

# **Evaluation of the United Nations Human Rights Monitoring Mission in Ukraine**

## **Evaluation Report**

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*An external Consultant has prepared this report. The views expressed herein are those of the Consultant and therefore do not necessarily reflect the official opinion of OHCHR.*

CONTENTS

- Abbreviations and acronyms.....II
- Executive Summary .....III
- 1 Introduction..... 1
  - 1.1 Background..... 1
  - 1.2 Evaluation objectives and scope..... 3
  - 1.3 Users ..... 4
  - 1.4 Evaluation criteria and questions ..... 4
  - 1.5 Structure of the report..... 6
- 2. Methodology..... 7
  - 2.1 Data collection and analysis ..... 8
  - 2.2 Integration of HR, gender, and disability ..... 9
  - 2.4 Ethical considerations..... 9
  - 2.5 Limitations ..... 9
- 3. Findings..... 11
  - 3.1 Relevance..... 11
  - 3.2 Coherence..... 15
  - 3.3 Effectiveness ..... 17
  - 3.4 Impact..... 26
  - 3.5 Sustainability ..... 29
  - 3.6 Efficiency ..... 31
  - 3.7 Gender, Disability, LNOB ..... 36
- 4. Conclusions.....39
- 5 Lesson learned..... 42
- 6 Recommendations..... 43
  - 5.1 Recommendations to OHCHR..... 43
  - 5.2 Recommendations to the Government of Ukraine ..... 44
  - 5.3 Recommendations to donors ..... 45
- Annexes (available upon request)..... 46

## ABBREVIATIONS AND ACRONYMS

CERD	Convention on the Elimination of All Forms of Racial Discrimination
CSO	Civil society organization
CRSV	Conflict-related sexual violence
EC	European Commission
ESC	Economic, Social and Cultural
GoU	Government of Ukraine
HRBA	Human rights-based approach
HRC	United Nations Human Rights Council
HRMMU	United Nations Human Rights Monitoring Mission in Ukraine
IHL	International humanitarian law
IHRL	International human rights law
LGBTI	Lesbian, gay, bisexual, transgender, intersex plus
LNOB	Leaving No-one Behind
MoU	Memorandum of Understanding
MPTF	Multi-Partner Trust Fund for Conflict Related Sexual Violence
IO	International organization
NHRAP	National Human Rights Action Plan
OHCHR	Office of the High Commissioner for Human Rights
PPMES	Policy, Planning, Monitoring and Evaluation Service
RBM	Results-Based Management
SDG	Sustainable Development Goals
Sida	Swedish International Development Cooperation Agency
ToC	Theory of Change
ToR	Terms of Reference
UK	United Kingdom
UNEG	United Nations Evaluation Group
USA	United States of America
USD	United States Dollar

## EXECUTIVE SUMMARY

1. Henrik Alffram and Yevheniia Bondarenko were engaged by the United Nations Office of the High Commissioner for Human Rights (OHCHR) to evaluate the United Nations Human Rights Monitoring Mission in Ukraine (HRMMU). The evaluation, which was carried out between September 2023 and May 2024, has taken stock of the performance of HRMMU from May 2021 to December 2023, considered the recommendations of a 2019 evaluation, and strived to generate lessons and recommendations for the design of the next phase of the Mission.
2. The evaluation team applied a mixed-methods data collection strategy, relying on both a qualitative and quantitative approach. It carried out a document review, conducted 97 interviews (54 women and 43 men) with a purposeful sample of informants and collected data through a perception survey completed by 36 staff members.
3. The evaluation has addressed ten questions relating to the Mission's relevance, coherence, effectiveness, impact, efficiency, and sustainability, as well as its implementation of gender equality, disability inclusion, and Leave no one behind.

### Relevance

4. The evaluation team found that HRMMU has a unique role and that its relevance has increased since the Russian Federation's full-scale invasion of Ukraine in February 2022. The Mission is of particular relevance for Ukrainian duty-bearers and national and international peace, security, and accountability institutions. For rightsholders, the Mission is primarily of indirect relevance. In recent years, the Mission has implemented few initiatives aiming to enhance the capacity of rightsholders and their organizations to claim rights. The Mission's focus on people in situations of particular vulnerability has been somewhat less pronounced following the full-scale invasion.

### Coherence

5. Despite general concerns about a lack of coherence amongst the many different national and international actors working on issues of human rights, justice, and the rule of law in Ukraine, HRMMU benefits from a high degree of coherence with what others are doing. HRMMU's unique monitoring mandate, the data it collects, and the analysis and recommendations it provides effectively feed into the work of other institutions focusing on peace and security, and accountability for grave human rights violations, as well as institutions working to strengthen state capacities relating to human rights, the rule of law and the functioning of a democratic state.

### Effectiveness

6. There has been sound progress in relation to most of HRMMU's intended outcomes. The Government of Ukraine is making progress in its investigations of the most egregious human rights violations and in implementing the National Human Rights Action Plan, and there are examples of HRMMU contributing to this progress. There are also many

examples of UN agencies, and other members of the international community taking action on issues, cases, and patterns raised by HRMMU. The Russian Federation has done so to a much lower extent. While Ukrainian civil society organizations (CSOs) are implementing a broad range of actions in support of accountability, HRMMU's contribution to their accountability-related results has been limited during the period under review by the evaluation.

7. There is broad consensus that HRMMU's most important result is its credible and extensive monitoring of the human rights situation and its related contribution to the "the truth", to accountability for violations of human rights, and to give voice to victims of human rights violations. In line with conventional thinking around results-based management, HRMMU's results framework focuses on more tangible outcomes observable in the short and medium term. While HRMMU has done an impressive and important job in trying to follow up on its contribution to these tangible results, it has not made its contribution of accurate information on the human rights situation and potential long-term contribution to future accountability an explicit objective. Such an objective would recognize that the availability of factually correct information about the human rights situation is essential even if no one, at least not in the short or medium term, can act on it and ensure concrete improvements in the human rights situation. Thus, it would recognize that the effectiveness of HRMMU is not primarily related to whether it reaches the outcomes in its current results assessment framework, but whether it effectively collects and disseminates accurate information on the human rights situation.
8. As the Mission has pointed out, HRMMU's ability to attain results is grounded in its fact-based advocacy; persistence in advocacy, messages, and work; and the utility of building strategic coalitions on common messaging with others. Despite staff turnover and capacity development challenges, it is notable that the Mission has also benefitted from highly committed and competent staff members. The Mission's well-developed relationships with many government departments and public authorities, including the armed forces, UN agencies and other international organizations, are other success factors. Many informants have welcomed the Mission's recent efforts to increase its outreach and dissemination and discussion of monitoring findings and recommendations. These efforts are likely to increase its effectiveness further.

### Impact

9. As with most human rights monitoring interventions, it is difficult to establish causality between the monitoring efforts and larger-scale improvements in the protection of human rights. Nevertheless, there is substantial evidence that the Mission has contributed to several high-level changes of importance from a human rights perspective, including changes in legislation, strengthened duty-bearer capacity and accountability for human rights violations in national and international processes. The Mission's more general contributions to a historical record, securing the right to truth and giving victims of human rights abuses a voice should also be considered impact-level results.

## Sustainability

10. Overall, the results attained by HRMMU are characterized by a relatively high degree of sustainability. Its contribution to credible information about the human rights situation must be considered sustainable, and the public policy-related changes that the Mission has contributed to are, in many cases, as sustainable as changes in public policies can be expected to be. As for the sustainability of HRMMU itself, the overall attention given to Ukraine amongst actual and potential donors and the diverse sources of funding the Mission currently has makes it likely that money will be available for the Mission also in the coming years, even though there may be challenges in sustaining the current level of support. It would be easier to obtain a comprehensive picture of HRMMU's financial situation and sustainability if OHCHR produced a consolidated financial report showing all income and expenditures pertaining to the Mission.

## Efficiency

11. Staff members feel that their experiences and voices have not been sufficiently considered in internal decision-making processes, contributing to limited openness to change among some members. Strengthened internal communication and better opportunities for staff to provide feedback on reforms and new initiatives are key ingredients in promoting an environment where change is welcome.
12. The Mission and OHCHR as a whole need to explore and create further opportunities for monitoring-related staff development and professional growth tailored for new staff members as well as staff who have been with the Mission for a longer period. There is a broad agreement that further attention should be paid to work-life balance and general staff well-being, including mental health issues, and the Mission's management has recently introduced several measures to improve the situation.
13. In some cases, donor funding for HRMMU has been earmarked for specific staff, structures, and activities within the mission. More widespread earmarking could affect the Mission's effectiveness and efficiency. From the perspective of efficiency and sustainability, it is problematic that only some donors provide multi-year funding.
14. HRMMU's efficiency suffers from high staff turnover, partly outside the Mission's control, and excessive time and resources spent on staff recruitment. It has been suggested that a higher degree of autonomy for HRMMU in the recruitment process could lead to a more effective process, with positions being vacant for shorter periods and increased chances that the Mission is able to hire its preferred candidates. Overall, it could lead to less time spent on recruitment-related issues and fewer recruitment processes having to be initiated.
15. Interviewees have noted that increased desk officer capacity is needed in the OHCHR office in New York if the office is to effectively disseminate and advocate around HRMMU's findings and recommendations and keep the Mission informed of developments in New York.

## Gender, disability, LNOB

16. Throughout the period under review, HRMMU has maintained a focus on groups in situations of vulnerability and, together with other actors, contributed to meaningful outcomes. There are some indications, however, that this focus has been less pronounced since the full-scale invasion and that an increased focus on the needs and priorities of women, persons with disabilities, and other vulnerable groups is needed if the Mission should maintain a high degree of relevance for these groups.

## Recommendations

17. The evaluation sets out 12 recommendations, of which eight are directed at OHCHR, one at the Government of Ukraine and three at HRMMU's donors.

### 18. Recommendations to OHCHR

1. Make the contribution to the truth (or similar) the Mission's primary outcome, explicitly recognizing the central importance of contributing to a historical record, future accountability and victims' voice.
2. Ensure a strong focus on groups in situations of vulnerability is maintained.
3. Engage in further outreach activities and discussions around the Mission's findings and recommendations.
4. Strengthen change management through improved internal communication.
5. Strengthen staff development through human rights monitoring training.
6. Ensure a strong focus on work-life balance, staff team building, and mental health support to reduce staff turnover.
7. Improve the staff recruitment process and consider delegating further responsibilities to HRMMU.
8. Strengthen desk officer capacity in New York.
9. Produced a consolidated annual financial report.

### 19. Recommendations to the Government of Ukraine

1. Enter into longer cooperation agreements with the Mission.

### 20. Recommendations to donors

1. Strengthen coordination and harmonization.
2. Do not earmark funding for particular positions, structures and activities within HRMMU.
3. Provide multi-year support.
4. Support OHCHR's efforts to obtain longer cooperation agreements with the Government of Ukraine.

# 1 INTRODUCTION

1. Henrik Alffram and Yevheniia Bondarenko were engaged by United Nations Office of the High Commissioner for Human Rights (OHCHR) to conduct an evaluation of the United Nations Human Rights Monitoring Mission in Ukraine (HRMMU). The evaluation was carried out between September 2023 and May 2024. This report presents the findings, conclusions, recommendations and lessons learned from the evaluation.

## 1.1 Background

2. In March 2014, the Russian Federation took control over the Autonomous Republic of Crimea and the city of Sevastopol (hereafter referred to as Crimea). In April 2014, separatist armed groups with support of the Russian Federation, further assumed control of administrative facilities in several regional centres within eastern Ukraine, including Donetsk and Luhansk.<sup>1</sup> In response, on 14 April 2014, the Ukrainian government launched an operation with the objective of re-establishing governmental control over the areas held by the separatists. Subsequently, on 11 May 2014, these groups organized what they called "referendums" on the sovereignty of the self-proclaimed "Donetsk People's Republic" and "Luhansk People's Republic." These actions were considered illegal under Ukrainian law and their outcomes were not recognized internationally. The conflict with the armed separatist groups, bolstered by the influx of foreign fighters, weapons, and ammunition, notably from the Russian Federation, rapidly intensified into an armed conflict with significant civilian casualties and a range of violations of international human rights law (IHRL) and international humanitarian law (IHL), affecting civilians and combatants.
3. On 24 February 2022, the Russian Federation launched a full-scale armed invasion of Ukraine. From the start of the full-scale invasion to 31 March 2024, OHCHR recorded 31,366 civilian casualties in the country: 10,810 killed and 20,556 injured.<sup>2</sup> OHCHR has also verified numerous allegations of arbitrary deprivation of life, arbitrary detention, enforced disappearance, torture, ill-treatment, and conflict-related sexual violence (CRSV).<sup>3</sup> The indiscriminate attacks on civilians and civilian infrastructure in Ukraine have also resulted in the mass destruction of civilian housing, health facilities, water supply networks, and power stations, leading to the displacement of over 10 million people, both internally and outside of Ukraine, as of late March 2024.<sup>4</sup>
4. HRMMU was set up in March 2014 as part of the Human Rights Up Front Initiative of the UN Secretary-General to monitor and publicly report on the human rights situation in Ukraine to strengthen human rights protection, foster access to justice, and ensure that

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<sup>1</sup> European Court of Human Rights, Grand Chambre, Case of Ukraine and the Netherlands v. Russia, 30 November 2022; and Joint Investigation Team, Report: Findings of the JIT MH17 investigation into the crew members of the Buk TELAR and those responsible in the chain of command, February 2023.

<sup>2</sup> OHCHR, Ukraine: Protection of civilians in armed conflict. March 2024 update. 2024.

<sup>3</sup> See OHCHR, Türk reports "harrowing human rights suffering" in Ukraine. Interactive dialogue on Ukraine. 2 April 2024; OHCHR, Report on the human rights situation in Ukraine: 1 December 2023-31 February 2024, 2024.

<sup>4</sup> UNHCR Regional Bureau for Europe, Ukraine Situation, Flash Update #67, 25 March 2024.



perpetrators of human rights violations are held to account. The Mission was also given the task of making recommendations to the Government of Ukraine and other actors and advocating for actions to address human rights concerns. In line with UN General Assembly resolution 68/262 adopted on 27 March 2014, HRMMU also took on monitoring and reporting on the human rights situation in Crimea. HRMMU's status and relationship vis-à-vis the Government of Ukraine is set out in the Agreement between the Office of the United Nations High Commissioner for Human Rights and the Government of Ukraine concerning the deployment of a short-term UN Human Rights Monitoring Mission in Ukraine. Originally, the Agreement had to be renewed every three months. Its duration has since been extended to six months.

5. Since the start of the Russian Federation's full-scale military invasion of Ukraine on 24 February 2022, HRMMU's work has shifted towards an increased focus on documentation of human rights violations and advocacy in relation to all parties of the conflict to respect IHRL and IHL. HRMMU is also striving to help pave the way for joint post-conflict recovery efforts. Its key areas of engagement are:

- Monitoring and documentation of IHRL and IHL violations in Ukraine to prevent further violations and facilitate future accountability;
- Analysis and reporting on the human rights situation in Ukraine with specific recommendations;
- Protection, including protection by presence;
- Sustained advocacy;
- Providing technical assistance and advice; and
- Early warning.<sup>5</sup>

6. To reflect HRMMU's increased focus on the ongoing armed conflict, that the entirety of the country is under the purview of the Mission and that actions by the Russian Federation are covered by HRMMU's mandate, adjustments were made to the Mission's theory of change (ToC) in 2023. The revised ToC is formulated as follows:

If all relevant stakeholders, including the Government of Ukraine, parties to the conflict, non-State actors and the international community are better informed of and act in response to violations of IHRL and IHL, including the most egregious human rights violations (such as torture and all forms of conflict-related sexual violence) in the country, also covering the conflict-affected areas and Crimea;

If human rights and IHL concerns are taken up by the UN and relevant international actors, such as international conflict-resolution and accountability mechanisms in a timely manner and

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<sup>5</sup> HRMMU/OHCHR, Support to the UN Human Rights Monitoring Mission in Ukraine to Expand its Work in Response to 2022 Conflict in Ukraine, 15 March 2022; HRMMU, Notes on the updates of the language of the results, 3 August 2023.

If the Government of Ukraine effectively implements the National Human Rights Action Plan, reflective of key priorities such as on women, peace, and security;

Then, the rule of law, civic and democratic space and accountability mechanisms will increasingly address human concerns, including social and economic rights particularly affecting women, children and minorities;

Enhancing prevention and protection of human rights in situations of conflict and insecurity; and

Paving the way for transitional justice, social cohesion and, ultimately, conflict-resolution/sustainable peace and further development in Ukraine.<sup>6</sup>

7. HRMMU has grown rapidly since the full-scale invasion. Its expenditures grew from USD 5.3 million in 2021 to 10 million in 2023. The number of staff members has increased, and the management structure of the Mission has been reformed and upgraded during the same period. While the leadership of HRMMU previously comprised a director (P5) and a deputy director (P4), the management team is now made up of a director (D1) and two deputy directors (P5). As of March 2024, the Mission had around 75 staff members. In addition to its main office in Kyiv, it has offices in Kharkiv, Dnipro and Odesa. Until early 2023, HRMMU had offices in Luhansk and Donetsk. These offices have been made inaccessible by the occupying Russian Federation. Areas of Ukraine occupied by the Russian Federation, to which HRMMU has no access, are monitored remotely. Outside Ukraine, the Mission has an office in Chisinau, Moldova. An office in Poland was recently closed. In Geneva, the Mission has two dedicated desk officers.

## 1.2 Evaluation objectives and scope

8. According to its terms of reference (ToR) the evaluation should serve both accountability and learning purposes and should take both a summative and a formative approach. It should take stock of the performance of HRMMU and strive to generate lessons and recommendations for the design of the next phase of the Mission. It should consider the recommendations put forward in a 2019 European Commission evaluation if still relevant considering the changed context. The recommendations directed at HRMMU in the 2019 evaluation focus on the need to improve the system and practices for sub-granting to civil society organizations (CSOs); strengthening programme monitoring and the application of a results-based management (RBM) system; and the importance of working with media to, among other things, mainstream human rights and gender equality in reporting and develop a methodology for investigative reporting.

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<sup>6</sup> HRMMU, Evaluation Notes: Current theory of change, Submitted to SIDA in 2022, n.d.

9. Geographically, the evaluation covered all of Ukraine. Its temporal scope was 1 May 2021 to 31 December 2023. However, the periods prior to 1 May 2021 and after December 2023 have been considered when needed to understand the context in which the Mission is implemented, the evolution of the Mission’s mandate and the Mission’s accomplishments.

### 1.3 Users

10. The intended users of the evaluation have been divided into primary users, secondary users and other users, as set out in Table 1.

Table 1: Intended users

Category	Description
Primary users	<p>Users directly involved in the programme implementation/ use decision-making, adjusting programme:</p> <ul style="list-style-type: none"> <li>• Leadership of Sida and other donors in HQs and their embassies to Ukraine</li> <li>• Sida and other donors programme officers managing country programme support</li> <li>• HRMMU leadership on the ground and their reporting lines at OHCHR’s HQ (Field Operations and Technical Cooperation Division/ Europe and Central Asia Section)</li> <li>• HRMMU programme staff on the ground and in HQs</li> </ul>
Secondary users	<p>OHCHR management and methodology units /use: oversight, feedback into programming and organisational learning:</p> <ul style="list-style-type: none"> <li>• OHCHR’s Executive Direction and Management (EDM)</li> <li>• OHCHR’s Programme and Budget Review Board (PBRB)</li> <li>• OHCHR’s Methodology and Education and Training Section (METS)</li> </ul>
Other users	<ul style="list-style-type: none"> <li>• Human Rights Council and its investigative body the Independent International Commission of Inquiry on Ukraine</li> <li>• International community: Policy, field and desk officers in foreign services and donor agencies</li> </ul>

### 1.4 Evaluation criteria and questions

11. The evaluation has, in line with the ToR, assessed HRMMU’s relevance, coherence, effectiveness, impact, efficiency and sustainability. It has also addressed the criterion “Gender Equality, Disability Inclusion, Human Rights (LNOB).” The ToR set out 13 evaluation questions (EQ) relating to these criteria. During the course of the evaluation, the evaluation team and OHCHR agreed to amalgamate three efficiency questions, combine two impact questions and reformulate one of the effectiveness questions to ease the reading of evaluation findings and conclusions. The final evaluation questions are presented in Table 2 below.

Table 2: Evaluation criteria and evaluation questions

Criteria	Evaluation Question
Relevance	EQ1: To what extent has the Mission's objectives and work responded and remained relevant to the evolving context and the needs and priorities of a) duty-bearers, b) right-holders, and c) international security, peace and accountability institutions? EQ2: To what extent has the Mission complied with the standards of human rights monitoring and its guiding principles as contained in OHCHR's Manual of Human Rights Monitoring? <sup>7</sup> These include the Do not Harm principle, respecting the mandate, maintaining credibility, impartiality and objectivity, and conflict sensitivity.
Coherence	EQ3: To what extent has the Mission's work been coherent with the work of other international and national peace, security and accountability institutions?
Effectiveness	EQ4: What outcomes/results have been achieved (intended and non-intended)? EQ5: What have been the primary factors affecting attainment of results?
Impact orientation	EQ6: What difference has the Mission made? What difference has the Mission made? Has the Mission achieved its intended impact of preventing human rights violations and abuses through presence and monitoring and has it successfully reinforced the duty bearer's responsibility to respect, protect and fulfil human rights?
Sustainability	EQ7: Which outcomes of the Mission's work are likely to be durable?
Efficiency	EQ 8: Have the Mission's organisational capacities and resources been used optimally and have organisational structures and processes been fit for purpose, promoting flexibility and adaptability to the changing context of fragility and armed conflict?
Gender Equality, Disability Inclusion, Human Rights (LNOB)	EQ9: To what extent has the Mission's objectives and work responded and remained relevant to the needs and priorities of women, persons with disabilities and other vulnerable groups, especially those most marginalised? EQ10: What specific outcomes have been achieved for women, children, persons with disabilities and other vulnerable groups, especially those most marginalised?

<sup>7</sup> <https://www.ohchr.org/en/publications/policy-and-methodological-publications/manual-human-rights-monitoring-revised-edition>

## 1.5 Structure of the report

12. Following this introduction, the report presents the methodological aspects of the evaluation in section 2. Section 3 presents the evaluation's findings relating to the evaluation criteria and evaluation questions. Section 4 contains the evaluation team's conclusions, section 5 lessons learned and section 6 its recommendations. Annex A-E includes the ToR for the assignment, a list of documentation reviewed, survey data, an interview guide, and HRMMU's intervention logic as reconstructed by the evaluation team.

## 2. METHODOLOGY

13. The evaluation has been guided by a utilization-focused approach, meaning that the evaluation team has strived to implement the evaluation in a manner that carefully considers how it will be used. The team sought to create an environment that stimulates learning and improvement. It has interacted closely with key evaluation stakeholders to capture their perspectives and experiences. The team engaged with HRMMU and OHCHR's Policy, Planning, Monitoring and Evaluation Service (PPMES) throughout the different stages of the evaluation. This included weekly meetings to assess progress and discuss challenges and opportunities for PPMES, HRMMU and an OHCHR reference group to comment on the evaluation team's draft inception report and a draft of the final evaluation report. HRMMU and other OHCHR staff were also treated as key informants and the evaluation team involved PPMES, HRMMU and the OHCHR reference group in separate verification sessions where preliminary findings, emerging conclusions and potential recommendations were presented and discussed.
14. The purpose of the evaluation and the specific context in which it has been carried out highlighted a need to ensure its conflict sensitivity. This meant, among other things, that HRMMU's progress was assessed, and the evaluation team's recommendations were provided, given prevailing human rights, conflict, legal and political developments. The evaluation also applied a human rights-based approach. This impacted the selection of interviewees, formulation of interview questions and the lens applied for analysis, presentation of evaluation findings, conclusions, and recommendations.
15. During the inception phase, a revised and updated version of HRMMU's intervention logic, taking into account changes since February 2022, was developed for the purpose of the evaluation (see Annex E). It has been used to assess the Mission's attainment of outcomes and contribution towards impact. It identifies the following six outcomes:
  - Outcome 1. Parties to the conflict take action on issues, cases and patterns raised by HRMMU;
  - Outcome 2: International community takes action on issues, cases and patterns raised by HRMMU;
  - Outcome 3: UN agencies have programmes and activities reflecting human rights concerns raised by HRMMU;
  - Outcome 4: Government of Ukraine conducts effective investigations of the most egregious human rights violations;
  - Outcome 5. Human rights CSOs contribute to accountability; and
  - Outcome 6. Government of Ukraine implements the National Human Rights Action Plan, including key priorities on women peace and security.

## 2.1 Data collection and analysis

16. The evaluation team has applied a mixed methods data collection strategy, relying on both a qualitative and quantitative approach. A document review formed the start of the data collection process. It helped answer the evaluation questions as well as frame key informant interviews. The review was primarily based on documents obtained from OHCHR but also included other documents relating to the context in which the Mission operates. Annex B includes a list of reviewed documents.
17. The evaluation team carried out interviews with a purposeful sample of informants identified through a stakeholder mapping included in the ToR and further developed by the evaluation team during the inception phase of the evaluation. The team identified further informants during the data collection phase, including through chain referral sampling. All interviews were loosely structured around the evaluation questions and aimed at capturing the interviewees' most significant experiences, reflections and ideas. An interview guide was flexibly applied to meet the aim of the evaluation (Annex D). All interviews were carried out remotely using an electronic communication tool. In total, 97 persons, 54 women and 43 men, were interviewed. Table 3 shows the number of informants interviewed by category of institution they represent and gender.

Table 3: Interviewees by category and gender

Category	Women	Men	Total
HRMMU staff (current and former)	16	13	29
OHCHR staff (other than HRMMU)	6	6	12
Staff of IOs, INGOs, embassies and donors	12	12	24
CSO and media representatives	16	7	23
Ukrainian government and public officials	4	5	9
Total	54	43	97

Source: Evaluation team

18. The evaluation team also used a perception survey to collect data. It was sent through an electronic survey tool in English and Ukrainian to all HRMMU staff included in a staff directory provided by HRMMU. Thirty-six staff members completed the survey, giving a response rate of 47%. Of the respondents, 56% were men and 39% were women, while 6% preferred not to mention their gender. The survey comprised questions to which the respondents were asked close-ended questions but also invited to provide narrative comments. This helped to draw out a broader understanding of the issues to address evaluation questions and contributed to the triangulation of findings. The survey data was collected in a manner that made it possible to disaggregate responses, including by gender. The survey and the responses received are set out in Annex C.
19. The analysis of collected data was structured around the evaluation questions. It was carried out through an iterative approach involving the two evaluation team members. While the analysis started on an individual level during the document review, it continued through discussions within the team during the data collection and report

writing phases of the evaluation. The ongoing analysis informed the data collection and helped ensure that it was relevant for addressing the evaluation questions. The team also engaged HRMMU and the OHCHR reference group in the verification of findings and conclusions through the above-mentioned verification sessions and by giving them opportunities to comment on the draft report. Triangulation was essential to ensuring the reliability and validity of findings and to mitigate any biases that may arise from one single method or a single observer. As part of the data analysis, the evaluation team strived to disaggregate collected data to help identify, in particular, any gender-based differences.

## 2.2 Integration of HR, gender, and disability

20. The evaluation assessed the Mission's integration of human rights, gender and disability by assessing, in particular, the inclusion of a special evaluation criterion and two evaluation questions focusing specifically on these issues. Thus, the desk review, key informant interviews, and staff survey were designed to ensure that sufficient relevant data was collected to answer these evaluation questions. The purposeful sampling of the data sources, including key informants, took into account the need to ensure gender balance amongst informants and that organizations representing groups in situations of vulnerability were given a voice in the evaluation. The data collected through the survey and the key informant interviews was gender disaggregated. The evaluation did not interview any children.

## 2.4 Ethical considerations

21. The evaluation was guided by the ethical standards for evaluation set out in the United Nations Evaluation Group's guidelines ensuring that an evaluation is conducted with integrity, accountability, respect and beneficence.<sup>8</sup> All informants were interviewed on the basis of voluntary participation. They were informed about the purpose of the evaluation, the purpose of the interview, how the information provided would be used and that no comments would be directly or indirectly ascribed to any individual without their full informed consent.

## 2.5 Limitations

22. The ToR includes a risk register of risks/challenges specific to evaluations in fragile and conflict-affected settings. The first risk listed concerns the evaluators' ability to collect data in person. Whether the evaluation should include in-real-life data collection in Ukraine or rely exclusively on remote data collection was discussed with different stakeholders, including HRMMU and PPMES, during the inception and data collection phases. It was eventually decided that the evaluation team could not visit Ukraine. While there was concern that it would be difficult for the team to access key informants and that informants would be reluctant to share their experiences and views remotely, the evaluation team's assessment is that these concerns were not materialized. While the

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<sup>8</sup> United Nations Evaluation Group, Ethical guidelines for evaluation, 2020



number of potential informants contacted for interviews was substantially higher than the 97 interviewed and the evaluation team had particular challenges in getting government officials to respond to interview requests, the team does not believe that this is related to the fact that face-to-face interviews could not be conducted.

23. In the absence of a visit to Ukraine, the evaluation team could not observe the conditions under which the Mission operates and could not engage in sustained discussions with staff members beyond the online interviews that, on average, lasted roughly one hour. Furthermore, the evaluation team did not talk directly to victims of human rights violations and engaged with organizations representing rightsholders rather than with individual rightsholders themselves. The team has not interviewed any representatives of the Russian Federation. It contacted the Permanent Mission of the Russian Federation to the United Nations Office in Geneva for an interview but did not receive a response.

## 3. FINDINGS

### 3.1 Relevance

3.1.1 EQ 1: To what extent has the Mission`s objectives and work responded and remained relevant to the evolving context and the needs and priorities of a) duty-bearers, b) right-holders, and c) international security, peace and accountability institutions?

24. The objectives, priorities and activities of HRMMU`s current programme, as set out in the document "Support to the UN Human Rights Monitoring Mission in Ukraine to Expand its Work in Response to 2022 Conflict in Ukraine" have been developed through an extensive internal consultative process and ultimately accepted by the Mission`s donors. The programme development did not benefit from comprehensive design-focused consultations with the government or with civil society, although the Mission`s ongoing interaction with these actors has presumably influenced its formulation. In line with the recommendations of the 2019 European Commission evaluation<sup>9</sup>, the programme document pays attention to the need for effective follow-up of results. The evaluation has otherwise had little visible influence on the design of the programme.
25. Overall, there is strong support for HRMMU`s objectives and priorities, both within the Mission and amongst others consulted in connection with the evaluation, as discussed in the following paragraphs. HRMMU`s programme proposal sets out four areas that HRMMU should focus on during the current programme cycle: (i) Protection of civilians in armed conflict, (ii) Protection of the right to liberty and security of person, (iii) Administration of justice and (iv) Civic space. In the evaluation team`s survey, around 90% of all HRMMU staff members responded in relation to the first three of these that they were "very relevant" for the Mission to work on. There was somewhat lower support for the work on civic space, which 64% found to be a "very relevant" area for HRMMU engagement. The survey also asked about the importance of working on the right to health and the right to education, which are not set out as explicit focus areas in HRMMU`s programme document. While many staff members still see these areas as important priorities for HRMMU, they are generally considered less important. Thirty-three percent found it "very relevant" to work on the right to health and 28% "very relevant" to work on the right to education.
26. While there is strong support for the Mission`s four areas of focus, there are, as can be expected, other areas and issues that both HRMMU staff and other informants would like to see the Mission give further attention, including women`s rights, children`s rights and economic, social and cultural (ESC) rights. The work on ESC rights has recently been affected by a slow process in recruiting a dedicated human rights officer to work on the issue. There are also informants, mainly within the Mission, that believe that excessive attention and resources have been allocated to particular issues, including CRSV. Some interviewees argue that the Mission`s increased focus on monitoring

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<sup>9</sup> Gulakova, B., Final evaluation of IcSP/2016/379-842 Support to the Human Rights Monitoring Mission in Ukraine, Request No. 2018/401088-1, European Commission, June 2019

conflict-related human rights violations and the somewhat reduced attention given to capacity development and technical assistance may affect how relevant the Mission is perceived by some actors, including government officials. At the same time, many staff members and external interlocutors find a more visible Mission with a stronger monitoring focus and an enhanced capacity to release thematic reports covering more recent issues more relevant.

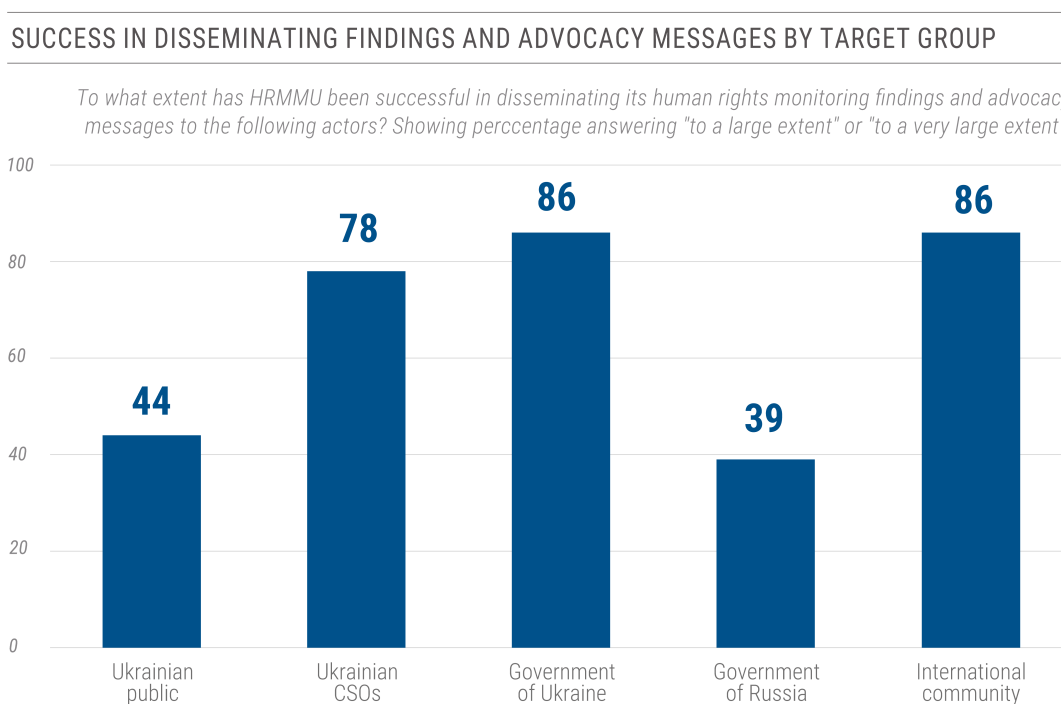
27. As for HRMMU's relevance in relation to different target groups, interviews and a review of outputs indicate that it has been particularly relevant in relation to the Ukrainian government and to national and international security, peace and accountability institutions. Evidence of the Mission's relevance in relation to the Ukrainian government includes the fact that the government continues to renew the cooperation agreement with the Mission, that the Mission's reports do not go unnoticed and are commented on, and that the government, as discussed under section 3.3, regularly takes the Mission's advice into account. In addition, interviewed government officials generally expressed appreciation for the work and approach of HRMMU and external observers interviewed believe that the Mission has a constructive engagement with the government. This does not mean that the government always agrees with the concerns raised by the HRMMU or with the way it presents its findings and recommendations. In some instances, the government has raised objections to the terminology used by the Mission without questioning its impartiality and the credibility of its reports.<sup>10</sup>
28. Interviewed international security, peace and accountability institutions see, without exception, HRMMU as a relevant actor whose knowledge and expertise, and in particular the data presented in its written reports, are of relevance for the work they are conducting. This view was also expressed by representatives of other international organizations and by international donors. Very few saw any reason for HRMMU to adjust its focus or approach. Some informants stressed, however, the importance of HRMMU's work in relation to the territories occupied by the Russian Federation, suggesting that HRMMU's intention of strengthening its focus on the occupied territories corresponds with what many of its international stakeholders would like to see.
29. An indication of the Mission's relevance for the international community is the attention OHCHR's reports receive in the United Nations Human Rights Council (HRC). In line with the request expressed in HRC resolutions, the UN High Commissioner for Human Rights presents the findings of the reports three times per year. The presentations are followed by an interactive dialogue. As noted by observers and shown in video recordings, there is a lot of interest in the presentations and dialogues, and participants are well informed of and have engaged with the content of the reports.
30. HRMMU's relevance in relation to duty bearers and international accountability institutions means that it also maintains a degree of relevance in relation to rightsholders affected by the extent to which these actors can fulfil their obligations. Rightsholders are

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<sup>10</sup> <https://mfa.gov.ua/news/komentar-mzs-ukrayini-shchodo-dopovidej-monitoringovoyi-misiyi-oon-v-ukrayini>

also an important target group for HRMMU’s monitoring findings, disseminated through traditional and social media and various events. During the period assessed by the evaluation, the Mission has, however, implemented few initiatives aiming at enhancing the capacity of rightsholders to claim their rights and at strengthening organizations assisting them in doing so. As shown in Figure 1, survey respondents perceive that HRMMU has been less successful in disseminating findings and advocacy messages to the Ukrainian public than to some other actors, including the Government of Ukraine and the international community.

Figure 1: Success in disseminating findings and advocacy messages by target group.



31. In summary, there is broad support for the Mission’s overall objectives and priorities. The Mission’s has had direct relevance for the operations of Ukrainian duty bearers and for international peace, security and accountability institutions. It has not had a significant focus on strengthening the capacity of rightsholders to claim their rights. However, the Mission’s provision of credible information on issues of human rights has been highly relevant for all actors concerned with issues of truth, justice, accountability, reconciliation, recovery and reconstruction, as further discussed below.

3.1.2 EQ 2: To what extent has the Mission complied with the standards of human rights monitoring and its guiding principles as contained in OHCHR’s Manual of Human Rights Monitoring<sup>11</sup>

32. OHCHR’s Manual of Human Rights Monitoring serves “to improve the efficiency, professionalism and impact of human rights field presences in implementing their

<sup>11</sup> <https://www.ohchr.org/en/publications/policy-and-methodological-publications/manual-human-rights-monitoring-revised-edition>

monitoring mandates, and to provide guidance on techniques for human rights monitoring with a view to developing and strengthening the relevant skills of human rights officers.” It lays down 22 guiding principles, including Do no harm; respect the mandate; maintain credibility, respect confidentiality; ensure informed consent; understand the context, integrate gender, preserve impartiality, uphold objectivity, and ensure sensitivity.

33. In the early days of HRMMU, the extent to which the manual guided the work of the Mission was limited. As many staff members then lacked substantial experience in human rights monitoring, in-house mentoring was a key strategy for enhancing staff capacity. Over the years, there have been some, but insufficient, training opportunities for HRMMU staff on monitoring methodologies and techniques.
34. In 2023, OHCHR’s Methodology, Education and Training Section (METS) organized a four-day training that was much appreciated and highly rated amongst interviewed staff members. Generally, the Mission has been keen to draw on available OHCHR expertise, as evidenced by the large number of requests for assistance that HRMMU has sent to METS. At the same time, HRMMU staff stressed that METS and other OHCHR presences have also benefitted from the experiences of HRMMU. The Mission has applied, or are planning to apply, methodologies that for OHCHR are innovative, including in relation to its remote monitoring of occupied territories and its engagement of forensic expertise and a military analyst.
35. Nevertheless, interviewees have noted that there is still room to improve HRMMU’s application of human rights monitoring methodologies and quality control. Many staff members would like to see more frequent and regular monitoring-focused trainings, especially considering the recent recruitment of new staff members, fairly high staff turnover and the adjustments made to monitoring approaches and priorities. This is well recognized by the HRMMU management, which has recently initiated a number of monitoring-related staff development initiatives. In the past few months, several other actions have also been taken to strengthen the quality of the monitoring work, including through new guidance for the field offices, revisions to the database for human rights abuses and the way abuses are classified.
36. In terms of conflict sensitivity, interviewees noted that the leadership of the Mission has consistently stressed the importance of impartiality and neutrality. As mentioned above, the Ukrainian government has raised concerns that HRMMU has not sufficiently recognized in public statements that Ukraine is a victim of Russian aggression. A few international observers also believe that the Mission at times has been overly cautious in its statements and not been prepared to “call a spade a spade”. Overall, however, few actors have questioned the Mission’s objectivity, and many have stressed that its main asset is its credibility.
37. In relation to its public reporting, OHCHR has in place review and editing procedures that, among other things, serve to ensure the use of a conflict sensitive language. The Mission, and OHCHR more generally, is regularly reviewing the language it uses. The

evaluation team is not aware of any allegations that the Mission has unintentionally contributed to conflict. The team was told by HRMMU staff that there are no known cases in which the work of the Mission has caused harm to victims, witnesses or others. However, it is not unusual that witnesses and other informants are reluctant or unwilling to talk to the Mission.

38. Overall, the Mission has complied to a high and increasing extent with the standards of human rights monitoring and its guiding principles. However, there are indications that there is room for improvement and there is a strong commitment amongst both management and staff to further raising the Mission's monitoring capacity.

## 3.2 Coherence

### 3.2.1 EQ 3: To what extent has the Mission`s work been coherent with the work of other international and national peace, security and accountability institutions?

39. At the international level, HRMMU has produced information that has been used by key peace, security and accountability institutions, and assisted these actors in ensuring well-informed decision-making. OHCHR has, for instance, submitted eight periodic reports on the situation of human rights in Ukraine to the HRC and six reports on the situation in Crimea to the UN Secretary-General since the beginning of 2021. In relation to the UN Security Council, OHCHR has also made several presentations on Ukraine since the start of the full-scale invasion. The Mission's findings have further been referred to in international judicial proceedings, as well as in trials in Ukraine.
40. In relation to war crimes investigations and ongoing criminal accountability efforts, the risks of the Mission contributing to the contamination of memory evidence and possibly re-traumatization of victims have been mentioned in interviews. In May 2022, the Special Rapporteur on extrajudicial, summary or arbitrary executions called for the national ownership of investigative efforts to be duly respected, if in line with relevant international norms and standards.<sup>12</sup> He also cautioned that without coordination, there is a considerable risk of overlap and duplication. However, effective coordination is a tall order considering the large number of disparate actors investigating and reporting on gross human rights violations, ranging from national and international human rights workers and journalists to Ukrainian law enforcement officials and international accountability and judicial institutions.
41. Informants have also expressed concerns about overlaps, duplication of work and inefficient coordination amongst organizations working to strengthen state institutions and develop human rights capacity more generally. There are, however, limited concerns as to the coherence of HRMMU's mandate and work. This largely relates to HRMMU being the only international human rights monitoring body with a substantial permanent long-term presence. Prior to the closure of the OSCE Special Monitoring

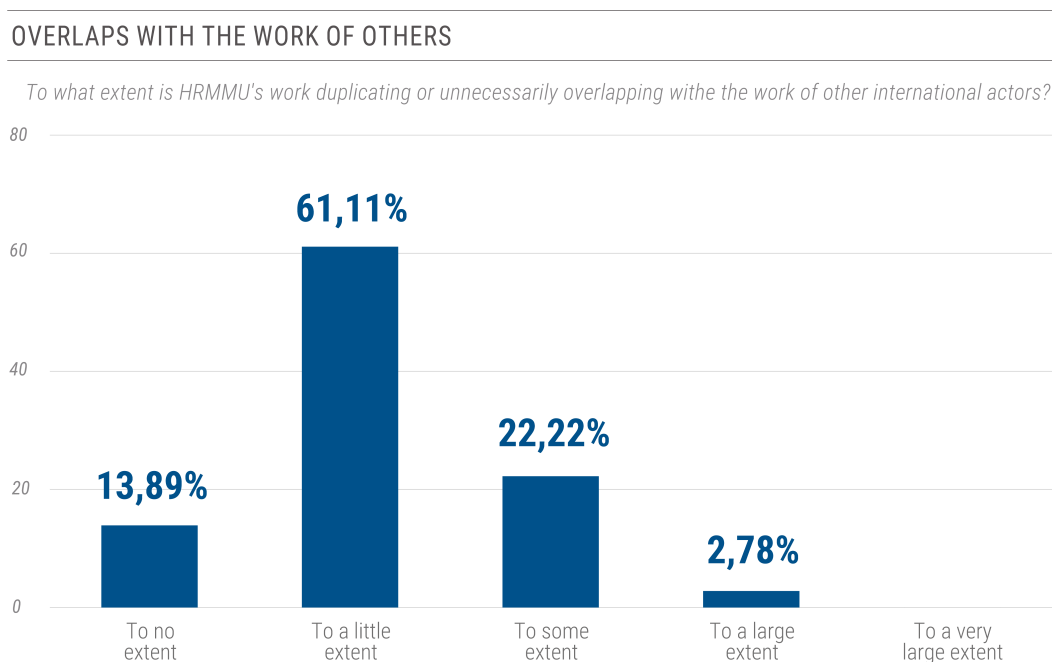
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<sup>12</sup> UN News, Ukraine: Support for war crimes investigations of 'paramount importance', 16 May 2022

Mission to Ukraine (SMM) in March 2022, there were some overlaps between the work of SMM and that of the Mission, including in civilian casualties monitoring.

42. International organizations, including other UN agencies, and international non-governmental organizations concerned with issues of human rights noted in interviews that the Mission has been accessible and that there have been fruitful exchanges of information, good cooperation and, when needed, well-functioning coordination. One of the few coherences related concerns raised by organizations working closely with HRMMU relates to its turnover of staff, which external informants have said makes it somewhat complicated to maintain relations with the Mission. The evaluation team’s survey also indicates some concern amongst HRMMU staff about overlaps between the work of the Mission and that of other international organizations and actors. As shown in Figure 2, of all HRMMU staff responding to the survey, 25% found that HRMMU’s work was to “some extent” or “a large extent” duplicating or unnecessarily overlapping with the work of other international actors.

Figure 2: Overlaps with the work of others



Source: Evaluation team’s survey

43. Judging from the evaluation team’s interviews, the perceived duplication or overlap relates almost exclusively to the Independent International Commission of Inquiry on Ukraine, established by HRC resolution in 2022. With a mandate to “investigate all alleged violations and abuses of human rights and violations of international humanitarian law, and related crimes in the context of the aggression against Ukraine by the Russian Federation.” there are overlaps with HRMMU’s mandate to monitor and publicly report on the human rights situation in the country.
44. The overlapping mandates create a level of frustration amongst some HRMMU staff, who find it hard to see how the Commission of Inquiry adds value to what HRMMU is

already doing. At the same time, according to interviews, there is a well-functioning system of information sharing between the two institutions, which manages to strike a sound balance between ensuring institutional independence and avoiding duplication. Interviewees have noted that HRMMU's monitoring work has been feeding into the Commission of Inquiry's work and helped create a strong factual basis for its analysis and recommendations. Overall, it appears that the management of both HRMMU and the Commission of Inquiry have considered, or acted in line with, the finding of a 2023 OHCHR evaluation arguing that firewalls between the secretariats of investigative bodies and other OHCHR presences do not promote effective human rights protection in crisis situations.<sup>13</sup>

45. In summary, HRMMU's unique mandate and role mean that it is needed and that its work has been coherent with the work of other international and national peace, security and accountability institutions, despite an overall country context characterized by coordination challenges and risks of overlaps causing harm and undermining effectiveness and efficiency.

### 3.3 Effectiveness

#### 3.3.1 EQ 4: What outcomes/results have been achieved (intended and non-intended)?

46. In line with conventional results-based management thinking, the Mission has produced a theory of change and a corresponding intervention logic stressing a number of policy and behavioural changes. The Mission has done an impressive job in trying to follow up on these intended results, which have helped the Mission track the contributions of its technical assistance and capacity development initiatives. However, results assessment frameworks, constituting a central part of a results-based management system, tend to poorly reflect what is the most important short- and medium-term result of human rights monitoring, to contribute to the "truth", or in other words, making factually correct information about issues of human rights available to decision makers as well as the general public.
47. The assumption on which human rights monitoring rests is that access to factually correct data is a pre-condition for well-informed decision-making that contributes to addressing human rights concerns. However, such decisions are often a consequence of a multitude of factors that can be difficult to identify, and their individual weight hard or impossible to determine. Furthermore, often the decisions are taken years or decades after the relevant data was collected, and long after the project contributing to the changes has ended.
48. It may also be that the publication of factually correct information never contributes to any detectable outcomes, as defined in a project's results framework. The question is then whether making the "truth" publicly available is a valuable result. In 2006, an

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<sup>13</sup> Johnson, D. et al., Evaluation of the Project to Reinforce OHCHR's Capacity to Support Investigative Bodies, OHCHR, July 2023



OHCHR study concluded that the right to the truth about gross human rights violations and serious violations of human rights law is an inalienable and autonomous rights.<sup>14</sup> The right to the truth “implies knowing the full and complete truth as to the events that transpired, their specific circumstances, and who participated in them, including the circumstances in which the violations took place, as well as the reasons for them.” Even though the right to truth is usually invoked in the context of gross violations of human rights, this report uses the term in a broader sense by referring to the availability of accurate information about human rights abuses more generally.

49. HRMMU’s theory of change and the intervention logic reconstructed in the evaluation team’s inception report, are largely validated by the evaluation. In relation to most of the Mission’s six outcomes, the progress made is significant even though changing priorities following the full-scale invasion have partly shifted focus away from some of the originally intended outcomes. Thus, an assessment of the degree to which planned outcomes have been attained does not necessarily give an accurate picture of the effectiveness of the Mission. Those interviewed by the evaluation team believe that the Mission’s most important achievement is that it has produced and made public relevant and credible periodic and thematic reports about the human rights situation. The Mission is assessed to have contributed to a historical record, to accountability, to give those subjected to human rights violations a voice and to give decision makers an evidence-base on which to ground their decisions. Thus, the evaluation agrees with the Mission’s own assessment that the value of its “independent and unbiased monitoring and reporting and advocacy, as well as spread of objective and correct information about events, possible violations and real human life stories and evidence cannot be underestimated, especially in the environment of competing and countering narratives, which are also being used as weapons of information warfare.”<sup>15</sup>
50. The degree to which the Mission’s six planned outcomes have been attained is discussed below. Table 5 shows the extent to which some selected activities contributing to these results have been carried out 2021-2023.

Table 5: Selected HRMMU activities 2021-2023

Year	2021	2022	2023
Cases of human rights and IHL violations registered	187	950	1151
Interviews with victims and witnesses (women/men)	2281 (1280/1041)	1719 (802/917)	2536 (1251/1285)
Trials monitored	116	48	62
Submissions to UN human rights mechanisms	1	4	0

<sup>14</sup> OHCHR, Promotion and protection of human rights. Study on the right to truth. Commission on Human Rights. Sixty-second session. UN Doc. E/CN.4/2006/9, 8 February 2006

<sup>15</sup> OHCHR, Support to the UN Human Rights Monitoring Mission in Ukraine to Expand its Work in Response to 2022 Conflict in Ukraine, 15 March 2022

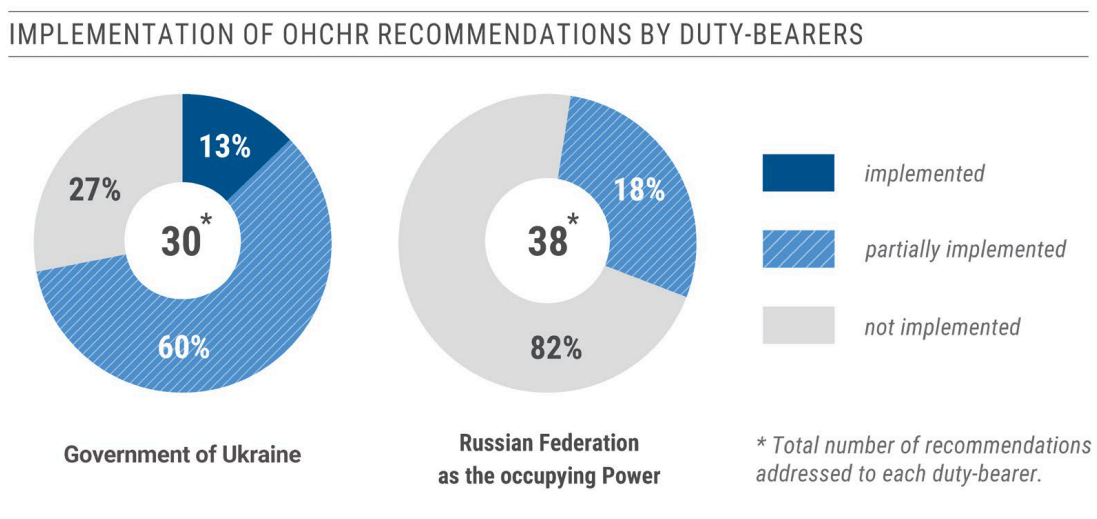
In person monitoring missions/field trips to conflict-affected areas	193	174	203
Remote monitoring missions	76	1318	1574
Detention visits	14	52	71
Visits to care institutions/hospitals/shelters	53	23	41

Source: HRMMU

51. Outcome 1. Parties to the conflict take action on issues, cases and patterns raised by HRMMU

HRMMU reports that, between February 2022 and September 2023, it made 68 recommendations to the Ukrainian and Russian Federation governments. As illustrated in Figure 3, taken from HRMMU’s own reporting, the Mission assesses that Ukraine has fully or partially implemented 73% and the Russian Federation 18% of the recommendations addressed to them. Recommendations implemented by Ukraine include measures to ensure that forensics analysis are carried out in a timely manner for civilians killed during hostilities. The Russian Federation has for instance facilitated exchanges of remains for the deceased and released some people from detention in territories it occupies.

Figure 3: Implementation of OHCHR recommendations



Creation Date: 30 September 2023 Source: OHCHR HRMMU

52. As recognized by the Mission, it is often very difficult to distinguish the degree to which it has contributed to the observed change. Some changes would likely have happened regardless of any external advice or advocacy. In relation to other changes, the role of the Mission, has likely been limited considering the number of other actors concerned with the same issue and the intensity of their actions. Most notably, the prospect of EU integration has been a major incentive for the government to initiate human rights-related reforms.

53. Nevertheless, in many cases, the Mission has had a leading or even unique role in promoting the observed change. In other cases, the Mission has persistently raised the issue in question and successfully mobilized other actors in its advocacy or assistance efforts. When asked about the concrete effects of HRMMU's work, interviewees have most frequently raised the Mission's contribution to Ukraine's improvement in the treatment of prisoners of war. Many have also noted the active role the Mission has had in relation to a range of legal or other public policy changes. During the period reviewed by this evaluation, these include for instance an amendment to the Criminal Code of Ukraine, which put the definition of "torture" in line with the UN Convention Against Torture, and the development of a bill on the application and observance of the norms of international humanitarian law. Ukrainian courts have also referred to the findings of HRMMU and the Constitutional Court has responded to issues raised by the Mission and repealed rules and articles that have been problematic from a human rights perspective. Furthermore, HRMMU contributed to several changes in policies directly related to groups in situations of particular vulnerability, as discussed in section 3.7.
54. In some cases, HRMMU has brought attention to public policy issues that others have been reluctant to raise. Even though the concerns raised by the Mission may not yet have led concrete improvements of the human rights situation, interviewees claim that the actions of the Mission have opened the doors for others, including both CSOs and individual state bodies to raise their concerns. The attention the Mission has paid to the issues of collaborationism, including prosecutions in conflict with international humanitarian law and criminalization of acts such as public denial of Russian aggression and glorification of Russia, have by both state and civil society actors been mentioned as particularly important.
55. Outcome 2: International community takes action on issues, cases and patterns raised by HRMMU

While it is challenging to identify specific actions that members of the international community have taken in direct response to issues and concerns raised by HRMMU, representatives of bilateral and international institutions have stressed that HRMMU's work complements and helps guide their work. Organizations providing technical assistance and capacity development support to the Ukrainian government institutions noted that HRMMU contributes contextual information of importance for them to design appropriate interventions and activities. HRMMU has for many served as a sounding board, a well-informed actor with which they can discuss findings, ideas and interpretations.

56. Other organizations have mentioned that HRMMU's findings and advocacy has helped amplify their own advocacy messages. The importance of HRMMU being able to go public on sensitive issues of concern, such as people's alleged collaboration with the occupying Russian forces, is also appreciated, as organizations more directly dependent on their external relations to gain humanitarian access or provide technical assistance are often reluctant to speak out.

57. As mentioned above, the findings of the Mission have been referred to in court cases at the international and regional level. In its January 2023 decision on the admissibility of the case of Ukraine and the Netherlands v. Russia concerning events in eastern Ukraine including the downing of the Malaysia Airlines flight MH-17 in 2014, the European Court of Human Rights referred for instance repeatedly to information and evidence provided by OHCHR. Another example is the International Criminal Court's references to HRMMU in its proceedings resulting in the issuing in 2023 of warrants of arrest for Russian Federation President Putin and Maria Lvova-Belova, the Commissioner for Children's Rights in the Office of the President, for the war crime of unlawful deportation of population (children) and unlawful transportation of population (children) from the occupied territories to Russia. Most recently in January 2024, the International Court of Justice referred to HRMMU's findings in its judgement in the Ukraine v. Russia case concerning the application of the International Convention for the Suppression of the Financing of Terrorism and the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), in which the court among other things found that the Russian Federation violated certain obligations under CERD.

58. Outcome 3: UN agencies have programmes and activities reflecting human rights concerns raised by HRMMU

HRMMU has worked closely and effectively with other UN agencies. In the survey targeting HRMMU staff, the vast majority, 78%, answered that HRMMU has a good or very good capacity to coordinate, cooperate and create synergies with other UN agencies. Its monitoring, documentation and reporting have, according to interviews with external stakeholders, informed the design and implementation of other agencies' projects and activities.

59. On a range of human rights issues, HRMMU has also acted together with other UN agencies. It has, for instance, made joint submissions to UN treaty bodies, cooperated in producing inputs and comments on draft legislations, carried out joint fact-finding and produced joint policy papers. HRMMU has also shared staff members with other agencies, which has facilitate cooperation around particular issues, such as CRSV and children in armed conflict. In relation to the UN Country Team (UNCT), HRMMU has, among other things, coordinated recommendations in connection with the development and amendment of the National Human Rights Strategy. It has been suggested that the UNCT, due to a strong focus on humanitarian relief issues, paid somewhat limited attention to human rights issues following the full-scale intervention and that the role of the Mission in keeping human rights issues on the agenda therefore has been particularly important.

60. Outcome 4: Government of Ukraine conducts effective investigations of the most egregious human rights violations

HRMMU has provided technical assistance to the Government of Ukraine, most notably by commenting on draft legislation and suggesting amendments to existing legislation to

bring them in line with international human rights standards and good practices. The Mission is currently a member of parliamentary working groups on the draft laws on collaboration activities, Parliament Commissioner for Human Rights and application and compliance with IHL.

61. However, since the full-scale invasion, little attention has been given to training and similar forms of capacity development of public officials. The limited role of the Mission in strengthening government capacity to conduct effective investigations was reflected in the survey of staff members, which found that only 17% believed that the Mission to a “very large extent” had contributed to the Government of Ukraine conducting effective investigations of the most serious human rights violations.

62. In the past, more attention was given to capacity development. The 2019 evaluation noted for instance that the Mission had delivered training to more than 800 state officials throughout the country on the Istanbul Protocol on effective investigation and documentation of torture. The reduced capacity development focus in recent years is related to the stretched capacity of the Mission in a post-February 2022 context in which conflict-related human rights monitoring has been deemed more important. In relation to the government’s capacity to effectively investigate the most serious human rights violations, the limited involvement of the Mission should also be understood in light of the many other national and international actors involved in investigating and supporting the investigation of such crimes, in particular war crimes. Since the beginning of the full-scale invasion, Ukraine had as of late February 2023, launched more than 120,000 official investigations into suspected war crimes and handed down more than 80 convictions, mostly in absentia.<sup>16</sup> In 2023, the findings published by the HRMMU were referred to in more than 65 judgements and verdicts at the national level.

63. To ensure that due process and fair trial standards are respected, the Mission has engaged in monitoring of selected trials often concerning conflict-related detainees. While the nature of trial monitoring is necessarily such that it is hardly possible to assess its effects, it is reasonable to assume that external scrutiny of judicial processes may increase their independence and quality. Initiatives to monitor human rights in court proceedings are also implemented by representatives of CSOs with the financial support of international organisations and donors.

64. Outcome 5. Human rights CSOs contribute to accountability

In its programme document, HRMMU notes that it will support organizations providing direct legal assistance to victims of human rights violations, including through expert advice and technical support to organizations assisting victims of torture. It will also help human rights defenders and victims of human rights violations to use established UN human rights mechanisms.

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<sup>16</sup> Reuters, Ukraine probing over 122,000 suspected war crimes, says prosecutor, 23 February 2024

65. During the period under review, HRMMU has carried out some activities in support of human rights CSOs. These include training sessions on interaction with international human rights mechanisms and on documentation of human rights violations, as well as an initiative aiming at giving voice to women human rights defenders by using the Mission's social media instruments to spread information about their work. Furthermore, HRMMU is regularly inviting CSOs to discuss and provide input to HRMMU's public reports. Nevertheless, the evaluation team's interviews indicate that the Mission's relations with the Ukrainian human rights groups is not as strong and intense as perhaps could have been expected. This is recognized by HRMMU's management, which has recently taken initiatives to further enhance its dialogue and interaction with civil society. This could potentially help the Mission gain broader and stronger support for its work and advocacy messages. At the same time, HRMMU's most important role in relation to the work of Ukrainian CSOs is, according to interviews, that it raises sensitive human rights issues and thereby creates space for civil society groups to act and raise their voices.
66. Over the past couple of years, HRMMU has offered few formal trainings and similar activities aiming at strengthening the capacity of CSOs. One reason for this is that many organizations, at least in Kyiv and other major cities, already have well-developed capacities to implement their human rights-related mandates and activities. Prior to the full-scale invasion, HRMMU channelled financial support to CSOs. The 2019 evaluation questioned the appropriateness of the sub-granting procedures in place and recommended the Mission take action to strengthen its systems and practices. However, during the current programme period, the Mission has stopped its sub-granting. The decision has been met with little criticism. There are many other actors with more extensive experience and well-developed systems and routines for channelling financial support to CSOs.
67. The 2019 evaluation also suggested that the Mission should work more with the media and help develop a methodology for investigative journalism. Even though support for a stronger independent local media is still needed and some interviewees would like to see HRMMU play a more active role on issues of civic space, no one consulted by the evaluation team suggested that the Mission should enter into the field of investigative journalism.
68. To sum up, some Ukrainian civil society organizations believe that HRMMU's interaction with them is unnecessarily one-sided and some interviewees have suggested that closer and more mutually beneficial interaction between the Mission and Ukrainian human rights groups could contribute to increased understanding of the role and mandate of the Mission and increase the weight of its advocacy initiatives. There are otherwise not many interviewees that see a need for the Mission to play a more significant role in the development of rightsholder and civil society capacity.
69. Outcome 6. Government of Ukraine implements the National Human Rights Action Plan, including key priorities on women peace and security.

70. In March 2021, the President of Ukraine approved the new National Human Rights Strategy (NHRS) and its 27 strategic directions concerning, among other things, the right to life, prevention of torture, freedom of peaceful assembly and association, equal rights and opportunities for women and men, domestic violence; rights of indigenous peoples and national minorities; rights of the child, environmental rights, and the rights of war veterans. In June 2021, to effectively implement the Strategy, the government approved a National Human Rights Action Plan (NHRAP) covering 2021-2023.
71. HRMMU prepared the joint UNCT inputs to the draft NHRS and NHRAP. The input reportedly allowed for a better incorporation of important issues, such as remedy and reparations for civilian victims of the conflict, enhancing gender mainstreaming at the State and local levels, ensuring non-discrimination, promotion of social cohesion, freedom of media, freedom of peaceful assembly, human rights awareness, and the rights of detainees, internally displaced people, and residents of armed group-controlled territory. HRMMU, together with the UNCT, has since supported the development and adoption of an amended NHRS and a second NHRAP. According to HRMMU, 19 UNCT recommendations were accepted by the government as amendments to the strategy.
72. HRMMU's contribution to the development and content of both the strategy and the action plan is well recognized by the government, which also sees the Mission as an important contributor to their implementation. The NHRAP states that national authorities will "Continue cooperation with international organizations, including the OHCHR, with the aim of recording violations of international law, including human rights and international humanitarian law, by the Russian Federation as an occupying state in the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol, committing crimes against humanity and war crimes." HRMMU's more specific contributions to the NHRAP's implementation, including legislation of importance from a human rights perspective, relate to other outcomes discussed in this section of the report and in section 3.7 on Gender, disability and Leave no one behind (LNOB).
73. To sum up the evaluation team's finding in relation to the evaluation question, the Mission's primary result is its important and highly appreciated dissemination of credible information about the human rights situation in Ukraine. Its monitoring work has provided decision-makers and programmes with essential information about the human rights situation. It has contributed to accountability for human rights abuses and is likely to contribute to future accountability, reconciliation and reconstruction. However, anyone concerned with the "truth" in the context of disinformation also recognizes that the Mission's monitoring has value regardless of the extent to which it influences decisions and potential accountability processes.

### 3.3.2 EQ 5: What have been the primary factors affecting attainment of results?

74. A number of factors have been of particular relevance for the Mission's capacity to attain results. Some of the most important success factors, as well as some of the issues

undermining the Mission's attainment of results are discussed in this section. However, factors of direct relevance for the attainment of results can also be found in other sections of this report, including in section 3.6 on Efficiency.

75. HRMMU has assessed that (i) fact-based advocacy; (ii) persistence in advocacy, messages, and work; and (iii) utility of building strategic coalitions on common messaging with other partners are the most important factors generating results.<sup>17</sup> The data collected by the evaluation team strongly supports this assessment. All these issues are particular strengths of the Mission and have been essential for its attainment of results. However, a few additional and complementary factors deserve to be highlighted, as do a few factors that negatively impacts on its results.
76. Many informants have testified to HRMMU benefitting from highly competent staff members, even though further staff development is needed on selected issues, which in turn relates to successful recruitment and mentoring efforts as well as high education levels in the country generally. There is also a very strong staff commitment to the overall mandate of the Mission. As shown in the staff survey, confirmed in staff interviews and discussed in section 3.1, the staff members believe that the Mission works on key human rights challenges and that its work makes a positive difference.
77. The open and trusted relationship with the government has been raised as another success factor of the Mission. Internal and external informants have highlighted that Ukrainian authorities, in many cases, have accepted the recommendations put forward by HRMMU and that the recommendations have contributed to changed practices amongst the authorities and armed forces. One issue often raised is the Mission's ability to influence the armed forces' application of international humanitarian law, including in relation to the treatment of prisoners of war.
78. The well-developed relationships the Mission has with other international organizations, including other UN agencies, have been raised as other success factors. These relationships have strengthened and facilitated the Mission's advocacy efforts but have also helped draw the Mission's attention to various human rights issues. At the same time, there are indications that staff turnover and changes, especially following the full-scale invasion, have negatively influenced the Mission's capacity to build and maintain strong working relationships. As for all other actors the Covid-19 pandemic and the full-scale invasion also impacted the possibilities of building effective relationships.
79. As with any human rights monitoring operation, HRRMMU's success is directly related to its credibility. According to interviewees, the UN generally has a somewhat tarnished reputation in Ukraine, which is partly related to its overall structure, and in particular the set-up of the Security Council, but also to the language it has used when describing the Russian Federation's aggression. Amongst external informants, there is agreement that the Mission has managed to avoid some of the criticism raised against the UN generally

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<sup>17</sup> OHCHR, Progress Report to the Government of Sweden on the work of UN Human Rights Monitoring Mission in Ukraine (HRMMU), Period covered 01-01-2021 to 31-12-2021, 30 June 2022



and that it thus may benefit from a higher level of credibility. However, limited public awareness of the Mission's mandate and resources has led to unrealistic expectations of what it can achieve. A consultative process in designing the next programme document may be one strategy for gaining greater support or respect for the focus of the Mission. It has also been suggested, and recognized by the Mission, that increased focus on external outreach and communication, including with domestic media, might be needed to obtain a better public understanding of the role of the Mission, which in turn may strengthen its advocacy capacity. Several informants have also suggested that the Mission's many well-researched and important public reports do not necessarily gain the domestic attention they deserve. Interviewees have mentioned, and the evaluation team noted, that HRMMU's publications and statements are not always easy to locate online. If HRMMU realizes plans to launch its own website, this will presumably be addressed.

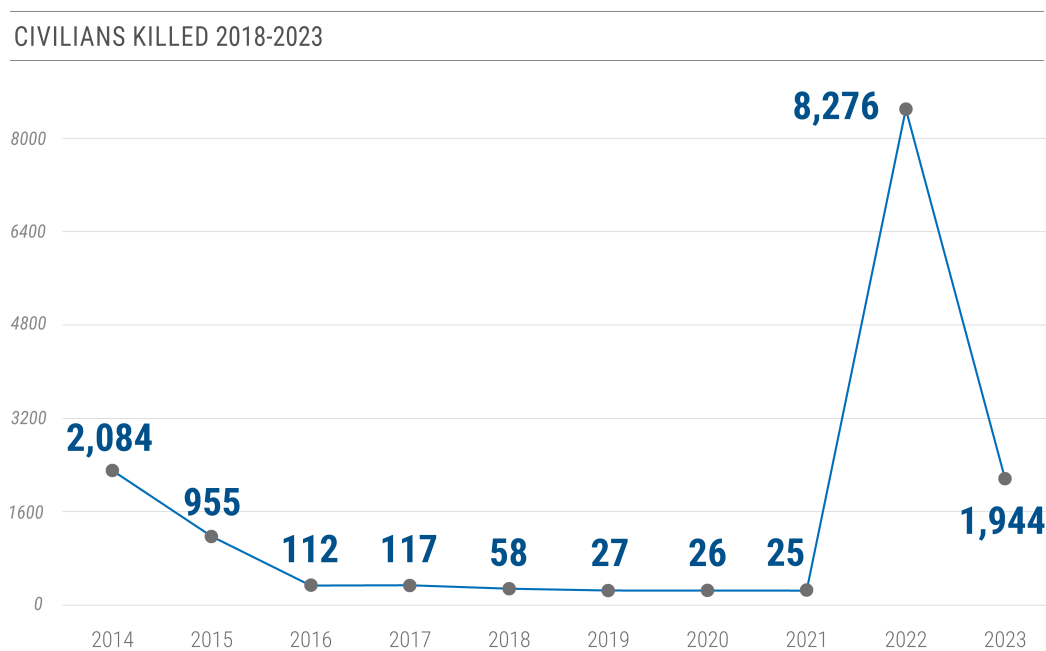
80. Several interviewees would have liked to see the Mission make further efforts to share its monitoring findings and analysis and invite further discussions, at diplomatic, political and operational levels, around its recommendations. Many appreciate, however, what they see as a renewed effort of the Mission to strengthen its visibility and outreach, including through in-person meetings and public presentations of reports.

## 3.4 Impact

3.4.1 EQ 6: What difference has the Mission made? Has the Mission achieved its intended impact of preventing human rights violations and abuses through presence and monitoring and has it successfully reinforced the duty bearer's responsibility to respect, protect and fulfil human rights?

81. HRMMU's impact level goal is "increased protection of human rights of men, women, girls, and boys across all of Ukraine, including in territories not controlled by the Government of Ukraine." In practice, the human rights situation has, unsurprisingly, in many respects deteriorated during the past two years. As documented by HRMMU, and illustrated in Figure 4, the number of civilians killed skyrocketed following the full-scale invasion, increasing from 25 in 2021 to almost 8,300 in 2022.

Figure 2: Civilians killed 2018-2023<sup>18</sup>



82. In other areas, developments have been less negative over the past few years despite Russian aggression. Many international indexes assessing aspects of the human rights context—such as the World Justice Project’s Rule of Law Index, Freedom House’s Freedom of the World Index, and CIVICUS’ Civic Space Monitor—find that there have been few clear tendencies towards either an improvement or a decline in the human rights situation.
83. In the current context of a large-scale armed attack and a multitude of actors concerned with issues of human rights in Ukraine, there are obvious challenges in determining causality between the work of the Mission and any observed impact-level results. No one would, for obvious reasons, claim that the increased number of civilian casualties in 2022 was in any way related to the work of the Mission. However, HRMMU has in the past overestimated its impact by claiming reductions in civilian casualties as “major achievements”, including through its “protection by presence”, even though these reductions most likely had no more to do with the work of the Mission than the increase in civilian casualties in 2022. Impacts claims that turn out to be overly optimistic may be harmful, as the influence of the Mission is directly dependent on its perceived credibility.
84. However, no interviewees question the importance of the Mission’s monitoring and that a direct presence contributes to strengthening the quality of this work. Its presence may also have had an effect on certain types of human rights violations. It is, for instance, likely that the Mission’s access to places of detention has positively influenced the

<sup>18</sup> The actual number of civilians killed may according to HRMMU be considerably higher.

treatment of detainees. Improvements in Ukraine’s treatment of prisoners of war are the most frequently mentioned impact-level change that the Mission has contributed to.

85. As mentioned above, HRMMU has also contributed to changes in legislation of importance from a human rights perspective and to the development of policies and strategies for strengthening duty bearer capacity to respect, protect and fulfil human rights. Although there is often a wide gulf between the law in books and the law in action, some of the public policy changes are likely to have a direct impact on issues of human rights. As also noted above, the Mission has produced well-researched and credible information about violations of human rights and effectively ensured that this information has been widely disseminated both in Ukraine and internationally. This information has already been used in international and national accountability processes and will most likely be used in such processes in the future. The evaluation sees the Mission’s contribution to a historical record, securing the right to truth and giving victims of human rights violence a voice as impact-level results.
86. During the period covered by the evaluation, the Mission changed the methodology it uses to monitor the degree to which it is reported on in the media. This makes it difficult to use its media tracking to assess the effectiveness of the Mission’s external communication over time. Nevertheless, the data presented in Table 6 suggest that the Mission receives considerable public attention in national and international media.

Table 6: Mentions in national and international media<sup>19</sup>

Media	2021	2022	2023	Jan-Mar 2024
Total mentions in national and international media	1,270	1,490	5,430	3,600

Source: HRMMU

87. Data provided by HRMMU suggests, as shown in Table 7, that its social media outreach is increasing on Twitter/X, decreasing on Instagram, and staying reasonably intact on Facebook. The number of social media posts published has varied between 139 and 162 over the past three years.

Table 7: Social media metrics

Social media	2022	2023	Jan-Mar 2024
Facebook	Reach: <sup>20</sup> 220,8 K	Reach: 196,2K	Reach: 25,9 K
	Content interactions: <sup>21</sup> 18,9K	Content interactions: 10,6K	Content interactions: 1,9K

<sup>19</sup> From June 2023, HRMMU has used a media monitoring tool that has enhanced capabilities of identifying articles.

<sup>20</sup> This metric counts reach from the organic or paid distribution content, including posts, stories and ads. It also includes reach from other sources, such as tags, check-ins and Page or profile visits.

<sup>21</sup> The number of likes or reactions, saves, comments, shares and replies on content, including ads.

Twitter	n/a	115,6K Post impressions	80K Post impressions
Instagram	n/a	Reach: 89,2K	Reach: 2,6K
	n/a	Content interactions: 97,7K	Content interactions: 1,5K

Source: HRMMU

88. It is also relevant to reiterate that HRMMU’s monitoring has been feeding into other actors’ design of projects and interventions that have, or are likely to have, far-reaching impacts from a human rights perspective. In some cases, the Mission has placed sensitive human rights issues on the agenda that few national and international actors have been prepared to raise. Some observers believe that the Mission’s work has contributed to attitude changes that may affect the government’s future reintegration policy.

### 3.5 Sustainability

EQ7: Which outcomes of the Mission’s work are likely to be durable?

89. HRMMU has brought attention to human rights violations, giving a voice to victims of such violations, contributed to an improved understanding of the overall human rights situation, facilitated others implementing projects aiming at addressing human rights concerns and contributed to a historical record and potentially to future accountability for those responsible for violations of human rights. To comprehensively assess the sustainability of these results is challenging, partly because of their non-tangible nature and partly because it may take years or decades before the scale and nature of these results are fully visible.
90. Nevertheless, the results obtained must generally be considered to have a reasonable degree of sustainability. The increased knowledge and understanding of the human rights context in Ukraine and of the human rights abuses that occur will not disappear if the Mission closes. Similarly and relatedly, the Mission’s outputs will continue to contribute to accountability and to give voice to victims of human rights violations for a long time to come, whether or not the Mission continues to operate.
91. HRMMU has also provided technical assistance and capacity development support, which has yielded some more concrete results that can somewhat easier be assessed from a sustainability perspective. Some of the Mission’s advocacy and assistance towards public policy changes were undermined by the full-scale invasion and the Ukrainian government’s and parliament’s shifting priorities. However, the legal and other public policy changes that have been attained are as sustainable as such changes can be in a pluralistic democracy. The many changes in rules and regulations that the Mission has contributed to, including in relation to the treatment of prisoners of war, are formally easy to change. However, it can be assumed that they are also reflecting an unwillingness to take reputational risks and, to some extent, an attitude change.

92. Following the full-scale invasion, the HRMMU’s focus on developing the capacities of government officials and civil society representatives has been limited. Arguably, a stronger focus on civil society strengthening and the development of duty-bearer capacity may have been desirable from a sustainability perspective. However, many other actors are working closely with both government institutions and civil society actors to contribute to enhancing their capacities. For reasons of coherence and efficiency, it has been reasonable for the Mission to limit its engagement to issues in which it adds value that is not provided by other organizations.
93. HRMMU is also contributing to developing long-term capacity for human rights work in Ukraine through the knowledge and experience its staff members obtain by working for the Mission. Observers have expressed concern, however, about the long-term challenges in ensuring that the human rights resource capacity in Ukraine, in particular in the civil society sector, can be sustained. Eventually, it will depend on the degree to which funding for human rights work will be available, even though human rights workers who take on work in other sectors will hopefully apply some of the knowledge and skills obtained.
94. The sustainability of HRMMU itself is reasonably well developed. While it receives no funding from the UN regular budget, it has, as shown in Table 8, a track-record of raising substantial amounts for its operations from a broad and diverse group of donors. Of the 15 donors pledging support for the Mission in 2023, no single donor provided more than 19% of the total budget. Since the full-scale invasion, the funds raised for the Mission has increased significantly. Between 2021 and 2022, the total contributions pledged almost tripled, from USD 6.3 million to 18.4 million. However, the amount decreased notably in 2023, when it reached USD 11.4 million.
95. It is, however, somewhat challenging to get a comprehensive picture of HRMMU’s financial situation. According to the financial report of income and expenditure for 2022, HRMMU’s income was USD 12.6 million. According to OHCHR’s compilation of voluntary contributions for Ukraine, the amounts pledged in 2022 were the above mentioned USD 18.4 million. The discrepancy relates to differences between pledges and actual income and that the list of pledges includes more than one cost plan. OHCHR does not produce one consolidated financial report showing all income and expenditures pertaining to HRMMU.

Table 8: Voluntary contributions for HRMMU 2020-2024 (thousand USD)

Donor	2020	2021	2022	2023	2024 (as of 25 Apr)
Belgium			502		
Canada	909	181	786	1183	
Estonia	36	34	32	33	
EC	1594	2140	1427		
France			402	763	

Germany	471	590	1687	2195	
Italy			388	129	
Japan				315	
Lithuania		18		22	
MPTF	175	75	866		
Netherlands			1100	1100	
New Zealand		629			
Norway			789	789	789
OCHA/ CERF			2007		
Poland	27	25	32	34	
Slovakia			112	54	
Sweden	479	964	1466	1466	
Switzerland	500	500	2000	450	50
Ukraine	35				
UK	805	767	2205	1851	1076
USA	988	988	1975	988	
Total	6283	6283	18405	11372	1915

Source: OHCHR

96. Some organizations and interviewed actors perceive that there is increased competition for available donor-funding and that the total amounts of funding for Ukraine generally, and for human rights work specifically, is decreasing. The unique role of HRMMU in the overall human rights context nevertheless gives reason to be optimistic about its sustainability even though the fairly large budget may require adjustments over time.

## 3.6 Efficiency

3.6.1 EQ 8: Have the Mission's organisational capacities and resources been used optimally and have organisational structures and processes been fit for purpose, promoting flexibility and adaptability to the changing context of fragility and armed conflict?

97. In financial terms, HRMMU has grown significantly during the current programme period. The vast majority of its expenditures have remained staff-related costs, which is unsurprising considering the Mission's monitoring mandate and the fact that no funds are sub-granted to other organizations. Between 2021 and 2023, the number of positions in the Mission increased by more than 50%, reaching nearly 80 in early 2024.
98. In addition to staff-related costs, HRMMU's main expenditures relate to programme support (indirect) costs, equipment, vehicles, and furniture, general operating costs, and travel costs. Table 9 shows the Mission's total income, total expenditures, and main cost categories during the period 2021-2023.

Table 9: Income and expenditures (thousand USD) 2021-2023

Year	Income	Total expend	Staff costs		Programme support costs		Equipment, vehicles & furniture	
	US\$	US\$	US\$	% of total	US\$	% of total	US\$	% of total
2021	6909	5320	4261	80	498	9	39	1
2022	12654	6609	4291	64	760	11	547	8
2023	6710	9965	7321	73	1132	12	1511	15
2024	4586 <sup>22</sup>	12081 <sup>23</sup>	9420	78	1383	12	1215	10

Source: HRMMU

99. Of the total staff costs, a majority relate to HRMMU’s international positions. While the ratio between national and international staff has a significant bearing on the total costs of the Mission, interviewees have also stressed that the credibility of the Mission, and thus its efficiency, is related to its international character. Similarly, the 2019 evaluation noted that all interviewed donors found that the Mission’s international staff was needed to demonstrate impartiality. The evaluation team’s interviews suggest that the Mission maintains an appropriate mix of national and international staff members, with national staff making up about 60% of all staff as of early 2024. Interviewees also point to the small size of many of the Mission’s units and the significant outputs they nevertheless produce.
100. At the same time as HRMMU has grown rapidly in terms of budget and staff capacity, so have the demands on the Mission and the workload it has taken on. Apart from that it has strengthened its physical presence and increased the number of human rights investigations it undertakes, it has maintained a high level of written outputs, including public reports, press releases and social media posts, and responded to an increased number of requests for information. It has also been able to produce rapid flash reports in response to particular violations. The number of reports, notes and other documents published per year are presented in Table 10.

Table 10: Reports and other publications per year 2021-2023

Year	2021	2022	2023	2024 (Jan- Apr)
Periodic reports on the human rights situation in Ukraine	4	5	4	1
Thematic reports	2	1	3	2
Secretary-General’s report on Crimea	2	2	2	0
Briefing notes and compilations	6	1	1	0
Confidential early warning notes	2	1	1	0

<sup>22</sup> Funds raised as of April 2024

<sup>23</sup> All expenditures are budgeted expenditures.

Updates on conflict-related civilian casualties	4	127	33	5
Situation updates	n/a	30	14	1 <sup>24</sup>
Updates on human rights impact of Covid-19	19	n/a	n/a	n/a
Press statements/releases	4	12	7	12
Social media publications (Facebook, Instagram, X)	162	139	157	43

101. The 2019 evaluation found that HRMMU had used its resources strategically and provided good value for money due to its successful collaboration with national and international actors, including the UNCT. Effective cooperation and an ability to feed into the work of a range of other actors have continued to characterize the work of the Mission and continue to contribute to efficiency.
102. HRMMU has shown a high degree of adaptability. Amongst the more significant changes it has handled are the closing and opening of new offices, the implementation of the idea of establishing offices outside the country and the initiative to remotely monitor occupied areas to which staff do not have access. As noted, it has also managed a significantly increased budget and, in the context of staff turnover and recruitment-related challenges, managed a rapid growth in staff size. The Mission has also refocused its overall approach through a strengthened focus on conflict-related monitoring and managed to operate effectively in a context in which many actors, including the UNCT, have primarily focused on humanitarian assistance.
103. At the same time, many staff members experience a lack of clarity when it comes to the pursuit of change within HRMMU. In interviews, staff members noted that they do not understand why changes are undertaken and what it means for their work, which may negatively affect their understanding of how they contribute to the Mission's objectives. Interviews suggest that the existing scepticism to change is related to the stressful and difficult working environment that many staff experience. While the working environment is directly related to the external context in which the Mission operates, many interviewees stressed that a heavy workload is the norm and that there is a need for increased attention to team building, work and life balance and mental health issues. The challenges are well recognized by the management, which, during the past few months, has introduced a number of measures to try to address these concerns.<sup>25</sup> A staff retreat organized in April 2023 was very much appreciated by staff members. Many believe that regular events of a similar character in which staff from different offices and units can meet, get to know each and exchange ideas and experiences can contribute to both well-being and staff development.

<sup>24</sup> Publication of situation updates was discontinued in February 2024

<sup>25</sup> These include telecommuting options for national staff, flextime for national field staff, and a core working hours policy to allow flexibility around working hours.



104. Many interviewees also see a need for better and more frequent internal communication to overcome existing resistance to change. The evaluation team's survey among staff members indicates that the Mission communicates well on issues of administration and that there is effective communication between the main office and the field offices.<sup>26</sup> There were more mixed views as to the effectiveness of the Mission's internal communication on priorities and approaches, with 44% agreeing and 31% disagreeing with the statement "there is effective internal communication regarding HRMMU's strategic priorities and methodological approaches." Women held somewhat more negative views than men on this issue but were slightly more positive than men regarding administrative communication and the communication between Kyiv and the field offices. Staff members that had been with the office less than three years had somewhat more positive views on the communication on strategic priorities and methodological approaches, as well as on the communication between Kyiv and the field offices, than those that had been with the office for a longer period. This was also indicated in interviews.
105. As to the overall structure of HRMMU, most interviewees, including most staff members, claim that they lack sufficient overview to assess whether it is appropriate. Few have raised any concerns or put forward ideas on how the Mission could be differently organized. The survey indicated that few staff members have major concerns regarding the capacity of the Mission, with only 22% disagreeing with the statement "The number of HRMMU staff is adequate for the mandate." A few interviewees note, however, that the division of labour between units and functions has not always been as clear as they would have liked it to be. Interviewees have also mentioned that the OHCHR desk officer capacity in New York is woefully inadequate for the Ukraine-related requests. This affects OHCHR's ability to stay up to date on developments in New York and its ability to keep HRMMU informed. It also leads to HRMMU often having to deal with last-minute requests from New York for information, and it sometimes has insufficient time to prepare responses and input.
106. At the same time as the Mission has been growing, it has faced high turnover of staff, partly a result of staff members' fear of conscription, and challenges in replacing and recruiting new staff members.<sup>27</sup> There are several reasons for these challenges, including extreme competition for qualified staff and bottlenecks in OHCHR's recruitment processes.<sup>28</sup> The effects have been that key positions have been left vacant for extended

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<sup>26</sup> Sixty-nine % responded that they agreed or strongly agreed with the statement, "Useful information and guidance are provided on issues related to administration." Fourteen % disagreed or strongly disagreed, while 17% answered that they neither agreed nor disagreed. Sixty-one percent of the respondents agreed or strongly agreed that, "There is effective communication between the office in Kyiv and the field offices". Only six percent disagreed, while 31% answered "neither agree nor disagree". Three % percent answered, "do not know/prefer not to answer."

<sup>27</sup> 47% of all survey respondents agreed or strongly agreed with the statement "staff turnover and frequent vacancies are major challenges for HRMMU", while 33% disagreed or strongly disagreed.

<sup>28</sup> While it is beyond the scope of this evaluation to conduct a comprehensive review of the recruitment system, the evaluation team has been informed that recruitments require several levels of OHCHR

periods of time and that well-qualified applicants have withdrawn their applications and taken other jobs. An illustration of the problems is that six of the eight most recent recruitments for the Kyiv office recalled their acceptance. The six cited reasons such as being offered a job by another agency in Ukraine, receiving a job offer abroad and being drafted into the armed forces of Ukraine.

107. In 2023 alone, HRMMU conducted no less than 73 post recruitments, including both recruitments resulting in a person being employed and those that did not. While recognizing the burden this places on the Mission, the evaluation team understands that increased delegation of recruitment-related responsibilities to HRMMU could increase effectiveness. Currently, recruitment processes tend to be slowed down by the number of clearances that, in practice, are required at each stage of the recruitment process, from advertisement to hiring.
108. Some of HRMMU's donors have in the past earmarked their funding for certain aspects of the Mission's work. Currently, HRMMU's donors provide support to one and the same overall programme. This is important from an efficiency perspective. However, in their agreements with OHCHR, some donors have included requirements that the Mission should work on specific issues. This can negatively impact its independence, planning and possibility of focusing on issues where it has the best possibility of making a positive difference, something which the Mission can presumably assess better than its donors.
109. The efficiency of the Mission is affected by the short-term funding provided by most donors, which creates uncertainties and increases the Mission's administrative burden. The short-term nature of the agreement between the Government of Ukraine and OHCHR, which provides for an extension every six months, also impacts the mission. This causes a range of practical problems, including contractual and visa-related challenges.
110. The donors interviewed by the evaluation team are satisfied with the narrative reports submitted by the Mission. Currently, there is no effective coordination of HRMMU's donors, and the donors have made no attempts to harmonize their follow-up of HRMMU's progress. Even though parts of HRMMU's reports to its donors can be recycled and used in reports to other donors, a higher degree of harmonization would have meant the Mission could spend more time on core activities while continuing to produce high-quality progress reports.
111. Overall, the evaluation team assesses that HRMMU has used its resources effectively and that its setup is fit for purpose. While the efficiency can nevertheless be strengthened,

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headquarters approval and that the process of obtaining these approvals is often slow and can get "stuck" with one person for weeks.

in particular in relation to staff turnover and recruitment practices, the required changes relate more to OHCHR generally and to the Mission's donors than to HRMMU.

### 3.7 Gender, Disability, LNOB

3.7.1 EQ 9: To what extent has the Mission's objectives and work responded and remained relevant to the needs and priorities of women, persons with disabilities and other vulnerable groups, especially those most marginalised?

112. HRMMU's analysis of the human rights situation, as presented in public and donor reports, shows a strong focus on groups in vulnerable situations, as does the range of outcomes the Mission has contributed to in relation to these groups, as shown below in section 3.7.2. The evaluation team's survey also showed that staff members generally believe that the Mission has had a strong focus on groups in vulnerable situations. Of the respondents, more than 80% held that the Mission had been "important" or "very important" for strengthening the rights of older persons as well as the rights of children, while the same figures for people with disabilities were 78% and for minorities 75%. Regarding the importance of the mission for the rights of women and internally displaced people, the figures were slightly lower, 71% and 67% respectively. In relation to HRMMU's work with people with disabilities and with women, there were some differences in the views expressed by female and male staff members. While 80% of the men answered that HRMMU had an "important" or "very important" role in relation to these groups, amongst female respondents, the figure was only 57% for people with disabilities and 62% for women.
113. During the period 2020 to 2022, HRMMU went through OHCHR's comprehensive gender accreditation programme, which aims to strengthen gender equality and diversity in OHCHR's institutional environment as well as in its substantive work. According to interviews, the Mission and its staff showed a strong commitment to the programme. HRMMU was at the end of the programme very positively assessed and given the highest level of accreditation (level 3) by an independent evaluator.<sup>29</sup> The programme has according to interviewees had significant influence on HRMMU's organizational culture and strengthened its programmatic work in several areas, including in relation to women human rights defenders. It also led to improvements in HRMMU's human rights database, which has increased the Mission's capacity to do more gendered human rights assessments. In can in this context be mentioned that the Mission has a strong gender balance among both national and international staff, as well as in senior positions (heads of unit and above).
114. There are mixed views as to the longer-term effects of the accreditation programme. Some claim that the effects have faded away, partly due to changed priorities and partly because many staff members benefitting from the programme have left the Mission. Some have also stressed that while the Mission has had a strong focus on CRSV, less

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<sup>29</sup> Sunagic L. and Georgi C., Gender Accreditation Programme Assessment mission report of Human Rights Monitoring Mission in Ukraine (HRMMU): 13-17 December 2021, 2021

attention has been given to other aspects of the Women Peace and Security agenda.<sup>30</sup> However, it has been argued that this is a natural consequence of the existing division of labour amongst the UN agencies, where UN Women has a leading role on UN Security Council resolution 1325.

115. More generally, many interviewees hold that the Mission since the start of the full-scale invasion has had a less pronounced focus on groups traditionally facing particular vulnerability or marginalization. They claim that this is partly a consequence of the logistical challenges the Mission faced in the months following the full-scale invasion and a consequence of the Mission's work more directly focusing on conflict-related human rights violations, which have meant a strong focus on issues such as civilian casualties and prisoners of war. The very nature of vulnerability also changed following the full-scale invasion. Certain groups that had traditionally faced marginalization had, according to interviews, little interests in drawing attention to their own situation in a context in which the entire country focused on fighting an external aggressor. Those living with disabilities and those in a situation of homelessness found that the number of people living under similar conditions increased dramatically.
116. Furthermore, the concerns many have expressed about a diminishing focus on groups in vulnerable situations are not directly reflected in the Mission's outputs since the full-scale invasion. HRMMU's analysis recognize that groups in situations of vulnerability are often particularly affected by the full-scale invasion. In its periodic and thematic reports, the Mission has continued to present information about the situation of ethnic minorities, women, children and lesbian, gay, bisexual, transgender, intersex and queer plus (LGBTI+) individuals. In addition, the Mission has published a special report on the situation of older persons, of which a vast majority are women.

### 3.7.2 EQ 10: What specific outcomes have been achieved for women, children, persons with disabilities and other vulnerable groups, especially those most marginalised?

117. During the period under review, there have been a number of important developments for women, children, persons with disabilities and other vulnerable groups. HRMMU has worked on and advocated for many of these developments, often in cooperation with other UN agencies. HRMMU coordinated, for instance, UNCT inputs on the Ukrainian government's Roma Strategy Action Plan, with several of the UNCT's recommendations reflected in the final strategy; gave voice to women human rights defenders through its social media channels, advocated alongside other UN agencies for ratification of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention), to which Ukraine became a party in 2022; advocated successfully for a critical correction to the

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<sup>30</sup> The Women, Peace and Security Agenda set out in UN Security Council Resolution 1325 has four pillars: (i) The role of women in conflict prevention, (ii) women's participation in peacebuilding, (iii) the protection of the rights of women and girls during and after conflict, and (iv) women's specific needs during repatriation, resettlement and for rehabilitation, reintegration and post-conflict reconstruction. The protection pillar calls for the protection of women and girls from sexual and gender-based violence, including in emergency and humanitarian situations.

translation of the UN Convention on the Rights of Persons with Disabilities; coordinated the UNCT' work on hate speech and through joint advocacy contributed to the Ukrainian government preparing in 2022 a draft law that according to HRMMU "contained positive provisions bringing the Ukrainian legislation on preventing and combatting hate crimes and hate speech in line with international standards."<sup>31</sup>; prevented on many occasions, according to its own assessment, hate crime and violence; strengthened government capacity to investigate CRSV in line with international standards; provided several recommendations that were subsequently reflected in new legislation concerning rights of national minorities.

118. To determine the degree to which HRMMU has contributed to the specific outcomes is difficult, especially as there are many other actors that have advocated for or assisted the government in implementing these changes. Few informants, other than HRMMU, staff have been able to verify HRMMU's claims of contribution other than in very general terms, which is likely a consequence of the large number of actors involved but potentially also an effect of the evaluation team not always being able to secure interviews with some relevant actors. In many cases, HRMMU's contributions must also be seen in the light of the significant influence the prospect of EU accession has on Ukraine's commitment and efforts to implement many of the changes for which HRMMU has advocated.
119. At the same time, HRMMU's assessments regarding the situation of groups in contexts of vulnerability have frequently been referred to in policy documents and strategies guiding the actions of others who work to support these groups. This includes Ukrainian government bodies and instruments, such as the National Action Plan for the Implementation of UN Security Resolution 1325 on Women, Peace and Security. It also includes international organizations. Together with the UNCT, the Mission has for instance made submissions to the Committee on the Elimination of Discrimination against Women, Committee on the Rights of Persons with Disabilities and the Committee on the Rights of the Child.
120. Overall, the evaluation has found that HRMMU has been one of many actors contributing to a range of important outcomes for women, children, persons with disabilities and other groups in vulnerable situations. As in relation to other groups and issues, the most important achievement of the Mission is arguably that it has contributed an increased understanding of the human rights situation in Ukraine. Without relevant and reliable information, there are slim chances of taking well founded human rights related decision for people in vulnerable situations in the short, medium and long term.

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<sup>31</sup> 2022 End of Year Progress report – CO Ukraine

## 4. CONCLUSIONS

### Relevance

121. HRMMU is needed. It has a unique role, and its relevance has increased since the full-scale invasion. It is of special relevance for Ukrainian duty-bearers and national and international peace, security, and accountability institutions. It is primarily of indirect relevance for rightsholders, as few initiatives in recent years have aimed to enhance the capacity of rightsholders and their organizations to claim rights. The Mission should maintain a strong focus on people in situations of particular vulnerability, which became somewhat less pronounced following the full-scale invasion.

### Coherence

122. Despite general concerns about a lack of coherence amongst the many different national and international actors working on issues of human rights, justice, and the rule of law in Ukraine, HRMMU benefits from a high degree of coherence with what others are doing. HRMMU's unique monitoring mandate, the data it collects, and the analysis and recommendations it provides effectively feed into the work of other institutions focusing on peace and security, and accountability for grave human rights violations, as well as institutions working to strengthen state capacities relating to human rights, the rule of law and the functioning of a democratic state.

### Effectiveness

123. There has been sound progress in relation to most of HRMMU's intended outcomes. The Government of Ukraine is making progress in its investigations of the most egregious human rights violations and in implementing the National Human Rights Action Plan, and there are examples of HRMMU contributing to this progress. There are also many examples of Ukraine, UN agencies, and other members of the international community taking action on issues, cases, and patterns raised by HRMMU. The Russian Federation has done so to a much lower extent. While the Ukrainian civil society is implementing a broad range of actions in support of accountability, HRMMU's contribution to the CSO's accountability-related results has been limited during the period under review by the evaluation.
124. There is broad consensus that HRMMU's most important result is its credible and extensive monitoring of the human rights situation, to contribute to the "the truth" and to accountability for violations of human rights, as well as to give voice to victims of human rights violations. In line with conventional thinking around RBM, HRMMU's intended outcomes and related results framework focuses on more tangible outcomes observable in the short and medium term. While HRMMU has done an impressive and vital job in trying to follow up on its contribution to these tangible results, it has not made its contribution of accurate information on the human rights situation and potential long-term contribution to future accountability an explicit objective. Such an objective would recognize that the availability of factually correct information about the human rights situation is essential even if no one, at least not in the short or medium term, can act on

it and ensure concrete improvements in the human rights situation. Thus, it would recognize that the effectiveness of HRMMU is not primarily related to whether it reaches its six outcomes but whether it effectively collects and disseminates accurate information on the human rights situation.

125. As the Mission has pointed out, HRMMU's ability to attain results is grounded in its fact-based advocacy; persistence in advocacy, messages, and work; and the utility of building strategic coalitions on common messaging with others. Despite staff turnover and capacity development challenges, it is notable that the Mission has benefitted from highly committed and competent staff members. The Mission's well-developed relationships with many government departments and public authorities, including the armed forces, UN agencies and other international organizations, are other success factors, contributing among other things to the successes of its technical assistance component. Many informants have welcomed the Mission's recent efforts to increase its outreach and dissemination and discussion of monitoring findings and recommendations. These efforts are likely to increase its effectiveness further.

#### Impact

126. As with most human rights monitoring interventions, it is difficult to establish causality between the monitoring efforts and larger-scale improvements in the protection of the human rights of men, women, girls, and boys. Nevertheless, there is substantial evidence that the Mission has contributed to several high-level changes of importance from a human rights perspective, including changes in legislation, strengthened duty-bearer capacity and accountability for human rights violations in national and international processes. The Mission's more general contributions to a historical record, securing the right to truth and giving victims of human rights violence a voice should also be considered impact-level results.

#### Sustainability

127. Overall, the results attained by HRMMU are characterized by a relatively high degree of sustainability. Its contribution to credible information about the human rights situation must be considered sustainable, and the public policy-related changes that the Mission has contributed to are, in many cases, as sustainable as changes in public policies can be expected to be. As for the sustainability of HRMMU itself, the overall attention given to Ukraine amongst actual and potential donors and the diverse sources of funding the Mission currently has makes it likely that money will be available for the Mission also in the coming years, even though there may be challenges in sustain the current level of support. It would be easier to obtain a comprehensive picture of HRMMU's financial situation if OHCHR produced a consolidated financial report showing all income and expenditures pertaining to the Mission.

## Efficiency

128. Staff members feel that their experiences and voices have not been sufficiently considered in internal decision-making processes, contributing to limited openness to change among some members. Strengthened internal communication and better opportunities for staff to provide feedback on reforms and new initiatives are key ingredients in promoting an environment where change is welcome.
129. The Mission and OHCHR as a whole need to explore and create further opportunities for monitoring-related staff development and professional growth tailored for new staff members as well as staff who have been with the Mission for a longer period. There is a broad agreement that further attention should be paid to work-life balance and general staff well-being, including mental health issues.
130. In some cases, donor funding for HRMMU has been earmarked for specific staff, structures, and activities within the mission. More widespread earmarking could affect its effectiveness and efficiency. From the perspective of efficiency and sustainability, it is problematic that only some donors provide multi-year funding.
131. HRMMU's efficiency suffers from high staff turnover, partly due to staff members' fear of military conscription, and excessive time and resources spent on staff recruitment. It has been suggested that a higher degree of autonomy for HRMMU in the recruitment process may lead to a more effective process, with positions being vacant for shorter periods and the preferred candidate to a higher extent being hired. Overall, it could lead to less time spent on recruitment-related issues and fewer recruitment processes having to be initiated.
132. Increased desk officer capacity is needed in the OHCHR office in New York if the office is to effectively disseminate and advocate around HRMMU's findings and recommendations and keep the Mission informed of developments in New York.

## Gender, disability, LNOB

133. Throughout the period under review, HRMMU has maintained a focus on groups in situations of vulnerability and, together with other actors, contributed to meaningful outcomes. There are some indications, however, that this focus has been less pronounced since the full-scale invasion and that an increased focus on the needs and priorities of women, persons with disabilities, and other vulnerable groups is needed if the Mission should maintain a high degree of relevance for these groups.



## 5 LESSON LEARNED

135. The evaluation of HRMMU provides one lesson learned, i.e., a generalized principle that can be applied in similar interventions.

Lesson 1: Conventional Results-Based Management thinking fails to capture the value of human rights monitoring. To effectively guide human rights monitoring efforts, an RBM approach needs to recognize the inherent value of factually correct information, “the truth,” as a potential primary objective.

136. Applying an RBM approach to human rights monitoring is notoriously difficult. Conventional thinking around both human rights monitoring and RBM links the effects of human rights monitoring to the attainment of tangible results. As found in this evaluation, however, the most important effects of human rights monitoring may be that it makes factually correct information, “the truth”, publicly available, provides a historical record, and gives victims of human rights abuses a voice. HRMMU’s programme document lays out these goals as the Mission’s primary contribution, but its intervention logic, as set out in the results assessment framework, struggles to capture this.
137. In line with conventional approaches to RBM, the intervention logic makes the value of human rights monitoring dependent on the degree to which the monitoring findings are used and bring about specific tangible changes of importance from a human rights perspective. According to this thinking, human rights monitoring efforts that do not lead to tangible changes and improvements have no value and have failed. Thus, this thinking does not recognize that the existence and dissemination of factually correct information, “the truth,” has an inherent value.
138. To address this flaw, which contravenes the thinking of those interviewed in connection with this evaluation and probably any “reasonable person”, RBM systems and results assessment frameworks should recognize “the truth” as a potential primary objective of any human rights monitoring initiative. To then determine the extent to which an intervention contributes to “the truth”, the quality and credibility of the monitoring work and the degree to which the monitoring findings are disseminated and accessed by different target groups should be assessed.

## 6 RECOMMENDATIONS

139. The evaluation sets out 12 recommendations, of which eight are directed at OHCHR, one at the Government of Ukraine and three at HRMMU's donors.

### 5.1 Recommendations to OHCHR

140. Recommendation 1: Make the truth a primary objective.

The Mission should make HRMMU's contribution to the truth (or similar) its primary outcome. This outcome should include the Mission's contribution to a historical record, future accountability, and providing a voice to victims. The outcome should recognize that the Mission's contribution to "the truth" is a crucial result, even though it is not apparent that it results in actions that lead to more tangible outcomes. The full extent to which such an outcome is attained can only be fully assessed at some future point, but the number and quality of the HRMMU's publications and how they are perceived would be important indicators of progress.

141. Recommendation 2: Ensure a strong focus on groups in situations of vulnerability is maintained.

The Mission has maintained a focus on groups in situations of vulnerability throughout the period under review. There are, however, indications that this focus for various reasons has been less pronounced since the full-scale invasion and its increased focus on conflict-related human rights violations. The Mission should ensure that it maintains a strong focus on groups in situations of vulnerability, including how they are affected by the conflict.

142. Recommendation 3: Engage in further outreach activities and discussions around the Mission's findings and recommendations.

The Mission should continue strengthening the discourse with Ukrainian and international actors around its recommendations and their implementation and create increased awareness and understanding of its mandate. This includes everything from a continued focus on developing the Mission's capacity for effective media outreach to further discussions and round-table sessions with members of the international community at diplomatic, political and technical levels.

143. Recommendation 4: Strengthen change management through improved internal communication.

When significant strategic or methodological changes are implemented, the Mission should draft and disseminate among all staff 'case for change' documents, aiming to explain the change rationale, benefits of change, and how it aligns with HRMMU's broader priorities and strategies.

144. Recommendation 5: Strengthen staff development through human rights monitoring training.

With a view to enhance the human rights monitoring knowledge and skills of both new and experienced staff members, the Mission should pay more attention to human rights monitoring-focused staff development, particularly training.

145. Recommendation 6: Ensure a strong focus on work-life balance, staff team building, and mental health support to reduce staff turnover.

To reduce staff turnover and increase staff well-being and health, the Mission should continue to develop initiatives to strengthen work-life balance, flexible work arrangements, team building (including regular staff retreats), and mental health support for all staff members. In recent months, several initiatives have been taken to address existing concerns, including flex-time and alternative working arrangements. The Mission should closely monitor these initiatives and ensure they have intended and sufficient effect.

146. Recommendation 7: Improve the staff recruitment process, especially for crisis situations, and consider delegating further responsibilities to HRMMU.

OHCHR should review its recruitment practices and ensure a more effective recruitment process that allows positions to be created and filled swiftly. OHCHR should consider whether giving HRMMU further autonomy in the process can enhance its effectiveness.

147. Recommendation 8: Strengthen desk officer capacity in New York.

OHCHR should assess how it can strengthen the desk officer capacity in its office in New York to ensure that HRMMU's findings, analyses, and recommendations are spread and considered at the UN in New York and that HRMMU is well informed of developments and discussions in New York.

148. Recommendation 9: Produced a consolidated annual financial report.

To make it easier to obtain an overview of all income and expenditures pertaining to HRMMU, OHCHR should produce a consolidated annual financial report covering all cost plans relating to the Mission.

## 5.2 Recommendations to the Government of Ukraine

149. Recommendation 10: Enter into longer cooperation agreements with OHCHR

To further strengthen the Mission's effectiveness and efficiency and to increase the likelihood of sustainable results, the duration of the agreements between the Government of Ukraine and OHCHR on the functioning of HRMMU should be extended from the current six months to a multi-year arrangement.

### 5.3 Recommendations to donors

#### 150. Recommendation 11: Strengthen coordination and harmonization

To enhance efficiency and ensure their support is used to the greatest extent possible for HRMMU's core human rights activities, the Mission's donors should start coordinating and harmonizing their reporting and other follow-up requirements. One of the more prominent donors should, together with HRMMU, take the lead in promoting donor coordination and harmonization to ensure increased efficiency and that available resources are spent on human rights-related activities rather than on overlapping reporting to donors.

#### 151. Recommendation 12. Do not earmark funding for particular positions, structures and activities within HRMMU

Donors should support HRMMU's overall programme strategy. To ensure effectiveness, they should avoid earmarking funding dedicated to HRMMU for specific staff, structures and activities within the Mission.

#### 152. Recommendation 13: Provide multi-year support

Donors should consider shifting from short-term funding to multi-year support to facilitate medium-term planning and ensure operational stability.

#### 153. Recommendation 14: Support OHCHR's efforts to obtain longer cooperation agreements with the Government of Ukraine.

HRMMU's donors should together with OHCHR approach the Government of Ukraine, stressing the importance of OHCHR and the Government of Ukraine entering into multi-year cooperation agreements rather than the current 6-months agreements.

MANAGEMENT RESPONSE TO THE EVALUATION RECOMMENDATIONS

Evaluation of United Nations Human Rights Monitoring Mission in Ukraine (June 2024)

**Recommendation 1: Make the truth a primary objective.**

The Mission should make HRMMU’s contribution to the truth (or similar) its primary outcome. This outcome should include the Mission’s contribution to a historical record, future accountability, and providing a voice to victims. The outcome should recognize that the Mission’s contribution to “the truth” is a crucial result, even though it is not apparent that it results in actions that lead to more tangible outcomes. The full extent to which such an outcome is attained can only be fully assessed at some future point, but the number and quality of the HRMMU’s publications and how they are perceived would be important indicators of progress.

**Management position on recommendation: Partially Accepted**

**Management comment:** Contribution to the truth is indeed one of the primary outcomes of HRMMU’s work, linked to the mandate for monitoring and reporting. HRMMU’s other primary outcomes includes making recommendations to improve the protection of human rights and conducting advocacy based on these recommendations. Outcomes related to advocacy (e.g., improvements in the protection of human rights) are also included in HRMMU’s multi-year strategy. Truth has been integrated into the list of objectives in the revised project proposal.

Key Action	Responsibility	Time-frame
1. In HRMMU’s multi-year strategy and funding applications, highlight documenting the truth among the objectives.	Head of Office	31 July 2024 (action completed)
2. Develop and use indicators, in conformity with the RBM Manual's guidance and in consultation with PPMES, to measure the contribution to truth, including quantitative indicators (e.g., number of cases recorded, interviews and field visits, number of publications, media reports based on these publications) and qualitative indicators on the significance of the findings.	Head of Programme Management Unit	30 September 2024
3. Develop a rapid response capacity to establish facts and disseminate accurate information in a timely manner about attacks affecting civilians, since with a rapid response, HRMMU can establish the truth and counter misinformation.	Head of Protection of Civilians Unit	30 June 2024 (action completed)

**Recommendation 2: Ensure a strong focus on groups in situations of vulnerability is maintained.**

The Mission has maintained a focus on groups in situations of vulnerability throughout the period under review. There are, however, indications that this focus for various reasons has been less pronounced since the full-scale invasion and its increased focus on conflict-related human rights violations. The Mission should ensure that it maintains a strong focus on groups in situations of vulnerability, including how they are affected by the conflict.

**Management position on recommendation: Accepted**

**Management comment: -**

Key Action	Responsibility	Time-frame
1. Establish a Protection of Vulnerable Groups Unit with dedicated human resources to focus on monitoring and reporting on the rights of persons in situations of vulnerability, as well as economic, social and cultural rights.	Head of Office	30 June 2024 (action completed)
2. Develop a work plan for the Protection of Vulnerable Groups Unit, taking into account that the conflict is creating new vulnerabilities and redefining who is in the most vulnerable situation. This will require adjusting the understanding of who belongs to a vulnerable group beyond the traditional standard categories (e.g., including male detainees, families of POWs, those living without electricity in high-rise buildings, frontline communities). Intersectional analysis, applying a gender lens, will be used to identify shifting and context-based vulnerability. In public reports, the Unit will ensure the inclusion of an analysis of how conflict-related violations create or deepen the vulnerability of specific groups.	Head of Protection of Vulnerable Groups Unit	31 October 2024

**Recommendation 3: Engage in further outreach activities and discussions around the Mission's findings and recommendations.**

The Mission should continue strengthening the discourse with Ukrainian and international actors around its recommendations and their implementation and create increased awareness and understanding of its mandate. This includes everything from a continued focus on developing the Mission's capacity for effective media outreach to further discussions and round-table sessions with members of the international community at diplomatic, political and technical levels.

<b>Management position on recommendation: Accepted</b>		
<b>Management comment: -</b>		
<b>Key Action</b>	<b>Responsibility</b>	<b>Time-frame</b>
1. Establish internal guidance on outreach to civil society organizations, including elements such as (a) bilateral and small group consultations with CSOs conducted by HRMMU's field and thematic units, (b) organizing public events to discuss results of key reports (at least twice per year), and (c) engaging actively in events/trainings organized by CSOs.	Deputy Head of Mission	31 October 2024
2. Update the structure and scope of the communications plan that accompanies each public report, with defined target audiences and key messages, along with strengthened outreach to Ukrainian media and stakeholders, including in geographic areas where HRMMU has a presence and will provide feedback to people who have contributed to the findings of our public reports.	Head of Communications Unit	31 October 2024
3. Launch and maintain an up-to-date, informative HRMMU website, which will make it easier for the general public to access HRMMU's reporting.	Head of Communications Unit	30 September 2024
<b>Recommendation 4: Strengthen change management through improved internal communication.</b> When significant strategic or methodological changes are implemented, the Mission should draft and disseminate among all staff 'case for change' documents, aiming to explain the change rationale, benefits of change, and how it aligns with HRMMU's broader priorities and strategies.		
<b>Management position on recommendation: Accepted</b>		
<b>Management comment: -</b>		
<b>Key Action</b>	<b>Responsibility</b>	<b>Time-frame</b>
1. Continue the practice of conducting teamwide consultations in developing HRMMU's multi-year strategy and annual workplans and guide units and staff members in developing individual work plans that	Head of Mission, Deputy Head of Mission	31 October 2024

align with the strategy.		
2. Based on the multi-year strategy and annual work plan, provide updated thematic guidance, along with information collection plans, to human rights officers.	Deputy Head of Mission / Senior Human Rights Officer	30 November 2024
3. In updating data management tools, apply a change management approach, consulting with data users, making the case for change and supporting them during the transition to using new tools.	Information Management Officer	31 December 2024
<p><b>Recommendation 5: Strengthen staff development through human rights monitoring training.</b>  With a view to enhance the human rights monitoring knowledge and skills of both new and experienced staff members, the Mission should pay more attention to human rights monitoring-focused staff development, particularly training.</p>		
<p><b>Management position on recommendation: Accepted</b></p>		
<p>Management comment: -</p>		
<b>Key Action</b>	<b>Responsibility</b>	<b>Time-frame</b>
1. Develop an SOP for internal training, including induction of new human rights officers, in-person sessions for small groups on selected themes, and a dedicated weekly time for online training/development activities (e.g., learning Fridays), drawing on expertise from within HRMMU (including those who attend external trainings) and from among partners.	Deputy Head of Mission / Senior Human Rights Officer	30 November 2024
2. Introduce a policy to make available resources to support staff members to attend external trainings in line with applicable UN regulatory framework.	Head of Programme Management Unit	1 January 2024 (action completed)
3. Introduce policy change to provide national staff members with the opportunity to apply for rosters and other rapid deployment opportunities and provide the successful candidates with an opportunity to take such offers.	Head of Mission	31 October 2023 (action completed)
<p><b>Recommendation 6: Ensure a strong focus on work-life balance, staff team building, and mental health support to reduce staff turnover.</b>  To reduce staff turnover and increase staff well-being and health, the Mission should continue to develop initiatives to strengthen work-life balance, flexible work arrangements, team building</p>		



(including regular staff retreats), and mental health support for all staff members. In recent months, several initiatives have been taken to address existing concerns, including flex-time and alternative working arrangements. The Mission should closely monitor these initiatives and ensure they have intended and sufficient effect.

**Management position on recommendation: Accepted**

**Management comment: -**

Key Action	Responsibility	Time-frame
1. Continue implementing flexible working arrangements and assess the uptaking and use of these arrangements and their impact on staff welfare.	Head of Programme Management Unit	30 September 2024
2. Conduct an information session on entitlements to ensure that staff have information about how to use available resources and policies to enhance their welfare.	Head of Programme Management Unit	30 September 2024
3. Establish written guidelines to ensure the implementation of the practice of providing staff with compensatory time off when it is essential that staff work on evenings and weekends in line with applicable UN regulatory framework. Encourage a culture of shared responsibility among senior and middle managers to treat work-life balance and mental health support as important.	Head of Mission	30 August 2024
4. Organize a staff retreat to facilitate greater exchange among team members who work across the country.	Deputy Head of Mission	30 November 2024
5. Propose the transition from temporary contracts (which were created in 2022) to fixed-term appointments for staff since increased job security will improve wellbeing and reduce turnover, in line with applicable UN regulatory framework.	Head of Programme Management Unit	31 December 2024
6. Continue updating business continuity and contingency measures to support staff well-being during the winter period, which is expected to be difficult.	Head of Programme Management Unit	30 August 2024

**Recommendation 7: Improve the staff recruitment process, especially for crisis situations, and consider delegating further responsibilities to HRMMU.**

OHCHR should review its recruitment practices and ensure a more effective recruitment process that allows positions to be created and filled swiftly. OHCHR should consider whether giving HRMMU further autonomy in the process can enhance its effectiveness.

Management position on recommendation: Partially accepted		
Management Comment: The OHCHR 2.0 process already covers most of these issues and will address them after its rollout and implementation.		
Key Action	Responsibility	Time-frame
1. Conduct briefings and capacity building on HR recruitment process for staff in the field, including the HRMMU Programme and Operations Staff	AdminNet HRMS	Periodically
2. Update the recruitment processes following the finalization of the OHCHR 2.0 initiative and related OEAPs, such as those planned and presented by the DHC at the Townhall on 17 July 2024, including: Additional capacity to field offices and for the Umoja/ERP team to sustain this ongoing transition Develop and deliver comprehensive training to targeted staff to build capacity in leadership and management of resources – cultural change. Establish regional functional experts to provide localized support - coherence with 2.0 field review. Robust monitoring and strategic oversight mechanisms. Develop a customized dashboards for monitoring of resources (financial, human, administrative, etc) Transitional of National Staff to UN Secretariat Contract	PSMS HRMS	In line with OHCHR 2.0 implementation plans
<p><b>Recommendation 8: Strengthen desk officer capacity in New York.</b></p> <p>OHCHR should assess how it can strengthen the desk officer capacity in its office in New York to ensure that HRMMU’s findings, analyses, and recommendations are spread and considered at the UN in New York and that HRMMU is well informed of developments and discussions in New York.</p>		
Management position on recommendation: Accepted		
Management comment: -		

Key Action	Responsibility	Time-frame
Discuss ways of further cooperation and improving capacity between HRMMU and OHCHR NY	OHCHR NY Head of Mission FOTCD	October- November 2024
<p><b>Recommendation 9: Produced a consolidated annual financial report.</b></p> <p>To make it easier to obtain an overview of all income and expenditures pertaining to HRMMU, OHCHR should produce a consolidated annual financial report covering all cost plans relating to the Mission.</p>		
Management position on recommendation: Accepted		
<p>Management comment: OHCHR has been trying to implement this approach for the past years. The acceptance of such approach is dependent on Donors, as some request separate individualized reports, such as UK, US.</p>		
Key Action	Responsibility	Time-frame
1. Produce and review consolidated financial reports for SB-002257 for donor submissions.	FBS Head of Programme Management Unit	Quarterly
2. Negotiate acceptance of consolidated financial reports with donors.	Dexrel and Head of Programme Management Unit	Periodically