

## THE PROTECTION CLUSTER INCLUDES SUB-CLUSTERS ON CHILD PROTECTION, GENDER BASED VIOLENCE AND MINE-ACTION



### PROTECTION CONCERNS

- OHCHR/Human Rights Monitoring Mission in Ukraine recorded 43 civilian casualties in the conflict zone (9 killed and 34 injured) in September showing a tendency of considerable decrease in civilian casualties following the ceasefire of 1 September.
- 81% of casualties (44% of those killed and 91 % of those injured) have been caused by Explosive Remnants of War and Improvised Explosive Devices (IEDs). In total, since mid-April 2014 until 30 September 2015, at least 8,115 people (including Ukrainian armed forces, civilians and members of the armed groups) have been killed, and at least 17,920 injured in the conflict zone of eastern Ukraine.
- The suspension of almost all humanitarian programs in Luhansk and Donetsk, including protection activities, since mid-July is putting lives at risk (through for instance the suspension on mine risk education) and preventing the most vulnerable, including children, women and the elderly, from accessing basic services. The situation did not improve in September.
- As the climate for explicit protection activities are getting more difficult in the NGCA, this emphasizes the importance of other humanitarian actors including protection aspects into their work (as per the IASC statement on the Centrality of Protection of 17 December 2013), and the protection cluster stands ready to support.
- An updated Temporary Order related to freedom of movement was published on 28 September. The main change from a protection perspective is that of establishing logistics centers near the contact line. The centers are established between the check-points of Government Controlled Area and Non-Government Controlled Area and thus exactly in the area with the highest risk of mines, Improvised Explosive Devices (IEDs) and shelling. Despite the need for more corridors for civilian populations to avoid the long lines and to reduce travel time, particularly from Luhansk, the only update made in this regard was to reduce the number of official transport corridors from 6 to 5.
- Mine risks need to be handled urgently - not only near the logistics center but also along all check-points and along the way where people wait in line for hours and often step into fields with high risks for sanitary purposes.
- UNDP conducted needs assessment of community on community security and reconciliation in the Government Controlled Areas of Donetsk and Luhansk oblasts (GCA). The most significant drivers of insecurity were a security sector which is not accountable; lack of rule of law; organized crime and corruption; lack of opportunities for youth; population movement/IDPs; economic inequality; cultural issues and gender-based violence against women.
- Elections: Analysis show that there is discrepancy in application of provisions of the law 'On local elections' about 30% gender quota, some parties were registered are not complying with this requirement. IDPs have not been granted the right to vote in their current place of residence despite advocacy from several protection cluster actors. In the absence of a procedure for absentee voting, international standards seem to require from the authorities to adopt a mechanism enabling IDPs to exercise their right to vote in the places where they currently stay.

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### Key Documents:

Protection Cluster Strategy  
Protection Cluster 3W

Guidance on evacuation  
Update on IDP registration  
Advocacy note on Right to Freedom of Movement

Guidance note on protection & prioritizing vulnerable persons  
Guidance note on persons with disabilities

## HIGHLIGHTS

- On 22 September 2015, a draft law (No. 3171) on the establishment of facts of birth or death at Non-Government Controlled Area (NGCA) was developed by the Government. Its purpose is to regulate the issue of the recognition of civil documents issued in NGCA and Crimea. The draft law creates a simplified procedure of court review pertaining to the registration of civil acts. The draft does not provide for the recognition of legal arrangements made by *de facto* authorities but enables courts to decide whether to make such recognition. In the absence of postal services between the territories controlled by the armed groups (and Crimea) and the rest of Ukraine, a claimant or his/her representative would need to be physically present on Government Controlled Area (GCA) to file for recognition.
- Resolution No. 636 harmonized previous resolutions by Council of Ministers with requirements of the ‘Law on ensuring of rights and freedoms of internally displaced people’, dated 20 October 2014. Part of the resolution intends to address the concerns regarding registering IDPs and minors but some issues still remain such as changes to the way how unaccompanied and separated minors are processed; requirement to IDPs to declare that they haven’t committed any crime; possible denial with registration if registering body doesn’t see substantial circumstances, which caused the displacement.
- Vostok SOS hotline received 1,989 requests from affected population in September. Out of them, 567 calls coming to hotline related to legal support. A majority of new beneficiaries traditionally were women (175 persons), men – 83, boys – 57, girls - 49. Vostok SOS also provided information on 300 requests about missing or captured people in Donbass.
- During the period of September the UNHCR implementing partner Crimea SOS provided consultations to 3,576 people, of which 2,639 were social consultations and 934 legal consultations. The most frequently raised problems included blocked bank accounts, crossing of the line of contact and the administrative border with Crimea, court decisions, disposal of property in the non-government controlled area and employment.
- From late September the GBV Sub-cluster held regional meetings in Kramatorsk, Dnepropetrovsk, Severodonjetsk and Kharkov to coordinate the intersectional response to GBV concerns through the establishment of the Oblast level Standard Operation Procedures. The formalized GBV response intends clearer definition of roles and operational modalities of both state and non-state actors, agreement on the referral pathways.
- On 28 and 29 September Danish Refugee Council held a GBV training in Kiev for NGOs as well as UNHCR. The training provided guidance on how to work with survivors; how to make referrals safely based on a survivor-centered approach; how to detect risks and respond to GBV in connection with humanitarian program implementation.
- During the month of September Help Age International reported 3,167 (women – 56%) older people (60+) in Donetsk and Luhansk Oblasts GCA. Through a network of Protection Focal points and volunteers HelpAge has conducted more than 18,972 monitoring home visits to identify the level of vulnerability. NGO distributed mobile aids, provided more than 100 referrals in the village of Krasnyi Liman for people with medical conditions. Among protection concerns identified are not being able to deliver PSS services due to lack of access to NGCA and lack of access to medicines for chronic diseases in GCA.
- In September People in Need (PIN) continued work on implementation of the project on providing PSS in Donetsk and Luhansk oblasts. NGO established the 24 hours telephone hotline for providing free psychological services and launched mobile groups of psychologists in Krasniy Liman, Artemivsk, Kostyantynivka (Donetsk oblast) and Lisichansk (Luhansk oblast).
- Danish Refugee Council and Right to Protection continued implementation of “Protection Umbrella” project in partnership with UNHCR. A Free Legal Aid Network for IDPs, a Protection Monitoring and Small grants projects covered 20. For the month of September DRC reported about 615 protection monitoring visits; 827 individual interviews, 39 focus groups, and 291 observation visits; 79 advocacy activities and 55 awareness raising campaigns. Total beneficiaries reached through legal aid services are 17,583.
- As of end of September 2015, UNHCR reported about 57 grant applications that have been approved (28 through Crimea SOS and 29 through DRC) in central and western Ukraine, out of which 32 have been successfully implemented. The projects are aimed at PSS assistance for IDPs, IDP awareness raising campaigns, promotion of peaceful coexistence between IDPs and host communities, capacity building of volunteers/staff members of the state institutions assisting IDPs. UNHCR through its implementing partners selected 3 applications from local NGO to provide assistance to IDPs in Kyiv and Kherson.
- HRMMU /OHCHR continued documenting a significant number of cases relating to illegal detention, ill-treatment/torture and violation of fair trial rights on both sides of the contact line.
- A country visit to Ukraine of the Special Rapporteur on extrajudicial, summary or arbitrary executions Mr Christof Heyns took place 8-18 September. In his final statement he called on the Ukrainian Government and the armed groups operating in the country to put into place a proper system of accountability in order to bringing the current cycle of violence to an end.