

# ACCESS

## TO MULTISECTORAL HUMANITARIAN ASSISTANCE PROJECT



## LINE OF CONTACT - LINE OF SEPARATION

### **HOW GCA/NGCA SEPARATION HINDERS ACCESS TO LIVELIHOOD OPPORTUNITIES AND LIFESAVING SERVICES, AND WHAT POLICY CHANGE CAN ADDRESS THE WORSENING SITUATION**

As the conflict began in 2014, the Government of Ukraine put in place a **RIGID BORDER-CROSSING REGIME** that has since restricted the freedom of movement of the population between Government and Non-Government Controlled Areas (GCA and NGCA). On the other side of the contact line, de-facto authorities have as well imposed restrictions on movement of goods.

Since early 2017, there have been over 6 million registered movements across the contact line. Yet, there are only five entry/exit checkpoints (EECPs)—with the only one in the Luhansk region being pedestrian. Furthermore, facilities at EECPs are poor. People have to stand in long queues (usually for several hours, reaching at times up to 32) with little access to shelter, medical care and food—sometimes in freezing or extremely hot conditions.

These restrictions hamper, among others things, access to health-care, receipt of social benefits, and obtaining civil documentation. They also largely affect food insecurity (levels have sharply increased during the last year alone, with now around 1.2 M food insecure people in Eastern Ukraine) and the livelihood opportunities of the conflict-affected population.





Tamara is retired and lives in a small village close to Luhansk city in NGCA. She had 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. No cars—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."*

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

Since the start of the conflict, **access to basic health care** has been severely disrupted in both GCA and NGCA. Health facilities are struggling to cope with a series of constraints (both pre-existing and new ones), among which movement restrictions—in particular across the Line of Contact—play a major role.

**IN THE GOVERNMENT CONTROLLED AREAS**, before the conflict, secondary and tertiary levels of care were available in the cities of Donetsk and Luhansk, not now the Line of Contact has cut people off from these services. Once a de-facto border was created, those people had to find alternative health service providers. Not only are there not enough specialists in the GCA of Luhansk and Donetsk Oblasts to cover needs, administrative obstacles also result in great difficulties for patients to access health care in other oblasts. Moreover, transportation costs affect people's ability to reach health care centers, given the depleted economic situation in the region.

Health practitioners have also faced serious obstacles in accessing training since the beginning of the conflict. Trainings used to be provided in the cities of Luhansk and Donetsk before the conflict. The Line of Contact disrupted the status quo, with the worrying result that, for instance, no trainings are available for health staff in Luhansk Oblast GCA—except for ones now provided by international organizations.

The separation and the situation along the Line of Contact also heavily affect the **mental health** of the population. 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 shelling. All those factors combined have both immediate and long-term consequences for children, families and communities, and continue 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.

**IN THE NON-GOVERNMENT CONTROLLED AREAS** movement restrictions represent a major concern. Many qualified professionals have left the non-government controlled territories, and the Government of Ukraine's blockage reduces the availability of medicine and medical equipment, and the population relies on supplies from the Russian Federation. Of particular concern is the lack of treatments for tuberculosis and HIV. 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—the Children Regional Hospital in Luhansk was for instance partly destroyed.





Nikolay lives in Stanitsa Luhanska, where before the conflict, 80% of the population was involved in agricultural activities and selling their products 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 products in the local market in Luhansk. We have a car and could easily reach the market before. However, now the situation has dramatically changed and with the separation and restrictions, we are not able to access Luhansk market easily. Other markets in Luhansk region are already covered 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—and has 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...”*

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

Since the outbreak of the conflict in Eastern Ukraine, access to livelihoods and food security keeps deteriorating, putting millions of conflict-affected people at risk. An overall increase of 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 drop in humanitarian assistance in NGCA—are the reality for many Internally Displaced People (IDPs) and residents.

Crucially, **Temporary Order of 21 January 2015** imposed by the Ukrainian Government significantly restricts the movement of people and goods (in particular by preventing the crossing of commercial cargoes and medicines). A complement to this Order, Cabinet of Ministers Resolution n. 99 of March 2017, details an excessively restrictive list of goods (and their volumes) allowed through the Line of Contact. Both measures have a significant negative impact on commercial opportunities and contribute to deprive people from livelihoods opportunities. It's not only are SMEs that are affected. Small farmers from rural areas and who previously sold their produce in Luhansk or Donetsk are now cut off from their traditional markets, and as local markets are already saturated, are left with no option but to spend most of their days queuing to cross to the other side with a maximum of 75 Kgs (or two boxes) of produce, instead of working on their fields. Local farmers may spend all day in line just to move a small volume of their produce, or hire multiple neighbors to stand in line in their place, at great expense. This complicates their struggles to make a living. Also, having large volumes of agricultural produce move through the crossing in small parties greatly adds to the number of people standing in the already enormous lines.

**The trade blockade**, the resulting hardship, and the conflict at large have all contributed to a sharp increase in unemployment, as they resulted in a significant reduction of businesses and enterprises in the Donbass region. Between 2013 and 2016, the level of unemployment among the working-age population increased from 8.2% to 14.6% in Donetsk oblast government controlled area (GCA) and from 6.7% to 16.9% in Luhansk oblast (GCA). The first trimester of 2017 recorded the highest increase in recent years.

In turn, unemployment and a **sharp price increase for basic goods and services** resulting from the separation have contributed to increased food insecurity. Since 2016 alone, in NGCA food insecurity has doubled and now affects over one fourth of the population, or up to 800,000 people (**150,000 of which are severely food insecure**). In GCA as well, food insecurity levels have more than doubled in Donetsk oblast (from 6% to 15%) and increased from 10% to 14% in Luhansk oblast, totaling to 410,000 food insecure people (**26,000 of which are severely food insecure**)<sup>1</sup>.

<sup>1</sup> Joint Food Security Assessment, September 2017, FSLC.

# RECOMMENDATIONS

## TO THE GOVERNMENT OF UKRAINE

**TEMPORARY ORDER “ON CONTROL OF THE MOVEMENT OF PEOPLE, TRANSPORT VEHICLES AND CARGO ALONG THE CONTACT LINE IN DONETSK AND LUHANSK REGIONS”** of 21 January 2015 needs to be amended to ease freedom of movement of people and goods, in particular the prohibition of commercial cargoes and medicines through the Line of Contact. The trade blockade needs to be lifted, as it is critically disrupting economic activities and access to livelihoods in an area where macro- and micro-economic indicators have already all been highly affected by the conflict.

**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 is understandable due to the security situation, the list is unreasonably restrictive, as it includes a list of items that can cross 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 respect the rights of the civilian population and the duty to allow access of humanitarian aid, are not allowed to cross the Line of Contact (for instance, dangerous weapons).

**THE 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 contact line. This restructuration 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.

**LIVELIHOODS OPPORTUNITIES NEED TO BE SUPPORTED** through a more favorable legal and financial environment for small and medium enterprises (SMEs), including a facilitated access to loans, in particular in conflict-affected areas and for the conflict-affected population.

## TO THE GOVERNMENT OF UKRAINE AND 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.

**Facilities need to be improved at all EECP on both sides.** On the GCA side, the Government of Ukraine needs to take responsibility and 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, the government will already have adequate services in place and running.

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