemic, interrelated and will not lead to a radical reboot of the systems that Ukraine and the community of people with disabilities need today. For example, [the reform of the residential care system](#) started in 2017 was not completed and did not include the steps of reforming the system of “social care” for adults. For more than 30 years of independence, the Ukrainian authorities have not started a comprehensive program to transition from the residential system of “social care” to the creation of models of supported decision-making, independent living in communities and changes in the approach to recognition of legal capacity.

For further planning of reconstruction from the point of view of compliance of measures, in order to eliminate the shortcomings of inaccessible infrastructure, non-transparent decision-making processes and [inclusion of people with disabilities](#), it is necessary:

- more specific and clear actions and interconnected processes in all areas that concern people with disabilities: having approved changes in one area, one cannot help but affect others, because this is what the globalization of processes is all about;
- careful and proper assessment of the needs and scope of existing problems and their causes. In order to introduce reforms, it is necessary to clearly understand the needs and problems that exist in society. For this, the government should communicate with its representatives;
- inclusion of the community of people with disabilities and public organizations in decision-making processes and the direct development of reforms and reconstruction projects – not only as conditional final beneficiaries of what has been done, but also as participants in the planning and implementation process.

It should also be noted that public organizations are engaged in the development of their own vision and approaches to the reconstruction of Ukraine. In a democratic, legal state where transparent decision-making mechanisms and an established dialogue between the government and civil society work, such processes should not only take place in parallel, but also be discussed together in order to strengthen the state's ability to respond to challenges in a timely manner, take into account the need for systemic changes and not forget about a human rights-oriented approach.

A (non-exhaustive) list of public initiatives that develop visions and approaches to restoration or its individual aspects:

- [The Agency for Reconstruction and Development](#) is engaged in community development. At the level of territorial communities, they are trying to develop and promote a plan for the recovery and development of regions.
- The [Health Solutions](#) Foundation, which acts as an analytical center and dialogue platform, was created with the support of the International Renaissance Foundation to care for the person as a value in the architecture of the new social contract and to make health an integral part of the optics that should be applied to any social transformations. The foundation prepared a manifesto "Of healthy society", where it emphasized the changes that, in its opinion, the medical field needs.
- [Vision of Ukraine 2030](#): a vision of reforming and rebuilding the social and humanitarian sphere in the perspective of 2030, developed by an independent public association-coalition of experts called "Ukraine after the Victory". This document touches on the following areas of reform:
 - national identity: language, culture, national memory and state-church relations;
 - civil society and media;
 - gender policy, human rights and reintegration;
 - education, science and innovation;
 - healthcare system;
 - youth and sport;

- social policies for people with disabilities and veterans and pension reform.

FFR prepared a brief comparative analysis of these projects and the government's Reconstruction Plan.

Manifesto **"Of Healthy Society"**

Sector of reform: medical.

We compare it with the Ukraine Recovery Plan, Materials of the "Healthcare" working group.

+ pros

- +** An indisputable advantage of the reform proposed by the state is its adherence to international standards.
- +** It is proposed to finally give patients access to their medical data.
- +** Digitalization of medical institutions, because without it it is impossible to carry out reforms and switch to new quality standards.
- +** Reconstruction of hospitals or reconstruction on the basis of already operating institutions.
- +** Attention is focused on postgraduate education of doctors.
- +** The public sector in its projects first of all considers a person as an unconditional value, trying to increase their life expectancy, which is possible only in the case of a systematic approach to reforms.
- +** Attention is focused on the organization and financing of the health care system.
- +** It is proposed to move away from the method of influence on decision-making by doctors on the part of the top management or the top body, which should significantly affect the quality and availability of medical services.

– cons

- The draft state plan does not clearly indicate how the proposed changes will take place, and the reform should be implemented on the basis of what was started several years ago. However, many mechanisms in this chain may remain “plans on paper” if a comprehensive approach to changes is not implemented.
- Reforming other areas that should be interconnected with medical reform, including disability reform, rehabilitation and support services reform, residential “care system” reform, etc.
- Giving medical institutions more independence (management of funds, hiring of employees, development of private medical practice, improvement of the qualifications of doctors on the basis of special independent centers).
- In the projects proposed by public organizations, more specific and global initiatives are given, but they also require greater efforts, in particular, the introduction of changes at the legislative level and the readiness of all levels to join the reform process.

Vision of Ukraine 2030

Sector of reform: protection of the rights of veterans and people with disabilities.

We compare it with Ukraine Recovery Plan, Materials of the Working Group “[Protection of the rights of war veterans](#)”.

+ pros

- + The project of the state plan in this field proposes to provide a system of social support for veterans, which will not only alleviate their combat injuries and financial losses, but also help them to be implemented in the socio-economic life of the state after the end of the service.

- + The state's provision of opportunities for veterans to freely realize their professional potential for their own development and the economic development of the state.
- + In turn, the project proposed by the public proposes to move from benefits to services in the system of state support, changes in the current legislation, and also provides for a transition from Soviet foundations to European principles.
- + One of the key points is the establishment of community rights research centers, creating conditions for scientific work based on existing international human rights standards.

– cons

- Ukraine Recovery Plan does not provide for changes regarding the protection of the rights of people with disabilities, which is absolutely wrong, given the fact that there are and will be many people with disabilities among war veterans. That is why the state should systematize and combine measures that would cover these two areas, which, unfortunately, was not taken into account during the preparation of this project.

Agency for Reconstruction and Development

Sector of reform: development of communities.

We compare it with Ukraine Recovery Plan, Materials of the working group “Construction, urban planning, modernization of cities and regions of Ukraine”.

+ pros

- + The project proposed by the state envisages systematic planning of reconstruction and further development of the country, and also enables positive transformation of territorial communities and regions.

The main goals of development in this direction are:

1. acceleration of economic growth of regions and territorial communities based on effective use of internal potential;

2. creation of new jobs, improvement of population employment;
3. availability of public functionality and services, etc.

The non-governmental project sees the possibility of carrying out reforms in this direction with the mandatory involvement / possibility of public participation in the agreement/discussion of documents on reconstruction, in particular through the “Join!” public activity promotion program.

– cons

- This is quite a global project, because it covers many directions. The difficulty of its implementation lies in the fact that local communities are not always open to dialogue and support of ideas, especially those proposed by the public.
- Also, currently there is a lack of information work in this direction (it is not always possible to find information in public access or it is not enough to understand what steps should be taken on the way to reconstruction).

The recovery of Ukraine as a democratic, legal and European country is impossible without correcting the mistakes of the past and implementing reforms that, among other things, meet the needs and challenges of today. Another important prerequisite for the success of reforms is their cross-sectoral implementation and coordination. At the stage of introducing reforms, the state should communicate with the public, the country's leadership, there should be a dialogue with those who want and are able to participate in the reconstruction of the country, and an inclusive approach to the introduction of reforms should also be taken into account.

The Ukraine Recovery Plan developed and proposed by the state should, of course, be implemented. However, its implementation should lead to the introduction of systemic reforms, a change in approaches and, ideally, to a change in the understanding of disability to a human rights model, in accordance with the UN Convention on the Rights of Persons with Disabilities.

Ukraine desperately needs a reform of the sphere of social protection. Already in 2023, Ukraine has:

- 1.** To undertake the reform of the provision of social services and to declare deinstitutionalization (refusal of “social care” on the basis of residential care institutions for both children and adults with disabilities, as well as the elderly).
- 2.** Reform existing legislation on restoration of legal capacity and introduce supported decision-making tools.
- 3.** Start providing support services for independent living of people with disabilities in communities.