

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



PROTECTION CONCERNS

- Between 1 and 31 May 2016, OHCHR recorded 36 conflict-related civilian casualties in eastern Ukraine (in Donetsk, Luhansk and Poltava regions): three killed (all men) and 33 injured (six women and seven girls; 18 men and two boys). The major cause of civilian casualties was explosive remnants of war (ERW) and improvised explosive devices (IEDs): three killed (all men) and 23 injured (three women and seven girls; 11 men and two boys). Seven civilians (two women and five men) were injured by shelling; and three civilians (a woman and three men) sustained explosive injuries (it is not yet clear whether they were caused by shelling or ERW). In May 2016, OHCHR recorded nine conflict-related casualties among children: seven girls and two boys (all injured). All these casualties were caused by abandoned explosive ordnance.
- Suspension of benefits remains a key protection issues, according to members of the Protection Cluster. Although the reinstatement of social benefits continues in some oblasts, suspension of IDP social benefits has also been reported in central and western Ukraine.
- The lack of legal harmonization with Law 921 (Draft Law 2166), means that all new IDP certificates, which do not have an SMS stamp, are not valid. This is another barrier to IDPs being able to access social benefits. SMS offices no longer place stamps in IDP certificates as under Law 921, this is no longer required. However, MoSP offices still require IDP certificates to have this stamp in order to be considered valid. This leaves IDPs in a dilemma, whereby they need an SMS stamp on their certificates in order to access social payments, but the stamps no longer exist.
- In order to facilitate access to social benefits for IDPs, Dnipro oblast administration sent a letter to the regional Pension Fund and Departments of Social Protection, stating that IDP certificates without SMS stamps would be considered valid. The letter will be shared with Kharkiv and Donetsk oblast administrations, to encourage similar good practice.
- As of May 2016, IDP pensioners living in Slavyansk do not need to re-register at the Pension Fund if they change addresses within the city and previously had a stamp of the State Migration Service. However, Protection Cluster members report that IDP families who have moved from Slavyansk to nearby villages to undertake agricultural work have lost access to social benefits due to the need to re-register at their new address, and thus acquire a new IDP certificate.
- The Protection Cluster is concerned that IDPs will again face barriers in accessing financial benefits, given that as of July 1, 2016, all IDP social benefits have to be paid through "Oshchadbank". The procedure for allocating benefits is lengthy, as IDP case files need to be transferred between the Department of Social Policy regional offices and bank branches, and this can take several months. During this time, any IDP financial assistance is lost, and can not be claimed later, even once the bank account has been activated. The only financial payments which accumulate during the transfer period and can be accessed once the bank account is open are pensions. All other assistance (including to disabled IDPs, single parents, children etc), are suspended during the transfer, meaning that the most vulnerable IDPs are left without any source of income during this period.
- The linking of pension payments to IDP status remains a protection concern, particularly for pensioners living in NGCAs, as they face additional challenges in travelling to GCA, including difficulty with mobility as a result of age and health problems, insecurity and hardship in crossing checkpoints, which are often closed, and lengthy and expensive travel and from the GCA.
- Obtaining civil documents remains a challenge for the citizens of Luhansk NGCA. Documents such as passports, power of attorney, birth, death, marriage and divorce certificates, which are issued by the de-facto authorities, are not recognized in GCA. In order to obtain valid civil documentation, NGCA residents need to either cross the contact line, exposing themselves to security risks, or use Ukrainian law firms operating illegally in the NGCA.
- Inter-sectoral coordination on GBV prevention and response among state service providers in eastern Ukraine remains weak. In addition, national legislation still needs to be harmonized with international standards in order to better define types of gender-based violence.

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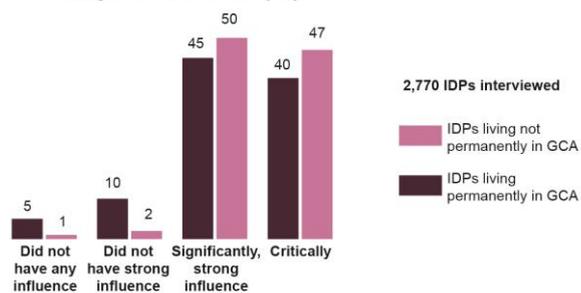
HIGHLIGHTS

■ The NGO 'R2P' issued a monitoring report on the impact of the "Suspension of IDP certificates, social payments and pension payments in Kharkiv, Donetsk, Luhansk, Zaporizhzhia and Dnipropetrovsk regions." According to the report, 88% of IDPs reside permanently in GCA. Protection issues highlighted in the report include limited accessibility of Departments of Social Policy for older people and

people with disabilities; the detrimental impact the suspension has had on IDPs, as well as lack of information related to the suspension and procedure for reinstatement of social benefits and pensions. Please see infographics.

- The first meeting of the recently established Kharkiv City Coordination Council on Family, Gender Equality, Demographic Development, Domestic Violence, GBV and Human Trafficking Prevention took place on May 30, and included representatives of police, psychosocial services, healthcare, local service providers, and NGOs. The meeting discussed setting up an expert working group to develop guidelines for inter-sectoral coordination on GBV prevention and response in Kharkiv.
- DRC organized its third round table discussion on access to justice and advocacy. One of the main protection issues discussed was the use and seizure of property by military actors in areas along the contact line in both GCA and NGCA. Civilians whose property has been seized in this way face displacement as well as economic hardship. Given that expropriation is not documented, people are still liable for paying the cost of utilities and property tax and are forced into debt if they are unable to pay these costs. Owners of expropriated property are unable to lodge a formal complaint or take the matter to court to claim compensation, as local authorities do not provide documentary proof that the property has been damaged or expropriated. Further advocacy is needed to encourage local authorities to introduce a mechanism of documenting cases when property is being used for military purposes and to develop a mechanism for compensation for affected civilians.
- On May 26, the Kharkiv Branch of the All-Ukrainian Charity Foundation, 'Help to Victims of Violence' organized a regional-level round table on gender-based violence (GBV) prevention and service provision to survivors. The event strengthened communication and collaboration between different local authorities who provide assistance to GBV survivors.
- On May 11, 2016 DRC together with the Child Rights Ombudsperson's office held a round table on the involvement of children in armed conflict in Ukraine. A study conducted by DRC in February-March 2016 showed that while there are indications of children's involvement with armed forces or armed groups, the lack of awareness about the prohibition of such acts among children, teachers, and among the army and police personnel presents a serious risk. A follow-up round table is planned in Kramatorsk in June 2016 with oblast-level stakeholders.
- In response to concern about an increase in GBV, exploitation and abuse of women and children related to the armed conflict in Ukraine, the Child Protection Sub Cluster organized a 'Lesson Learned Conference' to discuss how to combat this and come up with recommendations. About 130 persons attended the conference organized by the Swedish Embassy and the Kvinna till Kvinna Foundation, including government representatives (the Deputy Foreign Minister and the Deputy Minister for IDPs and Occupied Territories), organizations from different sectors and international experts from Georgia and Bosnia and Herzegovina (BiH). Discussions focused on protection concerns related to violence by armed groups, exploitation of young girls in exchange for goods and services, as well as violence committed by demobilized soldiers in their families and communities.
- The Child Protection Sub Cluster finalized the Cluster Performance Monitoring through a survey and six validation workshops. The survey showed that the Sub Cluster had provided a neutral space for the government and civil society organizations to come together and increase cooperation; find new partners through the Sub Cluster; and strengthened the capacity building activities of civil society.
- The global Child Protection Working Group is developing a case study on the Ukrainian experience of rolling out the Child Protection Minimum Standards in humanitarian settings.
- On May 20, NRC organized a roundtable "Termination of social payments for IDPs: reasons and ways of solving" in Severodonetsk. Participants highlighted that the only way to overcome this problem was judicial recourse.
- Warm drinks and water were provided to 62,313 individuals, (of which 67% were older people) at Artemovsk checkpoint in Donetsk Oblast, by HelpAge International, in partnership with the NGO, "Shoulder to Shoulder". In addition to the warm drinks and water, shelters to provide shade and benches were constructed for people waiting to cross the check point.
- The Age and Disability Technical Working Group met on May 27. The working group provided updates on technical support to the WASH, Shelter and Nutrition Clusters as well as the training plan for implementing partners. Trainings on sex, age and disability disaggregated data for all REACH data collectors is planned for 13 and 14 June, 2016.
- The Protection Cluster organized two protection mainstreaming trainings in Kharkiv and Slavyansk.

How have suspension of benefits impacted IDPs? (%)



Source: Monitoring report "Suspension of IDP certificates, social payments and pension payments for IDPs in Kharkiv, Donetsk, Luhansk, Zaporizhzhia and Dnipropetrovsk regions", R2P.

What social payments do you receive? (%)

