



NORWEGIAN
REFUGEE COUNCIL



A HUMANITARIAN ROADMAP:

10

things you need to know
about the humanitarian
consequences of the
armed conflict in the East
of Ukraine

10

things you can do
to improve the lives
of **5.2** million Ukrainians
in Donbas



KEY MESSAGES



Photo: Anna Bakhmet/The Norwegian Refugee Council (NRC)

Equal access to pensions for all conflict-affected pensioners, including displaced people

Almost 700,000 conflict-affected pensioners do not receive their pensions because of the restrictive policies linking payment of pensions to conflict-affected people with the requirement to register as an internally displaced person (IDP). A large number of such pensioners regularly face arbitrary suspension of their pensions which constitute the only source of income for the majority of older people affected by the conflict.

Pension is a property of an individual. Its payment does not depend on the place of residence or the registration as an IDP. Conflict-affected pensioners, including displaced people, should have a full and equal access to their pensions.

What we recommend

Ukrainian authorities are called upon to remove the existing obstacles that prevent conflict-affected pensioners to access their pensions. This can be done by de-linking the payment of pensions from the requirement to be registered as an IDP.



Availability of administrative procedure for birth and death registration for all conflict-affected families in eastern Ukraine and Crimea

In the areas of Donetsk and Luhansk regions which are currently not under the control of the Ukrainian authorities, an estimated 56% of children born do not have birth certificates issued by the Government of Ukraine. Likewise, some 77% of deaths that have occurred in these areas remain uncertified by the Ukrainian authorities.

Although a 'simplified' court procedure introduced for residents of these areas in 2016 exists, in practice it presents a lengthy, cumbersome and costly process. This makes it inaccessible for a large number of families, especially the most vulnerable ones.

A birth certificate serves as recognition of the existence of a child under law, which ensures a child's access to the entire spectrum of rights and to critical State services, such as education and health-care. Moreover, without state registration of birth, such children may face difficulties in obtaining identity documents and are at a greater risk of statelessness.

A death certificate, in turn, is instrumental for managing inheritance claims and subsequent proper settlement of property transactions.

What we recommend

Ukrainian authorities are called upon to immediately introduce an administrative procedure for birth and death registration that would be accessible and responsive to the circumstances of families residing in the non-government controlled areas of Donetsk and Luhansk regions and in Crimea.



Photo: Dmytro Tielushkin/The Norwegian Refugee Council (NRC)

Lifting of all excessive restrictions on movement of people and transfer of goods through the contact line and improvement of conditions at the checkpoints

To maintain family links and to access essential state services, every month people cross the 427-kilometre contact line more than 1,1 million times through the five entry-exit checkpoints. In addition to heightened security risks (shelling, land mines and explosive remnants of war), people risk their lives and health, queuing at the checkpoints for hours, either in harsh winter conditions or under the scorching sun in summer, with often inadequate hygiene facilities, lack of drinking water or available first aid.

What we recommend

Parties to the conflict are called to ensure that the movement of civilians and transfer of goods through the contact line should not be subject to excessive restrictions.

Thus, it is critically important:

- to ensure that the procedure governing crossing the checkpoints is accessible for all, including people of older age, families with children or those not able to comply with formalities;
- to open new entry-exit checkpoints, especially in Luhansk region;
- to ensure that a list of goods prohibited for transfer through the 'contact line' is kept to the minimum justified by security reasons and that there is a clear and accessible procedure of appeal of decisions taken by the authorities at the checkpoints;
- to increase access to authorised public transportation;
- to continuously improve the conditions at the checkpoints, with due attention given to the needs of older people, children, pregnant women and people with disabilities.



Respect and protection of the property rights of the conflict-affected population

More than five years of continuous active hostilities in eastern Ukraine have affected a large territory, with over 50,000 residential buildings damaged or destroyed and thousands of hectares of land contaminated with mines and unexploded ordnances on both sides of the contact line.

Even though Ukrainian legislation enshrines a right to compensation and other response measures of compensatory nature, presently existing ways appear to be not responsive to the circumstances of families having lost their property because of hostilities and are not adequate for enforcing the compensation claims.

Under both national legislation of Ukraine and international human rights law, conflict-affected individuals have a right that their property is protected and are entitled to receive a meaningful and fair compensation for a violation of their property rights.

What we recommend

Based on the recent legislative developments around the administrative procedure for claiming compensation in a situation of an armed conflict, Ukrainian authorities are called upon to ensure that the conflict-affected populations have an access to an effective administrative procedure for claiming compensation for any loss, damage or destruction of property incurred as a result of hostilities.



Photo: Ingebjørg Kårstad/The Norwegian Refugee Council (NRC)

Increased safety for millions of civilians facing deadly risks of mines and explosive remnants of war

Ongoing hostilities for more than five years – including shelling – have left undetonated weaponry dangerously scattered throughout vast areas of eastern Ukraine. Ukraine ranks amongst the most severely affected places in the world for casualties as a result of landmines and other explosive remnants of war (ERW).

Large-scale mine contamination poses lethal risks to civilians, including to half-a-million children living within the 20-km area on both sides of the ‘contact line,’ where mine and ERW risks are acute. Since the beginning of the conflict, more than 1000 casualties related to mines and ERW have been recorded.

Beyond being a deadly threat to the millions of people affected, mine and ERW contamination also adversely affects access to food and livelihoods, as people cannot engage in agricultural activities or even collect wood for heating.

What we recommend

It is critical to take all necessary steps to significantly reduce the lethal risks posed by mines and ERW to millions of civilians, in particular by clearance activities, mine risk education and victims’ assistance.



Durable Solutions for internally displaced people: an opportunity for integration and self-sufficiency

An estimated one million people has been permanently displaced by the armed conflict in eastern Ukraine. A large number of internally displaced people (IDPs) intend to stay in their new homes. In a situation of a protracted displacement, despite the efforts of the government and other actors, the prospects for IDPs to achieve durable solutions through integration into local communities remain uncertain. With resources stretched to the limit, many displaced families face discrimination and experience challenges in finding housing solutions, accessing services as well as securing stable employment. The inability of IDPs to exercise voting rights in local elections also remains a barrier to their integration into host communities.

What we recommend

Ukrainian authorities are called:

- to take measures to counter discrimination and guarantee equal access for IDPs to their human rights and fundamental freedoms;
- to start the review of the Strategy on Integration of Internally Displaced People and Durable Solutions for Internal Displacement for the period of 2020 and to make the Work Plan underpinning the Strategy operational, in particular by allocating sufficient resources for its implementation;
- in close cooperation with humanitarian and development partners, to address specific displacement-related needs with the aim to strengthen the resilience of IDPs and ensure their sustainable integration.



Photo: Ingebjørg Kårstad/The Norwegian Refugee Council (NRC)

Ensuring the basic needs of the conflict-affected population, in particular with regard to food security

“We have 300-400 UAH (around 10-12 Euro) to spend for food per week. This money is enough to buy bread, sunflower oil, some potatoes and the cheapest cereal. Our regular lunch is soup and porridge. I cannot remember the last time I ate meat”, Oleksandr from Shchastia town, Luhansk region, says.

The protracted humanitarian and displacement crisis continues to have a detrimental impact on the socio-economic fabric of the conflict zone, compounding vulnerabilities related to poverty and stretching the resilience of the conflict-affected population, including internally displaced people (IDPs).

Weakened social protection systems, disrupted access to markets and suspension of social benefits severely affect millions of people, placing a disproportionate burden on the most vulnerable: people of older age, single-headed households with children and people with disabilities. More than one million people, including IDPs outside of Donbas, are food insecure.

The high level of unemployment and sharp economic deterioration force people to resort to negative coping practices and to often make impossible choices on whether to buy food, medicine or send their children to school.

What we recommend

It is vitally important to step up efforts to ensure that conflict-affected people, including IDPs, have improved access to livelihood opportunities and have their basic needs met.



Protection of critical infrastructure to increase the safety of the conflict-affected civilians and upholding their right to water

Active hostilities continue to damage and disrupt civilian infrastructure, in particular the water supply system. Complex cooperation between parties to the conflict further hinders the maintenance and repair of a 70-year-old water infrastructure.

Since 2016, more than 350 conflict-related incidents have affected the supply of water to conflict-affected populations. These incidents include shelling of and shooting at infrastructure, or workers. The main providers of water across the line of contact Voda Donbasu and Popasnianskiy VodoKanal have accumulated large financial debts resulting from conflict-related factors that hinder their capacity to keep supplying water.

As a result, access to water is insufficient in quality and quantity in the region, and water cuts are regular for millions of people, causing great distress among the population. More than four million people risk every day to see their water cut; in such case, heating would be turned off for many of them in winter-time, when temperatures go well below zero.

What we recommend

It is crucial that all measures are taken to meet the human right to water in adequate quality and quantity for the conflict-affected population, in particular by ensuring 1) the protection of the water infrastructure and water company workers, 2) cooperation to allow the maintenance and repair of the water supply system, and 3) that special measures for the operation of the water company Voda Donbasu across the conflict-affected area are granted.



Photo: Alexander Sheludenkov / The Norwegian Refugee Council (NRC)

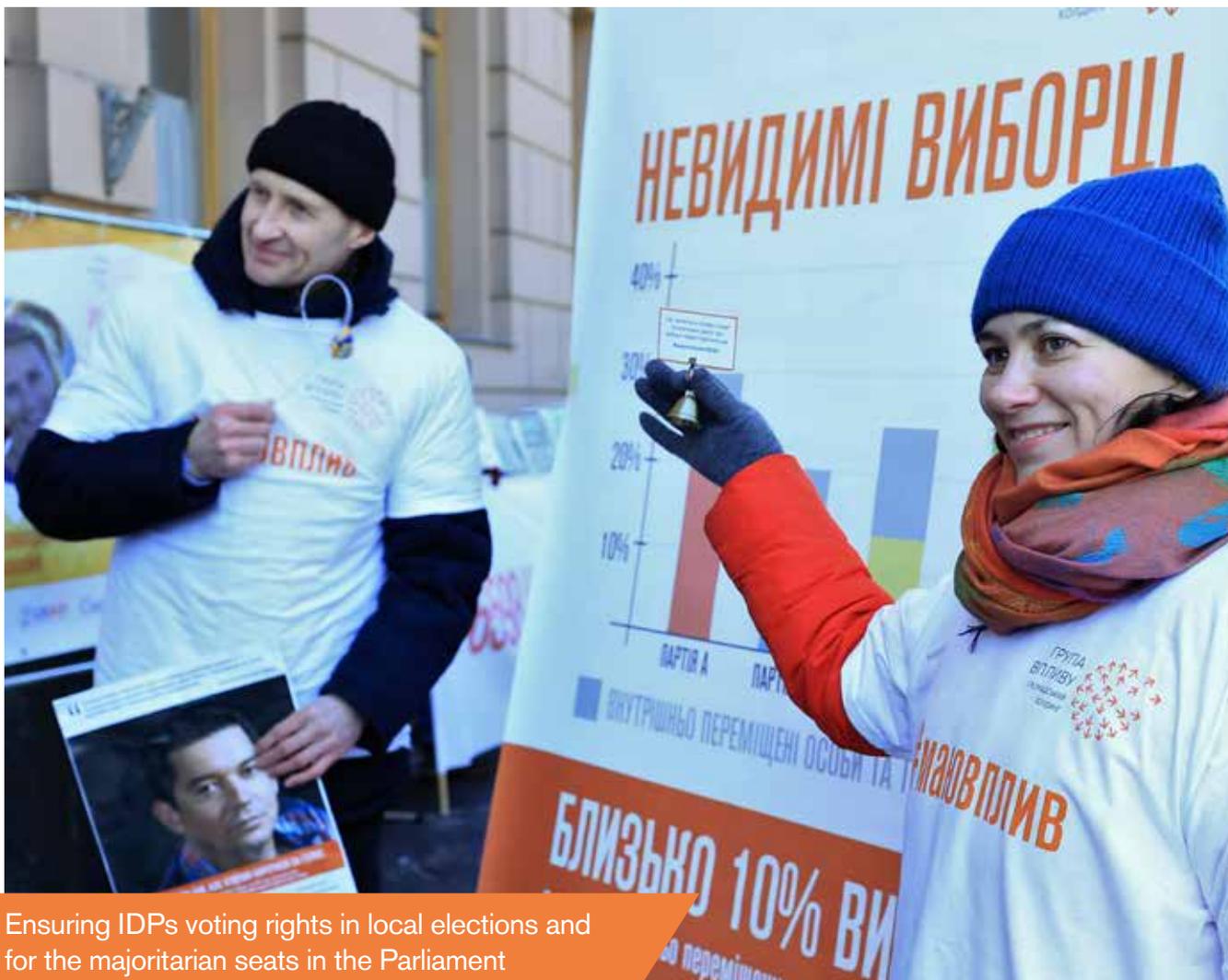
Simplification of the relevant procedures to facilitate the access of the conflict-affected population to so needed humanitarian assistance

With 3.5 million citizens of Ukraine still in need of humanitarian assistance and five years since humanitarian organizations started to support the population in need, the Ukrainian regulatory framework continues to present obstacles for the delivery of humanitarian assistance, due to the flawed procedures and bureaucratic hurdles. Shortcomings in legislative regulation of humanitarian activities and taxation of humanitarian assistance complicate the implementation of much-needed activities, and reduces the number of people who benefit from the support.

Through united efforts, the Ukrainian authorities and the humanitarian community in Ukraine developed a draft law 'On Humanitarian Assistance in Crisis Situations', aimed at facilitating the provision of humanitarian assistance to people in need.

What we recommend

We call the Parliament of Ukraine to consider and adopt the Law 'On Humanitarian Assistance in Crisis Situations' which would comprehensively regulate various aspects of humanitarian action.



Ensuring IDPs voting rights in local elections and for the majoritarian seats in the Parliament

According to the latest research of the International Organisation for Migration, the share of Internally Displaced Persons (IDPs) who reported their intention to return to their abandoned place of residence after the end of the conflict was only 22 per cent. Majority of IDPs have been living in new communities for over five years, but they are not yet considered their full members, since they cannot participate in local elections at their new place of residence. The reason for this is linking the voting address to the registered place of residence. IDPs have their registered place of residence on the non-government controlled territories and cannot change it to their actual place of residence for a number of objective reasons. In essence, it is a case of indirect discrimination against citizens on the grounds of the place of residence and a serious obstacle to the effective integration of IDPs into host communities.

What we recommend

To address this urgent problem, the state needs to change its approach to determination of the voter's election address, namely, to de-link the election address from the registered place of residence in order to secure the voting rights of IDPs. The relevant draft law (No. 6240), developed jointly by the Members of the Parliament of Ukraine and civil society, was submitted and registered in the Verkhovna Rada of Ukraine in March 2017. Currently, these legislative changes are a part of the draft Election Code of Ukraine. We call the Parliament of Ukraine to adopt the necessary changes on voting rights of internally displaced persons as soon as possible, providing them with a full access to voting rights at national and local elections at the place of their actual residence.

The Norwegian Refugee Council (NRC)

The Norwegian Refugee Council (NRC) is an international, humanitarian, non-governmental, non-profit organisation established in 1946. Our organisation provides assistance, protects the rights and facilitates solving the problems of internally displaced and conflict-affected people. We provide emergency assistance to affected population in 31 countries: in Europe, Africa, Asia, South America and Middle East, where displacement occurred through the armed conflict, violence or natural disaster.

NRC established its presence in Ukraine in November 2014. We provide assistance to conflict-affected population of Donetsk and Luhansk regions. Our assistance aims to meet the existing humanitarian needs and contributes to the social rehabilitation of the most vulnerable people. These are advocacy activities on the most pressing humanitarian needs, legal aid, support in repair of damaged housing, winterisation assistance, durable solutions, projects for the development of economic self-sufficiency and a stable livelihoods for internally displaced people, as well as for the population living along the contact line.

People in Need

People in Need (PIN) is one of the major non-profit organizations of Central Europe. With our humanitarian aid and development, human rights, educational, and social work departments, we are present in 35 countries including the Czech Republic, where our Head office and some of our programs are located.

Since the conflict in eastern Ukraine began in 2014, People in Need Relief and Development Department (RDD) has supported the conflict-affected population. For the past five years, PIN has been implementing a broad range of emergency food, non-food-items, shelter, protection, livelihoods, water, sanitation and hygiene, cash-based interventions.

We have also advocated to ensure that essential needs of people in eastern Ukraine are met.



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