

EASTERN UKRAINE: LINE OF CONTACT – LINE OF SEPARATION

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HOW SEPARATION ACROSS THE 'LINE OF CONTACT' IN EASTERN UKRAINE HINDERS FREEDOM OF MOVEMENT, ACCESS TO LIVELIHOODS AND ESSENTIAL SERVICES, AND THE POLICY CHANGES THAT CAN HELP ADDRESS THE SITUATION

As conflict broke out in eastern Ukraine in 2014, and de-facto authorities took control of certain areas of the Luhansk and Donetsk Oblasts, a de-facto border of nearly 500 km was created between the Government- and Non-Government Controlled Areas (GCA and NGCA). As a result, the Government of Ukraine put in place a **rigid crossing regime** that has since restricted the freedom of movement of the population between the Government and the Non-Government Controlled Areas. On the other side of the contact line, de-facto authorities have also imposed restrictions on the movement of goods and certain categories of people.

The so-called contact line divides once-united regions. It is halting access to essential services, separating families, depriving people of livelihood opportunities, and disrupting social relations. Crucially, the conflict has separated rural areas and small towns in GCA from the two main urban service centers of the region, respectively Luhansk and Donetsk cities. With both cities now located in the NGCA, for conflict-affected people to access basic services, such as health care and social services, they must navigate major physical and non-physical barriers.

Yet many men, women and families need to regularly cross this de-facto border to visit relatives and property, withdraw money, collect pensions (although the Government of Ukraine has suspended the payment of pensions for the entire population officially residing in NGCA), and access legal services. In 2018 a monthly average of over 1 million movements across the contact line were recorded.

However, crossing comes with a series of impediments. Only five entry/exit checkpoints (EECPs) exist across the 500 km of the line of contact, and it is through these that more than 30,000 people must cross every day. Four of them are located in the Donetsk oblast and can be crossed by vehicles. In the Luhansk oblast there is just one crossing point, it is solely for pedestrians, and it consists of an unstable bridge – regularly damaged by shelling – likely surrounded by unexploded remnants of war. Crossing times can therefore amount to several hours of queuing, processing and waiting.

While basic facilities at the crossing points used to be a major concern, it is commendable that the Government of Ukraine has recently taken up the reconstruction of the crossing points at Stanytsia Luhanska, Maiorske, Novotroitske, Mariinka and Hnutove. Access to shelter, medical care and food – sometimes in extreme weather conditions – has been improved. Yet, several other measures are still needed in order to ensure civilians' freedom of movement is protected, and that access to services is restored. Many of the existing obstacles are the result of normative regulations and rules that need to be improved, and take into account the needs of the population.





Tamara is retired and lives in a village close to Luhansk city in the non-government controlled areas. She has cancer, and after undergoing a surgery and resulting complications, she needs regular medical check-ups and treatment. Every month, Tamara travels from NGCA to GCA to receive her pension and medical check-ups, as most qualified doctors – she told us – have left NGCA. While in GCA, she remains in a collective hosting center. *“I’m tired of all this. It is so hard for me to cross the broken bridge between checkpoints. Cars cannot cross – the only option I have is to walk almost two kilometers, and this after I have queued for hours. I am sick but people are so angry that nobody would let you pass. It is exhausting. But, I need to cross to visit the doctor because we don’t have an experienced one in our village. I also need to get medications without which I cannot survive.”*

HEALTH CARE: RESTRICTIONS TO MOVEMENT, ONGOING FIGHTING AND OBSOLETE FACILITIES COMPROMISE ACCESS TO HEALTH CARE AND INCREASE PHYSICAL AND MENTAL HEALTH RISKS

The healthcare system has been directly affected by the conflict reducing both quality and accessibility and, of all people affected by the conflict, **approximately 1.3 million people within 20-km of the ‘contact line’ is in need of life-saving and essential health services.**

Importantly, the conflict-affected population in Ukraine accounts for the highest percentage of older people (60+) among all current humanitarian responses – 30%. Up to 87% of them have particular health care needs that continue to go unfulfilled.

The **access to basic health care** has been severely disrupted in both GCA and NGCA. **Before the conflict, people living in conflict-affected areas now located in GCA relied on health facilities in the cities of Donetsk and Luhansk for secondary and tertiary levels of care.** For the moment health facilities are struggling to cope with a series of constraints (both pre-existing and new), among which movement restrictions – including across the contact line – play a major role.

Damaged roads, movement limitations, lack of public transportation and the resulting high cost of transportation - in a region where the economic situation is already worsened by conflict factors - have reduced people’s ability to reach health care centers. **Lack of medications and treatment** is life threatening for patients suffering from diabetes, cancer, and cardiovascular conditions, including hypertension, which is extremely common, according to the [2018 Humanitarian Needs Overview](#) it affects more than half of those over 50 years old. Pharmacies are limited in areas closer to the ‘contact line’ and prices have increased for almost all drugs, creating further barriers to people’s health. In addition, the lack of specialized human resources in the health care sector is

one of major factors reducing the availability of health care in these areas. Many specialists have left the area since the conflict broke out – according to the [2019 Humanitarian Needs Overview](#), 1,500 healthcare professionals have left the conflict-affected areas since 2014. There is crucial need for capacity building (trainings, education, etc.) for healthcare workers in Luhansk Oblast GCA. A lack of trained healthcare workers and appropriate health care services can result in an increase in avoidable deaths, diseases and disabilities.

The separation, its impact, and the overall environment created by conflict also heavily affect the mental health of the population living in both GCA and NGCA. Lack of access to services is compounded by the loss of (or separation from) family members and friends, the deterioration of living conditions, and the inability to provide for one’s self and family – in addition to the danger resulting from continued fighting. This has immediate and long-term consequences for children, families and communities, and continues to impair people’s ability to function. This situation affects patients, but also health staff, who live in the same communities as those whom they serve.

According to the [2018 Humanitarian Needs Overview](#) women and girls face higher vulnerability due to crisis induced risks such as increased exposure to violence and exploitation. As gender-based violence increases, so do overall needs. Gender- and sexual-based violence (including conflict-related) remain significantly under reported, and are not adequately addressed through available outreach and health services.

In the Non-Government Controlled Areas many qualified professionals have also left, and the trade blockade imposed by the Government of Ukraine reduces the availability of medicine and medical equipment. The population relies on supplies from the Russian Federation. In addition, while medical equipment was often outdated before the conflict started, fighting has further worsened the situation by damaging several health facilities and in turn their equipment – for instance at the Children’s Regional Hospital of Luhansk.



Nikolay lives in Stanitsa Luhanska, where before the conflict, 80% of the population was involved in agricultural activities and would sell their produce in Luhansk city, the regional center of the entire oblast at that time. *“The only source of income of our family was the income from selling our produce in the local market in Luhansk. We have a car and could easily reach the market before.*

Now the situation has dramatically changed and with the separation and restrictions, reaching Luhansk market has turned into a complicated trip. The demand of other markets in this region, which we would have easier access to, is already satisfied by other farmers and there is no room for us”, says Nikolay. Unable to sell all the vegetables he grows, Nikolay had to significantly decrease the volume of the vegetables planted—so his income decreased. “We are carrying heavy boxes through the broken bridge, going through the verification on both sides of the contact line. If only we had a vehicle crossing point...”

7.8% in 2015 and to 17.4% from 6.2% over the same period in Luhansk GCA. This is compared to an average of 9.7% across Ukraine. In addition, nearly half (43%) of the total salary arrears in Ukraine affect the two conflict-affected oblasts.

The food security of vulnerable conflict affected populations is placed at risk by such unemployment, salary arrears, and a **sharp price increase for basic goods and services**, resulting in part from the separation. Food prices grew significantly in 2017 (24.9% in December 2017 compared to same period of 2016 according to World Food Program monitoring). Between 2013 and 2017, utility prices (another major expense for vulnerable people) increased by 330% in Donetsk and 374% in Luhansk oblasts.

As a result, moderate and severe food insecurity in the GCA has increased from 15% to 18.7%. This means that nearly one person out of five is food insecure. The situation is also acute in the non-government controlled areas where 17.4% of the population is food insecure.

FOOD SECURITY AND LIVELIHOODS: MOVEMENT RESTRICTIONS, THE TRADE BLOCKADE AND CONFLICT RAISE PRICES AND GENERATE UNEMPLOYMENT AND FOOD INSECURITY

Since the outbreak of the conflict in eastern Ukraine, poverty indicators, access to livelihood opportunities and food security have kept deteriorating. An overall increase in the cost of living, resulting from a raise of prices for basic goods, services and utilities – associated with a drastic reduction of working opportunities, salary arrears, low pensions (if any), and insufficient humanitarian assistance in NGCA – are the reality for millions. While overall socio-economic developments in Ukraine, including pension reform and real salary growth, have resulted in some positive trends in 2018 in GCA, some vulnerable groups are still unable to benefit, or to benefit fully, from such improvements.

Small farmers from rural areas who previously sold their produce in regional centers (Luhansk or Donetsk) are now cut off from their traditional markets. With local markets already saturated, they are left with no option but to transport goods across the line of contact to markets in NGCA, queuing to cross the contact line several times per day, with a maximum of 75 Kgs of produce each, instead of working on their fields. Since November 2018, the Government of Ukraine adopted a new regulation that further limits the movement of some goods and merchandise items across the contact line, and restricts the number of crossings of the person carrying them to once a day. Farmers used to sell up to 300 kg of produce a day before the conflict broke out, now they are able to sell only 75kg.

Separation, the trade blockade, restrictions on the movement of people and goods, and conflict at large have all contributed to a sharp increase in unemployment through a significant reduction or interruption of businesses and enterprises in the Donbas region. This continues to deprive people of livelihood opportunities.

The number of people employed by economically active enterprises reduced from 410,000 to 314,000 in Donetsk oblast and in Luhansk oblast from 112,000 to 104,000 – mainly a reflection of the closure of large and medium enterprises. Industrial production in 2017 decreased by 11% in Donetsk oblast and by 31% in Luhansk oblast – a potential reflection of the economic blockade.

As a result, since 2014 the level of unemployment among the working-age population has continued to grow, up to 15.0% in Donetsk GCA in 2017 from

OUR RECOMMENDATIONS

TO THE GOVERNMENT OF UKRAINE AND THE DE-FACTO AUTHORITIES

- **At least one additional crossing point** for vehicles needs to be opened in Luhansk oblast to facilitate the movement of people and goods.
- **A special procedure for individuals carrying agricultural produce** needs to be created. Options include the establishment of a special corridor or the designation of a specific time when produce-carrying individuals can be let through in an expedited manner. Such a system would keep these produce movers from clogging the lines, and keep them from spending long days away from their farms.
- **Public transportation** should be allowed to carry people through the EECPs. Thus reducing the cost and time of crossing;
- **Facilities need to be improved at all EECP on both sides.** Both parties needs to provide for the needed services at the EECPs (first aid points, ambulances, toilets and their maintenance, shelter, drinkable water points, etc.) to ensure that once humanitarian organizations will scale down their interventions, adequate services will be in place and running.

TO THE GOVERNMENT OF UKRAINE

- **The e-permit regime should be revised** to ensure that permits do not need to be renovated, as per existing law.
- **Trade blockade measures should be adapted** to the needs of - at a minimum - small scale enterprises, so to allow the economic recovery of the region.
- Regulation P-3634 by the Joint Forces Operation of 1st November 2018 limiting the movement of some goods and merchandise items across the contact line and restricting the number of crossings of the person carrying them to once a day must be amended to ensure small scale farmers, and others who rely on subsistence trade, can carry their produce across the contact line.
- **The Cabinet of Ministers of Ukraine Resolution No. 99** of 1st March 2017 «On approval of Procedure for movement of goods to/from the Anti-Terrorist Operation zone» adopting the list of goods (and their volume) allowed to cross the contact line needs to be amended. In order to be in line with international standards, the prohibitions need to respect the principles of necessity and proportionality. While necessity can be justified with regards to security concerns, the list is unreasonably restrictive. It indeed includes a list of items that can be carried across the Line of Contact—which prevents it from ever being comprehensive enough. To be in line with the proportionality principle, the list should instead be one of goods that for justified reasons (that uphold the rights of the civilian population and the duty to allow access of humanitarian aid), are not allowed.
- **Public health services need to be restructured through** new referral pathways that take into consideration the separation of health facilities from former referral facilities caused by the separation. This restructuring also needs to consider and find ways to overcome the obstacles faced by people living in rural areas along the line of contact—in particular, lack of public transportation. The government must take steps to ensure that ongoing reforms (including decentralization) do not create isolated and left-behind pockets of vulnerable people along the contact line, unable to access quality and affordable health services.
- **Livelihoods opportunities need to be supported** through a more favorable legal and financial environment for SMEs, including facilitated access to loans especially in conflict-affected areas and for the conflict-affected population.

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