

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



PROTECTION CONCERNS

- Exchange of fire and indiscriminate shelling of residential areas, including medical facilities and waterlines continues in the east of Ukraine creating continued protection concerns including threat to life.
- In the preliminary findings from the Shelter Cluster Assessment in Government Controlled parts of Eastern Ukraine (supported by UNHCR and REACH), respondents indicated that their primary reason for settling in their current location was security (46%), family (41%) and friends (23%). 81% of the households surveyed plan to stay in their current location in the coming three months if the situation remains the same.
- Freedom of movement remains a primary concern. Several amendments were made including on issues where protection cluster partners conducted advocacy. With the amendments to the Temporary Order of 16 June and the introduction of the 7 July online portal for applications for passes to travel to/from Non-Governmental Controlled Areas (NGCA), the new procedures are more efficient, compared to the previous system of paper passes. However, there are still challenges: the website can at times become overwhelmed by a high number of applications; cancellation of public transportation across the contact line has led to long queues at check points placing people at risk; and the proposed logistical centres to be established between/near check-points raise protection concerns as the check-points are at risk of shelling and may create a pull-factor towards possible dangerous areas.
- Partners continue to report that a significant number of minors have fled the violence with relatives but are not accompanied by their parents. Because of an ambiguous legislation, these children are left out of the system. They cannot register as IDP and therefore are not receiving financial support and protection. This vacuum is expected to be addressed after the inclusion of specific amendments in legislation.
- Following months of constant shelling and conflict, the need of psychosocial support for children is very high, especially in Donetsk and Luhansk where children are still exposed to violence. The limited capacity and the reduced number of social workers in these areas make the need to support children and caregivers all the more relevant. A significant number of psychosocial support and mental health projects, carried out by local and international organisations are currently benefiting over 30,000 children in schools, kindergartens, child friendly spaces and bomb shelters in the affected areas. However, the recent administrative constraints to carrying out humanitarian activities in the field are seriously compromising the collective efforts to support children's well-being and development in NGCA of Donetsk and Luhansk.

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Key Documents:

[Protection Cluster Strategy](#)

[Protection Cluster 3W](#)

[Advocacy Note Freedom of Movement](#)

[Advocacy Note Evacuations](#)

HIGHLIGHTS

- Following adoption by the Parliament of the Law No.2831-3 “On local election”, Protection Cluster partners undertook a number of advocacy actions in order to draw attention to violation of IDPs voting rights. Provisions of the law preclude IDPs from voting at the upcoming local elections because temporary residence registration is not sufficient to register for voting. One would need to have permanent residence registration at the place where the person wants to vote; however this could lead to a potential loss of IDP “status”. According to Principle 22 of the Guiding Principles on Internal Displacement, IDPs have the “right to vote and to participate in government and public affairs, including the right to have access to the means necessary to exercise this right”. Lack of access to participate in the decision making process is seen as one of the protection concerns for the IDPs and limits the access for the IDP community to advocate for more systemic changes.
- VostokSOS released a report describing dire protection situation in the so-called “grey” zones along the contact line. Residents report discontinuation of social and administrative services, limitations in the freedom of movement even though no formal passes are required, utility cuts due to shelling. There is lack of humanitarian assistance provided, due to security limitations.
- In order to challenge the rejections to issue Ukrainian birth certificates to newborn IDP children from Crimea, CrimeaSOS lodged four court cases during July 2015, with seven more cases pending submission to district courts. The reason for rejection by registry offices is possession of a birth certificate issued by Crimean authorities or of a certificate from maternity hospital of irrelevant form: since July 2015, maternity hospitals located in Crimea no longer issue Ukrainian standard medical forms and have aligned the practice in accordance to the legislation of Russian Federation.
- Child Protection sub cluster partners initiated a survey to assess the situation of children in institutional care in NGCA. Estimates indicate that thousands of children residing in over 80 former state institutions for children are living in the NGCA of Donetsk and Luhansk: these include infant homes for orphans and children deprived of parental care, boarding schools, children shelters, specialized infant homes for children with mental and physical disabilities and other institutions for children in state custody. Due to the breakdown of the rule of law, children without parental care are especially at risk of falling prey to traffickers and becoming targets for exploitation.
- Mine Action sub cluster partners have provided comments to the draft Law on Mine Action in Ukraine which will be reviewed by the Parliament during the next session.
- During the last month, 300 district police officers have been sensitized on GBV in eastern regions of Ukraine to enable adequate and timely response. To address the most urgent lifesaving humanitarian needs and ensure uninterrupted access to Sexual and Reproductive Health services, the delivery of Reproductive Health kits continues in areas with potentially high rates of GBV. In the last month, 21 Reproductive Health kits have been delivered to Luhansk, Donetsk, Kharkiv, Dnepropetrovsk and Zaporozhia regions.
- Protection Cluster, Shelter Cluster and Norwegian Refugee Council (NRC) have developed the draft TOR of the technical working group on Housing, land and property (HLP) issues, which will be focusing on HLP rights in NGCA, “grey” areas and GCA. The working group will be led by NRC and will be organizing ad hoc meetings and provide updates to the Protection Cluster on key developments.
- On 8 July, the Human Rights Monitoring Mission in Ukraine (OHCHR) observed the transfer of nine prisoners sentenced before the conflict and held in the penitentiary facilities at the territory controlled by 'Donetsk people's republic' to the Government-controlled territory. The transfer was organised by the Ombudsperson's Office of Ukraine and 'penitentiary administration' of 'Donetsk people's republic' and was initiated by the Ombudsperson's Office in March 2015 through the ‘good offices’ and facilitation of the HRMMU. A key concern for those prisoners sentenced and imprisoned before the conflict in the self-proclaimed ‘Donetsk people’s republic’ is their limited access and communication to family (as the latter face limitations in crossing the contact line).
- In July 2015 UNHCR has presented a preliminary report on participatory assessment engaging IDPs in Kyiv and Kyiv Region. The main concerns raised by the IDPs related to lack of clear vision for long term solutions especially for housing; lack of employment opportunities and the need for additional assistance. As a follow-up to the exercise, the partners informed on several advocacy actions taken concerning the freedom of movement, organization of psychosocial and recreational events for children and strengthening dissemination of information.
- OHCHR continued interviewing possible victims of human rights violations in the course of the armed conflict throughout the Government-controlled territory as well as the territory controlled by armed groups.