
Key Protection Concerns and UNHCR Recommendations UKRAINE – September 2016



Executive Summary

This document highlights the key protection concerns facing internally displaced persons (IDPs) in Ukraine today. UNHCR's most urgent protection and advocacy priorities in 2016 are the following: 1) The Government should lift the severe restrictions on **freedom of movement** across the line of contact between government controlled areas (GCAs) and non-government controlled areas (NGCAs) and across the administrative boundary line with Crimea; 2) The Government and de facto authorities should allow full and unhindered **access of humanitarian agencies to the population of concern in the NGCAs**; 3) The de facto authorities should ensure that no one displaced from areas they control is arbitrarily deprived of their property or possessions, particularly in light of the recent introduction of **parallel property registration systems in NGCAs**. 4) **UNHCR calls on the Government of Ukraine to ensure that payment of pensions and social benefits is non-discriminatory towards IDPs**; and 5) UNHCR is concerned about the behavioral standards of parties to the conflict along the line of contact and in conflict affected areas. UNHCR notes increasing reports of alleged violence against civilians, looting, illegal occupation of properties and cases of sexual and gender-based violence (SGBV). Appropriate complaint and response mechanisms need to be established. UNHCR's key recommendations on these and other protection concerns are listed at the end of each section.

1) Freedom of movement

Donbas

Freedom of movement encompasses the right of everyone lawfully within a country to move freely and to choose one's place of residence within its borders as well as the right to leave one's own country and to freely return to it.

By implication, this right also includes freedom from involuntary movement or residence in a place not of one's choosing, implying the responsibility of states to facilitate the voluntary return of IDPs to their original place of residence as well as, if IDPs choose to do so, local integration or settlement in another part of the country.

Restrictions on freedom of movement continue in Ukraine.

On 21 January 2015, the Government of Ukraine (GoU) introduced State Security Service (SBU) Order no. 27 "*On the Approval of Temporary Procedures for controlling movements of persons, vehicles and goods along the conflict line within Donetsk and Luhansk regions*" (*Temporary Order*).¹ The order imposed restrictions on freedom of movement between the government controlled areas (GCAs) and the non-government controlled areas (NGCAs). A pass system was created.

Currently, movement from the GCAs to the NGCAs is only authorized through certain pre-identified corridors. Five are currently in service, as of July 2016, with one temporarily closed. On 12 June 2015, the First Deputy of the Anti-Terrorism Center under the State Security Service of Ukraine revised the *Temporary Order*, introducing an electronic pass system, with an on-line application and pass authorization process. Since then it has been amended eight times, most recently on 24 June 2016.

The 2015 September amendments to the *Temporary Order* introduced Section XI, regulating transportation of humanitarian cargoes by international humanitarian organizations. Item 11.1 of the *Procedures* sets forth that international humanitarian organizations, listed in the Ministry of Social Policy (MoSP) Order no. 975 of 30 September 2015 "*On Approving the List Of International Humanitarian Organizations*", enjoy a simplified verification procedure while delivering humanitarian cargoes to the NGCAs.

Delivery of humanitarian aid to the zone of the "Anti-terrorist Operation" (the "ATO" zone) can be carried out by means of either road or rail transportation. Regional Civil-Military Administrations are responsible for providing support (including security matters) for controlling humanitarian cargoes.

Humanitarian organizations must take all reasonable measures to ensure designated delivery of the humanitarian aid solely to beneficiaries and its further distribution among civilian population in the NGCAs. Humanitarian organizations must also inform the Ministry of Internal Affairs of Ukraine regarding the risk of improper use of humanitarian cargoes by militia and take all reasonable measures to prevent such improper use.

Organizations not listed in Order no. 975 are obliged to deliver humanitarian aid in accordance with rules (subject to obtaining passes) set out in Section VIII of the *Temporary Order*.

Protection monitoring indicates that the *Temporary Order* has had the following impact:

- Persons seeking to flee from the NGCAs to the GCAs face challenges to do so. In particular, where an individual does not have documentation, they are unable to pass through checkpoints, or are forced to resort to informal means. The act of applying for a pass from the NGCAs has also been challenging.
- Checkpoints are often closed by discretion. Persons seeking to cross express frustration about the lack of information regarding which checkpoints are open and their hours of operation.

¹ State Security Service Order no. 27 dated 21 January 2015 on the Approval of Temporary Procedures for controlling movements of persons, vehicles and goods along the conflict line within Donetsk and Luhansk regions, available at: Order no. 415 dated 12 June 2015 <https://ssu.gov.ua/ua/pages/32>

- Long queues have been observed at checkpoints. During 2016, UNHCR noted a significant increase in the number of people crossing the line of contact, reaching an average of 20,000 people per day in mid-March 2016; and the temporary closure of checkpoints due to deteriorating security and the first instance in which civilians waiting to cross the contact line were hit by shelling.
- New regulations concerning payments of social entitlements and pensions have increased a sense of insecurity among people living in the NGCAs. As they can only receive their social entitlements in the GCAs, leading to more frequent travel across the line of contact. Persons also continue to cross the line for access to healthcare, to reunite with family members, and for livelihoods, among other reasons.
- During February-May 2016, people were reportedly detained at checkpoints by armed groups on the basis of 'wanted lists' or by Government forces based on the "Myrotvorets" ("Peacemaker") website database.
- There have been complaints about corruption at the checkpoints, whereby bribes are demanded or goods confiscated to ease passage. In a few cases, when people retorted that they would complain to the headquarters of the "Anti-terrorist Operation" hotline, they were allowed to pass freely.
- The situation of civilians in Luhansk region is particularly severe as there are still no functioning vehicular crossings between the NGCA and the GCA. The Government's attempt to open a vehicular transport corridor at Zolote, on 31 March 2016, was unsuccessful.
- There are no sanitary facilities at or near most checkpoints. There are no weather shelters or potable water points. Reports of persons injured by landmines near checkpoints have been reported, particularly when people go off road due to the lack of sanitary facilities.
- Persons without passes and those seeking to avoid long queues sometimes cross at unauthorized crossing points. Some have reportedly been killed or injured by landmines.
- Checkpoints themselves have been the targets of shelling.
- Multiple cases of family separations have been reported, including as a result of necessary documentation not being available.
- The situation of people living in the buffer zone ('grey areas') along the line of contact is particularly difficult, since there is no special simplified crossing procedure for local residents. In certain locations, people can only travel between GCAs via the territory of the NGCAs, having to pass through checkpoints.

Crimea

Simultaneously, legislative measures have been taken to strengthen controls of population movement across the administrative boundary with Crimea. On 4 June 2015, the Government adopted Resolution no. 367² regulating crossing procedures for nationals and non-nationals of Ukraine. While the adoption was a legal requirement deriving from the *Law "On Ensuring Rights and Freedoms of Citizens and Legal Regime in the Temporarily Occupied Territory"*,³ 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 a permit issued by the State Migration Service (SMS) 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 administrative boundary: they must hold an international passport and if accompanied by only one parent, they must have the notarized consent of the other parent.

In February 2016, the Ministry of Interior (MoI) of the Russian Federation obliged residents of Crimea to adopt Russian vehicle license plates and registration by 1 April 2016. However, vehicles with Russian license plates registered in Crimea are not allowed to cross the Crimean administrative border to the GCAs.

² Cabinet of Ministers Resolution no. 367 of 4 June 2015 "On Approval of the Procedures for Entry to and Exit from the Temporarily Occupied Territory", available at: <http://zakon3.rada.gov.ua/laws/show/367-2015-%D0%BF>.

³ Law of Ukraine no. 1207-VII of 15 April 2014 "On Ensuring Rights and Freedoms of Citizens and Legal Regime in the Temporarily Occupied Territory", available at: <http://zakon4.rada.gov.ua/laws/show/1207-18/page>.

Article 9 of the Law “On Ensuring Rights and Freedoms of Citizens and Legal Regime in the Temporarily Occupied Territory” stipulates that: “Any act (decision, document) issued by the authorities is invalid and does not create legal consequences.” This also applies to vehicles license plates issued in Crimea by Russian authorities.

Protection monitoring of movement procedures at the administrative boundary line with Crimea indicates the following:

- The new regulation negatively impacts the freedom of movement of non-nationals and may be assessed as discriminatory as no grounds for these restrictions are provided;
- New regulations adopted by the Russian Federation and influencing citizens of Ukraine in Crimea challenge the movement of vehicles across the administrative boundary line;
- Children are specifically affected by the new regulation. Prior to its adoption, Ukrainian children under 16 years of age were only required to possess a birth certificate in order to cross the boundary line. The current requirement to first obtain international travel passports entails a lengthy process of parents going to mainland Ukraine to apply on behalf of their children;
- Lack of information about the new regulation has caused long queues at crossing points, with people waiting for many hours and many with children being turned away. Long waiting periods are particularly detrimental as crossing points lack facilities for children, elderly and persons with disabilities to rest and no shelter is available in case of bad weather conditions.

Recommendations:

- a) The Government of Ukraine should revoke the *Temporary Order*. Limitations on freedom of movement must be based on clear legal grounds and meet the tests of necessity and proportionality.
- b) Solutions need to be found to allow civilians who cross insecure areas to move in safety and dignity. The number of checkpoints should be increased, to the extent possible, and infrastructure improved to mitigate the hardship of people queuing under harsh climatic conditions. Landmine contamination needs to be addressed.
- c) Regulations on movement to and from Crimea should be revised to ease freedom of movement for children and expand the list of grounds for issuing crossing permits to non-nationals.
- d) The former State Service of Ukraine for the Autonomous Republic of Crimea and Sevastopol city proposed to create MoI Service Centers between the administrative border and the checkpoints at Chongar, Chaplynka and Kalanchak, where Crimean residents could obtain a duplicate of their original Ukrainian vehicle license plates and registration. Respective amendments to Resolution no. 367 “On approval of the Procedures for entry in the TOT and exit from it” were proposed. The proposal is pending clearance from several ministries.

2) Humanitarian assistance and access to basic services

The revised *Temporary Order* has also affected the humanitarian situation in the NGCAs. The prohibition of commercial cargos of food and medicine, as well as the limited availability of transport corridors for humanitarian cargo, has complicated delivery of food and medicine to the NGCAs. Shortages of basic commodities have resulted in an increase in prices of available goods in the NGCAs.

Furthermore, the process of “registration” of humanitarian organizations introduced by de facto authorities in the NGCAs in June 2015 has complicated the work of humanitarian actors, currently able to operate only if “registered”. Only UNHCR and OCHA have obtained permission to undertake humanitarian activities in the

self-proclaimed “Luhansk People’s Republic” (“LPR”).⁴ Permission was granted on the basis of a letter from the Resident Coordinator/Humanitarian Coordinator (RC/HC) in Ukraine to the de facto authorities sent simultaneously to Luhansk and Donetsk in August 2015. Permission to operate was only granted temporarily in order to allow continuation of activities pending “registration”. Lack of access and delivery of humanitarian assistance is of particular concern in self-proclaimed “Donetsk People’s Republic” (“DPR”) where no United Nations agency has so far been granted “registration”.

Against the backdrop of its restrictions on the movement of population and goods to and from the NGCAs, the Government is taking steps to facilitate humanitarian operations in affected areas. These include:

- The development of the *Law “On Humanitarian Aid in Crisis Situations”*, establishing rapid response mechanisms for humanitarian emergencies under the general coordination of specially designated governmental bodies;
- Amendments to the *Law “On Humanitarian Aid”*, adopted in July 2015,⁵ envisaging decentralized decision making on the recognition of humanitarian cargoes less than three tonnes;
- The establishment of logistical centres along the line of contact to provide basic shops and banking services for the civilian population of the NGCAs.

Overall, people living in the NGCAs continue to experience problems in accessing essential services and adequate social assistance. In order to receive social benefits, people must either relocate or regularly cross the line of contact to the GCAs. Some people (e.g. unemployed adults of working age and families with 1-2 children) have become increasingly vulnerable due to lack of entitlement to social benefits and exclusion from humanitarian assistance schemes.

Although basic commodities are generally available in the NGCAs, they are reportedly of low quality and expensive. Moreover, the purchasing power of the average person in the NGCAs has steadily decreased. Those who have no access to adequate income to provide for themselves and their families are compelled to join the military as one of the few means to receive an income, or to resort to harmful survival strategies.

The situation of people residing on both sides of the line of contact remains especially dire, as their access to humanitarian and medical aid is impeded for security reasons and the ban on cargo deliveries. Access to clean water remains problematic in many areas. According to UNICEF, up to 1.3 million people are facing a serious water crisis due to damaged or destroyed water delivery and purification facilities.

The Government extended the restrictions on trade to Crimea on 16 December 2015, with the adoption by the Cabinet of Ministers of Resolution no. 1035,⁶ restricting the delivery of goods and services to and from Crimea, with exceptions made for personal belongings or food valued less than UAH 10,000 (USD 403) and weighing less than 50 kg per person. The restrictions do not apply to electricity, selected commodities and humanitarian aid. The resolution came into effect on 16 January 2016. This resolution legalizes the ongoing civil blockade of Crimea and could lead to a worsening of the humanitarian situation, with increased food and medicine prices already being observed.

Recommendations:

- a) Government and de facto authorities should allow full and unhindered access of humanitarian agencies to populations in need. All parties and stakeholders involved in the implementation of the *Minsk II Agreement* of 12 February 2015⁷ and in the ‘Normandy Format’ discussions should actively support this access. The humanitarian impact and human dimension should remain at the forefront of negotiations

⁴ The use of the acronyms “DPR” and “LPR” should not be seen as inconsistent with UN General Assembly Security Council Resolution 68/262 (A/Res/68/262) of 27 March 2014, on the *Territorial Integrity of Ukraine*.

⁵ Law of Ukraine no. 640-VIII of 16 July 2015 “*On Amendments to the Law on Humanitarian Aid Regarding Efficiency of Decision Making*”, available at: <http://zakon4.rada.gov.ua/laws/show/640-19>.

⁶ Cabinet of Ministers Resolution no. 1035 of 16 December 2015 “*On Restrictions on Deliveries of Certain Goods (Works, Services) from and to the Temporarily Occupied Territory*”, available at: <http://www.kmu.gov.ua/control/uk/cardnpd?docid=248714822>.

⁷ *Package of Measures for the Implementation of the Minsk Agreements* agreed by the Trilateral Contact Group at the Summit in Minsk on 12 February 2015, available at: <http://www.osce.org/cio/140156>.

on access. In this light, any restrictions, including “registration” demands, may amount to violations of the obligation to allow and facilitate passage to relief assistance.

- b) It is essential for medical personnel to freely carry out their duties in providing medical care to those in need.
- c) Parties should implement point 7 of the *Minsk II Agreement* on providing secure access, delivery, storage and distribution of humanitarian assistance to those in need on the basis of an international mechanism.
- d) The Government should end trade restrictions with Crimea and the NGCAs in eastern Ukraine. Regarding the NGCAs in eastern Ukraine, the parties should implement point 8 of the *Minsk II Agreement* on the determination of the modalities for the full restoration of socio-economic relations, including social transfers, such as pensions and other payments.
- e) Amend and harmonise the content of Resolution no. 1035 “*On restriction of supply to and from different territories of Ukraine*” with Articles 9 and 11 of the Law “*On ensuring the rights and freedoms of internally displaced persons*” which provides that IDPs should be assisted in taking their moveable property with them.
- f) The GoU should address the issue of providing Crimean residents with notary and administrative services at checkpoints of the Crimean administrative border with the GCAs.

3) IDP protection: registration, documentation, access to rights including for social entitlements and pensions

The Law “*On Ensuring the Rights and Freedoms of Internally Displaced Persons*” (the *IDP Law*)⁸⁸ was adopted on 20 October 2014. The law undertakes to provide a comprehensive framework for the protection of internally displaced persons, facilitating access to essential rights, providing protection against discrimination and forcible return and ensuring assistance in any voluntary returns. The *IDP Law* simplifies access to different social and economic services, including social and unemployment benefits and residence registration.

The GoU has not, however, fully implemented several of the law’s critical provisions and the deadline to enact the implementing regulations has passed. Instead, there has been a proliferation of by-laws, some of which do not conform to the provisions of the *IDP Law* itself, while others are actually not implemented by Government institutions, as they may lack accompanying instructions. On 26 August 2015, the Government amended five resolutions related to IDPs in order to align existing by-laws with provisions of the *IDP Law*, however, registration of IDPs remains of particular concern to UNHCR. The following concerns will be largely addressed once the legislative amendments adopted in December 2015 are signed by the President and come into force and once recently introduced resolutions are implemented, as described below:

- UNHCR’s monitoring indicates that rejections of applications for IDP registration are often not recorded by the Department of Social Policy (DoSP) and that individuals have not been given a written reason for rejection as required by the *IDP Law*. This makes it difficult to appeal the decision in court, either because there is no proof of the application or because there is no written decision.
- Unaccompanied or separated IDP children who travel to the GCAs with family members other than their legal guardians have faced challenges with registration, despite regulations from the Cabinet of Ministers intended to facilitate the process. As a result, unaccompanied and separated displaced children are unable to access assistance. To establish legal guardianship and gain access to IDP registration, accompanying adults or caregivers are required to present a notarized attestation written by the parents

⁸⁸ Law of Ukraine No. 1706-VII of 20 October 2014, *On Ensuring Rights and Freedoms of Internally Displaced Persons*, available at: <http://zakon4.rada.gov.ua/laws/show/1706-18/page2>

or a legal guardian. However, notary offices are no longer functional in the NGCAs, making this impossible.

- Access to registration, which is the basis for state support to IDPs and for access to many rights and social assistance, has been problematic for many of the displaced including persons who have lost identity documents, those who have no residence registration stamps from their former place of habitual residence, students and separated children not accompanied by duly authorized caregivers. Furthermore, displaced foreigners and stateless persons permanently living in Ukraine have not been entitled to IDP registration and accompanying assistance schemes.

Following advocacy by international organizations and civil society, including UNHCR, a number of amendments were drafted to rectify the above shortcomings in the *IDP Law*. These were adopted by Parliament on 24 December 2015, as a Law No. 921-VIII (2166).⁹ The amendments strengthen IDP protection by, inter alia: a) extending the definition of an IDP to include displaced foreigners and stateless persons permanently residing in Ukraine; b) removing the need to revalidate IDP certificates every six months; c) cancelling IDP residency checks¹⁰ and verification stamps by migration authorities; d) making IDP registration easier for IDPs who do not have passports or residence registration in Crimea or the NGCAs in eastern Ukraine; and e) providing for the mandatory provision of a written explanation when IDP registration is denied, facilitating administrative and judicial appeal. The lack of implementing regulations and accompanying procedural instructions resulted in the amendments not being implemented in practice.

There have also been positive legislative developments improving access to IDP registration and to Government financial assistance for unaccompanied IDP children in Ukraine. On 18 December 2015, the Cabinet of Ministers Resolution No. 1014¹¹ came into effect. This resolution amends Resolution no. 505¹² on the provision of financial assistance to IDPs and makes it easier for unaccompanied IDP children to receive State financial assistance, currently UAH 884 (USD 35) per month. Previously, an application for financial assistance for an IDP child had to be submitted by a parent or a legal guardian. The amendment makes it easier for other adults who may be accompanying an IDP child (e.g. grandparents, adult siblings, step-parents) to apply for assistance. The amendment also allows temporary caregivers such as distant relatives or neighbours to apply for assistance on behalf of the child, where there is a notarized application from the parents of the child. When no notarized application is available, local government children's services can apply on behalf of the child. For unaccompanied IDP children who study at tertiary institutions (universities and colleges) and live in dormitories, local children's services can submit an application for financial assistance on their behalf.

Furthermore, on 1 December 2015, Order No. 1024 of the MoSP came into effect, which amended the IDP registration application form, allowing local government children services to apply for IDP registration on behalf of unaccompanied IDP children where no legal representative is present. Nevertheless, it remains to be seen how Resolution No. 1014 and Order No. 1024 will be implemented; this issue still remains a concern.

On 21 February 2016, Law 936-VIII (2254) "*On amendments to some Laws of Ukraine on enhancement of social protection of children and assistance to families with children*" came into effect. The law amends the *IDP Law* by allowing an IDP minor aged 14-17 to apply for registration independently.

As per the amendments, the local state administrations obtained competencies on: (1) detection of IDP families who are in difficult situations, providing them with social services and implementation of measures stipulated by law in case of threat to the life and health of children or loss of parental care;

⁹ Law no. 921-VIII (2166) "*On Amendments to Some Laws of Ukraine to Strengthen the Guarantees of Rights and Freedoms of Internally Displaced Persons*", adopted on 24 December 2015, available at:

http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=54093

¹⁰ According to Law no. 921-VIII (2166), Government officials will no longer visit places of residence to verify IDP residency. However, the MoSP will still be responsible for determining whether IDPs are in their declared place of residence.

¹¹ Cabinet of Ministers Resolution no. 1014 of 9 December 2015 "*On Amendments to the Procedures for Provision of Monthly Targeted Assistance to Internally Displaced Persons to Cover Housing Costs, Including Utilities*", available at: <http://www.kmu.gov.ua/control/ru/cardnpd?docid=248704342>.

¹² Cabinet of Ministers Resolution no. 505 of 1 October 2014 "*On Provision of Monthly Targeted Assistance to Internally Displaced Persons to Cover Housing Costs, Including Utilities*", available at: <http://zakon3.rada.gov.ua/laws/show/505-2014-%D0%BF>.

(2) implementation of social protection of IDP children, orphans and children deprived of parental care, and persons in families in which such children are fostered, social support to such families and children; (3) housing of family-type orphanages who were forced or independently left the place of residence due to circumstances set out in Article 1 of the *IDP Law*; (4) organization of work to identify children displaced without the support of parents, other legal representatives, take measures to establish the identity of the child, searching its parents, placing of such children with family of their relatives, patronage caregivers, to institutions of social protection of children, taking into account needs of the child.

The Law also amended: (1) the Law "*On Protection of Childhood*" by adding a definition of "the best interests of the child" as actions and decisions aimed at meeting the individual needs of the child according to age, sex, health, special needs, life experience, family, cultural and ethnic origin and take into account the views of the child if, the latter reached the age and level of development that can express it; (2) the "Family Code of Ukraine" by entitling children affected by conflict/emergencies (within a wider group of "children in hardship") to care under guardianship agreements (temporary care and upbringing in a protector's family), which are supported by the Government (financial aid and housing allocations); (3) the Law "*On Health and Recreation of Children*" by entitling children affected by conflict/emergencies to recreation activities funded from local and state budgets; (4) Law "*On Free Legal Aid*" by entitling children affected by conflict/emergency to secondary legal aid (incl. drafting appeals and court representation); (5) Law "*On Local Self-governance*" by entrusting social services and special care delivery functions to the competence of local communities (executive bodies of village and municipal councils) in respect of children affected by conflict/emergencies.

Despite these improvements, which largely rectify the gaps listed above, access to registration may remain problematic for persons who have lost identity documents and for students, who may have difficulty registering as IDPs if they changed their place of residence to their place of study.

The civil registration system does not function in the NGCAs. Persons who lost identification or other administrative documents need to go to the GCAs to have new ones issued. During June–August 2015, UNHCR monitoring noted growing instances of denial of civil status registration (primarily birth and death registration) by Ukrainian authorities to residents of the NGCAs.

On 24 February 2016, amendments (Law no. 990-VIII) to the Civil Procedural Code allowing immediate processing by court of a claim submitted by a child relatives/representatives and immediate implementation by Civil Registration Office of the court decision on establishment of fact of birth came into effect. The same held true for cases of death. The Ministry of Justice claims that, "*during three months of the simplified procedure for registering civil status for residents of the Temporarily Occupied Territory, around six thousands citizens obtained the Ukrainian legal documents*".

On 21 February 2016, the Cabinet of Ministers announced a residence verification process for IDPs as a condition for entitlements and benefit payments. Previously, on 16 February, the Ministry of Social Policy instructed its regional offices and local departments to suspend all social payments for IDPs, pending verification of their presence in the Government controlled area, with a view to combating "fraudulent schemes". Previous regulations introduced in November 2014 linked eligibility to social entitlements (pensions, disability benefits, maternity leave and assistance to single parents and families with more than three children), to IDP registration. As a result, a person internally displaced but not registered as an IDP is denied entitlements, which is in violation of the 16 October 2015 High Administrative Court decision ("*On abolishing item 2 of the Temporary Procedures for financing budget institutions, paying social benefits and providing financial support to individual enterprises and organizations in Donetsk and Luhansk regions under Resolution no. 595*", dated 7 November 2014, allowing pensions and social payments to be paid to Ukrainian citizens regardless to their place of residence.)

Available information indicates that following the Cabinet of Ministers' decision, the SBU provided regional administrations with lists of IDPs, recommending that their social entitlements be revoked pending verification. Some "claw back" of social entitlements paid has occurred. Lists may have been developed based on information from the SBU database of individuals who received permits to cross the line of contact. As a result, payments of social entitlements, including pensions to around **500,000 IDPs were suspended in March 2016**.

On 14 March 2016, Cabinet of Ministers adopted a Resolution no. 167 *"On amendments to some of CoM Resolutions"*, including i.a. Resolution no. 509. The amendments prohibited the use of addresses of state authorities, local government, legal entities of public law, their units or any other premises, in which IDPs do not actually live as IDPs actual places of residence. The amendments also granted the Ministry of Internal Affairs, SMS, SBU, State Border Guard Service (SBGS) and the Ministry of Finance competencies to submit relevant information to the MoSP Social Protection Departments for decision-making regarding the deregistration of IDPs. This could lead to the cancellation of IDP registration certificates, recorded in the consolidated database of IDPs under Article 12 of the Law of Ukraine *"On the rights and freedoms of internally displaced persons"*. This includes on those IDPs who are absent without written notification for longer than 60 days at a new place of residence in the GCAs, or if information on IDP secondary movements might allow to assume that the person in question has returned to their abandoned permanent place of residence at the NGCAs.

Resolution no. 167 also introduced the following amendments to Resolution no. 637 (on linking payments with IDP registration). The amendments stipulate that payment (including continuation of payment) of pensions to which registered IDPs are entitled shall be carried out through institutions of Public Joint Stock Company "State Savings Bank of Ukraine" (Oschadbank) using its payment devices. Such payments can be made by home delivery at the request of the individual, with compensation of expenses for such services, stipulated by item 3 of the tripartite agreement of the Resolution.

From 1 May 2016, IDPs pensions (monthly lifetime allowance), social benefits and compensations, lifelong state grants that are made by the state and local budgets and the Pension Fund of Ukraine, funds of state social insurance, shall be paid through the accounts and network facilities and equipment of Joint Stock company "State Savings bank of Ukraine" (Oschadbank).

From 1 July 2016 pension payments (monthly lifetime allowance), social benefits and compensations, lifelong state grants from the state and local budgets and the Pension Fund of Ukraine, funds of obligatory state social insurance, which assigned to IDPs shall be conducted through accounts and network facilities and equipment of Joint Stock company "State Savings bank of Ukraine" (Oschadbank);

Cards will be issued to pension recipients by, functioning as a pension certificate and debit card.

On 8 June 2016, Cabinet of Ministers adopted Resolution nos. 352 and 365, which respectively amended the Resolution nos. 509 (on IDP registration) and 637 (on linking payments with the IDP registration).

The amendments to Resolution no. 509 harmonized its provisions with Law 921-VIII (December 2015 amendments to the *IDP Law*) granting unlimited validity of IDP certificates and cancelling SMS stamps confirming the place of residence reflected on the IDP certificate. The Council of Ministers adopted the amendments two months later than a deadline established by the *Law for harmonization of by-laws* (13 April 2016). The amendments to the Resolution no. 637 stipulates the Structural Unit of Social Welfare staff inspection of the place of residence of an IDP (once in six months) and the additional inspections by "mobile groups" which consists the representatives of MoI, SMS, SBU, National Police and the Pension Fund, as well as conclusion of an act of examination of material living conditions of families (a six page document), as a precondition to assignment/resumption of payments of social entitlements, including pensions. The Commission (consisting of Social Welfare and Pension Fund staff) is a new state body, which through amendments obtained a competence to assign/resume or reject the welfare payments for IDPs. The amendments also introduce the "suspension of welfare payments" in the case of an IDPs non-presence at the moment of inspection and no show up within three days after obtaining an invitation to show up. The IDP in question would have to address the Commission with the respective application, while the latter may resume payments two months after a month when payments were suspended and to decide whether to pay them retroactively. In cases where welfare payments were suspended because of cancellation of an IDP certificate, the resumption can be provided only after six months after the cancellation and fulfilment of all procedures, obligatory for its assignment.

During Parliament Committee on Human Rights, National Minorities and Interethnic Relations an extended meeting (dated 6 July 2016) on *"Hearing information from representatives of the Cabinet of Ministers of Ukraine, responsible ministries and institutions about the course of implementation of the parliamentary*

hearings recommendations”, the participants claimed that the Structural Units of Social Welfare (especially in the regions of biggest IDPs concentration) have no human resources to conduct the above inspections.

There are growing concerns about behavioral standards of parties to conflict along the line of contact and conflict affected areas. UNHCR notes increasing reports about alleged violence against civilians, looting, illegal occupation of properties and cases of sexual and gender-based violence (SGBV).

Recommendations:

- a) The **Executive Office** shall consider conducting a meeting of Security and Defence Council on IDPs and nationals residing in the TOT and the NGCAs rights and include NGOs (representing IDPs) in the meeting.
- b) The **Parliament shall urgently consider the list of 27 registered draft laws regarding IDPs and NGCA residents**, envisaged by Parliament **Resolution no. 1074-VIII** dated 31 Mar 2016 *“On Recommendations of the Parliament hearings: “Observance of Rights of IDPs and nationals, residing at TOT and NGCA at ATO conduct Area.”*
- c) The **Parliament Committees shall consider the list of 51 registered draft laws pending their clearance**, envisaged by Parliament **Resolution no. 1074-VIII** dated 31 Mar 2016 *“On Recommendations of the Parliament hearings re: “Observance of Rights of IDPs and nationals, residing at TOT and NGCA at ATO conduct Area.”*
- d) The Government should consider to amend Article 7 of the Law *“On ensuring the rights and freedoms of internally displaced persons”*, to remove the requirement that IDPs register in order to receive access to rights.
- e) The Government should acknowledge rather restrict IDP mobility, amending current legislation to allow internally displaced persons the option to access State services at any place within the territory of Ukraine, without reference to their registered place of residence.
- f) The Government should ensure strict implementation of recently introduced procedures to facilitate registration and documentation of unaccompanied and separated children (UASC), particularly in situations where notarized authorizations from parents or legal guardians are unavailable. The best interest principle should be applied in all actions that concern UASC.
- g) The Government should enact implementing regulations for all other aspects of the *IDP Law* (housing, education, and durable solutions). In developing further the protection framework, the Government should allow for diverse profiles and groups with specific needs among the displaced population.
- h) The Government should de-link regular social welfare entitlements, including pensions, from IDP status. De-registration of a person as an IDP for any reason should not lead to suspension of payment of his/her pensions and other entitlements not related to displacement. Likewise, resumption of pensions and welfare payments for populations in NGCAs should not depend on IDP registration. Therefore, respective provisions Resolution no. 637 should be revoked. Every effort should be made to ensure that pensions and state social assistance are accessible for all Ukrainians, without geographical distinction. Exclusion of Ukrainians residing in the NGCAs from state social assistance contravenes Ukraine’s legal obligations, as well as its commitments under point 8 of the *Minsk II Agreement*.
- i) Adoption of draft Law no. 3044 dated 7 September 2015 *“On amending certain Laws of Ukraine facilitating access to legal aid and improving quality of its provision”* (on inclusion of IDPs and the applicants as beneficiaries of free legal aid) would help address suspension and resumption of welfare payments, including pensions as well as registration of IDPs.
- j) The Government should develop an administrative procedure for civil registrations, rather than a cumbersome judicial mechanism. Persistent gaps in the procedural framework will eventually result in a growing number of undocumented children, potentially leading to a risk of statelessness. Alternatively, adoption of a draft Law no. 4394 dated 12 April 2016 *“On amendments to the Law of Ukraine ‘On Court Fees’”* would cancel court fees for processing in the GCAs cases on establishing the fact for birth/death

of persons in the “Temporarily Occupied Territory”.

- f) The Government and humanitarian partners should intensify information campaigns focusing on IDP rights and obligations, including where to seek redress and assistance in case of violations. Appropriate response and follow-up to allegations of violence should be put in place also insuring the security and anonymity of the victims in particular for SGBV cases.

4) Protection of displaced Roma, including prevention of statelessness

Lack of identification and civil registration documents, particularly birth registration and passports, is a significant protection issue within Roma communities. This places them at heightened risk of statelessness, impedes access to Government financial and social services and hinders access to employment opportunities and political participation.

Undocumented Roma residing in the NGCAs and along the line of contact are in a particularly difficult situation, unable to pass through checkpoints to the GCAs and often trapped in isolated and conflict-affected areas, without access to government services and life-saving assistance.

It is estimated that at least 10,000 Roma have been displaced from the Autonomous Republic of Crimea and eastern Ukraine, although actual numbers may be higher, given that many Roma are undocumented and therefore their numbers are difficult to quantify.

Displaced Roma are often unable to register as IDPs due to lack of identity documents or residence registration and cannot access government financial and social support programmes. Even those displaced Roma who do possess identity documents often do not register as IDPs for a number of reasons, including lack of information about the benefits of IDP registration, as well as fear of discrimination if they register with authorities.

Roma are already one of the most economically marginalized populations in Ukraine, with an estimated one third of Roma living below the poverty line. Having been uprooted from their support networks and income-generating activities, many displaced Roma are unable to meet their most basic needs. Exclusion from Government assistance schemes further exacerbates their difficult economic situation.

Roma IDPs face heightened vulnerability as a result of discrimination. For example, they are unlikely to benefit from the generosity of the host populations, who may have voluntarily assisted non-Roma IDPs, but will not assist Roma. As a result, many Roma IDPs face additional obstacles in finding employment and accommodation.

Hate crimes, including verbal threats and physical violence, continue to occur, particularly targeted at displaced Roma. Anti-Roma rhetoric in political discourse and the media has also been observed, particularly in conflict-affected areas of eastern Ukraine. This discrimination has contributed to difficulty for Roma in establishing themselves in areas of displacement.

This has in turn led to secondary movements of Roma within the GCAs, as Roma search for accommodation and livelihoods, as well as to a significant number of Roma IDPs reportedly returning to the NGCAs of eastern Ukraine.

Recommendations:

- a) The Government should strengthen its efforts to assist displaced persons lacking civil documentation to obtain documentation, with a focus on those persons who may have been displaced from Crimea or eastern Ukraine.

The Government should simplify procedures for access to government assistance programmes for

displaced persons, such as Roma, who may lack identity documentation or residence registration. Adoption of a draft Law no. 4394 dated 12 April 2016 “*On amendments to the Law of Ukraine ‘On Court Fees’*” would cancel court fees for processing in the GCAs cases on establishing the fact for birth/death of persons in the “Temporarily Occupied Territories”.

- b) The Government and humanitarian agencies should develop information and outreach programmes for displaced Roma to ensure that they have information about the benefits of IDP registration and to assist those who are undocumented in accessing civil documentation, such as birth certificates and passports.
- c) Humanitarian agencies should ensure that Roma are prioritized in their protection programming, bearing in mind their specific needs due to discrimination and marginalization. Programmes targeting peaceful co-existence and combatting discrimination and hate crimes against Roma and other minority communities, such as Crimean Tatars, should be strengthened.

5) Housing, land, and property rights

According to the *IDP Law*, IDPs are entitled to free temporary accommodation for a period of up to six months from the date of registration as an IDP. For large families, persons with disabilities, and elderly persons. This period may be extended.

In practice, the Government is providing emergency accommodation in collective centres to 3-5 per cent of IDPs. Most of the areas in the east, where there is a high concentration of IDPs, have exhausted their emergency accommodation absorption capacity.

The Government has also put in place targeted financial support for IDPs to cover livelihoods, including housing and utilities. The financial support stands at UAH 884 (USD 35) per month for those who are considered unable to work (pensioners, children and others). This support is capped at a maximum of six months (although it may in some cases be extended for another six months). Those who are ‘able’ to work are entitled to UAH 442 (USD 18) per month for two months. After two months, they must either find work or register with the State Employment Service, in which case their support may be extended for an additional two months (at a reduced rate of 50 per cent). If they do not find work and fail to register, they will cease to receive any support. IDPs with disabilities receive assistance equal to the minimum subsistence level. While acknowledging the efforts of the Government, the assistance amounts are insignificant when compared to rental prices in Ukraine.

IDPs face discrimination in access to housing. There are numerous reports about the reluctance of landlords to rent to IDPs and about the increase of rental prices in areas of dense concentration of IDPs. Access to housing has become even harder and landlords refuse to rent to IDPs and/or register residence to avoid verification and in particular taxation. IDPs also openly voice demands regarding property restitution, to enable them to start a normal life.

As displacement becomes protracted, suitable housing must be provided that ensures that IDPs can live in dignity in accommodation appropriate to their needs and to their family requirements in regard to available space, privacy, facilities, proximity to services, employment and livelihood opportunities.

While the right to adequate accommodation applies to all persons, specific provisions exist at the international level emphasizing its applicability to IDPs. Principle 18 of the Guiding Principles on Internal Displacement provides that ‘all internally displaced persons have the right to an adequate standard of living’ and that ‘at the minimum, regardless of the circumstances and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to...basic shelter and housing’. The UN

Principles on Housing and Property Restitution for Refugees and Displaced Persons,¹³ known as the Pinheiro Principles, also contain specific reference to the right to adequate housing and request that States take positive measures to alleviate the difficulties faced by refugees and IDPs living in inadequate shelter.

Introduction of Parallel Property Registration Systems in NGCAs of Donetsk and Luhansk

On 3 June 2015, the Council of Ministers of self-proclaimed “Donetsk People’s Republic” (“DPR”), approved “*Temporary Order no. 10-29*”. The order establishes the “DPR Ministry of Justice” as the official property registration authority. The “*Temporary Order*” provides procedures for the mandatory re-registration of property rights in the “DPR”. This concerns both individuals and legal entities. The regulation requires that all existing and newly acquired property rights should be re-registered with the “DPR registrars” under the new regulation.

Property that is not re-registered with de facto authorities may be considered “ownerless” and therefore liable to expropriation. According to the “*Order of the Council of Ministers of 12 March 2015 No. 3-16*,” property that does not have an owner or whose owner is unknown is considered to be ownerless and passes into the ownership of the “DPR”. The “People’s Council of the DPR”, a “legislative body” of the NGCAs also registered “*Draft Law No. 105-D*” in November 2015, which replicates the provisions in the “*Temporary Order*”. The “*Draft Law*” is currently pending adoption.

There are similar developments in self-proclaimed “Luhansk People’s Republic” (“LPR”). In June 2015, the de facto head of the “LPR” announced that registration of property was underway and that anyone not registering their property within 45 days of notification could have their property confiscated.

Failure to pay utility bills is also linked to property confiscation. Utility costs in the “LPR” have increased, in some cases more than double the previous rates under the Government of Ukraine. Some residents have received bills for the previous six months, irrespective of whether they have been resident there and using utilities or not.

These developments may mean that IDPs need to return to NGCAs of Donetsk and Luhansk, at least temporarily, to re-register their immovable property with the de facto authorities to secure their rights and mitigate risks of possible expropriation. However, some IDPs may be unable to do this for a variety of reasons, ranging from security concerns to lack of financial means.

This position appears to be at variance with the Minsk II Agreement terms, including related to provisions providing for the full restoration of Ukrainian Government control over the State border and throughout the conflict zone. Respect for the property rights of IDPs is one of the Guiding Principles on Internal Displacement, which states that ‘property and possessions left behind by internally displaced persons should be protected against destruction and arbitrary and illegal appropriation, occupation or use.’¹⁴ Violations of property rights of displaced people have been condemned by the UN Security Council and by the UN Commission on Human Rights¹⁵ because they may undermine the principle of the right to return, including by jeopardizing the potential for the voluntary return of Ukrainian refugees to their country of origin.¹⁶ In addition, respect for the property rights of displaced people is a norm of customary international law applicable in both international and non-international armed conflicts.¹⁷

¹³ UN Sub-commission on the Promotion and Protection of Human Rights, *Principles on Housing and Property Restitution for Refugees and Displaced Persons*, 28 June 2005, E/CN.4/Sub.2/2005/17, available at:

<http://www.refworld.org/docid/41640c874.html>.

¹⁴ Principle 21(3).

¹⁵ See, *inter alia*: UNHCR Executive Committee of the High Commissioner’s Programme, *Conclusion on Legal Safety Issues in the Context of Voluntary Repatriation of Refugees*, 8 October 2004, No. 101 (LV) - 2004, para. (h), available at:

<http://www.refworld.org/docid/417527674.html>.

¹⁶ See, e.g., UN Security Council, Res. 779 and 820 (*ibid.*, § 943), Res. 941 and Res. 947 (*ibid.*, § 944); UN Commission on Human Rights, Res. 1992/S-2/1, 1994/72, 1994/75, 1995/89, and 1996/71 (*ibid.*, § 949).

¹⁵ ¹⁷ See: International Committee of the Red Cross (ICRC), *Customary International Humanitarian Law*, 2005, Rule No. 133: “Property Rights of Displaced Persons,” available at: https://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule133.

Recommendations:

The Government should urgently address the issue of access to housing, as this is one of the primary concerns of IDPs in Ukraine. The current system of accommodating IDPs in collective centres does not meet an adequate standard of housing assistance, but reflects more an emergency reception situation. Adoption of the draft law no. 3844 amending the Tax Code regarding rental of housing by IDPs would address the issue (exempting landlords from income tax and stipulating reduction of IDPs monthly taxable income derived from a single employer wage 200 per cent tax benefit of the minimum subsistence for an able-bodied person).

- a) The Government should enact legislation to address the housing needs of IDPs, including through the full integration of IDPs in State social housing programmes and the full implementation of the *IDP Law* provisions on facilitating loans to IDPs for land acquisition, house purchasing, or construction. Adoption of a draft law no. 4301 dated 24 March 2016 “*On Compensation of Losses Caused by Destroyed or Damaged Private Housing to Individuals, Whose Housing or Private Households Have Been Damaged (Destroyed) During the ATO Conduct,*” would determine a volume and compensation of property damage to individuals whose housing has been damaged/destroyed during “ATO conduct” in the Donetsk and Luhansk regions. However, the draft excludes residents of the NGCAs and the residents living on the line of contact, 51 settlements in Luhansk region and 63 settlements in Donetsk region (under GoU control), from a possibility to recover their property or to purchase new property.
- b) The Government should take appropriate measures to ensure housing, land, and property restitution following forced displacement of its citizens.
- c) Humanitarian and development partners are encouraged to establish programmes in support of IDPs housing, land and property rights, including advocacy, technical assistance and information dissemination.
- d) De facto authorities should ensure that no one displaced from areas they control is arbitrarily deprived of their property or possessions.

6) Prevention of displacement/secondary movements

Displacement continues to take place from the NGCAs. While many travel regularly to the GCAs to collect social payments, withdraw cash, receive medical care and purchase food and medicine, many decide to relocate, either as displaced or returning to places of habitual residence. To date, there is no reliable information on returns and secondary movement of IDPs. Attempts of the State Emergency Service (SES) to collect information on returns at places of departure did not produce accurate data, as the majority of returnees saw no reason to report their departure. The unified IDP registration database run by the Ministry of Social Policy does not provide a possibility to track population movements either. UNHCR monitoring shows that the MoSP database features multiple inconsistencies, including duplications and closure of cases of persons still displaced.

The main reasons identified to explain additional displacement, returns, and secondary movements are the following:

- General insecurity, the worsening of the socio-economic situation, and the lack of humanitarian assistance in NGCAs and affected areas in GCAs;
- The Government’s policy of linking pensions and social payments of the population in NGCAs to IDP status, which induces additional displacement of people for whom State payments have been their sole source of income. According to Resolutions nos. 595 and 637, persons from the NGCAs can receive their entitlements only if they leave the NGCAs and register as IDPs in the GCAs.
- Due to the military mobilization efforts of the Government, IDP men of military age (sometimes with

their entire family) prefer to return to the NGCAs, despite the prevailing situation, rather than to have to fight against their own town/people and leave their families in a displacement setting without a breadwinner present;

- Some IDPs return on a periodic basis to protect their property against occupation or expropriation;
- Ukrainians in the Russian Federation are directly affected by the poor economic situation. This includes increasing difficulties in securing jobs. The depreciation of the Ukrainian currency means that they cannot afford to stay in Russia and rely on their savings or social benefits that they may be receiving from Ukraine;
- Secondary movements increase in spring and summer. Some IDPs choose to temporarily leave privately-rented apartments, winterized compact accommodation, or crowded collective centres to move to summer camps, dachas, or un-winterized centers where the rental costs are more affordable.

The humanitarian impact of landmines, explosive remnants of war (ERW) and improvised explosive devices (IED) is significant. Landmines and booby traps are reported to have been strategically laid to block access to essential infrastructure, as well as in forested areas where people gather wood to heat their homes. Cluster munitions used in urban and rural areas are blocking access to family allotments and collective farms. This has serious implications in areas where a large proportion of the population relies on agriculture. There are frequent reports of landmine/ERW/IED casualties in the media and from humanitarian NGOs/civilian volunteer networks.

Recommendations:

- a) The payment of social welfare should be de-linked from IDP status and the respective resolutions (595 and 637 primarily) should be revoked/ revised to allow people to transfer and receive pensions and social payments at a convenient nearby location in GCAs without being registered as an IDP. Social assistance should not be contingent on IDP status.
- b) The Government should end trade restrictions with the NGCAs and Crimea. Regarding the NGCAs in eastern Ukraine, the parties should implement point 8 of the Minsk II Agreement on the determination of the modalities for the full restoration of socio-economic relations, including social transfers, such as pensions and other payments.
- c) Addressing the housing problems of IDPs will reduce the scale of secondary movement of persons in displacement and should be prioritized.
- d) The Government and de facto authorities should undertake mine-clearance activities in places of expected returns of civilians.
- e) Humanitarian actors should establish programmes in support of mine action prevention and response and increase mine risk education and public information in places of expected returns for population in possible contaminated areas.
- f) The Government should improve its information management tools for IDP population tracking. Amendments are needed to the IDP registration database and registration procedures to allow tracking of returns and secondary movements of IDPs in a more accurate manner, as well as to enable profiling of the displaced population for better assistance programming.

7) Central Government agency to coordinate IDP matters and national policy towards durable solutions

On 17 February 2016, the Parliament held its first hearing since the start of the conflict on Observance of Rights of IDPs and nationals, residing in the “Temporarily Occupied Territories” and in the NGCAs at “ATO conduct area”. Based on this hearing and in coordination with civil society, the Parliament adopted a comprehensive set of recommendations (Resolution no. 1074-VIII dated 31 March 2016), which foresee the establishment of a central coordination body on IDPs and NGCA resident matters. This has materialized with the establishment of a new Ministry on Temporarily Occupied Territories and IDPs on 14 April 2016, as well as defining the powers of the Ministry of Temporarily Occupied Territories and IDPs and liquidation of: (1) the State Agency for Restoration of Donbass and (2) the State Agency for the Autonomous Republic of Crimea and Sevastopol city on 8 June 2016. On 7 July 2016, Parliament adopted a law, which provided the Ministry with UAH 10.2 million (USD 411,000) to become operational.

On 16 December 2015, the Cabinet of Ministers adopted a *Comprehensive State Programme for Support, Social Adaptation and Reintegration of IDPs until 2017* along with an accompanying *Action Plan*.¹⁸ The *Programme* and *Action Plan* provide a framework for the Government’s response to internal displacement, including ensuring that durable solutions are available. While adoption of the programme is a positive indication of political will and commitment to strengthen national capacity to respond to the displacement crisis, UNHCR is concerned about the Government’s capacity to implement the *Action Plan*, given the lack of any budgetary allocation for its implementation.

Recommendations:

- a) The Government should reformulate in the Regulation on Ministry for Temporarily Occupied Territories and IDPs that the Ministry is a single state body, which coordinates state policy on IDPs (currently the Ministry ensuring formulation and implementation of the state policy on IDPs).
- b) The Government should ensure that sufficient resources, including financial, are allocated to implement the recently adopted *Comprehensive State Programme for Support, Social Adaptation and Reintegration of IDPs until 2017* and the accompanying *Action Plan*.
- c) The Ministry for Temporarily Occupied Territories and IDPs should ensure an harmonized and whole-of-government approach to issues of displacement, with an appropriate long term strategy to address humanitarian access, housing, HLP restitution, compensation and durable solutions.

¹⁸ Adopted by Cabinet of Ministers Resolution no. 1094 of 16 December 2015 “*On Approval of the Comprehensive State Programme for Support to, Social Adaptation and Reintegration of Citizens of Ukraine Displaced from the Temporarily Occupied Territory and Anti-terrorist Operation Area to Other Regions of Ukraine, for the Period until 2017*”, available at: <http://www.kmu.gov.ua/control/ru/cardnpd?docid=248739241>.