



Омбудсман України  
Ombudsman of Ukraine

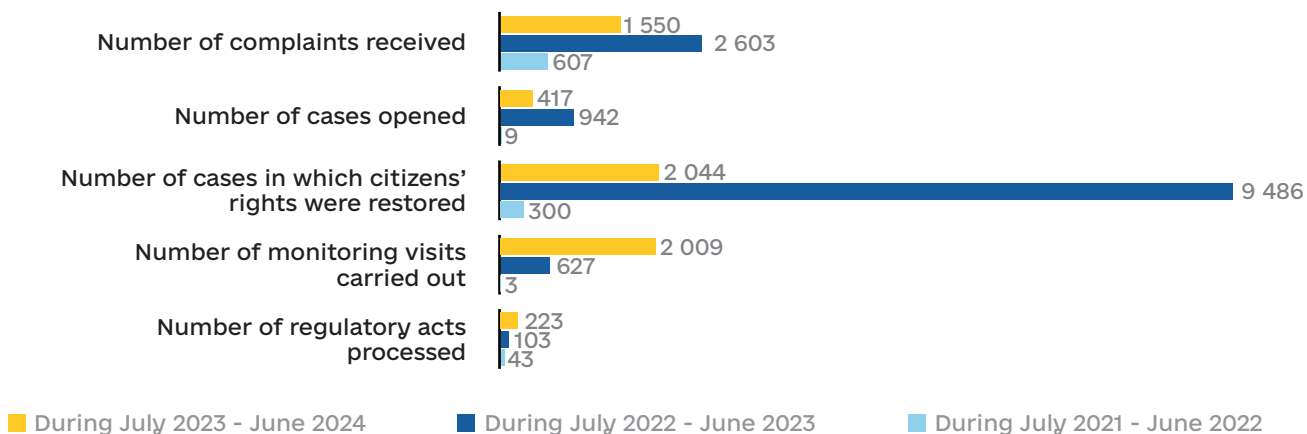


# ACTIVITIES

of the The Ukrainian Parliament  
Commissioner for Human Rights  
in the field of protection of rights  
of citizens affected by the armed  
aggression against Ukraine

for the period from July 2022 to June 2024

By the Resolution of the Verkhovna Rada of Ukraine No. 2353-IX of July 1, 2022, Dmytro Valeriiovych Lubinets was appointed The Ukrainian Parliament Commissioner for Human Rights. This document describes the activities of The Ukrainian Parliament Commissioner for Human Rights during his two-year term of office, from July 2022 to June 2024, in the field of protection of the rights of citizens affected by the armed aggression against Ukraine.



## THE STRUCTURE OF THE OFFICE OF THE OMBUDSMAN HAS BEEN ADAPTED TO THE CONDITIONS OF ARMED AGGRESSION AGAINST UKRAINE

In the context of a full-scale war, the Human Rights Commissioner of the Verkhovna Rada of Ukraine has an important task, which is to monitor the observance of the rights of citizens who have suffered the consequences of the armed aggression of Russia against Ukraine, and to prevent violations of the rights of these citizens.

Taking into account the new challenges and in order to better protect the rights of citizens during the war, it was decided to revise the structure of the Office of the Ombudsman. Thus, the position of the Commissioner's Representative for the Rights of Citizens Affected by the Armed Aggression against Ukraine was created.

A separate structural unit was also created – the Department for Monitoring the Observance of the Rights of Citizens Affected by the Armed Aggression against Ukraine, which consists of four sections:



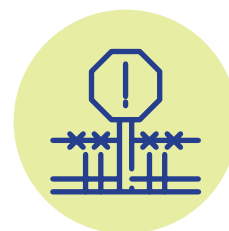
Department for the Rights of Citizens Affected by the Armed Aggression against Ukraine



Department for the Rights of Internally Displaced Persons



Department of Rights of Forcibly Deported Persons and Displaced beyond the Territory of Ukraine



Department of Citizens' Rights in the Temporarily Occupied Territories

## 1 THE OFFICE OF THE OMBUDSMAN HAS EXPANDED THE NETWORK OF ITS REGIONAL OFFICES



Following the appointment of Dmytro Lubinets as The Ukrainian Parliament Commissioner for Human Rights, one of the priorities for the development of the institution is the development of the regional network of the Secretariat of Ukrainian Parliament Commissioner for Human Rights. Thus, the Commissioner introduced the positions of representatives in the regions and established regional representative offices in each region. At the same time, state resources are limited, and a mechanism for involving regional public interaction coordinators was introduced to strengthen the capacity of regional offices.

Thus, on February 23, 2023, within the framework of cooperation with CO «CF «Stabilization Support Services» and with the financial support of UNHCR in Ukraine, agreements were reached to strengthen the team of the Office of the Ombudsman by regional coordinators in the field of protection of the rights of citizens affected by armed aggression against Ukraine. In 2023, **15 regional coordinators** started their work and from 2024, regional coordinators began working in all regions of Ukraine.

In order to provide assistance to persons affected by the armed aggression against Ukraine, the Regional Coordinators will carry out monitoring visits and provide legal advice, in particular in the following areas:

- financial assistance to internally displaced persons;
- ensuring acceptable living conditions at the places of temporary residence;
- processing of pension payments;
- obtaining a pension certificate;
- other issues related to the violation of the rights of citizens affected by the armed aggression against Ukraine.

In the period from April 2023 to June 2024, the regional coordinators:

- conducted **2,237** monitoring visits and made **4,946** recommendations to eliminate the identified violations;
- drafted **1,117** letters and official documents;
- provided **3,911** consultations to citizens;
- held **803** awareness-raising events for more than **3,200** people.

## 2 IMPROVED LIVING CONDITIONS IN PLACES OF TEMPORARY RESIDENCE OF IDPs

Internally displaced persons staying in places of temporary residence (hereinafter PTRs) are considered one of the most vulnerable groups among displaced persons, as they cannot rent accommodation on their own or rely on the help of family or friends. Therefore, the Commissioner pays special attention to this issue.



Thus, during the period July 2022 to June 2024, the Office of the Ombudsman carried out 2,424 monitoring visits to the PTRs.

The visits revealed the following typical shortcomings:



Lack of personal space for IDPs;



Inadequacy of the premises in which the PTR is located in terms of their accessibility for persons with reduced mobility, especially showers and toilets;



Inadequate furnishing of rooms where IDPs live with furniture for storing personal belongings (wardrobes, cupboards, dressers);



Insufficient number of toilets and showers (sometimes public showers are not separated by partitions and there are restrictions on the time of use);



Lack of equipped shelter for the safe stay of IDPs;



Unsatisfactory sanitary and hygienic conditions (mold and fungus on the ceiling and walls);

The monitoring made it possible to understand that the national legislation lacked certain standards for the proper functioning of the PTRs.

Therefore, on the initiative of the Office of the Ombudsman, together with international and national organizations, minimum standards were developed, which were presented to the public in May 2023 and submitted to the Government.

At the same time, the draft resolution on the approval of the relevant standards developed by the Ministry of Reintegration turned out to be formal, so the Office of the Ombudsman urgently convened an expert council with the representatives in order to prevent the approval of declarative norms through joint advocacy. In this way, the Ministry of Reintegration and the Ombudsman's Office finalized the draft resolution on the goal to be achieved.

Finally, the minimum standards formed the basis of the Government Resolution of September 1, 2023 No. 930 «Some issues of functioning of places of temporary residence of internally displaced persons». From now on we have an official definition of PTRs and approved standards for IDPs living in such places.

Concerned about the effective implementation of this resolution, the Office of the Ombudsman organized and held a conference «The Right to Dignity in PTRs: Present and Future», which clarified its purpose and goals, as well as the mechanisms for their achievement.

## 3 OBSERVANCE OF THE RIGHTS OF PERSONS AFFECTED BY THE ARMED AGGRESSION OF RUSSIA AGAINST UKRAINE IS ENSURED

Considering the scale and systemic nature of human rights violations, the Ombudsman prepared a **Special Report** on the observance of the rights of persons affected by Russia's armed aggression against Ukraine for the first time in 9 years of the war, covering the period from February 24 to October 31, 2022. The corresponding report was presented to the general public in December 2022.

The special report contains 5 sections related to the rights of IDPs, people living under temporary occupation, as well as those citizens who have found refuge in other countries. Special attention was paid to the situation with the deportation and forced displacement of Ukrainians to Russia and TOT, as well as other serious violations of international humanitarian law and human rights in the course of hostilities.

In 2023, the Commissioner reviewed the implementation of the recommendations provided in the Special Report, and as a result, a general document on the status of their implementation was prepared and presented.

After reviewing the recommendations, the following results were obtained:

- 36 recommendations have been successfully implemented;
- 16 recommendations are being implemented.

On October 17, 2023, the Commissioner held an event to present to the public **review of the implementation of** the recommendations provided in the Special Report.

At the same time, the only unfulfilled recommendation of the Special Report that remains is the recommendation of the Cabinet of Ministers of Ukraine to develop a draft law on the legal status of persons affected by the armed aggression against Ukraine and their social guarantees, including the definition of «person affected by the armed aggression against Ukraine» and categorization of persons affected by Russia's armed aggression, as well as a mechanism for compensation for damages, including restitution, compensation, rehabilitation and satisfaction.

In addition, it should be noted that in order to recognize the authorship, preserve the integrity of the work, as well as to counteract any distortion or other changes in the information contained in the report, the Secretariat of the Commissioner issued a copyright for the official work «Special Report the Ukrainian Parliament Commissioner for Human Rights on the observance of the rights of persons affected by the armed aggression of the Russian Federation against Ukraine for the period from February 24 to October 31, 2022».



## 4 THE CONCEPT FOR IMPROVEMENT OF THE NATIONAL SYSTEM OF REMEDIES AND ASSISTANCE TO VICTIMS OF ARMED AGGRESSION AGAINST UKRAINE HAS BEEN PREPARED



Since the Office of the Ombudsman is an independent institution whose main objective is the protection of human rights, a working group was established in September 2023 to develop proposals for compensation of damage to persons affected by the armed aggression against Ukraine.

Currently, this group is the only platform that brings together a wide range of international and national experts and other stakeholders to develop a common vision on the issue of providing compensation to victims of Russia's aggression.

The working group includes Ukrainian MPs, representatives of all relevant executive bodies, civil society, and international organizations (UNHCR, IOM, Council of Europe, USAID, Norwegian and Danish Refugee Councils).

On September 18, 2023, the Office of the Ombudsman, together with the IOM, held a briefing on reparations for deputies of the Verkhovna Rada of Ukraine, representatives of state bodies and non-governmental organizations, in particular to study the experience of foreign states in developing mechanisms for providing reparations.

On December 22, 2023, a constituent meeting of the working group was held, during which a wide range of issues was discussed, in particular, the current state of formation and functioning of the International Register of Damages and the International Compensation Fund, as well as the adoption by Ukraine of regulations necessary to ensure proper interaction of national authorities and their registers with the International Register of Damages.

On February 18-19, 2024, with the support of the Council of Europe Office in Ukraine, the second two-day meeting of the working group was held, at which international experience was examined. Representatives of relevant state

bodies and non-governmental organizations involved in the working process discussed the shortcomings of the existing system of social protection, medical and psychological rehabilitation of victims, criminal legal remedies for victims and survivors.

Based on the results of the meeting, all the developments have been summarized, and as a result, a document will be presented in the near future – a kind of roadmap, according to which we will move forward and plan further steps, both within the framework of the working group and within the framework of the activities of state bodies on the implementation of reparation mechanisms.

Already, the Office of the Ombudsman and all members of the working group have reached a firm agreement that the state policy in determining the categories of persons affected by aggression should be comprehensive, where the Government should be primarily based on the needs of the person, and not on the granting of status. Approaches to identifying and reporting harm and to providing support based on harm and needs analysis should be standardized.

## 5 PROBLEMS OF ACCESS TO EDUCATION FOR PEOPLE FROM THE TEMPORARILY OCCUPIED TERRITORIES WERE ANALYZED

In the context of Russia's armed aggression against Ukraine, one of the key tasks of support for young people living in the temporarily occupied territories is to maintain a link with the Ukrainian education system, in particular, to provide an opportunity to receive an education.

Since 2016, Ukraine has introduced a simplified system of admission for people from the temporarily occupied territories by applying to the «Crimea-Ukraine» and «Donbas-Ukraine» educational centers. Despite this, admission statistics show that the number of entrants from these territories is decreasing every year. Thus, in 2021, 2,083 people from the temporarily occupied territories of the Donetsk and Luhansk regions, the Autonomous Republic of Crimea and the city of Sevastopol entered educational institutions, in 2022 - 489 people, in 2023 - 1,608 people.

Therefore, in order to determine the basic needs of entrants at different stages of the admission campaign and to improve the conditions for admission, a survey of students was conducted and the activities of educational centers were monitored. 1,909 students from 98 educational institutions that have educational centers participated in the survey. In turn, 167 educational centers in 21 regions of Ukraine were visited during the monitoring visits.

As a result, in order to highlight and focus on the problematic issues related to ensuring the right of access to education for young people from the TOT, an event entitled «The Educational Compass for the Ukrainian Future for Youth from the Temporarily Occupied Territories» was organized, at which the [Analytical Report](#) on the Results of a Comprehensive student survey from TOT of Ukraine regarding the educational needs and problems related to receiving education and the [Analytical Report](#) «Readiness of Educational Institutions Where Educational Centers are Established, for the Admission of Children and Youth from the Temporarily Occupied Territories» were presented.

The relevant reports contain recommendations for ministries, in particular, the Ministry of Education and Science of Ukraine were recommended to

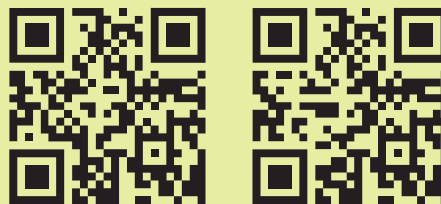
- develop and send to general secondary educational institutions recommendations for conducting an annual assessment of young people in the TOT;
- increase a certain part of the maximum number of state-funded places (in the case of open competitions) or the total number of state-funded places (in case of fixed competitions) for young people from the TOT.

At the same time, the Ministry of Education and Science of Ukraine, the Ministry for the Reintegration of the Temporarily Occupied Territories were recommended to:

- develop and implement an information campaign involving a wide range of target audiences and taking into account security factors regarding the admission procedure and measures to support young people from the TOT.

At the same time, the Ministry for the Reintegration of the Temporarily Occupied Territories was recommended to:

- ensure the organization and implementation of free education with scholarship support in preparatory courses of higher education institutions for a period of up to one year, followed by admission to higher education institutions for young people from the TOT.

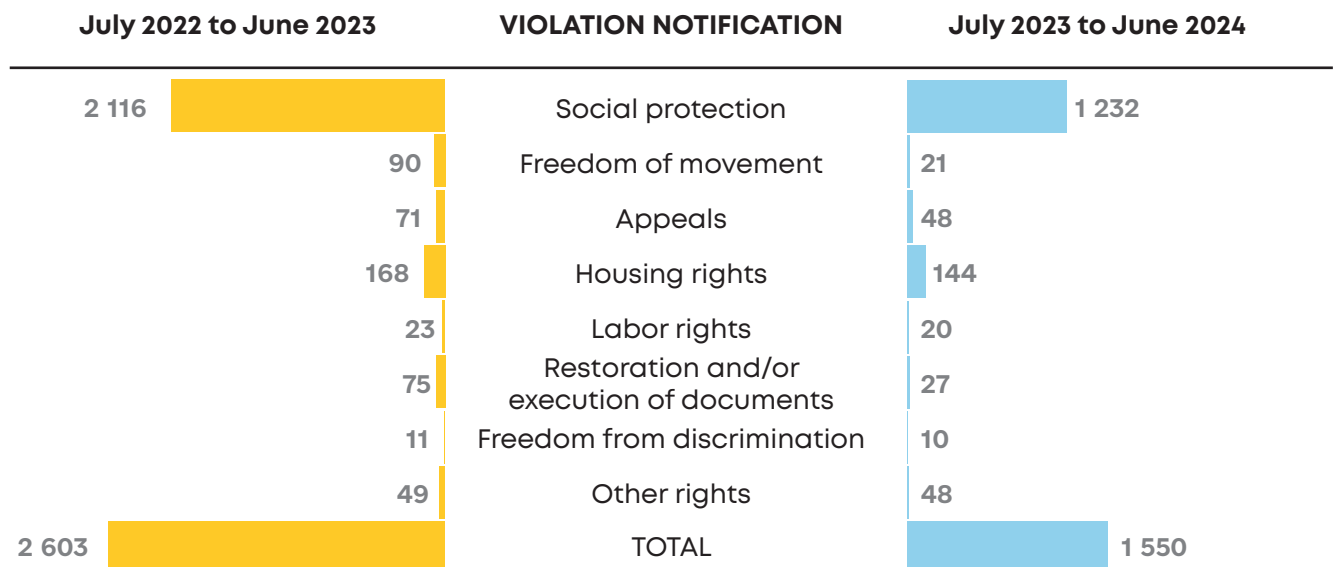


## 6 RESTORATION OF THE RIGHTS OF CITIZENS APPEALING TO THE UKRAINIAN PARLIAMENT COMMISSIONER FOR HUMAN RIGHTS

For the period from July 2023 to June 2024, the Commissioner received 1,550 complaints about violations of the rights of citizens who suffered as a result of the armed aggression against Ukraine.

For the same period (July 2022 to June 2023), the Commissioner received 2,603 complaints of violations of rights from citizens affected by the armed aggression against Ukraine.

On the basis of information on violation of the rights and freedoms of persons affected by the armed aggression against Ukraine, received at the request of citizens and communications of public authorities, in July 2023 to June 2024, the Commissioner opened 417 proceedings. At the same time, in the same period (July 2022 to June 2023), the Commissioner opened 942 cases. Based on the results of consideration of complaints and measures taken, the rights of 11,609 persons were restored during two years of the Commissioner's work.



Some examples of the restoration of the rights of citizens affected by the armed aggression against Ukraine



### THE PROBLEM OF ENSURING THE RIGHTS OF IDPS TO RECEIVE ARREARS IN THE PAYMENT OF SUBSISTENCE ALLOWANCES HAS BEEN SOLVED

During the consideration of the complaint of citizen V., it was found that the Unified Information System of Social Sphere (UISSS) is not technically able to accrue the arrears of subsistence allowance for May 2022, since from January 1, 2023 the appointment will be made taking into account the Order of the Ministry of Reintegration from December 22, 2022 No. 309 « On approval of the list of territories where hostilities are (were) conducted or temporarily occupied by the Russian Federation», according to which the city of Lysychansk,



Luhansk region, is considered as the territory temporarily occupied by the Russian Federation from July 3, 2022.

It was technically impossible to apply the provisions of the Order of the Ministry of Reintegration dated April 25, 2022, No. 75, which was in force until December 31, 2022, in which the city of Lysychansk, Luhansk region, was included in the corresponding list of territories.

On the initiative of the Commissioner, the Ministry of Reintegration issued an order No. 24 was issued on August 17, 2023, according to which the city of Lysychansk of the Lysychansk city territorial community of the Severodonetsk district of the Luhansk region was included in the list of territories in which hostilities are being conducted or which are temporarily occupied by Russia from February 24, 2022 to July 2, 2022, and Medirent LLC completed the software of the UISSS to carry out an additional payment for accommodation from a previous period.

As a result, citizen V. and her children received a subsistence allowance for May 2022 in the amount of 8,000 UAH, which was paid in full in November 2023.



#### **PAYMENT OF THE SUBSISTENCE ALLOWANCE FOR THE APPLICANT AND HER TWO CHILDREN WAS ENSURED FOR 17 MONTHS**



Citizen S. applied to the Commissioner on the grounds of non-receipt of subsistence allowance for 18 months.

The woman and her children lived in Luhansk region; in 2014 she had to leave her home and moved to Severodonetsk, Luhansk region. After the start of the full-scale invasion, they found themselves under occupation. The payment of the subsistence allowance to the applicant and her children was already suspended in October 2022 on the grounds of «until the circumstances are clarified». Taking the opportunity to leave the region, the family settled in the Transcarpathian region, where they applied to the DSP for a subsistence allowance. However, the payment of the arrears of assistance

to them was denied on the basis of a repeated application for a subsistence allowance.

After a series of communications and requests, the applicant and her two children received a subsistence allowance for 17 months in the amount of 136,000 UAH, which is a significant support in the family's circumstances.



#### **THE RIGHT TO RECEIVE A PENSION CERTIFICATE HAS BEEN RESTORED**

Citizen S. complained to the Commissioner about the refusal of the PFU of Khmelnytskyi oblast to issue her a pension certificate.

The reason for the refusal was that the applicant, as an internally displaced person, was not entitled to receive it, in particular due to the lack of appropriate legal regulation in the Resolution of the Cabinet of Ministers of Ukraine dated November 5, 2014 No. 637.

As a result of the Ombudsman's urgent action, an appeal was sent to the Ministry of Social Policy to expedite the development of a draft Resolution of the Cabinet of Ministers of Ukraine to resolve the problematic situation. In addition, after the adoption of the relevant amendments, a letter was sent to the PFU with a request to issue a paper pension certificate to the applicant. As a result, the rights of citizen S. to receive a pension certificate were restored.





### THE RIGHT OF THE APPLICANT TO REGISTER CITIZENS IN NEED OF HOUSING FOR TEMPORARY RESIDENCE HAS BEEN RESTORED



The Commissioner was contacted by citizen A., who received a refusal to register citizens in need of housing for temporary residence, due to the lack of the housing stock intended for temporary residence, as well as the lack of registration and provision of such housing for temporary residence of internally displaced persons in accordance with the Resolution of the Cabinet of Ministers of Ukraine dated April 29, 2022 No. 495.

The Commissioner immediately sent a letter to the village council, in which it was emphasized that keeping records reflects the general need for housing for various social groups of the population and does not impose obligations to immediately fill the relevant housing stock.

After the Commissioner's appeal, the issue of citizen A's registration was put on the agenda of the next meeting of the executive committee. On January 11, 2024, at a meeting of the Executive Committee of the Barany Municipal Council, citizen A. was registered as a citizen in need of housing for temporary residence of IDPs.



### COMPENSATION FOR DESTROYED HOUSING IS PROVIDED

The Commissioner received complaints from applicants from the Donetsk and Kherson oblasts for assistance in obtaining compensation for damaged housing.

The houses of the citizens N. and L. were seriously damaged as a result of the Russian armed aggression, in particular windows and doors were missing, the ceiling was damaged, etc. Despite the extremely difficult security situation in the Donetsk and Kherson regions and the proximity to the contact line, citizens N. and L. did not leave their homes. Living in damaged houses under constant shelling, they did not lose hope of receiving state assistance to rebuild their homes.

Thus, as part of the response to the appeal, the Commissioner sent requests to local self-government bodies in the relevant territories, and as a result, the commissions decided to provide compensation for destroyed housing in the amount of UAH 445,033.96 and UAH 495,294.61, respectively.

Thus, at present, the applicants have received 70% of the prescribed amounts. The balance in the amount of 30% of the compensation amount will be paid after the notification of the completion of the intermediate stage of repair works and the conclusion of the commission on the payment of the balance of funds based on the results of the intermediate verification.



**ASSISTANCE WAS PROVIDED IN REPAIR WORK TO RESTORE THE INTEGRITY  
OF THE HOUSE DAMAGED AS A RESULT OF A RUSSIAN MISSILE STRIKE**



The Commissioner received a collective appeal from residents of one of the houses in Kherson, which suffered damage due to Russian armed aggression.

As a result of a Russian missile strike, the building suffered serious damage: the roof and the ventilation shaft were damaged. For the safety of the residents, the power supply to the building was cut off.

At the immediate request of the Commissioner, the city military administration took urgent measures to carry out repair work to restore the integrity of the roof of the damaged building and the power supply. The building is home to 122 people, most of whom are elderly, disabled and have limited mobility.

The issue of restoring damaged property in the areas affected by the hostilities is of particular importance today, as it not only contributes to the economic recovery and development of the region, but also represents an important stage in the process of psychological recovery of the citizens affected by the war.

**DEPORTED FAMILY RETURNS TO UKRAINE**

The Commissioner was approached by a citizen for assistance in obtaining a certificate of return to Ukraine for the citizen's wife, who had been deported to Russia with their child.

At the Commissioner's initiative, measures were taken to help the woman obtain the certificate and return to Ukraine with the child. After verifying the information about the applicant and his family members, the State Migration Service issued a certificate in the name of his wife, which was then transferred to her with the assistance of one of the non-governmental organizations, and a safe evacuation through the Kolotylivka-Pokrovka checkpoint to Kharkiv was organized.



**AN 80-YEAR-OLD WOMAN WAS RETURNED FROM THE TEMPORARILY  
OCCUPIED TERRITORIES**



The Commissioner was approached by the applicant regarding the violation of her mother's right to freedom of movement and choice of residence.

Thus, a letter was sent to the NGO «Pluriton», with which agreements were reached on the evacuation route, taking into account the fact that the applicant's mother is a person with limited mobility.

As a result, the applicant's mother was returned to the territory controlled by the Government of Ukraine through the temporarily occupied territory of the Donetsk oblast and the territories of Russia, Estonia, Latvia, Lithuania and Poland.

### RETIRED COUPLE RETURNED FROM THE TEMPORARILY OCCUPIED TERRITORIES

The Commissioner received a complaint from the applicant concerning the violation of the right of his mother and his mother's spouse to freedom of movement and freedom to choose their place of residence. The applicant's mother and the mother's civilian husband attempted to leave for the Ukrainian-controlled territory, but at the first attempt an evacuation vehicle was shot at in front of them, and at the second attempt they were brutally beaten by the occupiers.

With the assistance of the Commissioner and the Helping to Leave Charitable Foundation, the applicant's mother and the mother's civilian husband were returned to Ukrainian government-controlled territory.



### RESIDENTS OF THE LIBERATED TERRITORIES GET ASSISTANCE



Unemployment, destroyed houses and infrastructure, lack of medical care, mined areas and constant shelling are the consequences of the presence of the occupiers on the territory of Ukraine with which the residents of the liberated/de-occupied settlements have to live. Financial support for the residents of such territories is provided mainly by international and national non-governmental organizations.

At the same time, on the initiative of the Commissioner, with the help of non-governmental organizations, 30 centers of invincibility in the Kherson region were equipped with televisions and mobile portable chargers. In addition, evacuated communities are provided with easily prefabricated temporary houses and heating centers.

### THE RIGHT TO RECEIVE FINANCIAL AID FOR PEOPLE FROM THE DE-OCCUPIED TERRITORIES HAS BEEN RESTORED

Due to the tense security situation (constant shelling by the Russian Army and mined areas), which prevented mobile units from reaching some of the de-occupied communities in the Mykolaiv oblast, there was a risk that more than 7,000 residents of these communities would not receive assistance.

Thanks to the quick reaction of the Commissioner and the joint efforts of the National Committee of the Red Cross Society of Ukraine, the International Organization for Migration, Ukrposhta Joint Stock Company, Mykolaiv RMA and territorial communities of Mykolaiv oblast, funds in the amount of 14 million UAH were allocated and the right to social assistance was ensured for 7,289 citizens of Ukraine.





## 7 MONITORING THE RIGHTS OF UKRAINIAN CITIZENS IN THE EU

By June 2024, 6,554,800 Ukrainian citizens left the territory of Ukraine, including almost 5,996,500 to the EU countries. Despite the fact that temporary protection programs provide social and legal support and opportunities to exercise rights for many refugees, some of them face practical administrative and legal barriers that limit their access, in particular, to education, social protection, housing, decent work and health care.

In order to prevent tensions between refugees and their host communities, staff of the Ombudsman's Office monitored the observance of the rights of Ukrainian citizens abroad and assisted in their restoration.

In addition, the Secretariat of the Commissioner receives numerous appeals from Ukrainian citizens who have received asylum abroad regarding the possible length of stay in the refuge and the rules of residence in the refuge.

The Commissioner also receives appeals regarding the improper organization of the educational process and the impossibility of employment of our citizens in the host countries, which in combination limits their rights to decent living conditions and an adequate standard of living.

Given that such situations require an urgent response and communication with foreign diplomatic institutions and local authorities of the host countries, in 2022 and 2023, with the support of international organizations, they carried out a series of monitoring visits abroad, in particular in Ireland, Poland, Sweden and Germany.

 **A UKRAINIAN'S RIGHT TO HOUSING IN THE FEDERATIVE REPUBLIC OF GERMANY WAS SECURED**



In March 2023, the Commissioner was approached by a citizen of Ukraine who, as a result of Russia's armed aggression, was forced to leave his hometown in the Kirovohrad oblast and move to Germany.

As the man had health problems (disability group 1) and needed external care, he asked for help in finding accommodation in a facility for people with special needs.

In order to help solve the problem, requests were sent to the Embassy of Ukraine in Germany and the Consulate General of Ukraine in Hamburg to examine the possibility of providing our citizen with proper living conditions and necessary care.

As a result of joint actions and cooperation with the German authorities, the man was accommodated in an institution, which has all the necessary conditions for accommodation of people with disabilities.

 **A UKRAINIAN WITH SPECIAL NEEDS FROM WAS RETURNED FROM THE REPUBLIC OF POLAND FOR REHABILITATION**

Citizen V. became the victim of an unfortunate situation in Poland, where he was robbed and brutally beaten, as a result of which he fell into a coma, which subsequently led to a stroke.

The local hospital has been trying to provide medical care for a long time. However, due to his lack of health insurance, they were forced to report that they could not continue the treatment and urged him to leave the hospital.

The Foundation for the Protection of the Rights of Foreigners in Poland, having learned of this situation, appealed to the Commissioner with a request for assistance and intervention.

The Commissioner took steps to respond to this case, in particular, reached agreements with the Ministry of Health of Ukraine, as a result of which citizen V. was transported with full medical support from Poland to Ukraine, where he was placed in a hospital for further rehabilitation.





## 8 PUBLIC RELATIONS

In order to provide expert and advisory support to the activities of the Representative of the Ombudsman for the Rights of Citizens Affected by the Armed Aggression against Ukraine, an Expert Council has been established, consisting of leading experts and professionals engaged in the protection of the rights of persons affected by the war.

In the period from July 2022 to June 2024, 8 meetings of the Council of Experts were held. The main areas on which the Council of Experts worked, in particular, were

- preparation of draft regulatory legal acts, in particular those submitted to the Commissioner for approval;
- ensuring the right to pensions for citizens of Ukraine who live or have moved to the TOT of the AR of Crimea and the city of Sevastopol;
- restricting the right of internally displaced persons to choose an authorized bank to open a current account in order to receive a pension and cash allowance, as well as setting a limit on current accounts of clients opened in the branches of the Donetsk, Luhansk, Kharkiv, Kherson and Zaporizhzhya regional departments of Oschadbank JSC;
- conducting inspections of the actual place of residence of IDPs;
- adopting minimum standards for the management and operation of TPRs;
- access to education for persons from the TOT;
- the procedure for establishing a connection between disability and injuries or other damage to health caused by explosives, ammunition and military weapons on the territory where the measures were taken to ensure the defense of Ukraine, protect the security of the population and the interests of the state in connection with Russia's military aggression against Ukraine;
- State registration of acts of civil status that took place on the territory of Ukraine temporarily occupied by Russia and outside Ukraine;
- investigation of problematic issues addressed by citizens affected by the armed aggression against Ukraine to the «hotlines» of non-governmental organizations whose representatives are members of the Council of Experts.

As a result of the meetings, recommendations were developed for the national executive bodies to resolve the identified systemic problems, including through appropriate amendments to legislation or creation of new mechanisms for the exercise of rights by citizens affected by the armed aggression against Ukraine.

## 9 MONITORING, ANALYSIS OF LEGISLATION AND ADVOCACY FOR CHANGES TO PROTECT THE RIGHTS OF VICTIMS OF THE ARMED AGGRESSION AGAINST UKRAINE

An important area of the Commissioner's activity is the analysis of both existing legislation and draft regulations in the field of ensuring the rights of citizens affected by the armed aggression of Russia against Ukraine.

Thus, for the period from July 1, 2022 to June 30, 2024, more than 223 regulatory acts have been prepared in the field of protection of the rights of citizens affected by the armed aggression against Ukraine. Comments or suggestions of the Commissioner were submitted to them.

In addition, the Commissioner, on his own initiative, continuously submits proposals to the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine and other public authorities on the adoption of new regulatory acts or amendments to existing ones in order to strengthen the protection of the rights of persons affected by the armed aggression against Ukraine.



### THE RECEIPT OF SUBSISTENCE ALLOWANCE FOR IDPS WHO ARE MEMBERS OF THE FAMILY OF A PRISONER OF WAR HAS BEEN MADE POSSIBLE



Based on the results of consideration of citizens' appeals, another problem was identified, which arose after the adoption of the Resolution of the Cabinet of Ministers of Ukraine dated July 11, 2023 No.709 «Some Issues of Assistance to Internally Displaced Persons» (hereinafter referred to as Resolution No. 709). Thus, in accordance with the amendments made by the relevant Resolution to the Procedure, payments are not allocated to those citizens who have more than 100,000 UAH on bank deposits or domestic government bonds for this amount.

At the same time, the relevant provision of the law deprived of the right to receive the subsistence allowance for IDPs, family members of prisoners of war who, in accordance with the Law «On Social and Legal Protection of Military Personnel and Members of Their Families», receive payments in the amount of the official salary at the

last place of service, salary by military rank, seniority allowance, other monthly additional types of financial support for a serviceman who is in captivity.

In addition, members of the family of a prisoner of war have the opportunity to receive state assistance in the amount of 100,000 UAH for each year of captivity of the serviceman, if the fact of captivity is established.

Since the family members of a prisoner of war hope for his return, they usually open a deposit account where they keep the money received from the state. However, such actions deprived them of the right to receive a subsistence allowance.

In view of the above, the Commissioner appealed to the Ministry of Social Policy with a request to initiate changes in the procedure, defining the right to receive a subsistence allowance, which are members of the family of a prisoner of war and in accordance with the Law of Ukraine «On social and legal protection of military personnel and members of their families» received state aid, which was made to the deposit account.



The corresponding initiative was supported, and the Ministry of Social Policy developed appropriate amendments to the Procedure, which were approved by the Resolution of the Cabinet of Ministers of Ukraine dated January 26, 2024 No. 94 «Some Issues of Social Support for Internally Displaced Persons and Other Vulnerable Categories of Persons».

 **THE PROBLEM OF OBTAINING IDP REGISTRATION CERTIFICATES AND THE ALLOCATION OF SUBSISTENCE ALLOWANCE TO CHILDREN BORN TO IDPS AFTER THEIR PARENTS' DISPLACEMENT HAS BEEN SOLVED**

Prior to the adoption of Resolution No. 709, the issuance of certificates to children born to internally displaced persons was not regulated, and the social protection authorities ambiguously interpreted the norms of the current version of Resolution No. 509 of the Cabinet of Ministers of Ukraine of October 1, 2014 «On registration of internally displaced persons» and issued certificates to children born to internally displaced persons after displacement, indicating the place of actual residence of their parents, thereby motivating the refusal to provide allowances to the child.

Thus, in June 2023, mothers of newborn children from the Cherkasy region began to approach the Commissioner with complaints about the illegal denial of subsistence allowances to their children. In particular, the applicants reported that after the birth of their children they had contacted the social protection authorities to obtain IDPs registration certificates for their children, but the information entered in the «Registered place of residence» column was the address of the parents' actual residence in the Cherkasy oblast, and not the parents' place of registration before the displacement, which made it impossible to receive the allowance.

The Commissioner immediately sent relevant requests to the competent authorities to urgently resolve the issue of granting a subsistence allowance to children born to IDPs.

In addition, a meeting was held with representatives of the Ministry of Social Policy, the National Social Service, the Department of Social Protection of the Population of the Cherkasy RMA and the Cherkasy City Council to resolve this issue.

After a series of communication activities carried out by the Commissioner, the rights of 46 children and their mothers were restored - they received and were paid a subsistence allowance accumulated since the moment of the first application for it.



Children born to IDPs are entitled to a subsistence allowance;



if a child of IDPs is born after February 24, 2022, but the social protection body has not appointed it before the entry into force of the relevant amendments, this allowance will be accrued from the date of the application for it.



**THE RIGHT OF STUDENTS OF VOCATIONAL EDUCATIONAL INSTITUTIONS WHO HAVE MOVED FROM TERRITORIAL COMMUNITIES LOCATED IN THE AREA OF HOSTILITIES OR UNDER TEMPORARY OCCUPATION TO RECEIVE IDP REGISTRATION CERTIFICATES HAS BEEN SECURED**



During the monitoring, the Commissioner identified a problem, namely that only students of vocational institutions who moved from the TOT, settlements where the public authorities temporarily do not exercise their powers, and settlements located on the contact line had the right to register as IDPs in accordance with the law.

At the same time, those who moved from the settlements located in the area of military (combat) operations or under temporary occupation or encirclement (blockade) had no such possibility.

In this regard, the relevant recommendation of the Cabinet of Ministers of Ukraine was made.

Thus, the Resolution of the Cabinet of Ministers of Ukraine dated July 11, 2023 No. 709 «Some Issues of Assistance to Internally Displaced Persons» amended, inter alia, the Resolution of the Cabinet of Ministers of Ukraine dated October 1, 2014 No. 509 «On Registration of Internally Displaced Persons» in the sense of extending the right

to receive IDP registration certificates also to students who moved from the territories included in the list approved by the Ministry of Reintegration.



**IDPS WERE ENSURED THE ONLINE IDENTIFICATION IN THE INSTITUTIONS OF OSCHADBANK JSC**

Resolution of the Cabinet of Ministers of Ukraine dated November 5, 2014 No. 637 «On the implementation of social payments to internally displaced persons» (hereinafter referred to as Resolution No. 637) provides for physical identification of the client by Oschadbank JSC every six months from the date of opening the account or from the date of preliminary identification. If the physical identification of the pension beneficiary is not carried out, Oschadbank JSC is obliged to stop the payment transactions on the current account.

In order to solve this problem, the Commissioner sent a letter to the Ministry of Social Policy with a request to amend Resolution No. 637 on the abolition of physical identification of internally displaced persons in the institutions of Oschadbank JSC or the introduction of the corresponding procedure online.

As a result, the Government amended Resolution No. 637, expanding the methods of identification of IDP pensioners, in particular, through personal contact with the institutions of Oshadbank JSC or the territorial offices of the PFU, or remotely, through the electronic office of the PFU, or through videoconferencing.





**THE GOVERNMENT HAS DEVELOPED A STATE POLICY STRATEGY  
ON INTERNAL DISPLACEMENT FOR THE PERIOD UP TO 2025 AND AN OPERATIONAL  
PLAN FOR ITS IMPLEMENTATION**

After the start of the large-scale invasion, the state did not have a relevant strategy for the integration of all IDPs, especially those who have moved since February 24, 2022, or any other document on the state policy in the field of internal displacement, which would introduce the update of IDP problems and include ways to solve them.

Therefore, the Commissioner began to advocate the need to adopt the relevant document.

In particular, the Annual Report of the Commissioner to the Cabinet of Ministers of Ukraine for 2022 recommended updating, in connection with the current realities, the Strategy for the Integration of Internally Displaced Persons and the Implementation of Medium-Term Decisions on Internal Displacement for the Period until 2024, approved by the Order of the Cabinet of Ministers of Ukraine dated October 28, 2021 No. 1364-r.

The Office of the Ombudsman actively participated in the elaboration of the draft Strategy of the State Policy on Internal Displacement for the Period up to 2025 and the Operational Plan for the Implementation of the Strategy, to which a number of proposals were submitted. In particular, it was suggested to:

- amend the Law of Ukraine «On Ensuring the Rights and Freedoms of Internally Displaced Persons», which, in particular, defines the functions and powers of the Ministry of Reintegration, as well as the authorities, including the powers to exercise control over the creation and functioning of places of temporary residence of internally displaced persons of all forms of ownership.
  - introduce a periodic assessment of the needs of IDPs, which should include the development of an appropriate methodology;
  - develop and amend regulatory acts on the following issues
  - Provision of pensions for citizens of the Autonomous Republic of Crimea and the city of Sevastopol;
  - Provision of housing for IDPs;
  - Training qualified specialists to provide psychological assistance to IDPs.
- Provision of information campaigns aimed at highlighting the positive experience of integrating IDPs into the host territorial communities.

Almost all of the Commissioner's proposals have been taken into account in the drafts.



**THE ISSUE OF RECOGNITION OF ACQUIRED QUALIFICATIONS FOR PERSONS  
WHO BEGAN TO STUDY AFTER THE DATE OF COMMENCEMENT OF TEMPORARY  
EMPLOYMENT HAS BEEN SETTLED**

Education received in the Temporarily Occupied Territories (hereinafter referred to as TOT) and «documents on obtaining the appropriate level of education and qualification» issued in these territories are invalid and have no legal consequences. Accordingly, the persons who received such documents were unable to find employment in the territory controlled by the Government of Ukraine, in particular, due to the inability to confirm the acquired educational qualifications, and not the documents issued by the occupation «authorities».

At the same time, there were no mechanisms for confirming educational qualifications obtained in the TOT, in particular, in the Donetsk and Luhansk regions, the Autonomous Republic of Crimea and the city of Sevastopol.

On the initiative of the Commissioner, in November 2023, the Law of Ukraine «On Amendments to Certain Laws of Ukraine on the Recognition of Learning Outcomes of Persons Living in the Temporarily Occupied Territory of Ukraine» was adopted, which, inter alia, regulates the issue of introducing a mechanism of certification for the recognition of learning outcomes for persons who received education in the temporarily occupied territories and continuing education in Ukrainian educational institutions.

## FURTHER PLANS FOR THE PROTECTION OF THE RIGHTS OF CITIZENS AFFECTED BY THE ARMED AGGRESSION AGAINST UKRAINE

### 1 ANALYSIS OF THE IMPLEMENTATION OF THE STATE POLICY STRATEGY ON INTERNAL DISPLACEMENT FOR THE PERIOD UP TO 2025

The Order of the Cabinet of Ministers of Ukraine dated April 7, 2023 No. 312-r approved the Strategy of State Policy on Internal Displacement for the Period up to 2025 (hereinafter referred to as the Strategy) and approved the Operational Plan of Measures for its implementation in 2023-2025 (hereinafter referred to as the Operational Plan), which are aimed at improving the State policy in the field of internal displacement of citizens caused by Russia's armed aggression against Ukraine, as well as the implementation by the State of all appropriate and available measures to solve the problems and minimize the negative consequences associated with internal displacement.

In order to achieve the defined strategic goals, the Operational Plan provides for 36 tasks and 89 activities. Thus, according to the Operational Plan, in 2023 and the first quarter of 2024, it is planned to implement 52 actions (or almost 66% of the total number of actions), of which 35 are to be carried out continuously by the responsible bodies (33% of the total number of actions).

Taking into account the mandate of the Commissioner for the Protection of the Rights of Internally Displaced Persons, the Office of the Ombudsman has planned and initiated parliamentary control over the implementation of the Operational Plan by the competent bodies.

An in-depth analytical report on the state of implementation of the Strategy is being prepared and will be presented to the public in September 2024.



### 2 ANALYSIS OF THE SITUATION REGARDING THE OBSERVANCE OF THE RIGHTS OF CITIZENS WHO HAD TO MOVE ABROAD AS A RESULT OF THE ARMED AGGRESSION OF THE RUSSIAN FEDERATION AGAINST UKRAINE



As a result of the armed aggression of Russia against Ukraine, a significant number of people have moved abroad. The Law of Ukraine «On The Ukrainian Parliament Commissioner for Human Rights» provides for the protection of the rights and freedoms of citizens of Ukraine regardless of their place of residence. Therefore, in connection with the protection of the rights of persons affected by the war, it is important to take into account the situation of persons who had to move abroad.

For this purpose, the Office of the Ombudsman plans to monitor and analyze the state of observance of the rights of Ukrainians abroad, to determine the needs of such persons in case of return to Ukraine and/or their

plans for return.

The study is planned to be conducted in two main forms:

- conducting non-selective surveys by distributing a questionnaire with open-ended questions;
- conducting monitoring visits to places of mass residence/stay of Ukrainians abroad for personal communication with them.

It is planned to select about 10 countries where a significant number of Ukrainian citizens have received temporary protection. In order to conduct monitoring visits, it is planned to organize and send missions consisting of employees of the Office of the Ombudsman and interested experts.

Based on the results of the surveys and monitoring visits, all the collected information will be summarized and analyzed, and then a report with the conclusions of the study and relevant recommendations will be prepared.

### 3 DOCUMENTATION OF VIOLATIONS OF THE RIGHTS OF UKRAINIAN CITIZENS EVACUATED FROM THE TEMPORARILY OCCUPIED TERRITORIES



Today there is a large amount of freely available data about the atrocities committed by the occupation authorities in the TOT. Despite the fact that the Ukrainian Parliament Commissioner for Human Rights is not able to directly prevent violations of the rights of persons living in the TOT, the observance of their rights is constantly monitored. This is done through interaction with international organizations, representatives of civil society, as well as through analysis of reports in the media, social media, eyewitness accounts, etc.

However, the authorities have critically little confirmed and properly documented information about specific violations of civil rights in the TOT. The only reliable source of such information is the victims themselves. In this regard, the Office of the Ombudsman plans to document the facts of violations of the rights of Ukrainian citizens evacuated from the relevant territories.

In order to develop a unified approach to the survey of citizens, we have analyzed the issues, held meetings with representatives of the public and other potential partners. A questionnaire is being developed to be used in communication with citizens.

Such surveys are expected to be conducted at the checkpoints «Kolotylivka-Pokrovka» (Sumy oblast) and «Mokrani-Domanove» (Volyn oblast), as well as after the evacuated citizens are placed in relatively safe communities.

According to the results of the surveys, a report will be prepared containing information on the facts of violations of the rights of the citizens living in the TOT by the occupation «administrations», as well as recommendations for the protection of these rights.

#### **4 PREPARATION OF THE SPECIAL REPORT ON THE SITUATION IN THE TOT**

In order to cover in detail the scenarios of the temporary occupation of the Ukrainian territories by Russia and to demonstrate the human rights violations committed by Russia, the Commissioner is preparing a special report that will describe Russia's preparations for the invasion of the territory of Ukraine, including how Russia carried out the temporary occupation of the territory of Ukraine and deployed the so-called «occupation authorities», as well as highlight the actions of the state authorities of Ukraine aimed at protecting human rights in the temporarily occupied territories and during internal displacement.

The prerequisite for the development was the lack of complete and detailed reports describing the aspects and conditions of life in the temporarily occupied territories. At the same time, the international community is not fully aware of what is happening in these territories and how Russia is acting. This report is intended to show the real state of affairs, the horrors that are taking place and how the occupation authorities are imposing their policies, using human resources and violating basic human rights. The report will also focus on the fact that the war must be stopped so that it does not spread to other countries. Stopping the enemy now means preventing future conflicts and protecting world peace and stability.



## **5 DEVELOPMENT OF THE CONCEPT OF ACCESS TO THE RIGHT TO EDUCATION FOR YOUNG PEOPLE FROM THE TOT**

One of the main tasks of support for young people in the TOT is to maintain contact with the Ukrainian education system, in particular, to provide an opportunity to receive education. However, the number of students from these regions is decreasing from year to year. For example, in 2023, only 1,608 people entered higher education institutions in the territory controlled by the Government of Ukraine.

Therefore, it is extremely important that young people who decide to enter higher education institutions have the opportunity not only to receive a quality education, but also to realize their potential, integrate into Ukrainian society, and receive sufficient support and incentives from the state to acquire knowledge.

In order to ensure equal opportunities in access to quality education for young people from the TOT and to promote their successful integration into the educational sphere and society as a whole, the Office of the

Ombudsman, together with representatives of central executive bodies, non-governmental organizations, higher education institutions, students and other experts, plans to develop a Concept of Access to the Right to Education for Young People from the TOT.

The concept will be not only a strategic document, but also an action plan aimed at providing a planned and systematic approach to solving the problems of access to education for youth from TOT. In addition, it will be a recommendation document for governmental and non-governmental organizations that will be involved in the implementation of programs and activities provided for in the concept.

As a result of the implementation of the Concept, it is expected to increase the number of young people from the TOT who receive education, improve their integration into Ukrainian society and expand opportunities for self-realization through additional support programs.



## **6 LEGAL AWARENESS-RAISING ACTIVITIES**

As part of the said activities, it is planned to organize and conduct 20 training sessions for employees of regional offices of the Office of the Ombudsman and regional coordinators of interaction with the public in order to increase the capacity to provide legal assistance to the affected population in the regions. As a result of the trainings, employees of the Office of the Ombudsman and regional offices will acquire the necessary knowledge and skills to conduct legal awareness-raising activities on the most relevant issues for persons affected by the armed aggression against Ukraine.

In addition, during the implementation of the activities, it is planned to organize and conduct 20 legal awareness-raising events to raise the legal awareness of persons affected by the armed aggression against Ukraine.



Омбудсман України  
Ombudsman of Ukraine



## Dmytro LUBINET'S

Ukrainian Parliament Commissioner for Human Rights



[lubinets@ombudsman.gov.ua](mailto:lubinets@ombudsman.gov.ua)



Hotline of the Ukrainian Parliament  
Commissioner for Human Rights 0 800 50 17 20  
or by e-mail [hotline@ombudsman.gov.ua](mailto:hotline@ombudsman.gov.ua)



### «Ombudsman of Ukraine» chatbot

is an opportunity to get answers to important questions quickly and conveniently.



It contains important information divided into 17 categories. In particular, servicemen, internally displaced persons, and families with children can receive answers about their rights here. There is also a category for people who are in the temporarily occupied territory or were forcibly deported.

The chatbot is available at: [@ukraine\\_ombudsman\\_bot](https://t.me/ukraine_ombudsman_bot)

