

PROTECTION CONSIDERATIONS FOR PEOPLE LIVING ALONG THE CONTACT LINE



Photo: NGO "Right to Protection", Mayorsk checkpoint

BACKGROUND

The area along the contact line separating government-controlled areas (GCA) and non-government-controlled areas (NGCA) of eastern Ukraine remains a priority for humanitarian organisations. The civilian population faces constant threat of death or injury from shelling, sniper fire, mines and explosive remnants of war (ERWs), with over 2,000 civilians killed or injured since the beginning of the conflict.¹

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 residents are isolated, and employment and livelihood opportunities are few, further marginalising people living in this area.



KEY PROTECTION CONCERNS

- **Restricted freedom of movement:** Between 26,000 to 32,000 people cross the contact line every day.² However, checkpoints lack adequate health, sanitation and shelter facilities, with long queues forcing people to wait for hours, and sometimes even overnight. While queuing, people are exposed to intense heat in summer as well as snow, wind and freezing conditions in winter, putting them at risk of health issues such as heat stroke and hypothermia. This is particularly challenging for the elderly, those with disabilities, children and pregnant women. These difficulties, along with frequent checkpoint closures, force people to take longer and more dangerous routes through unmarked areas, putting them at risk of mines and ERW.
- **Threats to life and personal integrity:** People living along the contact line face increased risk of death or injury from shelling, mines, sniper fire and ERWs, with fighting being sporadic and unpredictable. Placement of military objects in residential areas poses additional threats to the civilian population.
- **Gender-Based Violence:** The high concentration of military and paramilitary groups, coupled with a proliferation of weapons, weak law enforcement, impunity for perpetrators has increased the risk of gender-based violence (GBV) for people living along the contact line, particularly women, adolescent girls and young men. Additional risk factors include a deteriorating economic environment and lack of livelihood opportunities. GBV assessments have found that the majority of reported incidents of survival sex are associated with military and law enforcement personnel,³ and that women living along the contact line are taking mitigating measures, such as not going out in the evenings, to minimize the risk of GBV.⁴

¹ Estimates according to the Office of the United Nations High Commissioner for Human Rights.

² Office of the United Nations High Commissioner for Human Rights, Report on the human rights situation in Ukraine 16 May to 15 August 2016, September 2016, at 24.

³ Ukrainian Foundation for Social Reform, August 2016.

⁴ REACH Inter-Agency Vulnerability Assessment, September 2016.

- **Suspension of social benefits and pensions:** The suspension of state social benefits and pensions to IDPs, which began in February 2016, continues to have a detrimental affect on hundreds of thousands of people, who depend on these payments to cover basic living costs, including food, medicine, and accommodation. Those suspensions have worsened the humanitarian situation of IDPs and led to involuntary return to NGCA for those who cannot afford to remain in GCA.

- **Violation of housing, land and property rights:** The majority of people live in inadequate conditions, with 38% of homes having been damaged or destroyed by shelling.⁵ Military occupation and looting have been recorded on both sides of the contact line, with no procedures for compensation available.

Households who have had their homes occupied by military forces must pay utility bills for the occupied home, in addition to utility bills in their place of residence, placing households under a heavy financial burden and forcing people into bankruptcy.

- **Lack of utilities:** Thousands of people have been cut off from water, gas and electricity supplies. This is particularly concerning during winter as people cannot afford to buy coal and have to collect wood in mine-contaminated areas. As many villages lack mobile network coverage, residents are isolated and unable to call for help when needed.

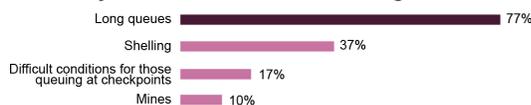
- **Lack of access to services and goods:** Public services and access to goods are limited along the contact line. Prices for basic goods such as food, hygiene materials and medicine are often higher, due to scarcity, as it is difficult to transport goods and there is a prohibition on cargo to NGCA. As there is limited or no public transportation between villages and towns along the contact line, those without private vehicles are isolated and immobile.

- **Lack of access to healthcare:** Lack of access to healthcare is a particular concern given that older people make up a large part of the population. Many healthcare facilities are understaffed, and others have been damaged by shelling. For some villages, the nearest hospitals are many kilometres away or on the other side of the contact line. Ambulances often refuse to go to villages near the contact line, due to security risks.

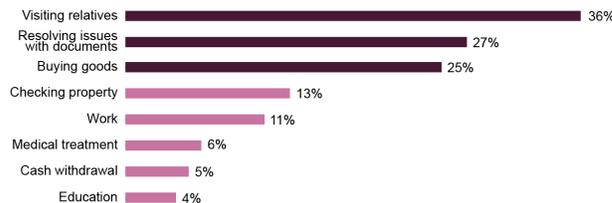
- **Limited access to education:** Hundreds of schools along the contact line have been damaged or destroyed.⁶ Travel to and from schools is dangerous due to mines and ERWs, and mine risk education is limited.

- **Psychosocial distress:** People living along the contact line are isolated and marginalized due to the lack of security, basic services and livelihoods opportunities. The conflict has also resulted in family separation and social fragmentation, which can further compound feelings of anxiety and hopelessness among children, families and communities.

Key concerns of civilians waiting to cross checkpoints



Reasons for civilians crossing the contact line



This is a summary of the responses of 2,400 people surveyed at the entry/exit checkpoints "Zaytseve", "Novotroitske", "Marinka" and "Hnutove" during the month of September 2016.

Note: Respondents could select more than one option.

Source: Foundation.101

RECOMMENDATIONS

1. Parties to the conflict should **refrain from shelling checkpoints, abstain from placing military bases or equipment close to residential areas** and **ensure respectful conduct towards civilians**.
2. Parties to the conflict should **facilitate freedom of movement**, by removing the electronic pass system, opening additional checkpoints, and improving checkpoint conditions by installing sanitary facilities, rest areas and shelters. **Priority treatment should be given to people with specific needs and mobility issues**, including older people, people with disabilities, pregnant women and families with children. **Mined and ERW areas should be clearly marked and protected against accidental trespassing especially near checkpoint and residential areas**.
3. **Prohibition on transportation of cargo should be lifted**, and arrangements should be made to facilitate the movement of humanitarian cargo, including medicine and medical equipment.
4. National and local authorities should **strengthen access to public services**.
5. Access to life-saving services including **health care, psychological support** and **legal assistance** needs to be made available to GBV survivors.
6. Legal redress needs to be made available for those whose **houses have been destroyed, occupied, or expropriated**.

⁵ REACH Inter-Agency Vulnerability Assessment, September 2016

⁶ Human Rights Watch, Studying Under Fire, February 11, 2016, available at <https://www.hrw.org/report/2016/02/11/studying-under-fire/attacks-schools-military-use-schools-during-armed-conflict>