



UKRAINE

PROTECTION CLUSTER STRATEGY

2017-2018

1. CONTEXT

This strategy is developed in support of the wider humanitarian response in Ukraine. Following the annexation of Crimea and the outbreak of conflict in Donetsk and Luhansk regions in 2014, as many as 3.8 million people are estimated to be in need of protection and assistance in Ukraine,¹ and as of July 2017, over 1.5 million have been registered as internally displaced persons (IDPs).²

The protection environment in Ukraine deteriorated in 2016, not only in non-government-controlled areas (NGCA) and along the 'contact line' separating government-controlled areas (GCA) from NGCA, where fighting intensified towards the end of 2016 and beginning of 2017, but also in communities throughout GCA.³ Many people have exhausted their savings and by the end of 2016, more than 300,000 IDPs were affected by the suspension of social benefits and pensions. While humanitarian assistance is diminishing, an increasing number of people are turning to humanitarian agencies and the state for assistance.⁴ Others have been forced to return to NGCA, as they cannot afford to stay in the GCA due to inability to find accommodation and employment.

Access to government services, including education, health care and public transport is either limited or non-existent in the area along the contact line, and the security situation severely restricts humanitarian access and assistance to these areas. People living in NGCAs of Luhansk and Donetsk face additional protection risks, including the restrictions of freedom of movement and assistance delivery, and restrictions on the movement of commercial goods, including food and medicine.⁵ The absence of the rule of law has resulted in human rights violations. In August 2016, de-facto authorities in Donetsk excluded IDPs from the list of groups entitled to receive humanitarian assistance, further exacerbating their vulnerability.⁶

In recognition of the scale of the protection crisis, under the overall leadership of the Resident/Humanitarian Coordinator (RC/HC), the Protection Cluster was established in December 2014. This strategy is a broader umbrella strategy, comprising of and informed by the work and the strategic directions of the three sub clusters active under the Protection Cluster: Child Protection (led by UNICEF), GBV (led by UNFPA) and Mine Action (led by UNDP). Additionally, there is an Age and Disability Technical Working Group (chaired by HelpAge International) active under the Protection Cluster and a Housing, Land and Property Technical Working Group (chaired by NRC), under the umbrella of the Protection and Shelter/NFI Clusters.

The aim of the Protection Cluster is to ensure a coordinated, predictable, accountable and effective response by humanitarian organizations to the protection concerns stemming from the conflict in Ukraine. Additionally, the Protection Cluster advises the Humanitarian Coordinator, the Humanitarian Country Team and the other Clusters on protection concerns and assists them in mainstreaming protection into their activities. Humanitarian principles provide the fundamental foundation for humanitarian action and underpin the work of the Cluster and this strategy: (i) humanity (ii) neutrality (iii) impartiality (iv) independence.

¹ HCT "Ukraine Humanitarian Needs Overview (HNO) 2017", P. 5. Available at: <https://www.humanitarianresponse.info>

² Ministry of Social Policy, Statistics on IDPs – as of 13 of July 2017.

³ REACH "Inter-Agency Vulnerability Assessment in Luhansk and Donetsk Oblasts: Government Controlled Areas of Ukraine", 2016. Available at: <https://www.humanitarianresponse.info>

⁴ According to protection monitoring undertaken by Protection Cluster partners.

⁵ UNHCR "International Protection Considerations Related to the Developments in Ukraine – Update III", 2015, P. 1. Available at: <http://www.refworld.org>

⁶ The categories of people entitled to receive humanitarian aid include persons with disabilities, families with many children, children up to three years old and caregivers for people with mental disabilities.

2. IDENTIFICATION OF PROTECTION RISKS

The following provides a summary analysis of key protection concerns in Ukraine. This is not an exhaustive situation analysis but rather identifies key issues to address within the Cluster. This prioritization does not preclude partners from responding to evolving gaps and needs as they emerge on the ground. It is important to note that the risks, concerns, needs and responses are significantly different in GCA and NGCA. The focus of the Protection Cluster is on the conflict-affected population, particularly (i) Persons living along the contact line; (ii) persons living in NGCA, especially groups with specific needs such as children, older people, person with disabilities and minority groups; (ii) IDPs with specific needs living in GCA.

Persons living along the contact line: The area along the contact line separating GCA and NGCA of eastern Ukraine remains a priority for humanitarian organizations. The civilian population faces constant threat of death or injury from shelling, sniper fire, mines and ERW. Many people have had their homes damaged or destroyed, with access to utilities and public services, including health care and education, limited or not available. Damaged roads and lack of public transport means many people are isolated, and employment and livelihood opportunities are few, further marginalizing those living in this area.

Persons living in NGCA: Persons in NGCA face human rights violations and major protection concerns such as risk to life; restricted freedom of movement, increasing isolation due to the economic blockade, and lack of access to social payments and pensions. Access to fundamental economic and social rights, including those related to an adequate standard of living, and the highest attainable standard of physical and mental health may be curtailed. Lack of rule of law and systematic restrictions of freedoms in NGCA heighten people's vulnerability.

IDPs and conflict-affected people with specific needs: Displacement and conflict increase vulnerability, particularly for those with specific needs, including persons with disabilities, ethnic, religious and sexual minorities, and single-headed households. They may face additional hurdles in accessing services and assistance, both in GCA and NGCA, for reasons such as discrimination, physical impediments or lack of documentation.

2.1. Risks to Life, Safety and Security

Since the conflict in Ukraine began in mid-April 2014, the total number of civilians killed is over 2,000 with an additional 298 passengers killed as a result of the MH-17 plane crash⁷. Parties to the conflict have demonstrated a widespread disregard for the principles of proportionality and distinction, resulting in excessive harm to the civilian population.

Conflict-related deaths and injuries caused by shelling of populated areas from artillery systems and exchanges of fire from small arms and light weapons continue to occur in areas with frequent and sporadic fighting. All parties to the conflict use explosive weapons in populated areas, including prohibited cluster munitions. Since April 2017, the main cause of civilian casualties has been mines, ERW and booby traps – surpassing shelling for the first time since the beginning of the conflict as the primary cause of civilian injury and death.

With a high level of UXO and ERW contamination of rural areas and individual landplots, civilians are exposed to injury and often do not have access to agricultural land – depriving them of subsistence and income-generating activities. The large number of people crossing the contact line, which is heavily contaminated, further increases the risk of casualties from ERW, including mines. The contamination situation in the NGCA is reported to be equally acute.

⁷ OHCHR "[Report on the Human Rights Situation in Ukraine - 16 February to 15 May 2017](http://www.ohchr.org)", P. 7. Available at: <http://www.ohchr.org>

Ongoing hostilities and a lack of national mine action legislation makes for a challenging environment for humanitarian mine action activities in GCA. Permission to access the most contaminated areas in the buffer zone is difficult to obtain whilst the lack of national mine action legislation means that there are no enforceable national mine action standards and framework, specific to Ukraine, around which organisations are required to work. The lack of a national legislative framework and delays in establishing a mine action center limits mine action activities, including data collection and verification of mine/ERW victims. A systemic approach to mine action is needed, including a state policy on mine action, the incorporation of international mine action standards into national legislation, as well as a mechanism for accountability for mine clearance. In NGCA, humanitarian mine action organisations are not permitted to undertake any mine action activities.

Civilians injured due to hostilities, including mine-related injuries, do not receive timely and adequate support, including medical treatment, and social assistance for rehabilitation and recovery.

2.2. Freedom of Movement

Between 26,000 to 32,000 people cross the contact line every day at five checkpoints.⁸ These lack adequate health, sanitation and shelter facilities, with long queues forcing people to wait for hours, and sometimes even overnight, exposed to freezing temperatures in winter and hot weather conditions in summer. This is particularly challenging for the elderly, those with disabilities, families with children and pregnant women.

On January 21, 2015, the Government of Ukraine adopted the 'Temporary Order' regulating the movement of persons, vehicles and goods across the contact line in Donetsk and Lugansk regions, which imposed restrictions on freedom of movement between GCAs and NGCAs. In 2015, an electronic pass system was introduced replacing the paper-pass system and simplifying the application process. At the same time, public transportation between GCA and NGCA was stopped, making it more difficult for many civilians to cross the contact line. Following the introduction of a ban on cargo movement across the contact line in early 2017,⁹ civilians are facing even more hardship when crossing the contact line and may be deprived of the opportunity to transfer their personal belongings.

Many of those affected by restrictions on freedom of movement are older people and people with disabilities, including those who live in NGCA and need to travel to GCA to access their social benefits and pensions. There are provisions in place for certain categories of people with specific needs to be given priority crossing.¹⁰ However, these often do not work in practice, either because border guards are not aware of these provisions, or because they are misused.¹¹

At the same time, legislative measures have been taken to strengthen controls of population movement across the administrative boundary with Crimea. These restrictions also affect the transfer of personal belongings. On 4 June 2015, the Government adopted Resolution No. 3673 regulating crossing procedures for nationals and non-nationals of Ukraine. While the adoption was a legal requirement deriving from the Law on Legal Regime in Crimea of 15 April 2014, the provisions resulted in highly restrictive procedures for foreigners and stateless persons. Foreigners and stateless persons can enter and leave Crimea through designated checkpoints only if they possess special permits, issued by the State Migration Service in mainland Ukraine for a very limited number of grounds. Furthermore, the new regulation introduced additional requirements for children under 16 years of age to cross the

⁸ OHCHR "Report on Human Rights Situation in Ukraine - 16 May to August 15 2016", P. 24. Available at <http://www.ohchr.org>

⁹ The President of Ukraine enforced the NSDC's decision "On Urgent Additional Measures to Combat Hybrid Threats to the National Security of Ukraine" on 15 March 2017. CabMin Resolution 99 of 1 March 2017. Available at: <http://zakon2.rada.gov.ua>

¹⁰ According to the paragraph 3.4 of the "Temporary Order on Control Over the Movement of Persons, Vehicles and Goods Through the Line of Contact in the Donetsk and Luhansk Regions", persons with disabilities, the elderly, pregnant women and parents with children under 3 years old can be allowed to enter the entry-exit control points in the 'beneficial queues'. Available at: <https://ssu.gov.ua>

¹¹ Monitoring undertaken by Foundation 101, April 2017.

administrative boundary: they must hold an international passport and if only one parent accompanies them, they must have the consent of the other parent certified by a notary. These restrictions on freedom of movement isolate people in non-government-controlled areas; hinder reconciliation and impact family unity.

2.3. Access to Documentation

As of June 8, 2017, there were 1,593 466 persons officially registered as IDPs.¹² An unknown number remain unregistered for a variety of reasons, including administrative hurdles such as lack of necessary documentation, lack of information or other concerns, including fear of conscription or discrimination.¹³ According to the 2016 REACH inter-agency vulnerability assessment that was conducted in Luhansk and Donetsk oblasts, 15.8 per cent of IDP households reported having unregistered IDPs in their families, and the main reason given for this was lack of necessary documentation needed to register as an IDP.

IDPs face challenges related to the receipt or restoration of civil documents as these may have been lost or damaged during flight, or they are not able to access their place of origin for security reasons. Access to state provided services, such as financial assistance, often requires presentation of original documents, which may not be possible for IDPs.

In NGCA, identity and civil documents issued by the de-facto authorities are not recognized in the GCA. This leads to a host of protection issues. For example, children born in NGCA are provided with birth certificates that are not accepted by the Ukrainian authorities. Parents or legal guardians must travel to GCA and initiate a judicial procedure in order to obtain a Ukrainian birth certificate. However, this takes time and significant financial resources and is therefore not accessible to everyone. Children living in institutions in NGCA do not have anyone to undertake this procedure on their behalf.

2.4. IDP Access to Social Benefits and Pensions

Access to state financial entitlements, including pensions, disability allowances and other social payments is linked to IDP registration in Ukraine. Thus, people residing in the NGCA and displaced persons who may not be able to or may not want to be registered as IDPs are deprived of state financial assistance.

The suspension of social payments to some 500,000-600,000 people in early and mid-2016 has emerged as a new protection concern.¹⁴ The suspensions have continued into 2017, with over 100,000 people being deprived of their pensions in the first four months of the year.

The suspended benefits include benefits paid to displaced persons under Cabinet of Ministers Resolution No. 505, as well as pensions¹⁵ and other types of social payments. Given that social benefits are received mostly by IDPs with specific needs, the most severely affected are the most vulnerable, including older persons, persons with large families, disabled persons and single mothers.¹⁶ This suspension has put many IDPs at risk of eviction and at risk of inability to meet basic needs such as food and medicine.

¹² Ministry of Social Policy, Statistics on IDPs – as of 8 of June 2017.

¹³ UNHCR “[International Protection Considerations Related to the Developments in Ukraine – Update III](http://www.refworld.org)”, 2015, P. 5. Available at: <http://www.refworld.org>

¹⁴ Protection Cluster Ukraine, “[Update on Suspension of Social Benefits and Pensions to IDPs](https://www.humanitarianresponse.info),” 2016, P.1. Available at: <https://www.humanitarianresponse.info>

¹⁵ According to UNHCR and HRMMU joint background note on “Pensions for IDPs and persons living in NGCA in the east of Ukraine”, 407, 000 IDPs stopped receiving pensions in 2016 as a result of verification procedures.

¹⁶ Protection Cluster Ukraine, “[Update on Suspension of Social Benefits and Pensions to IDPs](https://www.humanitarianresponse.info),” 2016, P.1. Available at: <https://www.humanitarianresponse.info>

Following suspensions, IDPs must undergo verification of their place of residence. This is often a lengthy process, leaving IDPs without means of financial support for months at a time. Some IDPs must wait up to four months until verification can take place and their payments be resumed. In early 2017, IDP pensioners were notified that they needed to physically present themselves at Oschadbank for additional verification, which has resulted in long queues as well as an increase in pensioners crossing the contact line.

2.5. Housing, Land and Property Rights

The Housing, Land and Property (HLP) rights of the population in eastern Ukraine have been acutely affected by the conflict, both in terms of the destruction, unauthorized use and confiscation of their land and property in the areas near the contact line or in non-government controlled areas, as well as lack of security of tenure experienced by IDPs who rent in private accommodation.

IDPs face challenges in finding adequate housing, due to lack of affordable accommodation in areas of displacement. The state provides a small rental subsidy for IDPs, but this is insufficient to cover housing costs. While 61% of IDPs rent accommodation, only 17% have a valid lease contract, leaving them at risk of eviction and unable to access subsidies for utilities.¹⁷ In addition, there has been an increase in evictions and threats of evictions from collective centres in GCA, leading to secondary displacement, as well as involuntary return to NGCA. Given that the majority of persons living in collective centres are persons with specific needs, including older persons, this means that the most vulnerable throughout the country face eviction.¹⁸

Ukraine does not have a legal framework for providing compensation or restitution for damaged or destroyed property. Cases of looting and vandalism of property along the contact line in both GCA and NGCA have also been reported, as well as illegal occupation of public or private buildings for military purposes. In addition, lack of documentation confirming ownership leads to challenges regarding property transactions and inheritance rights.

In NGCA, many people continue to live in partially destroyed houses, bomb shelters and overcrowded collective centers. De facto authorities have put in place a parallel legal system regulating HLP rights, and introduced mandatory re-registration of property. Lack of affordable housing and insecurity of tenure in GCA have also led to involuntary return to NGCA.

2.6. Gender Based Violence

Gender-Based Violence (GBV) remains a significant risk in conflict-affected areas of Ukraine. There is no systematic monitoring or mandatory reporting mechanism for GBV cases within the health and social protection systems. Additionally, police do not have full jurisdiction over crimes committed by the military and are required to refer such cases to the military for investigation and prosecution.

IDPs are twice as likely to be subject to GBV compared to the host population, with the majority of survival sex incidents including adolescent girls, associated with military or police.¹⁹ Despite experiencing physical and psychological trauma, 85% of victims do not seek medical care, and approximately 80% of survivors do not report their case to law enforcement. In areas with high military presence, women have been known to establish relationships with soldiers for protection, financial support or food.

¹⁷REACH “[Inter-Agency Vulnerability Assessment in Luhansk and Donetsk Oblasts: Government Controlled Areas of Ukraine](#)”, 2016, P. 44. Available at: <http://reliefweb.int>

¹⁸The REACH assessment survey reported that 18% of IDPs perceive that there is a high possibility of eviction from their current accommodation, with 12.2% reporting that they are facing imminent eviction.

¹⁹UNFPA “[GBV in the Conflict-Affected Regions of Ukraine](#)”, 2015. Available at: <http://www.unfpa.org.ua>

IDPs are also at increased risk of human trafficking for labour or sexual exploitation due to their economic vulnerability. Monitoring of IDP online forums have indicated that recruiters are active in these forums, proposing 'study and work' schemes abroad.

Cases of sexual violence are usually under-reported, including because of stigma, trauma and fear of persecution. The majority of cases of conflict-related sexual violence occurred in the context of the deprivation of liberty by government forces or armed groups between 2014-2015,²⁰ nonetheless, OHCHR continues to receive testimonies indicating that such practices still occur on both sides of the contact line and in Crimea. In these cases, both men and women were subject to sexual violence as a method of torture and ill-treatment to punish, humiliate, or extract confessions.

2.7. Psychosocial Distress

Experiences of conflict and forced displacement put significant psychological and social stress on individuals, families and communities and increase vulnerability to developing mental health and psychosocial problems.²¹ The psychological and social impacts of emergencies may be acute in the short term, but they can also undermine the long-term mental health and psychosocial well-being of the affected population. Social fragmentation, family separation and an unclear future affects the psychosocial wellbeing of IDPs and the conflict-affected population, which in turn can lead to depression and interpersonal conflict.

A major barrier to psychological resilience in conflict and displacement settings is the breakdown or severe disruption of community structures and social networks. This can increase exposure to exploitation and abuse from family and community. Some people may turn to negative coping mechanisms that are harmful to themselves or to others.

Psychosocial distress among conflict affected and displaced people in Ukraine is widespread, and assistance limited. One study found that 32% of IDPs suffer from PTSD as a result of the conflict, while 74% of those requiring mental healthcare did not receive it.²²

People of all age groups are affected by psychosocial distress and there is limited assistance available. Psychosocial interventions targeting older people and people with disabilities are limited or lacking. This is due to the lack of recognition of the impact of the crisis on the psychosocial wellbeing of older people and people with disabilities. A survey conducted by HelpAge International found that out of 4, 145 individuals, 87% reported experiencing various conflict-related psychosocial issues, including changes in sleeping patterns, crying spells, persistent memories of conflict, etc.²³ Teachers, psychologists and parents report signs of severe psychosocial distress among children including nightmares, aggression, social withdrawal and panic triggered by loud noises.

²⁰ OHCHR "Conflict-Related Sexual Violence in Ukraine - 14 March 2014 to 31 January 2017", P. 2. Available at: <http://www.ohchr.org>

²¹ International Alert "Hidden Burdens of Conflict: Issues of Mental Health and Access to Services Among IDPs in Ukraine", 2017. Available at: <http://reliefweb.int>

²² International Alert "Hidden Burdens of Conflict: Issues of Mental Health and Access to Services Among IDPs in Ukraine", 2017. P. 21. Available at: <http://reliefweb.int>

²³ HelpAge International Baseline Report on "Humanitarian Needs of Older Women and Men in Government Controlled Donetsk Oblast, Ukraine", 2016, P. 4. Available at: <https://www.humanitarianresponse.info>

2.8. Individual and Groups at Particular Risks

a) Children

The conflict has severely weakened the protective environment around children in Ukraine, making them further vulnerable to violence, abuse, exploitation and neglect. Pre-existing risks, such as domestic violence, have been exacerbated by the conflict and severely undermine children's resilience.

Hundreds of daily ceasefire violations put children's physical safety and psychological well-being at risk. The situation is particularly grave for the approximately 200,000 girls and boys living within 15 kilometers on each side of the contact line. According to UNICEF, 19,000 children face constant danger from landmines and other unexploded ordnance and 12,000 children live in communities shelled at least once a month. Thousands of children are regularly forced to take refuge in improvised bomb shelters. More than 740 schools – 1 in 5 in eastern Ukraine - have been damaged or destroyed.

Other risks include the militarization of the educational environment observed mainly in NGCA coupled with the involvement of children on both sides of the contact line in summer camps featuring military elements.

b) Persons with disabilities

Persons with disabilities and bed-ridden persons face additional risk to life due to inability to quickly access a bomb shelter or leave an area under shelling. They may have specific needs in regards to access to services, health, NFIs, wash facilities, as well as physical accessibility within public and social facilities; they may not have the required documents to prove their disability and are likely to face more difficulties in accessing services due to physical and institutional barriers. They face additional hurdles in crossing the contact line, particularly where there is only a pedestrian crossing, such as in Stanytsia Luhanska. Moreover, people with disabilities have difficulties in accessing social benefits and pensions in GCA due to the requirement to register in person and undergo physical verification. These individuals are often dependent on care givers, medication and special equipment, which is limited or not available, especially in areas close to the contact line. Those who have been displaced to GCA but have lost their documents attesting disability status often face difficulties in renewing them in GCA. Collective centres and apartments in host communities often lack access for persons with disabilities including access to water and sanitation.

c) Minorities

Religious and ethnic minorities such as Roma have reportedly been threatened and attacked within the NGCA. Ethnic and sexual minorities often face additional hurdles finding accommodation and employment as a result of double discrimination during displacement. Roma often lack identity documents needed to apply for IDP registration, to move across the contact line or access government services and financial assistance.

d) Older persons

Older people form a significant proportion of the conflict affected population in Ukraine: they constitute 31% of the 3.1 million people in need of humanitarian assistance and 59% of registered IDPs. This is the largest percentage of older people affected by the conflict in a single country and reflects the unique demographics of Ukraine. These figures are also a result of the country's IDP policies: many older people have to register as IDPs to continue receiving their pensions, even if they have not been displaced.

Displacement, family separation and isolation and lack of access to essential goods and markets affect older women and men disproportionately.²⁴ Many of the most vulnerable conflict-affected older women and men are at risk of being excluded from conventional forms of aid distributions. They may face mobility limitations; have disabilities or chronic illnesses that prevent them from seeking assistance during physical distributions in towns or village centres. Older men and women are often in need of personalised assistance and require a different approach to care, such as home-based care/assessments or, where secure and possible, community-based events that help reduce isolation. The majority of older women and men struggle to access humanitarian support, and for those who do access it, the support available is often inappropriate to their needs. The majority of older people are isolated and at the same time reliant on the assistance of others to be able to take part in daily and community activities.

Access to affordable medicine is a key protection concern for many. As a result, most older people spend a significant part of their pension or cash assistance on medication.

Insecurity, personal mobility restrictions and complex registration requirements mean that less than half of those receiving pensions before the crisis in NGCA are regularly receiving them now. Furthermore, the suspensions of social benefits and pension have in turn affected older people's ability to access medical care and other basic needs. The requirement to undergo 'Oshchadbank' identification (the only bank where IDPs are entitled to receive their social payments) only for IDP pensioners is placing an additional burden on them, and has a knock-on effect on the increased numbers of people crossing the contact line. Higher prices for basic goods such as food and medicine as a result of the economic blockade on the NGCA have also disproportionately affected older people living in the NGCA, who rely on meagre pensions for their livelihoods.

2.9. Involuntary Return

With personal savings depleting over time and insecure housing and employment opportunities for many IDPs coupled with the rising utility prices, some people are forced to return to NGCA. According to a World Bank survey conducted in early 2017, 26% of IDPs in GCA are at risk of involuntary return to NGCA as they cannot support themselves in GCA.²⁵ People with specific needs such as older people and women are particularly at risk of return. According to a recent survey half of the returnees to NGCA were older people (over 60 years). The trend of involuntary returns is expected to continue due to the lack of livelihoods opportunities in the areas of displacement.

²⁴ HelpAge International Baseline Report on "[Humanitarian Needs of Older Women and Men in Government Controlled Donetsk Oblast, Ukraine](https://www.humanitarianresponse.info)", 2016. Available at: <https://www.humanitarianresponse.info>

²⁵ World Bank Survey on "[Conflict in Ukraine : Socio-Economic Impacts of Internal Displacement and Veteran Return](http://reliefweb.int)", 2017. Available at: <http://reliefweb.int>

3. THEY WAY FORWARD: THE SEARCH FOR DURABLE SOLUTIONS

IDPs and conflict-affected people should not have to wait until a conflict is fully resolved in order to begin to rebuild their lives. In particular, efforts should be made to help IDPs secure access to livelihoods and employment opportunities, adequate housing with security of tenure and equal access to services.

Although some IDPs have been able to successfully integrate in their new communities in GCA, many others face continuing challenges in the search for durable solutions. Difficulty finding employment and livelihoods opportunities, lack of affordable housing, difficulty accessing services and lack of voting rights are some of the key obstacles to integration. People with specific needs, such as disabilities, often encounter additional hurdles in finding durable solutions, as they may face challenges with self-reliance and cannot afford housing alternatives to collective centres. Another important factor for successful integration is the support of the local community. There is a concern that the number of IDPs reporting experiencing discrimination in early 2017 has doubled compared to 2016²⁶. It is therefore crucial to support peaceful co-existence between IDPs and the host communities.

4. STRENGTHENING THE HUMANITARIAN AND DEVELOPMENT NEXUS

As the conflict becomes protracted, humanitarian and development actors need to work closely together to support IDPs and the conflict-affected population in achieving durable solutions, as well as to build resilience of the affected population and host communities. Humanitarian and development actors need to work closely together to maximize resources, build upon a wide range of expertise, and ensure that their programmes are complementary and sustainable.

Protection has been at the centre of the humanitarian response in Ukraine and it is important that a rights based approach informs the early recovery and development response as well. In particular, protection actors can work closely with development partners to ensure that displaced and conflict-affected people are included in the work of development and early recovery actors and that those with specific needs, such as the elderly, people with disabilities and ethnic minorities, who may be marginalised, are fully integrated into early recovery and development programming.

Many protection issues also inform development response and are integral to durable solutions. The need for sustainable livelihoods, employment opportunities, affordable housing and security of tenure, non-discriminatory access to social services, public transport and access to education and health care, are all areas where the development community can play an active role. For example, the repair of roads, which have been damaged by fighting, can ensure that people have access to livelihoods opportunities, schools and medical facilities.

Development actors can do a lot to assume their roles as long-term builders of systems to support and integrate IDPs who are in a protracted situation and looking ahead to solutions. Durable solutions needs to be integrated into relevant planning tools such as national development plans, and relevant UN planning tools such as the UN Development Assistance Framework (UNDAF). The UNCT is in the process of drafting a new UNDAF, which contains a specific pillar to support area-based development for recovery in the eastern region of Ukraine. The IDP component of the UNDAF mainstreams protection and advances durable solutions. programming that actively includes IDPs alongside host communities.

²⁶ IOM National Monitoring System Report “[On the Situation of IDPs](http://www.iom.org.ua/)”, April 2017, P. 18. Available at: <http://www.iom.org.ua/>

In addition, it is the State which bears responsibility for its citizens. The establishment of the Ministry of IDPs and Temporary Occupied Territories (Ministry of TOT and IDPs) in 2016 ensured an entity responsible for IDP issues and facilitated the coordination of assistance between the government and humanitarian actors. It is vital that the government of Ukraine be assisted to take on its full responsibilities for ensuring durable solutions for IDPs and conflict-affected populations. Protection actors need to work with the Government to create normative and institutional frameworks, including laws and policies that allow IDPs and conflict affected people to rebuild their lives in accordance with fundamental standards of human rights and dignity, and to strengthen institutional capacity to address their protection needs.

Since the beginning of the humanitarian response in Ukraine, the Protection Cluster focused on mainstreaming protection and ensuring that it was integrated into all humanitarian sectors and that the humanitarian response was protection-driven. Likewise, Protection Cluster partners in GCA will work in 2017 and 2018 to ensure that protection principles inform early recovery and development programming.

Durable solutions can not be achieved until the underlying cause of the conflict area addressed. The protection response of the humanitarian community, as outlined in this strategy, cannot be a substitute for concerted action by all relevant stakeholders – the full protection of the affected population can only be achieved through a resolution to the current conflict that is founded on the respect for human rights and the rule of law.

5. PROTECTION CLUSTER OBJECTIVES

The overall strategic objectives of the 2017 Ukraine Humanitarian Response Plan are to:

1. Advocate for and respond to the protection needs of conflict-affected people with due regard to international norms and standards.
2. Provide emergency assistance and ensure non-discriminatory access to quality essential services for populations in need.
3. Improve the resilience of conflict-affected population, prevent further degradation of the humanitarian situation and promote recovery and social cohesion.

In line with this the Protection Cluster objectives are:

1. To strengthen protection for people of concern, including prevention and mitigation of rights' violations.
2. People of concern benefit from full and non-discriminatory access to quality essential services and enjoyment of their rights, with particular attention to the most vulnerable.
3. Improve social cohesion and the resilience of conflict-affected people; support people of concern in identifying durable solutions.

A table outlining in more detail the Protection Cluster response to the above objectives is included at the end of this strategy. The Protection Cluster advocacy priorities, including advocacy goals, messages and linkages to Protection Cluster objectives and protection risks are contained in the Protection Cluster Advocacy Priorities table, attached as Annex 1 to this strategy.

6. EXPECTED IMPACT OF THE WORK OF UKRAINE PROTECTION CLUSTER

- Areas of priority protection concerns, gaps and challenges are identified.
- Major protection concerns and objectives as outlined in this strategy are addressed.
- Through advocacy, key protection concerns of displaced and conflict-affected people in Ukraine are brought to the attention of key stakeholders.
- Effective overall coordination of protection activities responding to identified key concerns in Ukraine.
- Government representatives at the national and field level are involved in Protection Cluster meetings and coordination with a view to a gradual transitioning of the Cluster.
- Resource mobilization initiatives for the Cluster and its participants are supported.

7. RISKS AND CONSTRAINTS

- Restrictions imposed by the de facto authorities in NGCA on accreditation for international and national humanitarian actors prevent the implementation of a comprehensive protection response.
- Many protection interventions such as GBV prevention and response, psychosocial support (PSS) and Mine Action, including Mine Risk Education by international actors, are not permitted in NGCA.
- In the absence of a National Mine Action Authority, mine action responsibilities in the GCA are shared between various government actors: Ministry of Defence, the State Emergency Services and the Ministry of Interior.
- Diminishing funds leading to reduced resources for the implementation of a comprehensive protection response.

PROTECTION CLUSTER PRIORITY RESPONSE

| OBJECTIVES | RISKS | RESPONSE | SUB CLUSTERS RESPONSE |
|--|--|---|--|
| <p>To strengthen protection for people of concern, including prevention and mitigation of rights' violations.</p> | <p>2.1 Risks to life, safety and security</p> <p>2.2 Freedom of movement</p> <p>2.3 IDP registration and Access to documentation</p> | <p>Protection and human rights monitoring informs protection response and advocacy by:</p> <ul style="list-style-type: none"> - Identifying protection risks and gaps in assistance; - Assessing the impact of changes in policy and practice on the affected population on the local level. - Assisting advocacy efforts for the protection of civilians and ensuring their access to rights. | <p>Child Protection</p> <p>In response to reports of the impact of the conflict on children's psycho-social wellbeing, activities will focus both on restoring the protective environment around children as well as strengthening the resilience within children themselves.</p> <p>This will be done by providing psycho-social support to children and their care givers in child friendly spaces, through mobile outreach teams and through different awareness raising activities. Various activities will also foster social cohesion between IDPs and host communities in order to facilitate the integration of displaced children into their new environment. Training will also be provided to partners and government staff, including school teachers, in child protection and positive parenting and to children in Mine Risk Education. The capacity of monitoring the situation of children will be strengthened with a particular focus on those most vulnerable, such as children in institutions and children with disabilities. Connected to the monitoring will be a system for referrals and case management.</p> |
| <p>People of concern benefit from full and non-discriminatory access to quality essential services and enjoyment of their rights, with particular attention to the most vulnerable.</p> | <p>2.4 Access to Social Benefits and Pensions</p> <p>2.5 Housing, Land and Property rights</p> <p>2.6 Gender Based Violence</p> <p>2.7 Psychosocial Distress</p> | <p>Awareness raising and information dissemination are aimed at:</p> <ul style="list-style-type: none"> - Prevention of GBV, trafficking and exposure to mines; - Facilitating access to services provided by national service providers and humanitarian actors on GBV, PSS, mine action, free legal aid; - Supporting IDPs and affected population in enjoyment of rights by informing them about changes in policies related to IDP registration, freedom of movement, HLP rights and access to social benefits and pensions. | <p>GBV</p> <p>Gender based violence (GBV) has a devastating impact on the lives of the most vulnerable women and girls affected by the conflict in Ukraine. GBV concerns will be addressed through strengthened inter-sectoral coordination, functional referral mechanisms at local levels and the availability of quality services for GBV survivors in the health, psycho-social support and legal sectors. To reach the most vulnerable in remote areas and closer to the contact line, activities aimed at scaling up the psycho-social assistance, including through mobile and on-line consultations are particularly needed and encouraged. Another priority is the establishment of shelters and safe spaces for GBV survivors. Furthermore, activities will focus on increased access to information on consequences of GBV, the availability of essential services, referrals and entitlements as well the promotion of accountability of duty bearers through targeted awareness raising. At the same time, humanitarian actors are encouraged to increasingly engage vulnerable women and men in livelihood activities to offer alternatives to harmful survival practices and provide coping methods.</p> |
| <p>Improve social cohesion and the resilience of conflict-affected people; support people of concern in their decision-making regarding solutions.</p> | <p>2.8 Individuals and groups at particular risk</p> <p>2.9 Involuntary Return</p> <p>2.10 Lack of social cohesion and peaceful coexistence</p> | <p>Provision of targeted services and individual assistance to individuals or groups with protection concerns. Services include:</p> <ul style="list-style-type: none"> - Psychosocial support (particularly for children, older people, people with disabilities and their caregivers); - Provision of safe spaces/shelters for GBV survivors; - Legal assistance, including on access to documentation and counselling on HLP rights; - Safe spaces for older people and people with disabilities; - Mine victim assistance. <p>Activities to reinforce resilience and support durable solutions will include support to IDPs for local integration, relocation or return; support for peace-building and social cohesion projects between host communities and IDPs.</p> <p>Protection mainstreaming. Recognising the gender and age impacts of the conflict, activities will ensure collection of gender, age and disability breakdown for better analysis of needs of different groups of affected men and women, boys and girls. Consultations and feedback with different groups of men and women, boys and girls, will take place as much as feasible in order to deliver and monitor protection interventions.</p> | <p>Mine Action</p> <p>With fatalities and injuries occurring almost daily due to the presence of explosive remnants of war (ERW, a category that includes landmines and unexploded ordnance), a concerted effort of mine action activities is urgently needed, to include (i) clearance (demining, UXO spot tasking and/or survey) (ii) Mine risk education for some 200,000 at risk school-age children, parents, educators and civil society organizations in Donetsk and Luhansk oblasts (both GCA and NGCA); (iii) victim assistance and (iv) advocacy towards increased focus on mine action activities from relevant authorities.</p> |