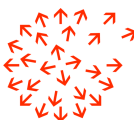




CRIMEAN
HUMAN RIGHTS
GROUP

GROUP OF
INFLUENCE
CIVIL
HOLDING



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**Key problems
of protection of rights of population affected amid full-scale armed aggression against Ukraine**

Area	Brief description of problem	Solutions	In charge
Evacuation	<p>Since February 24, 2022, measures to evacuate the population have been implemented at various levels in regions with a high level of threat to life and health of residents. The nature of such measures varies. However, there is currently no comprehensive system for the evacuation of civilian population from the war zone and adjacent territories, namely:</p> <ul style="list-style-type: none">• lack of a coordinated evacuation mechanism at the national, interregional, regional, district, and local levels. As a result, the evacuation is carried out separately by NGOs and local authorities without coordination and assistance from central bodies of executive power• lack of approved and publicized evacuation strategies for regions and communities, including the evacuation of state and communal enterprises, institutions, and organizations. Special attention should be paid to closed-type institutions of various departments, which are in a particularly vulnerable situation and in practice remain abandoned, as well as orphanages and boarding schools;• lack of a system for assessing the health condition of evacuees for their further redirection or accommodation	<ul style="list-style-type: none">• creating coordination center for the evacuation of the civilian population to unite the resources of the state, communities, and NGOs• developing evacuation mechanisms, including those of mandatory relocation with further publicizing• creating system to collect and update information on places of temporary and long-term stay of evacuees, which would take into account their health condition and other necessary criteria• opening and assisting in the opening of new specialized institutions for the accommodation of persons with	<p>Ministry of Reintegration of Temporarily Occupied Territories of Ukraine Ministry of Internal Affairs of Ukraine Ministry of Foreign Affairs of Ukraine Ministry of Social Policy of Ukraine Ministry of Health of Ukraine Ministry of Digital Transformation of Ukraine Regional and Kyiv city military</p>

	<ul style="list-style-type: none"> • lack of state support and interaction with NGOs in helping and providing services to evacuees with disabilities and other persons with reduced mobility, in particular regarding the restoration/registration of documents and social assistance, issuing IDP certificates, providing palliative care, etc.; • lack of centralized collection and update of information on places for temporary and long-term stay of evacuees, including for persons with disabilities and other persons with reduced mobility, closed-type institutions, orphanages, boarding schools, etc.; • lack of a system for finding potential locations for evacuation abroad, including for the provision of appropriate and proper specialized assistance, in particular for people with disabilities, other citizens with reduced mobility, etc. <p>At the same time, some calls for evacuation as a manifestation of a "pro-Ukrainian position" raise concern. In turn, such a call (which should clearly be made) should be voiced simultaneously with the provision of information about guaranteed safe evacuation corridors, further accommodation of residents of the occupied territories, help and support that the state, international organizations, and non-governmental volunteer initiatives are ready to provide.</p> <p>On July 29, 2022, the Ministry of Reintegration announced the creation of the Coordination Headquarters for the organization of evacuation in the Donetsk region, as well as the implementation of a mandatory evacuation of its residents. On August 1, 2022, the Ministry published an evacuation algorithm. However, there is not enough information about the working order of the coordination and methods of interaction with it.</p>	<ul style="list-style-type: none"> • disabilities and persons with reduced mobility; • implementing support systems for certain categories of evacuees • establishing cooperation on accommodation of evacuees with foreign partners • giving proper information about evacuation (safe corridors and follow-up routes, further accommodation, assistance, etc.) 	administrations
Exercise of rights of IDPs	<p>For a long time, the implementation of the state policy on internal displacement was not based on adequate information about the number of IDPs, their socio-demographic profile, and assessment of their needs. The reason was, in particular, a discriminatory policy against persons staying in the temporarily occupied territory.</p> <p>With the onset of the large-scale armed aggression of the Russian Federation against Ukraine and the significant increase in the number of IDPs, the issue of proper registering IDPs and the study of their needs both in the host communities and at the national level has become significantly more relevant. At the same time, it is impossible to speak about significant changes in meeting the needs of IDPs. In particular, the following can be stated:</p>	<ul style="list-style-type: none"> • introducing mechanism to assess the needs of IDPs to meet them further • assessing needs systematically and informing local authorities, international partners, etc. about the results to form long-term solutions and implement programs • collecting and disseminating information on the current number of IDPs in communities 	Ministry of Reintegration of Temporarily Occupied Territories of Ukraine Ministry of Social Policy of Ukraine Ministry of Communities and Territories Development of

	<ul style="list-style-type: none"> • lack of relevant statistical data on IDPs. All persons registered before February 24, 2022, are subject to automatic inclusion in the statistics • lack of a transparent needs assessment methodology leads to the fact that needs are assessed based on the principle of presumption based on "status", which creates additional corruption risks and room for abuse of various types of aid • lack of possibility to update the needs identified when receiving the IDP certificate in Diia mobile application and of the proper mechanism for responding to them • lack of formed needs at the local level leads to a disproportionate and chaotic response to needs, which does not allow to form a demand in the long term. attract the necessary amount of financing, etc. 	<p>and individual localities</p> <ul style="list-style-type: none"> • creating an electronic cabinet of IDPs in Diia mobile application to ensure the possibility of entering and/or updating information and/or documents to receive services, monitor their status, etc. 	<p>Ukraine Ministry of Digital Transformation of Ukraine Regional and Kyiv city military administrations</p>
Housing	<p>Despite the response of the local authorities to the mass forced displacement caused by the large-scale aggression of the Russian Federation and the provision of accommodation for people in various formats (at educational institutions, dormitories, health resorts, camps, private apartments, houses in rural areas, etc.), it should be highlighted:</p> <ul style="list-style-type: none"> • living conditions of many IDPs remain inadequate, and the number of accommodation places is insufficient • lack of reliable and up-to-date data on the needs of IDPs in housing and its nature, including to ensure the interests of people with disabilities, large families, etc. • lack of assessment of existing state and municipal housing (recreational facilities, health resorts, etc.), as well as facilities in communities that can potentially be involved to ensure the housing rights of IDPs (by transferring ownership to the community as a result of recognition as extinct, reconstruction, repair works, etc.) • lack of proper information from the central authorities about the available places for accommodation (*general information about the availability of places without specifying addresses and other details) • further removal of central authorities from the coordination of the processes related to accommodation <p>Moreover, currently, there are no established models of solving housing issues in the long term. In particular, the decision to extend the possibility of accommodation at educational institutions after the beginning of the academic year without taking appropriate measures to form the state policy is just a delay.</p>	<ul style="list-style-type: none"> • creating single information database on available places of accommodation, prompt updating and providing information in a generalized format (based on security reasons, the relevant database should be closed, intended for use exclusively by authorized government agencies and without public access) • ensuring coordination of accommodation processes at the central level • taking measures to form long-term solutions to ensure the exercise of housing rights with the involvement of the public and international organizations 	<p>Ministry of Reintegration of Temporarily Occupied Territories of Ukraine Ministry of Social Policy of Ukraine Ministry of Communities and Territories Development of Ukraine State Fund for Support of Youth Housing Construction Regional and Kyiv city military administrations</p>

Employment	<p>The state of Ukraine currently faces an unprecedented unemployment rate associated with the shutdown of enterprises, institutions and organizations (transition to a limited format of work), reduction in the number of civil servants at various levels, etc. Although the Government has taken the first steps to employ those who lost their jobs during the war, the following should be taken into account:</p> <ul style="list-style-type: none"> • lack of assessment of the employment needs of IDPs • lack of information at the level of communities about further intentions to stay in the region to form a profile and make decisions for involving IDPs in the relevant sectors of the economy • insufficient information about employment at the national and local levels 	<ul style="list-style-type: none"> • assessing employment needs of IDPs • forming community profiles in the area of population employment and business support, in particular through surveys • taking measures at national and local levels to attract international aid to support business 	<p>Ministry of Reintegration of Temporarily Occupied Territories of Ukraine Ministry of Social Policy of Ukraine Ministry of Communities and Territories Development of Ukraine State Employment Service of Ukraine Regional and Kyiv city military administrations</p>
Education	<p>The essential step of the 2022 admission campaign was the elaboration of an admission procedure for young people living in temporarily occupied territories and territories where active hostilities are ongoing through an online interview. However, the admission of persons who do not have passport documents of Ukraine (could not obtain them or lost them) to higher education institutions remains open in the future. Without a document, admission to a higher education institution, as well as a safe departure to the government-controlled territory for individual entrants, is impossible.</p> <p>In the future, the need to confirm educational qualifications for young people who, due to objective and subjective reasons, stayed in the occupied territories to continue their studies and obtained appropriate educational qualifications there remains relevant. Among them are specialists who are currently in high demand in various branches of the Ukrainian economy (for example, doctors, carpenters, etc.) and are ready to work in the interests of the state. Currently, such categories are not able to get a job due to the lack of a qualification confirmation procedure.</p>	<ul style="list-style-type: none"> • elaborating mechanism for identifying people whose passport documents are lost or missing to admit them to higher education institutions • elaborating, approving, and implementing procedure for confirming educational qualifications obtained in the temporarily occupied territory of Ukraine • raising society's awareness about access to education for residents of temporarily occupied territory 	<p>Ministry of Education and Science of Ukraine Ministry of Reintegration of Temporarily Occupied Territories of Ukraine State Migration Service of Ukraine</p>
Documents	<p>Ukrainian citizens living in the temporarily occupied territory of Ukraine face significant difficulties in the issuance of documents, in particular, child's birth</p>	<ul style="list-style-type: none"> • introducing administrative procedure for establishing the 	<p>Ministry of Justice of Ukraine</p>

	<p>certificates, documents establishing an identity of a person and confirming his or her citizenship of Ukraine.</p> <p>To obtain a child's birth certificate, if a child was born in the temporarily occupied territory of Ukraine, parents or other relatives must file a request to establish the fact of the child's birth at court. In 2019, the facts of the birth of 11,359 children in the occupied territory of Ukraine were established in court. Since the beginning of the pandemic in 2020, the number of such requests decreased significantly, and since Russia's large-scale war against Ukraine, it became minimal. Thus, in the first quarter of 2022, 465 births were registered in the occupied territory.</p> <p>As for obtaining a passport of citizen of Ukraine, a passport of citizen of Ukraine for traveling abroad, the procedure for establishing an identity, which precedes the issuance of a passport, is complicated and lengthy for residents of the territories that were occupied as of February 23, 2022. Particularly pressing is the problem of the non-issuance of passports of citizens of Ukraine for persons who, at the time of the beginning of the armed conflict in 2014, did not reach the age of 14-16. Such persons usually did not have their passports of citizens of Ukraine issued, at the same time they reached the age of 18, and therefore have to go through the procedure of establishing an identity to be issued a passport of a citizen of Ukraine. As some of these persons end up either in the territory of Russia or in the territory of third countries as a result of enforced displacement or departure seeking to save their lives, it is important to introduce an adequate system of documenting such persons.</p>	<p>fact of child's birth in the temporarily occupied territory</p> <ul style="list-style-type: none"> • elaborating clear and understandable instruction for employees of the State Migration Service of Ukraine on the procedure for identifying a person with mandatory publication of this information on the Service's website • elaborating mechanism for identifying a person who has never had a passport of a citizen of Ukraine 	<p>Ministry of Reintegration of Temporarily Occupied Territories of Ukraine State Migration Service of Ukraine</p>
Digital services	<p>Launched by the Ministry of Digital Transformation on April 19, 2022, the "Assistance to IDPs" service (updated on May 18) needs significant improvements and transparent information about its functions. In particular, the service:</p> <ul style="list-style-type: none"> • has an inappropriate name, since it provides not only the possibility of applying for assistance but also obtaining a certificate of registration of IDP, providing information about needs • has limited functionality as the application lacks such important functions as changing the address of actual residence (in case of further movement of IDP to another administrative-territorial unit), refusing certificate (in particular, in case of returning to an abandoned place of residence), applying for accommodation allowance in the amount provided for persons with disabilities, refusing accommodation allowance, etc. 	<ul style="list-style-type: none"> • improving services for IDPs on Diia portal and mobile application by expanding the range of recipients, functionality, and automation of decision-making processes • implementing mechanisms for remote registration of acts of civil status that took place in the temporarily occupied territory or territories under the control of the Russian army 	<p>Ministry of Digital Transformation Ministry of Justice of Ukraine Ministry of Reintegration of Temporarily Occupied Territories of Ukraine</p>

	<ul style="list-style-type: none"> has a limited circle of recipients as it is not available to persons who were registered as IDPs before February 24, 2022, and were re-displaced; persons who have moved from territories that are outside the territory of communities located in the area of hostilities, or who stay under temporary occupation according to the list approved by the Ministry of Reintegration, but specified in the list of territories defined by Resolution of the Cabinet of Minister of Ukraine No. 509 "On Registration of Internally Displaced Persons"; persons who applied for a certificate of registration of IDP after February 24, 2022, in an offline format and moved again, wish to apply for housing allowance or provide information about current needs; persons who do not have biometric documents, in particular, a domestic passport in the form of an ID card with the specified place of registration/declaration; persons who have moved within the boundaries of one region, community, or locality <p>Also, despite the announcement of the removal of the burden from the authorized bodies on the ground through the automation of processes, they will continue to process applications submitted both offline and via Diia mobile application. So the burden was not removed.</p> <p>At the same time, it is necessary to implement solutions, in particular, digital ones, regarding the registration of acts of civil status in the territories that, after the start of large-scale armed aggression against Ukraine, are temporarily under the control of the Russian army. The people who now live under the occupation do not have the opportunity to register acts of civil status in accordance with the legislation of Ukraine. The problem is especially pressing for parents of newborn children, because often the only safe evacuation route is to go through the territory of the Russian Federation and then to EU countries, Georgia, Armenia, etc. Due to the lack of documents, traveling to third countries is impossible or difficult. In turn, the implementation of such decisions can become a proactive action of the state, will reflect the further spread of its powers and the utmost expression of care for its citizens.</p>		
Deportation	<p>Since the beginning of March 2022, there has been enforced deportation of Ukrainian citizens from the areas of active hostilities and the localities of Kyiv, Chernihiv, Kharkiv, Sumy, Zaporizhzhia, Donetsk, Luhansk, and Kherson regions occupied by the Russian army to Russia and Belarus. Apart from open coercion, the occupation authorities have been blocking humanitarian</p>	<ul style="list-style-type: none"> introducing a mechanism for remote identification and subsequent issuance of a return certificate at Ukrainian consulates in neighboring countries 	<p>Ministry of Foreign Affairs of Ukraine State Migration Service of Ukraine Ministry of Reintegration of</p>

	<p>evacuation corridors towards the territory controlled by the Government of Ukraine.</p> <p>Currently, it is difficult to estimate the number of Ukrainian citizens who have been deported, forcibly displaced or ended up in the territory of the Russian Federation and the Republic of Belarus as a result of their actions. The Ukrainian authorities do not have their own sources of information and estimates of the number of Ukrainian citizens who have been deported to Russia or Belarus. According to the UNHCR data, as of July 5, 2022, 1.518 million Ukrainians left for the territory of the Russian Federation. At the same time, according to the data provided by the Russian side, as of July 7, 2.384,574 people, including 375,620 children, were "evacuated" from the territory of Ukraine, including the so-called "DPR" and "LPR".</p> <p>Ukrainian citizens who find themselves in the territory of Russia or Belarus face numerous difficulties. First of all, it is the lack of money needed to leave the territory of these countries, as well as the lack of documents certifying identity and belonging to the citizenship of Ukraine, the loss of children's documents (for example, birth certificates) or obtaining them already during the period of control of the territory by the Russian army.</p> <p>Currently, there are no consular offices of Ukraine in the territory of the Russian Federation, nor has a third country been identified that could provide consular services to Ukrainian citizens in the territory of the Russian Federation.</p>	<ul style="list-style-type: none"> • introducing a mechanism for providing duplicate child's birth certificates if a child was forcibly moved from the territory of Ukraine to the territory of the Russian Federation • creating opportunities to obtain passports of citizens of Ukraine (passports of citizens of Ukraine for traveling abroad), which were produced before February 24, 2022, but were not picked up, by trustees and/or relatives if owners of these passports were illegally deported or had to leave the territory of Russia, Belarus 	Temporarily Occupied Territories of Ukraine
Legal status of territories	<p>The effective legislation of Ukraine determines the procedure for defining the legal regime of temporary occupation. However, in practice it is not clear what criteria should be taken into account when determining whether a part of the territory is under "actual" or "general" control of the Russian Federation; there are no grounds, mechanism, and bodies that will determine that the territory is occupied not under martial law conditions. Also, the legislation does not define the mechanism for defining the territory as "de-occupied", which creates relevant practical consequences. Since the beginning of Russia's full-scale invasion of Ukraine, the National Security and Defence Council has not made a single decision to define one or another territory of Ukraine as being under temporary occupation, despite the fact that such territories are under the control of the Russian army.</p> <p>At the same time, Resolution of the Cabinet of Ministers of Ukraine No. 457 "On Support for Certain Categories of Population Affected by Military Aggression of the Russian Federation against Ukraine" stipulates the provision of assistance</p>	<ul style="list-style-type: none"> • elaborating a mechanism for defining a territory as de-occupied • defining the territories of Ukraine under the control of the Russian army as temporarily occupied territory, or determining the list of localities in which the government agencies do not fully exercise their powers 	Office of President of Ukraine Verkhovna Rada Committee on Human Rights Ministry of Justice of Ukraine Ministry of Reintegration of Temporarily Occupied Territories of Ukraine

	to persons living in de-occupied localities despite the lack of a mechanism for defining territories as such.		
Awareness	<p>Representatives of state and local authorities make statements that do not reflect the agreed position of the state or do not take into account the situation of citizens of Ukraine in the territories temporarily controlled by the aggressor state, as well as persons injured as a result of armed aggression. Thus, an example of such statements are calls to leave the territories temporarily controlled by the Russian army as a manifestation of a pro-Ukrainian position; statements on considering obtaining a passport of the aggressor country as a criminal offense, etc. As a result, the residents of the occupied territories do not understand the state's stance on their situation. Therefore, this adversely affects the population of these territories loyal to the Ukrainian government.</p> <p>At the same time, the analysis of information posted on the resources of state authorities and local self-government bodies shows the need for systematization of information on IDPs, its systematic updating, provision in full, and consideration of the regional context. Also, information is often presented in formats that are not accessible to persons with disabilities (vision impairment, hearing impairment, mental impairment, etc.).</p>	<ul style="list-style-type: none"> • ensuring coherent position of state authorities on socially important issues and raising awareness about them by officials • ensuring proper and full awareness of IDPs about their rights and freedoms, guarantees and obligations, including in accessible formats for people with hearing, vision, mental impairment, etc. 	<p>Ministry of Reintegration of Temporarily Occupied Territories of Ukraine</p> <p>Ministry of Digital Transformation of Ukraine</p> <p>Ministry of Culture and Information Policy of Ukraine</p> <p>Ministry of Internal Affairs of Ukraine</p> <p>Ministry of Foreign Affairs of Ukraine</p> <p>Regional and Kyiv city military administrations</p>

The document was prepared by the Coalition of NGOs which take care of the protection of the rights of those affected by Russia's armed aggression against Ukraine. The Coalition includes:

- NGO "Donbas SOS", <http://www.donbasssos.org>
- NGO "Crimea SOS", <http://krymsos.com/>
- Charitable Foundation "Right to Protection", www.r2p.org.ua
- Charitable Foundation "Vostok-SOS", <http://vostok-sos.org/>
- NGO "Civil holding "GROUP OF INFLUENCE", <https://www.vplyv.org.ua/>
- Charitable Foundation "Stabilization Support Services", <https://sss-ua.org>
- NGO "Human Rights Centre ZMINA", <https://org.zmina.info/>
- NGO "Crimean Human Rights Group", <https://crimeahrg.org/>