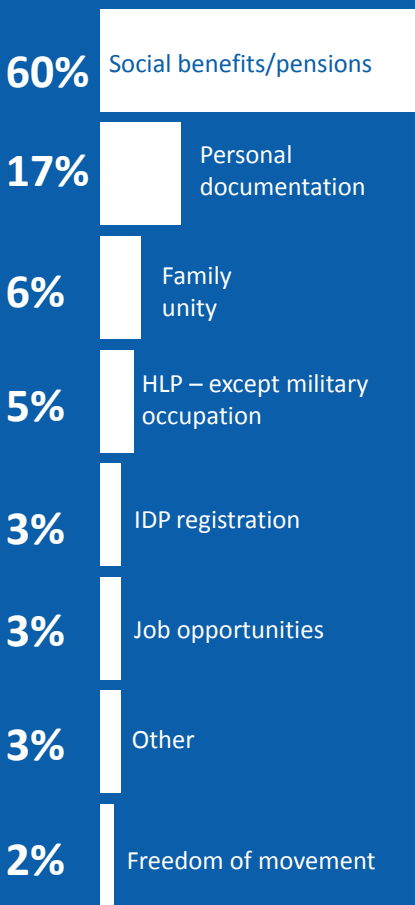


INTERNALLY DISPLACED AND CONFLICT AFFECTED POPULATIONS DIGEST FOR SEPTEMBER 2017

2126 beneficiaries received primary legal aid

471 court cases are being processed

COURT CASES BY TYPE OF ISSUE



456 monitoring visits

1824 persons received information on protection issues

53 persons with specific needs received individual protection assistance

HIGHLIGHTS

- Resolution #689, adopted in September, provides for a number of changes. It ensures IDPs' rights to withdraw cash from Oschadbank cards at any ATM as well as for IDPs with specific needs to receive pensions at home via Ukrposhta. At the same time, it requires all IDPs who receive social payments or benefits to pass physical verification at Oschadbank, not just pensioners like before. This makes IDPs' lives more complicated due to limited capacities of Oschadbanks in regions which are densely populated with IDPs. The procedures for the above changes were not yet developed.

- Misinterpretation of Order #1085, as well as its limitations, continues to prevent some people affected by conflict from obtaining IDP registration, as well as from receiving targeted IDP payments or pensions.

- The number of requests for legal aid on social payments and payments continues to grow, with 92% of beneficiaries requesting primary legal assistance on the issue in September compared to 82% in July.

- R2P released a checkpoint (EECP) monitoring report for June-July.

IDP REGISTRATION AND PERSONAL DOCUMENTATION

The total number of officially registered IDPs has gradually increased since July (1,592,982 as of 25 September compared to 1,586,135 as of 28 August and 1,580,646 as of 24 July). At the oblast level, tangible changes in the number of officially registered IDPs have been observed only in Donetsk, Luhansk and Dnipropetrovsk Oblasts (increases of 4877 and 1009 persons and a decrease of 1998 persons respectively). Such fluctuations are mostly due to the continuing verification process, removing double entries, re-registration of IDPs whose certificates were cancelled, and migration of IDPs between locations due to employment, housing, transportation and service access. The IDP registration issue remains urgent. 19% of beneficiaries request primary legal assistance with IDP registration.

The number of requests for primary and secondary legal aid on document-related issues remains almost the same as in August: with 9% of beneficiaries requesting and 32% respectively. Additional identification of IDPs and other individuals, who obtained their passports in the territory that is now in the NGCA remains complicated as the process requires additional documents or witnesses. The procedure may take up to two months and there are instances of complete or partial absence of supplementary documentation confirming the person's identity. As a result people are limited in their access to different services and freedom of movement as State Migration Service offices (SMS) withdraw passports for this period in most localities (except Donetsk Oblast where passports are not withdrawn for the identification period, but only for a short period to update the passport photo).

Limited access to the SMS continues due to high numbers of visitors and insufficient human/technical capacity of Donetsk and Luhansk oblast offices as well as in Kharkiv and Barvinkivskiyi Raion, Kharkiv Oblast. IDPs can wait up to 6 days to submit documents. It takes up to three months to issue international passports.

IDPs continue to seek assistance from R2P on issues related to documenting births and deaths of persons living in the NGCA.



ID card for young IDP in Kharkiv

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SOCIAL BENEFITS AND/OR PENSIONS

Payment of social benefits and pensions remain the main concerns among IDPs. The number of requests for legal aid on these issues continues to grow. 92% of beneficiaries requested primary legal on these issues while 80% requested secondary legal aid on these topics. The key causes are related to a burdensome verification mechanism aimed to reduce payments from the budget, and the linkage of such payments to IDP registration. The other reasons are frequent changes in legislation, absence of unified instructions and procedures, incompetence/disorganization among employees of state establishments and Oschadbank, as well as a lack of coordination:

- Aside from IDP registration and payments, the next major issue is the authorities referring to the list of localities in Order #1085 when determining whether to register an IDP or provide benefits. As such, a number of IDPs face new challenges obtaining targeted assistance, and in some cases, difficulty obtaining IDP registration. Thus, Departments of Social Protection (DoSPs) do not allocate targeted assistance to IDPs from localities that are in fact located in the NGCA or along the LoC but are not included in Order #1085 (Starolaspa of Boikivskiy Raion, Nevelske, Pervomaiske and Netailove of Yasynuvatskyi Raion, Zaitseve of Bakhmutskiy Raion, Novohnativka of Volnovaskiy Raion, Solodke, Zhelanne and Karlivka of Marinskyy Raion of Donetsk Oblast, Zolote-5 and Novozvanivka of Popasnianskyi Raion of Luhansk Oblast). Moreover, some DoSPs in Donetsk Oblast even refuse to register such IDPs.

- In addition, a number of DoSPs in Kharkiv, Dnipropetrovsk, Zaporizhzhia and Donetsk Oblasts refuse to allocate targeted assistance to IDPs due to incorrect use of localities listed in Order #1085: while some localities are not mentioned in the list directly, they are administratively subordinated to the localities or raions included into the list.

- There are still cases of deviation from the procedure of verifying IDPs' place of actual residence: there is a recommendation to confirm residency bimonthly in Veselivskiy Raion of Zaporizhzhia Oblast, compiling housing reports without actual home visits in Bilovodsk of Luhansk Oblast and Nikolskyi Raion of Donetsk Oblast, leaving no notifications requesting IDPs visit the DoSP in Nikolskyi Raion of Donetsk Oblast. Moreover, some DoSPs conduct home visits with considerable delays (up to two months in Novoaidarskyi Raion of Luhansk Oblast) due to lack of fuel for transportation.

- Violations continue to occur during physical identification of IDP pensioners or during cash withdrawal at Oschadbank offices: some locations impose additional requirements (copies of documents in Kurakhove, Bakhmut and Sloviansk of Donetsk Oblast) or billable transactions from 10 to 50 UAH (insurance in Bakhmut, Kramatorsk, Druzhkivka, Mariupol and Nikolskyi Raion of Donetsk Oblast, Dniprovskiy and Shevchenkivskiy districts of Zaporizhzhia, Iziumskiy Raion of Kharkiv Oblast, changing PIN codes in Pokrovsk, Bakhmut, Kramatorsk, Druzhkivka and Myrnohrad of

Donetsk Oblast, charging for "non-activity" in Nikolskyi Raion of Donetsk Oblast, fees for physical identification in Sloviansk and Lyman of Donetsk Oblast).

- Access to pensions is hindered in certain localities of Donetsk and Luhansk Oblasts due to limited capacities of local branches of the State Pension Fund and Oschadbank.

- Staff of most Oschadbank branches claim they have not received instructions related to the newly adopted Resolution #689 which allows IDP pensioners to withdraw cash at ATMs of any bank.

ACCESS TO ADEQUATE HOUSING

- IDPs continue to face the same problems concerning accommodation and shelter: **high utility costs and debts in certain collective centres** (due to absence of individual utility meters in the sanatorium of Dniprodzerzhynsk Metallurgical Commercial Complex in Dnipropetrovsk Oblast); **inadequate living conditions** in some collective centres (Three collective centres in Pavlohrad of Dnipropetrovsk Oblast whose budgets lack repair funds. Two collective centres are at risk of closing). Moreover, IDPs complain about rising **rent fees** in Kharkiv and in the modular town of Pavlohrad of Dnipropetrovsk Oblast. As for the expiring and deteriorating modules in the modular town in Kharkiv, they are partially replaced with extra modules and those delivered from Dnipro; some refurbishment is also carried out.

- Collective centre owners continue to evict IDPs who have utility debts.

FREEDOM OF MOVEMENT

On 1 September, EECPs switched to autumn schedules - working from 7 a.m. till 6.30 p.m., which reduces EEC capacity to some extent. Meanwhile, the number of persons crossing EECs remains high, with Marinka and Stanytsia Luhanska being the busiest and Hnutove being the least busy. Long queues in both directions (up to 1,500 persons) were observed at Stanytsia Luhanska EECP mainly because of slow checks and a temporary decrease in the number of windows (3-6 instead of 8 until mid-September). Also, on 8 September, drivers and persons who crossed Marinka EEC from the NGCA to the GCA informed R2P monitors about very long queues (3 rows of vehicles – up to 500 cars and 700 people). According to them, up to 100 vehicles remained there overnight to cross the EEC. There is information that the lengthy queues were caused by installation of new software for registration of people at NGCA checkpoints. On 10 September, Maiorske EECP suspended operations for about 30 minutes due to hostilities within the vicinity.

The percent of requests for primary legal aid on freedom of movement related issues is constantly decreasing though. However 1/5 of all beneficiaries requested assistance on the issue and it remains the second most frequently inquired about topic.



Stanytsia Luhanska EECP

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«Right to Protection» in partnership with HIAS is a Ukrainian not-for profit organization dedicated to protecting the human rights of vulnerable categories of migrants – refugees, internally displaced, stateless and those at the risk of statelessness and the undocumented

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