

# EXECUTIVE SUMMARY OF THE ANALYTICAL REPORT

## THE SITUATION IN THE EDUCATIONAL SPHERE IN THE TEMPORARILY OCCUPIED TERRITORY OF UKRAINE

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The Ukrainian Helsinki Human Rights Union would like to introduce at your attention an analytical report shedding a light on the situation in the sphere of formal and non-formal education in Ukraine's temporarily occupied territory of Donbas and Crimea.

The right to education plays an important role in the system of human rights. One of the guarantees for this right, provided by domestic legislation as well as international standards in the field of education, involves positive obligations of a state. However, Russia's armed aggression has been hindering Ukraine's ability to ensure observance of this right in the temporarily occupied territory.

**About one million children currently live in the temporarily occupied areas of Donetsk and Luhansk oblasts as well as the Autonomous Republic of Crimea and Sevastopol**, including over 400 thousand school-age children. Although under international humanitarian law it is the occupying power's duty to provide children with school education, the question arises as to whether a state may forsake its own obligations in this regard.

Analyzing **the state of education of children and youth under occupation in 2014-2019**, we can isolate at least **three main aspects illustrating the need for working out state policy on education in the non-government controlled areas**:

- the possibility of influencing the worldview of Ukrainian children and youth in the temporarily occupied territory;
- the possibility of helping Ukrainian children and youth in the temporarily occupied territory to preserve their Ukrainian identity;
- the possibility of ensuring access to the state-guaranteed right to education.

However, the lack of a state strategy for ensuring the ability of the residents of the temporarily occupied territory to exercise their right to education makes any actions by the state on this front situational and insufficient for creating an effective mechanism of influence.

Due to this, the formation of state policy on ensuring the right to education for the residents of the temporarily occupied territory requires thorough analysis and monitoring of the educational field in Ukraine's temporarily occupied territory.

## KEY TAKEAWAYS OF THE STUDY:

- In the temporarily occupied territory, through its formal and informal education institutions, the occupying power is deliberately enacting a policy aimed at destroying the civic and national identity of the local population, done in the field of education for children and youth through militarization and restricted access to their national culture. Ukrainian language and literature, history of Ukraine and other related subjects are either not taught in the temporarily occupied territory at all or are optional, and school curricula are not in line with Ukrainian standards;
- Ever since the outset of the temporary occupation of parts of Ukraine, it has no official platform for collecting data regarding the educational field of Donbas and the occupied Crimea. All such monitoring is done by NGOs and is not systematic.
- General secondary education institutions in the temporarily occupied territory have 434,147 students, which, considering the corresponding figure for Ukraine (3,911,848 students in 2018), amounts to over 10% of Ukrainian pupils whose interests and educational needs are not taken into account in Ukraine's education policy.
- 6 years of occupation saw a significant increase in the number of students without certification on their level of education under the National Qualifications Framework (basic secondary education, special secondary education). In particular: certificates of complete general secondary education - 117,500; certificates of basic secondary education - about 108,000.
- The absence of documents confirming a person's education makes it difficult for graduates from the temporarily occupied territory to be part of Ukraine's educational space and could prove an additional burden on Ukraine's state institutions during the transition period after the temporarily occupied territory is reclaimed.

## THE FOLLOWING RECOMMENDATIONS WERE FORMULATED BASED ON THE STUDY:

- 1** Step up political, legal and diplomatic efforts to uphold the right to education of the residents of the temporarily occupied parts of Ukraine; bring up this issue in negotiations; communicate it to the international community and make use of international legal mechanisms.

- 2 Improve coordination of all stakeholders, including central and local executive bodies, local governments, NGOs as well as international and national humanitarian and development partners, in their efforts to find long-term solutions for the protection of the right to education and to determine criteria for evaluating the progress of such solutions.
- 3 State authorities should create appropriate conditions for ensuring the right to education of the residents of the temporarily occupied territory, in particular:

### Responsible bodies

Ministry of Education and Science of Ukraine

Ministry for Reintegration of the Temporarily Occupied Territories of Ukraine

Cabinet of Ministers of Ukraine

Verkhovna Rada of Ukraine

### Suggested actions

- To develop a state strategy for the reintegration of children and youth from the temporarily occupied territory.
- To establish an interdepartmental working group under the Ministry of Education and Science, with the involvement of NGOs, to address issues that the residents of the temporarily occupied territory are facing in the field of education, including the issue of validating basic and complete general secondary education certificates of children from the temporarily occupied territory.
- To introduce a simplified procedure for obtaining state certificates of general secondary education for children from the temporarily occupied territory.

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Ministry of Education and Science of Ukraine

- To create a separate department in the Ministry of Education and Science, specifically tasked with ensuring the observance of the right to education of the residents of the temporarily occupied territory.
- To arrange for the collection of data on education in the temporarily occupied territory (number and specialization of educational institutions, languages taught, numbers of pupil/college students/graduates/postgraduates).

### Ministry of Education and Science of Ukraine

- To develop mechanisms for creating a single educational space with the temporarily occupied territory by improving the system of distance and external education, including through the development of appropriate school and online curricula.
- To introduce programs of socio-psychological adaptation of IDP children in complete general secondary education as well as higher education institutions in mainland Ukraine.

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### Ministry of Culture and Information Policy of Ukraine

### Ministry of Youth and Sports of Ukraine

- To develop and implement a program "Cultural and educational reintegration of youth from the temporarily occupied territory", which will promote integration of children and youth from the temporarily occupied territory in Ukraine's cultural, informational and sports space through youth centers and youth associations (sports and cultural festivals, competitions, etc.).
- To develop and implement exchange programs with the young people from the temporarily occupied territory (including student exchange and internship programs abroad).
- To take into account the needs of youth from the temporarily occupied territory when developing the State Targeted Social Program "Youth of Ukraine".

## RECOMMENDATIONS ON FOREIGN POLICY

### based on on the results of the study «Educational dimension in the temporarily occupied territory of Ukraine (2014-2019)»

- 1 Present the results at a joint meeting of representatives of the Ukrainian Parliament Committee on Human Rights, Deoccupation and Reintegration of Temporarily Occupied Territories in Donetsk, Luhansk Oblasts and the Autonomous Republic of Crimea, Sevastopol, National Minorities and International Relations, Committee on Education, Science and Innovations, Committee on Foreign Policy and Inter-Parliamentary Cooperation, Committee on Ukraine's Integration into the European Union, as well as the leadership of Ukraine's Ministry of Foreign Affairs,

in order to work out unified positions on relevant issues, to be brought up at international events and discussions, international forums and meetings under the auspices of the United Nations, meetings of the PACE and its committees, within the framework of cooperation with delegations of Ukraine's partner states within the PACE (specifically the Baltic plus group), meetings of the Human Dimension platform and the 67th Annual Session of the NATO Parliamentary Assembly in October 2021.

- 2** Establish cooperation with international non-governmental organizations that deal with issues related to youth education, including in the context of armed conflicts, to secure their assistance in monitoring and obtaining complete information on education of youth in the temporarily occupied territory.
- 3** Call on international partners and appropriate international organizations to increase diplomatic and sanctions pressure on the Russian Federation in connection with the militarization of youth and the policy aimed at the destruction of national identity in the temporarily occupied territory of Ukraine.
- 4** Organize and conduct, with the support of the Permanent Representative of Ukraine to the United Nations, debates at the UN regarding education, militarization of youth, as well as the policy aimed at the destruction of national identity in the temporarily occupied territory of Ukraine.
- 5** National diplomats should, within the framework of the Public Diplomacy Strategy 2021-2025 of Ukraine's Ministry of Foreign Affairs (objective 3, paragraph 2), be more proactive when communicating key points of the study «Educational dimension in the temporarily occupied territory of Ukraine (2014-2019)» to foreign audiences on international platforms and in foreign media, as well as hold conferences, colloquia and seminars with leading foreign experts, public figures, think tanks and research centers while also involving representatives of NGOs, including those from the Ukrainian Helsinki Human Rights Union, to discuss the issue of education in the temporarily occupied territory of Ukraine; they should also work more closely with Ukrainians living abroad in order to facilitate dissemination of the relevant narrative.
- 6** Establish a special internship program for young people from the temporarily occupied territory in international organizations, foreign embassies (by agreement) and Ukraine-based missions (UNDP, UNICEF, USAID, EU Delegation to Ukraine, NATO Information and Documentation Centre in Ukraine, etc.).

- 7** Secure agreements at the level of the European Parliament and individual EU member states to establish a foundation that will be funding education in EU states for gifted youth from the temporarily occupied territory, or to provide them with scholarships in European universities, for their subsequent return and employment in Ukraine.

## KEY POINTS TO BE BROUGHT UP:

- about 1 million children live in the temporarily occupied territory of Donetsk and Luhansk oblasts, the Autonomous Republic of Crimea and Sevastopol; over 450 thousand of them are school-age children.
- The right to education plays an important role in the human rights system. However, Russia's military aggression has impaired Ukraine's ability to ensure observance of this right in the temporarily occupied territory.
- The Russian Federation is destroying the civic and national identity of Ukrainian citizens in the temporarily occupied territory of Donetsk and Luhansk oblasts, the Autonomous Republic of Crimea and the city of Sevastopol. 0.12% of school students are taught in Ukrainian, 96.7% - in Russian, and 3.1% - in Crimean Tatar. Ukrainian language and literature, History of Ukraine and other Ukraine-related subjects are either not taught in the temporarily occupied territory at all or are optional, and school curricula are not in line with Ukrainian standards.
- The Russian Federation is militarizing education and destroying the civic and national identity of youth in the temporarily occupied territory of Ukraine through formal and informal education institutions. This is a violation of the right to cultural and national identity and a breach of Article 29 of the UN Convention on the Rights of the Child.

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