



Mr. Bernard Duhaime

Special Rapporteur on truth, justice and reparation

Dear Mr Duhaime,

In response to your call for inputs on economic, social, and cultural rights in the context of transitional justice, I would first like to express my deep respect and address the following points.

The massive disruption caused by the war in Ukraine has severely impacted multiple sectors, including the country's justice system, presenting unprecedented challenges. For example, official reports indicate that since February 2022, nearly 10% of court infrastructure has been damaged, and approximately 20% of courts have been forced to close.

Despite these challenges, the Ukrainian justice system has demonstrated remarkable resilience, continuing to function despite funding shortages and disruptions to regular proceedings. We commend the ongoing justice reform efforts and the commitment to combating corruption. Ensuring the independence of the judiciary remains critical at all times. This includes safeguarding the independence and security of lawyers, maintaining the functional autonomy of prosecutors, and eliminating their authority to extend detention.

Meanwhile, violations of social and economic rights during the war in Ukraine have significantly affected the transitional justice process. These violations exacerbate societal inequalities, hinder economic recovery, and complicate efforts to achieve comprehensive justice and reconciliation.

Violation of social and economic rights as the result of the war in Ukraine led to the following issues:

1. **Destruction of Infrastructure:** The war has led to the widespread destruction of essential infrastructure, including hospitals, schools, and housing, disrupting access to healthcare, education, and shelter.

As of January 2024, the total documented damages to Ukraine's infrastructure caused by Russia's full-scale invasion were estimated at \$155 billion. Residential buildings accounted for the largest share of the damages—37.5% or \$58.9 billion—followed by infrastructure at 23.4% or \$36.8 billion¹.

Damages to healthcare facilities amounted to \$3.12 billion, with at least 1,203 healthcare facilities damaged or destroyed since the start of the full-scale war².

¹ Kyiv School of Economics. (2024). *Report on damages to infrastructure from the destruction caused by Russia's military aggression against Ukraine as of January 2024*. Kyiv School of Economics. https://kse.ua/wp-content/uploads/2024/05/Eng_01.01.24_Damages_Report.pdf

² Kyiv School of Economics, 2024.

The education sector has also been severely affected, with 4,163 educational institutions destroyed or damaged as of November 2024, resulting in losses exceeding \$6.8 billion³.

2. **Forced Displacement:** Millions have been internally displaced or have become refugees, losing their homes and livelihoods, which undermines their economic stability and access to social services.

As of November 2024, nearly 4 million people were internally displaced within Ukraine, while 6.8 million Ukrainian refugees were recorded globally. Additionally, approximately 14.6 million people were in need of humanitarian assistance in 2024⁴.

Most displaced individuals are women and children, making them particularly vulnerable to exploitation and trafficking.

3. **Unemployment and Economic Instability:** The war has caused a significant economic downturn, leading to job losses and increased poverty rates, further straining the social fabric.

In 2022, the Ukrainian economy suffered a loss of over 30% of its GDP. Although the situation improved in 2023 and 2024 compared to 2022, it remains critical⁵. As of October 2024, the unemployment rate had reached 14%, and in November 2024, inflation was recorded at 11% in Ukraine⁶.

Since the onset of the full-scale invasion, all of Ukraine's state budget revenues have been allocated to defense, with defense expenditures comprising about half of the budget. As a result, Ukraine relies entirely on foreign financial assistance to cover civilian state budget expenditures, with the estimated need for external financing in 2025 standing at \$38.4 billion.

In 2024, Ukraine received funds from frozen Russian assets for the first time: the United States provided a \$1 billion grant. This marked the initial tranche of a \$20 billion contribution from the U.S., as part of a larger \$50 billion financial support package⁷. While substantial, these funds remain significantly lower than the losses inflicted by the war.

4. **Limited Access to Basic Necessities:** Ongoing hostilities have restricted access to food, clean water, and medical supplies, compromising the well-being of affected population.

Since 2022, many regions of Ukraine—especially those near the frontlines—have been forced to live without reliable access to food, water, or electricity, under the constant threat of shelling. According to the International Rescue Committee, the destruction of water sources in 2022 left as many as 16 million people without access to clean water or sanitation, significantly increasing the risk of waterborne illnesses⁸.

According to UNDP, 13% of all households in Ukraine have been damaged by the war. Following 2022, the proportion of households dependent on government transfers rose from 53% to 60%, while reliance on humanitarian aid increased from 1% to 21%. In 2023,

³ Kyiv School of Economics, 2024; UNESCO. (n.d.). *Ukraine: Damages and victims*. UNESCO.

<https://www.unesco.org/en/ukraine-war/damages-and-victims>

⁴ USA for UNHCR. (2024). *Ukraine emergency*.

[https://www.unrefugees.org/emergencies/ukraine/#:~:text=Emergencies&text=There%20are%20nearly%204%20million,\(as%20of%20November%202024\).&text=6.8%20million%20refugees%20from%20Ukraine,\(as%20of%20November%202024\).&text=Approximately%2014.6%20million%20people%20are%20in%20need%20of%20humanitarian%20assistance%20in%202024;](https://www.unrefugees.org/emergencies/ukraine/#:~:text=Emergencies&text=There%20are%20nearly%204%20million,(as%20of%20November%202024).&text=6.8%20million%20refugees%20from%20Ukraine,(as%20of%20November%202024).&text=Approximately%2014.6%20million%20people%20are%20in%20need%20of%20humanitarian%20assistance%20in%202024;) People in Need. (2024). *The Ukrainian refugee crisis: Current situation*. People in Need.

<https://www.peopleinneed.net/the-ukrainian-refugee-crisis-current-situation-9539gp>

⁵ Center for Strategic and International Studies. (2024). *The road to recovery: Ukraine's economic challenges and opportunities*. <https://www.csis.org/blogs/development-dispatch/road-recovery-ukraines-economic-challenges-and-opportunities>

⁶ Centre for Economic Strategy. (2025). *Ukraine war economy tracker*. <https://ces.org.ua/en/tracker-economy-during-the-war/>

⁷ Centre for Economic Strategy, 2025.

⁸ International Rescue Committee. (n.d.). *Ukraine war: What are the impacts on the world today?* <https://www.rescue.org/article/ukraine-war-what-are-impacts-world-today>

approximately one-third of the population experienced insufficient food consumption. Additionally, 22% of households spent more than a quarter of their monthly income on medical services, and 11% of young people identified the lack of access to quality educational services as the most pressing issue in their lives⁹.

5. Deterioration of mental health among Ukrainians

Approximately one-third of the population, including 1.5 million children, is struggling with mental health challenges such as depression, anxiety, and post-traumatic stress disorder. The devastation caused by the war has disrupted support networks, leaving a profound and lasting impact¹⁰.

In 2023, one in five Ukrainian households faced food insecurity¹¹.

Addressing these challenges requires a comprehensive approach that combines immediate humanitarian assistance with long-term strategies for economic recovery, infrastructure rebuilding, and the establishment of effective legal mechanisms to ensure justice and reconciliation during the transitional period.

In light of the above, we believe the following measures are essential to address the ongoing violations of social and economic rights in Ukraine:

I. Draw the UN's attention to weaponized violations of social and economic rights.

We urge the Special Rapporteur to highlight to the United Nations the persistent and systematic violation of social and economic rights of Ukrainians during the illegal aggression by the Russian Federation. It appears that such violations are deliberately weaponized by the Russian Federation to exert additional pressure on Ukraine. These transgressions have had a devastating impact on the Ukrainian economy, undermining not only its immediate recovery but also the long-term health and well-being of the Ukrainian population. The consequences, including the erosion of the nation's gene pool and public health, will take decades to remedy. Addressing these violations is essential to mitigating their far-reaching effects and ensuring justice for those affected.

II. Emphasize the obligation for Russia to provide full reparations.

It is of critical importance that the United Nations unequivocally reiterates Russia's obligation to fully compensate for all damages resulting from its violations of social and economic rights during the war. If necessary, this should include the seizure of Russia's sovereign assets located in third jurisdictions. Unfortunately, the realization of remedies often depends on the shifting political will of allied states, as evidenced by electoral outcomes in various countries since 2014, when Russia's aggression against Ukraine began. Clear, official statements from the United Nations can ensure that the pillars of transitional justice—particularly accountability and reparations—are neither superficial nor illusory. This clarity will also strengthen the international legal framework, demonstrating that violations of fundamental rights will not go unanswered.

III. Advocate for robust enforcement mechanisms within transitional justice frameworks.

While the concept of transitional justice has evolved significantly in recent decades, it continues to suffer from a lack of robust enforcement mechanisms. We call on the United Nations, as the preeminent global organization tasked with maintaining peace and security, to spearhead efforts to develop and implement such mechanisms. These should be activated promptly at the onset of grave human rights violations, particularly in cases of international armed conflict. Establishing reliable enforcement tools would ensure that accountability is not delayed or diminished, strengthening the international community's ability to respond decisively to breaches of human rights and international law.

⁹ United Nations Development Programme. (2023). *Household impact assessment: Key findings on the impact of war in Ukraine*. Retrieved from <https://www.undp.org/sites/g/files/zskqke326/files/2023-09/undp-ua-hia-ukr-2.pdf>

¹⁰ International Rescue Committee. (2024). *Ukraine: families mark two years of full-scale war, a decade of conflict and displacement*. International Rescue Committee. <https://www.rescue.org/article/ukraine-families-mark-two-years-full-scale-war-decade-conflict-and-displacement>

¹¹ International Rescue Committee, 2024.

IV. Strengthen support for Ukraine's justice reform and accountability mechanisms.

We call on UN institutions and Member States to enhance their support for Ukraine's justice reform process and facilitate the effective investigation and prosecution of international crimes, in full compliance with fair trial guarantees. This support should include technical assistance, capacity-building initiatives, and financial resources to ensure the sustainability and independence of Ukraine's judicial institutions. Strengthening prosecutorial and investigative capacities, particularly in documenting and adjudicating war crimes, is essential to achieving meaningful accountability.

With best regards,

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President of the Ukrainian Bar Association

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About the Ukrainian Bar Association's Human Rights Institute (UBAHR)



Since its establishment in 2002, the Ukrainian Bar Association (UBA) has been dedicated to strengthening the rule of law, promoting the protection of human rights, and supporting the development of the legal profession. The Association unites over 8,000 members from diverse legal backgrounds, with 23 regional branches and 27 specialized committees. The UBA's Human Rights Institute aims to support legal professionals in Ukraine in strengthening the rule of law and human rights protection, as well as opposing the illegal aggression against Ukraine by legal tools.

About the International Bar Association's Human Rights Institute (IBAHRI)



The International Bar Association (IBA), established in 1947, is the world's leading organisation of international legal practitioners, bar associations and law societies. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of 80,000 individual lawyers and more than 190 Bar Associations and Law Societies, spanning all continents. The IBA's Human Rights Institute (IBAHRI), an autonomous and financially independent entity, works with the global legal community to promote and protect human rights and the independence of the legal profession worldwide.

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