

FACE TO FACE WITH WAR:

THE IMPACT OF ARMED CONFLICT ON THE RIGHTS OF THE ELDERLY





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The views and opinions expressed in this report do not necessarily reflect those of the National Endowment for Democracy, the Helsinki Foundation for Human Rights (Warsaw) and all partner organizations from the Coalition "Justice for Peace in Donbas".



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The report is based on findings from the monitoring study of the impact of the armed conflict on the exercise of social rights by single elderly persons in need of external care living in the parts of Donetsk and Luhansk regions controlled by the Ukrainian government, including the areas near the contact line.

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INTRODUCTION

One of the most vulnerable groups affected by the ongoing armed conflict since 2014 are the elderly who make up a large part of the population in Donetsk and Luhansk regions. By the time the anti-terrorist operation (ATO) was launched, there were 23.5% and 23.4% of people aged 60 and older in Donetsk and Luhansk regions respectively. There is no current up to date statistics on age composition of population in these two regions due to restricted access to separate districts of Donetsk and Luhansk regions. However, since the working people leave these dangerous areas due to hostilities, we can assume that the above ratios will continue to rise.

The elderly persons who have lost the ability to look after themselves partially or completely and need constant care deserve particular attention. These include also those without family who are supposed to provide care and support, and “conditionally lonely” people who were left alone because their relatives had relocated from the area of hostilities. Negative impact of the armed conflict,

including damage and destruction of housing, disruption of basic utility services for civilians, difficulties in accessing social and medical assistance, have resulted in forced relocation and internal displacement of this group.

Some of them found shelter in municipal residential centers for the elderly and persons with disabilities, others live in areas of compact settlement for the internally displaced persons (IDPs), or non-state facilities run by nongovernmental organizations, charitable foundations, religious communities, private individuals etc. Some of the displaced elderly persons are trying to find temporary home in remote towns and villages on their own.

In November 2017 – June 2018, a monitoring study was conducted to assess the impact of the armed conflict on the exercise of social rights by single elderly persons in need of constant care living in the parts of Donetsk and Luhansk regions controlled by the Ukrainian government, including the areas near the contact line.

METHODOLOGY

Project implementation entailed monitoring visits to places of residence of persons from this category, namely municipal residential centers for the elderly and people with disabilities, places of IDP compact settlement, and nongovernmental facilities providing care for the elderly IDPs.

The research included in-depth interviews based on specifically designed questionnaires for older people, heads of facilities where persons of interest reside, social workers, state officials, representatives of humanitarian, volunteer organizations and other respondents with relevant knowledge. The project involved documentators from the Coalition “Justice for Peace in Donbas” who

had gone through specialized training and were tasked with using their knowledge and skills on documenting human rights violations in practice.

We also used information from open sources, mostly online, to complement the narrative after comparing it with the obtained data.

The project activities included 31 in-depth interviews, 37 information requests and 2 applications submitted, as well as 35 responses received.

Quotes from the interviews are not accompanied by names for the purposes of protecting anonymity and security of interviewees.

ISSUES OUTSIDE OF THE RESEARCH SCOPE

The study did not aim at covering all social and medical establishments for the elderly in the government-controlled areas of Donetsk and Luhansk regions. It was important to include the majority of them to ensure that the data is credible and balanced.

In-depth analysis of the quality of medical services and living conditions of the elderly, the efficiency of budget spending or humanitarian assistance, was also outside the scope.

Moreover, this study was not aimed at identifying issues faced by the elderly stemming from their internal displacement status, or the capacity of the national judiciary to protect the rights of this group effectively.

In the light of objective difficulties in accessing the non-government controlled areas, the study did not encompass conclusions on the overall situation regarding the protection of rights of the elderly in these areas. However, the testimonies provide a certain idea about the state of the protection of rights for this group.

The report does not provide an exhaustive list of organizations and civic initiatives that have offered and continue to offer assistance and shelter to the elderly who had been forced to flee the conflict zone. We mention the organizations and public initiatives only based on credible information about their work obtained during this research.

KEY OBSERVATIONS

The study suggests that the key reasons for relocation of older people who need external care from the ORDLO (separate districts of Donetsk and Luhansk regions) for permanent residence in the government-controlled areas include:

- ▶ damage or complete destruction of homes;
- ▶ mass shelling by heavy weapons;
- ▶ evacuation of facilities where they had been accommodated before the armed conflict.

Many older people living in the towns and villages in the ORDLO far from the daily shelling decide to stay in their homes despite the everyday challenges brought by the ATO. Even residents of the “grey zones” directly near the contact line who face everyday danger prefer not to trade their home for wandering in strangers’ homes with vague future. They rely on their neighbors and volunteers for help.

The elderly who have relocated to the government-controlled areas turn to the Pension Fund of Ukraine for pension payments and to the social services for the IDP status which is accompanied by a monthly housing assistance, also intended for utilities, under the current legislation of Ukraine (Cabinet

of Ministers Decree no. 505 dd. 1 October 2014).

The application process for pension and other payments at the new place of residence can last several months if all necessary documents are available. The elderly IDPs therefore find themselves in dire financial conditions. Volunteer and humanitarian organizations provide assistance in these circumstances as they give out food, hygiene items and solid fuel to the elderly persons. The majority of respondents have mentioned their significant contribution. Oftentimes, volunteers organized evacuation from danger zones, helped with the recovery of documents and applying for social payments.

The elderly persons who have lost the ability to look after themselves partially or completely and need constant care stay in municipal residential centers for the elderly and persons with disabilities. It is important to note that, according to Ukrainian legislation, they receive only 25 percent of their pension, while the remaining amount is transferred to the residential center. According to the respondents, this amount is insufficient to fulfill the needs overlooked by the state care. Older people live in the facilities on general terms, and they are not entitled to IDP assistance because accommodation in the residential centers, including utilities, is provided free of charge.

We should note that the state does not provide any funding for private homes for the elderly. These institutions do not have a defined legal status. In the absence of legal framework, owners of such facilities are forced to look for funding to ensure comfortable living conditions for the elderly. Sources of funding include national and international charitable and religious organizations, as well as their own funds, or certain percentage of the residents' social benefits. Local authorities can assist the residents of such facilities within their abilities, for instance, in the form of solid fuel for heating in the winter.

The elderly persons also live in areas of IDP compact settlement, such as dormitories, sanatoriums, residential centers etc. organized with the support from local regional administration. Many of these facilities are on private property. Since the state failed to regulate on compensation of expenses related to IDP placement for the owners of such facilities, the situation affects the business negatively and forces the owners to introduce certain measures, such as high rent prices for IDPs, restrictions on utilities use etc. As a result, there is even more uncertainty, worries, and lack of understanding of "what comes next" in the lives of the elderly.

The state does not offer any effective programs of social housing for the vulnerable categories of internally displaced persons. Article 9 of the Law of Ukraine "On the rights and freedoms of internally displaced persons" states that DPs are entitled to temporary free housing provided by the state and local authorities or private entities (with the payment of utilities) during **six months** from the moment of registration as an IDP; the term can be extended for large families, persons with disabilities, and elderly persons. The armed conflict is in its fourth year without

a foreseeable solution in the nearest future. In some towns, the local authorities are "weary" of diversion of municipal premises for temporary accommodation of the displaced persons. They are asking IDPs to vacate the premises because "*municipal authorities have provided temporary accommodation for longer term than the law requires*"¹.

Often, the elderly have to find temporary shelter on their own. With their limited financial resources and health condition, they have rented rooms, lived with their relatives, as well as asked the local officials to find a place in a dormitory. The lack of options for temporary accommodation with relatively comfortable conditions suggested by the state and local authorities, especially in 2014–2015, forced the elderly persons to live in places unfit for habitation, namely garages, unfinished summer homes, "summer" outdoor kitchens. There is a widespread practice of giving abandoned houses in rural areas to the displaced persons.

Social workers who provide services at home several times a week help the elderly who need care with daily challenges. However, this service is available only to the people without relatives who have to provide care and assistance. In many cases, especially in the so-called "grey zone," the elderly have relatives on paper, but they flee from the dangerous area and leave their parents without family or state support. We should note that social services are available only in certain districts of Donetsk and Luhansk regions near the contact line. In some villages, the local authorities have been seeking candidates for a long time, in others, this type of work has become dangerous under constant shelling, and the elderly people count on their neighbors and visiting humanitarian organizations for support.

1 See section "Accommodation of older people in places of IDP compact settlement".

All elderly displaced people living in municipal residential centers, non-state run hospices, and private accommodations in the government-controlled areas have something in common – depressed mental state. The loss of their property, unclear future, having to live in other people's homes have negative impact on psychoemotional state of the elderly people. Their old age leads to exacerbation of chronic diseases, and new health issues appear. Often, elderly people face suicidal thoughts due to their predicament.

Some of the study conclusions reflect problems common to all elderly people in Ukraine which are not directly related to the armed conflict. However, these issues become more sensitive for this group of the elderly. Consequences of the conflict, such as trauma, loss of social connections and property, enhance and highlight the shortcomings of the state social policy which is unable to adapt to the growing social problems in society in the ongoing 4-year long conflict. Respondents have emphasized this, and the authors of this report could not leave this aspect unmentioned.

People in old age are very dependent on support of others, and the need to increase their independence is an acute one not only for humanitarian organizations, but also for the state. There is no state strategy on aging while aging and the need to develop relevant strategy is recognized worldwide. It is expected that the number of elderly people aged 60 years and older will double by 2050 (from 962 million to 2.1 billion)².

According to a representative of HelpAge International working on the issues of the older people, there is no culture of aging in Ukraine. After reaching 60 years, a person is abandoned by the society and the state without development and assistance, "There are no specialized stores or goods that could help older people have a more comfortable living; they lose access to active life and self-care. Many people of older age are not capable of fixing the curtains, taking a thing they need from a tall shelf. There are many devices in the world created to accommodate them, and people in our country do not know about them. There is no propaganda of aging in dignity or using the experience of the elderly people. Nobody needs them, often, even their own children. In medical establishments, older people face discrimination and negative attitude when they attempt to maintain their health", she says³.

State social programs for the elderly do not address equipping the elderly people with the skills for self-care, taking into account specifics of old age and their needs, increasing their independence and creating safe spaces within their homes.

Aging in post-Soviet states is often already stressful. One can only imagine how the elderly go through this period affected by the armed conflict, especially since this is the second war for some of them.

2 World Population Prospects, 2017 Revision, United Nations, <http://bit.ly/2OZEKly>.

3 Interview D_012

SOCIAL PROTECTION FOR THE OLDER DISPLACED PERSONS IN NEED OF EXTERNAL CARE

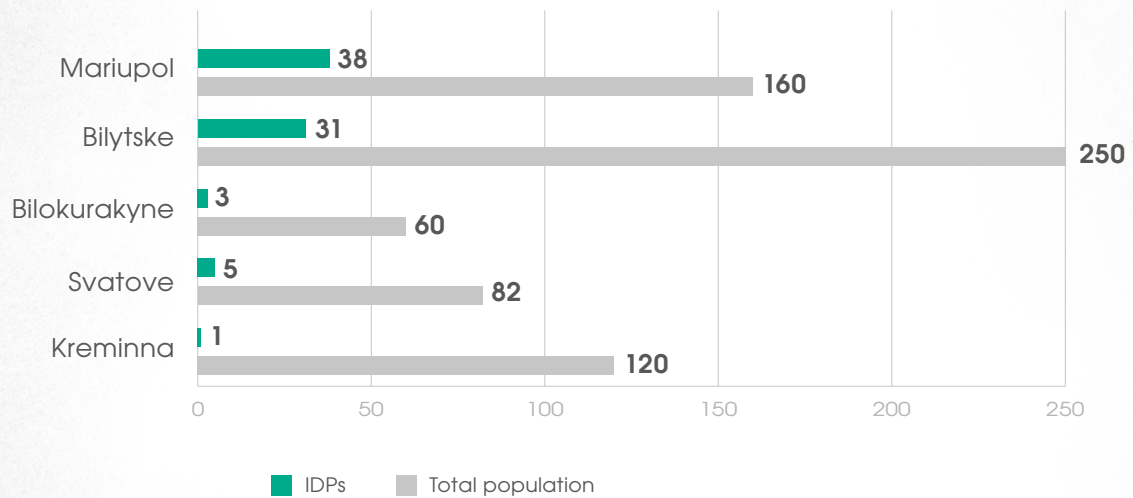
Municipal residential centers for the elderly and persons with disabilities

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According to the Ministry of Social Policy, there are 9 residential centers for the elderly and persons with disabilities (including 2 centers for war and labor veterans in Mariupol) – 5 in Donetsk region (in Bilytske, Mariupol, Lyman, Kostiantynivka) and 4 in Luhansk region (Bilokurakyne, Svatove, Kreminna, Troitske). The total number of residents estimated by the social protection departments of Donetsk

and Luhansk regions is 83 elderly displaced persons. The procedure for admission of IDPs to residential centers (RC) is regulated by the *Model regulation on a residential center for elderly citizens and persons with disabilities, geriatric residence, and residence for war and labor veterans*⁴.

Number of IDPs and the total population in residential centers



The main task of a residential center is to provide proper conditions of living, social and day-to-day living assistance, medical care for older citizens and persons with disabilities in need of care and support. One of the conditions for accommodation is absence of relatives who are fit for work and have a legal duty to support them.

A residential center accepts people upon referral from the social protection authority of the place of residence after receiving and verifying the necessary documents. According to the interviewed RC directors, the facilities are at full capacity, even above it in some cases. For instance, Svatove RC designed for 80 residents accommodated 93 people in 2014. Now, there are 82 people living in the center, including 5 displaced persons.

Single pensioners have arrived to residential centers for different reasons and in different ways. In some cases, social workers brought them from transit accommodation facilities for IDPs (Svatove), others received

help from their new neighbors after their houses had been destroyed and they moved to the government-controlled areas.

An older woman K. used to live in the first floor of a multi-story building in the currently occupied Makiivka. In May 2014, a “Grad” shell hit the house.

“I got scared and ran outside in my nightgown. I didn’t even take the documents from the apartment. All upper floors in my section were swept away...”⁵

At first, the residents were taken to the dormitory where they stayed for several days. Later, they were transferred to Mariupol. There were 16 people on the bus, all of them without documents. In Mariupol, people without relatives were placed in the municipal center for homeless people.

“7–8 of us stayed there to sleep and live. It was practically a shed. However, I had a separate room 2.5 by 3.5 square meters. We received a packed meal once a day, including a tea bag, a slice of bread, and “Mivina” [instant noodles]. I lived from hand to mouth like that from 1 June until fall 2014”.

Following an advice from a social worker, K. applied to the municipal authorities and received 800 UAH of material assistance, meal

tickets, and a possibility of daily visits to the public cafeteria when people in need could receive free “hot lunch”. During that period, she received a third-degree disability status because of her leg condition.

She lived in these conditions for two years, before the director of the center helped her find accommodation at the Mariupol residential center for war and labor veterans no.2

During an interview with G., an older woman with a second-degree disability (amputation of a lower extremity), she said that she used to live with her at her brother’s place in Donetsk when the ATO started. She had moved there in 2010 when her son died. At that time, she was a widow. According to her, it was psychologically challenging to live in conditions of military confrontation, and she listened to her deceased son’s friend and moved to Svatove in 2016.

“She told me, mother, move here, it’s quiet here, peaceful, we will buy a house in the village and will live together, I will take care of you... Though my brother was against it, I came to her. She met a man, and the three of us rented a house in Honcharivka, had a little farm – chickens, ducks, and geese. We lived like that for a month, but then they stole my bankcard and ran away leaving me alone in other people’s home, with no money. The neighbor helped me find accommodation in the residential center. We went to the administration together, wrote an application. When I received the referral, he was the one who brought me here...” she recalls⁶.

5 Interview D_001

6 Interview D_005

Several times, older people from Avdiivka social services center have been evacuated to Bilytske RC during escalation of hostilities. In March 2015, 22 people were transferred⁷. Two years later, 19th State Fire Rescue Unit of the State Emergency Service evacuated the elderly and persons with disabilities again. Overall, twenty people were transferred to Bilytske RC in 2017. Two of them, bedridden patients, were transported by ambulances, other eighteen people – by a bus of “Dobropilskyi misktransport” (Dobropillia City Transport) municipal enterprise⁸.

According to the head of the RC, residents of Horlivka RC located in the occupied areas were evacuated to the facility in 2014. There are also displaced persons from Yasynuvata. Currently, there is 31 elderly displaced person staying at the residential center⁹.

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An older man T. said he was not staying in Bilokurakyne RC by his own will. In July 2016, his house in the “grey zone” in Lopaskino burnt down from a shell. At that time, he was 66 years old, living by himself in his parents’ house. His son was living in Luhansk, and his daughter – in Russia. The interview shows that they do not stay in touch with their father. After the shelling, T. was transferred to Novoaidar hospital where he stayed for 41 day. It was his temporary shelter; he did not receive any injuries.

According to the respondent, no officials from social services or local administration, volunteers or psychologists visited him in the hospital, and he even did not have enough food.

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“I wanted to return to my village. Though my house burned down, there was an empty house of my aunt. Or to go to Sloviannoserbsk [now occupied – ed.] to my sister. However, I did not have money for travel, everything burned down. And the head of the unit said, ‘Get ready and let’s go, we found a place for you’. I asked her which place. I want to go home, I can live by myself. But I was taken here by car under her pressure and without my consent, with things and documents. As far as I understand, it was necessary to collect documents for a referral to the center but I do not know anything about that, they did everything without me...”¹⁰.

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7 <https://www.06236.com.ua/news/771632>

8 <http://shkvarki.org/dobropole/item/13158-v-belitskoe-perevezli-pensionerov-i-invalidov-iz-avdeevki>

9 Interview D_009

10 Interview D_003

For the purposes of being objective, we should note that he had possibilities (according to him, he was healthy) to try to solve social issues on his own. At the minimum, he could have visited Novoaidar department of social protection instead of waiting for the hospital to solve the issue of his long-term stay in the institution. He did not do it, perhaps, due to the stress from losing property, or the lack of legal knowledge or understanding of his next steps in such situation.

He is now living in the RC. He said he had mentioned wanting to go home to a commission from Luhansk Military Civil Administration in the fall of 2017: *‘They told me, ‘Wait, where are you going to go in the winter? Spring comes, then...’*

One of the specifics of staying in municipal RCs for the older people displaced from the occupied areas is that they are not entitled to the so-called ‘IDP payments’. According to a Cabinet of Ministers (CMU) decree no. 505 dd. 01.10.2014, monthly targeted assistance is provided ‘to cover expenses for housing, including utilities’¹¹. Since people live in the RC are full wards of the state, their registration changes to the address of the facility. Accordingly, they are not entitled to this type of payments.

‘They have an IDP certificate, they are registered in the Pension Fund to receive pension. They do not receive any assistance. They are full wards of the state. Which assistance do the IDPs receive? Compensation for housing. And they have

housing here...’ says director of an RC in Luhansk region¹².

However, the director of Mariupol residential center for war and labor veterans stated that the residents do not have IDP status; all of them are registered at the center¹³.

Like all residents of municipal RCs, retired IDPs receive only a fraction of their pension. According to article 88 of the Law “On Pension”, this fraction is 25 percent of the entire sum. The RC receives 75 percent of the pension based on a consent signed by the person. These funds are sent to the accounts of these institutions and directed solely to improving living conditions for the older people.

“The money from the special fund goes to food, hygiene items, Internet. Utility payments are covered by the state budget”, says director of an institution in Luhansk region¹⁴.

We should also mention the issue of recovering (if need be) documents for the elderly displaced persons. Sometimes, for different reasons, documents are lost or damaged during shelling. RCs admit people based in referrals that are issued based on a set list of documents. Therefore, social services performed the function of document recovery when necessary.

11 <http://zakon5.rada.gov.ua/laws/show/505-2014-%D0%BF>

12 Interview D_006

13 Interview D_002

14 Interview D_006

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“All documents stayed in the house hit by a ‘Grad’. That is why I recovered them already in Mariupol. Director of the center (Mariupol municipal center for persons without registered place of residence – ed.) helped me with the issue”, says the resident of Mariupol center for war and labor veterans no. 2¹⁵.

He is registered in Zolote. I started calling Popasna SMS [the town is a part of Popasna district – ed.]. They sent me back to Kreminna. Nobody wants to work on that. Then I sent an official letter to Kreminna SMS asking to help with replacing the passport. Afterwards, they offered to register him with us as an IDP”¹⁶.

20 | Elderly resident of Kreminna RC D. who has a first-degree disability has an unresolved issue related to passport replacement. When the conflict started, he was living in Zolote-3 with his wife. According to D., since he left the passport in the basement where he was often hiding from shelling with his wife, the document was in disheveled condition. After a shell hit the house, his wife died, and his left side was paralyzed from nervous condition. He was given an abandoned apartment in Zolote-1. After long period of hardship, he was admitted to the RC. However, it was not possible to register him at the new place of residence.

Now, D. lives in Kreminna RC, has an IDP certificate and receives targeted assistance as an IDP, which he is entitled to because he is still registered in Zolote-3 (Popasna district). According to a Cabinet of Ministers resolution no. 1085-p dd. 7 November 2014, the town is on the list of towns on the contact line¹⁷, i.e. it is part of the “grey zone”.

Concerning conditions of the elderly in the RC, we should note that we did not aim at inspecting the facilities. Our conclusions are based on open source information and testimonies of residents and representatives of the RC administration.

The social worker of the residential center says:

Respondent K. living in Mariupol center for war and labor veterans no. 2 said she was satisfied with everything.

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“When I asked the registration authority to register him with us, I received a rejection because of the problems with his passport – pages were held together with duct tape. They sent me to Kreminna SMS [State Migration Service – ed.], and they told me to change the passport, but you can only do it at the place of registration.

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“Here, in the center, the state provides everything for me – 4 meals a day, great doctors, all medication, heating, I have a separate room. I will not survive with my 1450 UAH pension, and the quality of life will be much lower. If possible, I would prefer not to go back. I will not

15 Interview D_001

16 Interview D_031

17 <http://zakon2.rada.gov.ua/laws/show/1085-2014-%D1%80>

be able to pay for utilities and medicines with my pension”, she says¹⁸.

To be fair, there was an article on the official website of Mariupol city council in January 2017 about unsatisfactory living conditions in the institution. This information was published by the city council members following their visit to the center. During their visit, they greeted the residents and gave them food baskets and gifts. After the concert, guests wanted to give their gifts to the bedridden residents personally, but the staff tried to prevent them from doing that. The staff called the police, but the law enforcement officials did not think the visitors acted illegally, and the latter were able to speak with the residents.

“The elderly were happy to see the guests and expressed warm gratitude. At the same time, many of them complained about the lack of meals and conditions of their accommodation. The wards have different conditions – from normal ones to anti-sanitary state, unpleasant smell, terrible walls and ceilings. The toilet and shower are in terrible condition. How can you treat the elderly in this way, especially since many of them are sick or have a disability? The director has the duty to draw attention to the problems of the center, find ways to solve them, actively engage those who want to donate and facilitate different events for the residents”, the deputy says¹⁹.



Elderly displaced people also live in Bilytske residential center in Donetsk region.

During implementation of the project, we encountered difficulties related to restrictions of access to the residents imposed by the Department of Social Protection of Donetsk State Regional Administration. Luhansk Regional Human Rights Center “Alternative” submitted a request for interviews with management and residents of residential centers. In response, the Department of Social Protection of Donetsk State Regional Administration said they, “they did not object to interviews **only** with the heads of residential centers”.

To justify the actual denial of interviews with the elderly persons in the residential centers, the Department refers to paragraph 5.2 of the Model regulation on a residential center approved by the order of the Ministry of Labor and Social Policy no. 549 (29.12.2001) whereby “directors or residential centers and all service personnel are responsible for protecting the life and health of residents”.

Human rights defenders consider restricting access to residents of residence centers a gross

18 Interview D_001

19 <http://marsovet.org.ua/news/show/id/15989>



and unjustified violation of human rights and freedoms.

First, residential centers for the elderly are not detention facilities where the person is placed based on a decision of the state authority and cannot leave voluntarily.

Second, residents are legally capable citizens of Ukraine, and their capacity can be restricted only by court.

Third, interviews with human rights defenders are voluntary and conducted only after a written consent for data collection is signed.

Responsibility of RC officials for the life and health of residents is not among grounds for

restricting the rights and freedoms foreseen by the Ukrainian law, including the freedom of thought and expression.

The administration explained restrictions on communication with the displaced older people,

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“They need medical, psychological assistance. Our staff psychologist is regularly working with them, talking. Now, they have adapted and feel better, but any memories hurt their soul and have psychological impact. That is why we keep others away from them”²⁰.

Such arguments do not justify a direct ban on visiting and conducting interviews with the older residents. In this case, the Department of Social Protection should have taken additional steps to ensure comfortable psychological environment during communication, such as additional clarification about the interview topic and their right to stop a meeting at any moment, involvement of psychologists/social workers during the interviews etc.

We have therefore sent reports to the Ukrainian Parliament Commissioner for Human Rights and the Ministry of Social Policy. The Ombudsman responded, “The denial by the Department of Social Protection of the Donetsk ODA [regional administration] for public monitors to conduct interviews with the residents seems to lack legal grounds confirming its legality”. A request to review this matter was sent to the Ministry of Social Policy.

In its turn, the Ministry “redirected the letter to Donetsk State Regional Administration for detailed review and appropriate response measures”. The regional administration responded, “All residents of Bilytske and Kostiantynivka residential centers registered as IDPs refused from participating in interviews, which is confirmed by their written statements”.

We should note that residents had different views on their stay at residential centers in Luhansk region. H., an elderly woman with a second-degree disability who moved from Donetsk, says that she is quite satisfied with her accommodation,

is not inviting me back to Donetsk; he does not need me there. I got married here and have a separate room with, my husband”²¹.

As noted above, an elderly citizen T. was not happy with being in the residential center. He claims being able to provide for himself at 68 years of age and says he is upset with his surroundings.

“I want to work, you know, I have a drive towards the land. All this waste of time here, among sick people – it is all difficult for me”²².

He said he was ready to live in someone’s abandoned house in his village 5 km away from the contact line with all possible consequences rather than stay in a closed space.

Another institution in Luhansk region that sheltered retired IDPs was Kreminske RC. It was opened in 2005. It is located near a forest, and the territory is well kept, there are flowerbeds, benches, walking paths, and even a lake. Over the past years, there has been refurbishment, purchases of medical equipment, and a laundry room arranged in the institution. Small rooms fit from two to four persons. According to the director, there are plans to furnish an additional building with double rooms to “decongest” overpopulated rooms.

During an interview with D., a resident of the institution, he stated repeatedly he wanted to go home. He had been in the center since November 2017 and had not gotten used

“Where do I go next? My brother

21 Interview D_005

22 Interview D_003



According to the director of Kreminna RC, single pensioners live in very good conditions.

“Now, they live like in a kingdom. I see how older men and women live in the streets... Here, they have clothes and shoes, and heating. Four meals a day. I always try the soup from the common pot, we have plenty of dairy, and we make cottage cheese pancakes, puddings. We have TVs on every floor and very active cultural work. When we decorate the Christmas tree, it is like a kindergarten. We celebrate various holidays and prepare gifts. I tell the girls that it is better than being home...,” she says²⁴.

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to the new surroundings. Though he admits that conditions are quite satisfactory, he complains about the lack of freedom.

“I understand that I will have the same problems if I return to Zolote-1. With my one hand, I cannot wash clothes, cut my nails, or chop wood. I will have to ask other people again to help me with money. It is very hard for me to manage without a social worker. But I cannot be here! I am in the room the entire time, I do not go out in the street, and I have nowhere to go. I used to living free, with people, friends. I really want to come back to my motherland...”, he says with remorse²³.

Almost all respondents complained about insufficient medical assistance in the institutions. Medical services are often superficial, “They don’t treat us here. If something hurts, they will give you a pill, that’s it...” Many residents have conditions that require permanent medical oversight and occasional in-patient stay during certain procedures. The example below illustrates a common situation with medical assistance in the RCs.

One of respondents, an elderly woman, had her leg amputated back in 2010 due to vascular sclerosis. Her condition is worsening now, and her other leg is starting to bother her. In the process of issuing a referral, the surgeon said she would need to visit a doctor. However, the woman did not see a surgeon during the two years of her stay at the RC,

23 Interview D_007

24 Interview D_008

“When I lived in Donetsk, I could easily go to the hospital, buy medicines, and they could put me in a hospital for treatment. It is different here. What can I do without money? The doctor who comes to see us says, “If you have money, we will treat you”, says respondent H²⁵.

At the same time, she said the management does not deny urgent requests to go to the hospital, for instance, a dentist clinic. She knows that she needs to take medicines regularly but does not tell the doctors and neglects this need. She emphasizes the lack of money for treatment but there are state programs, such as “Accessible medicines”, that provide some medication free of charge. On the one hand, we can talk about her neglecting her health because she does not insist on going to the hospital or take necessary medication. On the other hand, the staff do not pay attention to the issues faced by the residents; they are unwilling to show interest in the residents’ health.

Older persons do not want to be a burden for others; they do not wish to impose their problems on caretakers. For some of them, the very thought of constantly asking for something and, sometimes, receiving insensitive response is unacceptable. Accordingly, they decide to manage on their own, to live with a motto “come what may”, which leads to negative implications.

We should note that older displaced people are in worse psychological condition than other pensioners are. Some of them still remember shelling and hiding in basements,

others are still depressed because of losing their family and property. In this situation, they will only benefit from extra attention of the personnel. Resident D. says he often dreams about his wife who died after their house was shelled.

“I see her in my dreams constantly, we talk to each other. She can see I am struggling here...,” the respondent says²⁶.

Not all visited RCs have a psychologist on staff. This position is on the staffing plan in Bilytske RC and Mariupol center for war and labor veterans no. 2 in Donetsk region.

Directors explain:

“We have psychologists and lawyers. Concerning medical assistance, the center has all doctors, even a dentist’s office doing dentures. All residents use these services free of charge. We do not differentiate between IDPs and locals...”²⁷

“The staff psychologist is regularly working with the IDPs, talking with them...”²⁸

25 Interview D_005
26 Interview D_007
27 Interview D_002
28 Interview D_009

Situation in the institutions in Luhansk region is slightly different. There are no psychologist positions on staffing plans. Physician in Kreminna RC works for 0.25 salary and comes once a week, conducts examinations, and writes prescriptions. The doctor in Bilokurakayne RC works part-time (half-salary position). The institution is 6 km away from the district center, and the ambulance is called in urgent cases.

Director of Svatove RC stated that it would be good to have assistance of a staff psychologist,

“We really lack psychologist on staff. Psychological assistance is relevant not only for the IDPs. Some people come here voluntarily, others – due to circumstances, and some of them need time to accept the situation and feel like home here...”²⁹

During interviews, residents and personnel of the RCs mentioned that the remaining

25 percent of the pension is insufficient for the elderly. If the pension is 1560 UAH, only 390 UAH is left. Even though the residents are provided with all necessities – housing, clothes, food – this amount is often too little to buy medicines they need or to pay for taxi when they need to use the service.

Almost all RC directors complained about having insufficient funds for medicines.

“We buy certain medication with special funds. However, if someone needs expensive medicines, they have to buy them with their money, while they have only 25 percent of their pension...,” says the head of an RC in Luhansk region.

We should note that RCs do not receive additional funding for accommodating displaced persons. All residents are accommodated on general terms. Sometimes, charities provide them with food packages or hygiene items.

Private institutions³⁰

According to Article 46 of the Constitution of Ukraine, the right to social protection shall be guaranteed by the mandatory state social insurance, as well as by budgetary and other sources of social security; and by establishing a network of state, communal, and private institutions caring for incapacitated persons.

State authorities lack a common policy on keeping records on the elderly persons in private care institutions.

The Ministry of Social Policy of Ukraine is the central executive authority responsible for formulating and implementing state policy on social policy and social protection or volunteer activities, as well as the state policy on registration of persons in need of social assistance, social services and other types of material support³¹.

According to the response provided by the Ministry of Social Policy, they do not have a register of persons, including those displaced, in private institutions for incapacitated persons (run by public organizations, religious communities etc.). Approved statistics forms do not have general information on private sociomedical establishments/institutions.

According to information provided by executive authorities in cities and districts of Donetsk region, 48 compact IDPs settlement locations in Donetsk region accommodate 1000 elderly persons. In particular, 92 older people live in Sviatohirsk Lavra (orthodox monastery of the Ukrainian Orthodox Church (Moscow Patriarchate)), 96 people are staying at “Sosnovy Bor” recreation center of Zasiadko Coal Mine. However, these are accommodations for all displaced persons from the war zone, and not the specialized in-patient sociomedical institutions for permanent accommodation of older people.

Luhansk Regional State Administration has information about the placement of one IDP in a private institution for the elderly and persons with disabilities.

Seniors from the war zone were evacuated to institutions run by public organizations and religious communities mostly upon an initiative and at the expense of owners or volunteer organizations.

Proliska, the humanitarian mission to help civilians in the war zone, provided assistance in evacuation from the danger zone. The mission was established in June 2014 on the basis of Kharkiv regional youth NGO Proliska³².

30 For the purposes of this report, private institutions include institutions for permanent residence of older people supported by non-governmental organizations, charitable foundations, religious communities, private individuals etc.

31 Regulation on the Ministry of Social Policy of Ukraine approved by the decree of the Cabinet of Ministers of Ukraine no. 423 dd. 17 June 2015

32 <https://www.facebook.com/pg/proliskamission>

Proliska mission provided transport for victims from the dangerous areas and transfer into care of relevant organizations.

Religious communities were also involved in the process. In particular, Christian church “Dobraya vest”³³ from Sloviansk (Donetsk region) took part in the evacuation of the elderly.

One of the research objects was the home for permanent accommodation of older people, which used to function in the now non-government controlled areas in eastern Ukraine and was run by a Christian community. Since the beginning of the conflict, many residents decided to leave the war zone and move to the government-controlled territory together with the institution’s management. The group relocation was organized with the bus provided by volunteer organizations, as well as individually by private vehicles. Several people were forced to evacuate from the war zone independently since the continued stay in the war zone was impossible,

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“During shelling, the shock wave knocked me off my bed twice. I witnessed four attacks”³⁴.

The eastern city of Kharkiv is one of the main transit points for evacuation of conflict-affected population to the government-controlled areas. During the “hot” state of the conflict in 2014–2015, a volunteer charitable fund “Station Kharkiv”³⁵ provided active assistance

to displaced persons, including the elderly, in the form of food and accommodation.

The State Emergency Service of Ukraine provided free of charge rail tickets to the final destination³⁶.

State authorities and institutions took part in directing this group of affected persons in the government-controlled areas to private institutions offering care and accommodation for older people. Victims of shelling were also transferred to relevant institutions with the support of the military.

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“We evacuated some people on our own, some people were evacuated by charitable organization “Proliska”, with whom we cooperate closely, and others were evacuated by “Dobraya vest” church from Sloviansk. Some people were brought from the department of labor and social policy of Bakhmut city; others were brought from hospitals in Kostiantynivka, Chasio Yar, others – by relatives. There are many ways...,” says the director of a private institution for the elderly in Donetsk region³⁷.

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“Some IDPs came on their own (Avdiivka, Horlivka, and Donetsk) when hostilities started in their cities, others

33 <http://www.dv-church.net/>

34 Interview D_015

35 <http://station.kharkov.ua/>

36 Interview D_016

37 Interview D_013

were brought by the military. For instance, the military brought a group of seven people from Mykytivka with no belongings, they were depressed after a bombardment”, recalls the head of a charitable fund that supports a charity home for older people³⁸.

“Loss of documents is quite common. People are more careful about their passport, while other documents are often lost or destroyed. Some of our residents, approximately 20 percent, have no documents at all. State services ask us to take people without documents because they are not able to help. It takes months to recover documents, sometimes – years, and some documents will never be recovered”, says the head of a private institution for elderly persons⁴⁰.

International organizations also facilitated evacuation of the elderly from the war zone and their further placement in private institutions. For example, Czech humanitarian organization “People in need”³⁹ took active part in placing older persons in the government-controlled areas.

Measures to secure personal property of the affected elderly people depended on the circumstances of evacuation. When evacuation took place under direct threat to life and health resulting from shelling, the evacuees had to leave their property and take only the necessities. During the planned evacuation, the elderly had a chance to prepare and take personal documents and belongings to help them adjust in the new place.

However, documents were often lost during evacuation. The most widespread was the loss of employment records and pensioner IDs, which then led to difficulties in application for and granting of relevant social payments.

In some cases, in the absence of IDs, placement in institutions run by public organizations and religious communities is almost the only solution circumventing bureaucratic procedures for the placement in state or municipal institutions.

Accommodation in private institutions is arranged in accordance with their ability to provide proper services and care. The decision to accept elderly persons from the conflict zone for permanent accommodation is made directly by the directors or founders, if the person is willing to stay at the institution.

As a rule, there are no rejections. One of the respondents mentioned that specifics of the person’s health condition could serve as a ground for temporary rejection, for instance, in cases of tuberculosis, STDs or other diseases that might affect other residents⁴¹.

The process of registration is based on the statutory documents and internal regulations on record keeping. The new arrivals may be asked to write a written statement of consent for permanent accommodation.

The period of accommodation, according to the testimonies, is unlimited and depends on personal choice of residents. Some of them have expressed intent to return to their abandoned homes if the conflict is resolved,

38 Interview D_014

39 <https://www.clovekvtisni.cz/en>

40 Interview D_013

41 Interview D_013

others did not want to come back under any circumstances.

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“Some people are here temporarily – until they recover their documents, go through a treatment and rehabilitation course... Others will stay here because they simply have nowhere to go”, says T., director of an institution⁴².

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Understanding the condition of their abandoned property is a constraining factor for the decision to return home. The homes of many displaced elderly persons were destroyed or damaged during hostilities, remained without heating or maintenance, necessary utilities or equipment. They would require refurbishment, purchase of necessary equipment etc. Overcoming the impact of hostilities and return to peaceful life require significant financial resources, which creates significant obstacles to return given the material situation of those affected and the lack of state compensation programs.

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“In general, it would be good to come back... But where? It [the apartment] was unheated the entire winter. Everything is damp there... You need to throw everything away and refurbish...,” emphasizes F., resident of an institution for elderly persons who was forced to leave his home damaged by shelling⁴³.

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There are also residents who were forced to leave their homes in the non-government controlled areas but continue to visit and maintain them, pay for utilities, and wait for sustainable peace.

The costs of accommodating older people, including food, necessary clothing and hygiene items, utilities etc., in private institutions are covered from several sources: predominantly, these are own funds of organizations and their founders, donations from individuals and organizations, financial assistance from local and international charities and religious organizations, as well as the money withheld from pensions and social payments received by the residents.

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“On average, an elderly person [his/her expenses] costs six thousand hryvnia per month. I am calculating the minimum – healthcare, utilities, and meals. Even with the pension raise, you need to find 3.5–4 thousand hryvnia. Here you have sponsors, philanthropists... Someone [from the donors] gets tired, someone gives up... You cannot mooch off the donors all the time. Things are not that bad, you have to be active”, emphasizes a co-founder of an institution⁴⁴.

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In some cases, residents pay for food and clothes with their social payments, and split the costs of utilities.

The state does not participate in funding private institutions providing care for the

42 Interview D_013
43 Interview D_018
44 Interview D_016

elderly persons who were forced to leave the war zone. The management is trying to establish cooperation with local authorities. Within their capacity and power, they can provide support to ensure proper conditions, for instance, remove bureaucratic hurdles in obtaining certain documents, free of charge sanitation and fuel for heating in the winter.

Residents of private institutions receive social protection on general conditions. They apply to the local social services office for an IDP status. The status entitles them to a monthly targeted assistance for housing, including utilities, in accordance with the legislation⁴⁵.

In most cases, there are no problems with social payments if all necessary documents are available. In certain situations, the transfer of pension from the non-government controlled areas is faster than that from the areas of Donetsk and Luhansk regions near the contact line under Ukraine's control due to documentation procedures between Pension Fund offices.

"Pensions from the non-government controlled area are transferred faster than those from the government-controlled. For instance, the person receives pension in Marinka district [government-controlled]. A request for the paper case file is issued. It can take three months. When the person is from the non-government controlled area, they [Pension Fund offices] receive an electronic case. It [transfer of pension] happens within a month", says the head of an institution⁴⁶.

However, there is a documented case in which a resident of a private house has not received pension even though he has all necessary documents. It is caused by inspections of IDPs at the place of residence conducted by social services in accordance with the resolution of the Cabinet of Ministers of Ukraine⁴⁷. In practice, implementation of this resolution is often accompanied by violations of inspection rules, such as lack of notification or neglect of duty and the persons of concern by employees of the social services. As a result, social payments can be withheld for an indefinite period, and the elderly person is forced to waste additional effort and time to renew them.

"It happened that inspections took place in a different city, Bakhmut, while the street was actually in Chasio Yar [Chasio Yar is governed by Bakhmut city council of Donetsk region]... inspectors come without preliminary phone notification. Sometimes, the wind or rain blows away a note from the inspector, and the IDP has no idea he was inspected. In some cases, they knock, don't get a response and leave, without notes... and the elderly simply do not hear the knocking", complains the owner of a private institution for the elderly⁴⁸.

The main obstacle for receiving pension and social payments foreseen by the Ukrainian legislation is the lack of necessary documents. According to the head of a private institution

45 Decree no. 505 (1 October 2014) of the Cabinet of Ministers of Ukraine

46 Interview D_016

47 Decree no. 365 (8 June 2016) of the Cabinet of Ministers of Ukraine

48 Interview D_013

visited during the study, approximately twenty percent of residents have no documents whatsoever — they were either destroyed or lost.

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“In 2015, citizen K. arrived from Dobropillia, an internally displaced person, a person with a disability, with no legs, the documents were lost. Because he was born in Donetsk, they cannot recover his documents, and he cannot receive any social payments”, says respondent D⁴⁹.

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In some cases, it is necessary to go to court and have witnesses ready to attend a hearing to confirm identity. In practice, it can create issues regarding such applications — there are no witnesses, sometimes the next of kin do not wish to serve as witnesses in court for personal reasons, and sometimes the older person does not remember or cannot say where s/he used to live and where witnesses can be found. Since a significant part of Donetsk and Luhansk regions is outside of the government’s control, it is almost impossible to find witnesses for the displaced person and ensure their attendance in court.

Absence of employment records creates significant obstacles to the exercise of the right to age pension enshrined in the law.

We have documented a case where a 63-year old IDP, resident of a private institution for elderly persons has not been able to receive pension at the new place of residence because he did not have employment records. The management of the institution helped collect certificates from the enterprise where

he had worked for 25 years. However, the name on the stamp differed from the records of the Pension Fund, which prevented calculation and determination of pension. Since the archive with property records is located in the non-government controlled areas, and taking into account his health condition, the procedure of application for pension is postponed, in the search of qualified legal assistance.

The procedure for recovering and submitting documents for social payments does not take into account health condition or reduced mobility of older people.

Pension Fund offices and social services demand that the recipient of social payments is present. In some cases, presence is not possible due to their health.

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“I remember how glad we were about the order [possibility] to request a house visit, but when we tried, we were “told off”, ‘We do not have enough people on the spot, and we have to go somewhere?!’ So when someone has some money, they order taxi...,” says the respondent⁵⁰.

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The person has to be present without the right to delegate when the Ukrainian passport is issued by the migration service. Sometimes it can make the procedure more complicated.

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“I have a person in the limbo. His passport was issued in Kurakhove (where he previously lived). Now, we have to go and pick it up with

49 Interview D_014

50 Interview D_013

this person. And he is wearing diapers. It means I have to go with him in my own car. It is six thousand hryvnia both ways [from a town in Kyiv region to Kurakhove in Donetsk region]. He needs to be there. I am now looking for money to pick up his passport”, shares respondent H⁵¹.

Receiving a new Ukrainian passport to replace the Soviet passport can also be problematic.

“There is a person, he had his leg amputated. He had a Soviet “red” passport, we applied for the Ukrainian one, but there is no ‘propyska’ [registration] in the passport. I cannot apply for disability assistance because he has no registration”, says the director of the institution⁵².

Residents receive medical assistance on general terms in healthcare facilities in the areas where private institutions are located.

There is no medical personnel on the staffing plan of the visited institutions. Doctors on call come to the institutions and provide necessary medical assistance. In case a specialist consultation is necessary, residents are taken to the hospital with available transport and assisted with buying medicines.

According to an owner of a private institution, pre-existing chronic illnesses of older

persons have become more acute because of the conflict,

“We have a woman who needs special sedatives, there are people with asthma, those paralyzed after a stroke – they need special medical assistance, and we try to meet their needs. Of course, many of them would not have these illnesses if not for the conflict or related stress”⁵³.

Personnel can provide residents with certain medicines from the general kit and help with simple procedures – measuring blood pressure, body temperature etc.

The private institution that moved from the non-government controlled area at first had difficulties with calling the ambulance. The issue was common for the entire village, and it was solved after negotiations with the management of the district hospital. Currently, local authorities are trying to support the institution in receiving medicines, providing information about possibilities of participation in state programs offering discounts for medicines.

At the same time, the head of a different institution complained about the lack of possibilities to purchase medicines free of charge or on favorable terms⁵⁴.

During a visit, the project team member received information off the record about

51 Interview D_016
52 Interview D_016
53 Interview D_013
54 Interview D_013

an incident when medical personnel of a municipal hospital in the government-controlled area denied care to an elderly person from the war zone. The person needed urgent care (for a gangrene that led to an amputation). Instead, the doctor on duty suggested taking him back. On the following day, the patient received necessary help after a conversation with the hospital management.

Authors of the report did not intend to seek corroboration of the case from other sources, but we consider it necessary to mention this incident given the context and gravity of the human rights violation.

Elderly residents of private institutions also mentioned the negative impact of the conflict on their health,

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“The conflict really had an impact... all of this affected my nervous system, I am losing sleep, feeling constant weakness, my eyesight has gotten worse. When I am cold or worried for a long time, my eyesight becomes worse”⁵⁵.
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The overall psychological condition of residents after forced displacement from the conflict area, according to external observations during the study, leaves much to be desired.

Volunteer doctors provide support to repair the psychological condition, but it happens

rarely⁵⁶. Panic attacks, unfounded fear, overall psychological vulnerability continue to bother those affected by conflict.

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“Many of our long-term residents continue to feel strange panic, subconscious fear. We had to pull some of them from the rubble, after bombardment... Of course, it left a certain mark on their mind”, says the owner of an institution⁵⁷.
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Residents who were displaced from the conflict zone emphasized the negative impact of the conflict on their mental health,

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“The conflict had a psychological impact. Sometimes, I have tears. I am often emotionally agitated. I remember how they came to us with weapons and think that thank God we were taken from there! I do not hear the thunder, and the silence comes at night. And there, you hear the sounds of weapons, tanks riding, and planes flying...”⁵⁸
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One of the interviewees thinks that the main cause of psychological trauma for the elderly is not the conflict or hostilities, but moving from the place of permanent residence, a familiar environment to the new place, and the need to adjust,

55 Interview D_015
56 Interview D_014
57 Interview D_013
58 Interview D_017

“It is difficult for an elderly person to move. Especially 800 kilometers. Many of them are missing home. They ask when they will come back. Some people from the government-controlled area were under constant shelling. A man lived alone in the apartment for a year to a year and a half, and no one remembered about him... In general, they have nothing, they are abandoned”⁵⁹.

Private institutions need support from the state, in particular, in receiving a clear legal status and solving other pressing issues.

Unlike operations of similar institutions for children, the work of private centers for permanent residence of older people is not regulated by the Ukrainian legislation. The result is the uncertainty in their legal status and the status of their permanent residents.

Public and religious organizations that provide care for the elderly, on one hand, are restricted due to the lack of legal status (for instance, in matters of care and custody registration). On the other hand, they operate in accordance with their capacity in the absence of integrated standards and norms.

“We are working towards a family-type accommodation for older persons. We want to work on the legislative level... As a custodian, I can take one-two people into custody, not more. As an institution, I am not allowed. We need the state to help, as it does with

family-type centers for children. Parliament members are joining efforts. How long it [adoption of the law] is going to take – I do not know. It took ten years for the children.

We should not look at elderly people as if they were done. Human rights and the person are above all. I understand that the state has problems... The family-type accommodation is not a Soviet corridor where older people are lying down and living out their lives. Many people here come back to life, they understand they are needed, do something... If the state helped us, it would be much more effective”, says the director of a private institution⁶⁰.

In the absence of a system for objective monitoring of their activities, there are misunderstandings or negative feedback from former residents⁶¹.

Since the state and financial institutions do not recognize the possibility of representation during the procedure of renewal and application for social payments, in some cases, it is a trespass against human dignity of the elderly. The problem needs to be immediately resolved given the lack of actual opportunity to request a visit at the place of the older person’s permanent residence.

Institutions for the older people who were forced to move from the war zone constantly need construction materials for refurbishment, household chemicals, bedding, clothing for IDPs, and food⁶².

59 Interview D_016


60 Interview D_016

61 <https://vchemik.livejournal.com/908935.html>

62 Interview D_014

The residents also emphasized the need for medical and psychological assistance, medical equipment and orthopedic devices for effective treatment of existing conditions.

Qualified legal assistance for recovery of the documents for social payments is also among urgent needs of private institutions. Free legal aid provided by public organizations does not ensure stable legal help and result-oriented approach,


“Need for assistance? Legal. At least concerning the recovery of documents. Especially from the non-government controlled areas. Officials do not understand, they tell us to go and get them”⁶³.

Accommodation in private housing

One of the ways to solve the housing problem for the elderly who were forced to leave their homes and found themselves helpless is the right to use private housing.

The lack of infrastructure and housing for the large number of internally displaced persons, the overall lack of development of the real estate market in the government-controlled areas of Donetsk and Luhansk regions has significantly contributed to the increase in rent prices in the region.

Older persons, one of the most socially vulnerable groups, are not able to rent housing in large cities in eastern Ukraine, and are forced to find shelter in suburbs or remote towns and villages.

The elderly who are now living in private housing used to live mostly in private houses before the conflict.

Forced displacement was caused mostly by shelling next to the contact line, disruptions in water, gas, and electricity supply, destruction of housing, problems with social payments, and illegal actions of representatives of the armed groups against older people and their property. Persons with disabilities faced significant challenges as the elevator service

in multi-story houses was discontinued during hostilities.

Since social services have ceased to function after the state authorities stopped operating in separate districts of Donetsk and Luhansk regions, it had negative impact on the elderly persons in need of permanent external assistance and living in their own homes – they were left struggling to survive⁶⁴.

Older persons unable to move around on their own or use the help of their relatives or next of kin were evacuated with the help of volunteer organizations who took groups or individuals to the government-controlled territory.

Neighbors and friends also helped with the evacuation,

“We asked the neighbors to carry with stretchers. Wife, neighbors, everyone was pulling. There is a man living in our block. We asked him [for transportation by car]”⁶⁵.

64 Interview D_020

65 Interview D_022

We have documented a case of a family consisting of elderly persons, including one person with a disability, who were forced to leave their home in the town at the contact line upon request of Ukrainian military,

“Ukrainian military told us to leave the house, but we had nowhere else to go... the windows in the city apartment were broken, and this apartment was robbed...”⁶⁶

Those capable of moving without external help take into account the circumstances and make their own decisions on evacuation, at their own expense,

“We decided to leave. Heavy shelling started, mines started flying. We had to leave”⁶⁷.

“Dangerous. I could not stand the shots. My house was later bombed, and, before that, a neighboring district was bombed. It was scary. It was not anxiety but terror”, an elderly person recalls the reason for moving from the conflict area⁶⁸.

“When the shellings started, we were hiding in basements... in Lenin Street, where the swimming pool, the polyclinic, the technical college were destroyed... we decided not to wait any longer”, says N., an elderly person, bed-ridden since 1998⁶⁹.

In the absence of a stable contact line and established procedure for crossing, in 2014–2015, evacuation took place amid hostilities with serious risk for the life and health of older people.

It was not only the older people from the non-government controlled areas who moved and settled in private housing.

After a shelling of an apartment block in Lysychansk, which was reclaimed by the Ukrainian authorities, an elderly woman who lived by herself in the destroyed apartment was forced to seek shelter in a rural area. In this situation, she was evacuated in accordance with her choice at the expense of the state and with the vehicle of the State Emergency Service.

66 Interview D_019
67 Interview D_019
68 Interview D_021
69 Interview D_022



A destroyed building in Lysychansk — the former home of the respondent

Where possible, people managed to take documents, personal belongings, domestic appliances and equipment. In other cases, people could not take their assets during the evacuation.

“We took the documents, of course. The passport, the employment records. No belongings, I managed to grab two shirts”, an evacuee recalls⁷⁰.

“They told us right away, when the house was damaged, to take everything we could. The rescue service helped. I managed to take some things from the apartment”, recalls an elderly woman who lost her home after an artillery shelling⁷¹.

According to respondents, in certain situations, it was possible to take only a limited amount of property during the evacuation due to requests of the military⁷².

70 Interview D_020

71 Interview D_023

72 Interview D_019

Often, the affected persons searched for accommodation on their own, taking into account financial restrictions and health condition (for instance, restricted mobility that makes it impossible to live in the upper floors of multi-story houses).

State authorities and local government tried to offer housing to the most vulnerable categories of IDPs. However, due to the number of IDPs, especially in 2014–2015, the offers were often unacceptable,

“There were many IDPs, they were placed wherever possible, as long as there was a roof”⁷³.

Local government provides information about the placement possibilities upon requests from the internally displaced persons. Local councils also provide opportunities to move into abandoned housing that has been uninhabited for a long time.

“[We] came here, to the village council. Olena Mykolaivna was at the village council, we asked her. The house was empty, the owner had left, and the village council was taking care of it. And we received housing as refugees”, says elderly person N. who lives in Muratove village in Luhansk region⁷⁴.

If elderly persons had relatives or friends who could host them, they settled with them.

“Here [in the village] I have all relatives. I am local. I asked to be taken here, to my brother, and I lived there, looked after it, and then they told me they would sell the place...,” says a displaced woman⁷⁵.

Elderly persons placed and living in private housing are vulnerable in their legal status in relation to the property they use.

In most examined cases, the use of property takes place without sufficient legal grounds. Owners are not bound by conditions and term of lease, thus they can request to own and use the property at any point.

“We have not made an agreement [with the owner] because people are afraid of being punished or something else. We don’t want them to have trouble”, says the respondent⁷⁶.

There is widespread practice when, in accordance with an oral agreement from the owner or any binding documents, IDPs start living in the house, pay for utilities and upkeep (sometimes, superficial repairs). Later, the owner decides to sell the place without a warning or demands that they leave for other reasons. In this situation, the rights of tenants

73 Interview D_019
 74 Interview D_022
 75 Interview D_023
 76 Interview D_019

in difficult circumstances due to the armed conflict are not protected from the owner's will.

It also applies to houses where the elderly live based on "permission" from the local councils. In most cases, disposal of the property takes place without the appropriate authority.

Due to specifics of Ukrainian legislation, local councils are not interested to gain ownership from the intestate property or housing abandoned by owners. The owner or heirs can claim their property rights at any point and demand its return from illegal disposal. Legal uncertainty of property relations prevents IDPs from feeling like the master of the house and having confidence in their future.

"They simply put us there, gave us the keys, and that is all. We did not have a lease agreement. While you are in a difficult situation, they let you live there. Many people in such situation received housing. The owners of abandoned houses either died or left..." says N., an IDP living in a rural area⁷⁷.

Living with friends or relatives also is not a safeguard from sudden place of residence.

The older displaced persons understand their vulnerable position and hope to solve the ownership rights issue in the future:

"I want to arrange with Kolia, my son-in-law; he has to come from Russia to buy. Let me put a monument [to the deceased common relatives], pay something... so I can live here legally. I want to work and invest [in the house] knowing that it is mine"⁷⁸.

Depending on individual circumstances, older persons can live in different conditions.

Living with relatives and friends is based on agreements relating to the household chores.

Conditions of rent depend on financial abilities of the tenants. As a rule, older people can afford to rent a limited range of real estate in the lower price category.

In most cases, abandoned houses in rural areas are in disrepair and require a lot of work. Older persons try to settle and arrange peaceful life to the extent of their abilities.

"I am tired. How much I worked here, how much garbage I cleaned... There were trees here so big that you could not reach the house, everything was grown over, abandoned. I fixed the hallway; the house did not have a porch. There was nothing, no water, nothing..." says respondent T⁷⁹, who lives in Borivske village, Luhansk region.

77 Interview D_022

78 Interview D_023

79 Interview D_023

During an interview, a team member observed conditions of living of an elderly person with a disability in need of constant external care. Here is how he described them:

“The outlet, the table, and the bathroom bucket are within arm’s reach. He makes tea with an immersion heater. His daughter visits every day. She lives in a house nearby. The water tap is in the courtyard. She brings water, takes out the bathroom bucket, brings food, and heats the stove... At first, he did not even have a bed. The neighbors gave, then a charity provided an even better one [bed]. The blanket, bedding, and the clothes were also collected from all around. Everything in the house is black with soot, and only one room is suitable for living. The windows have rotted, there are holes, the roof is leaking, and there is draft from the doors and the floor... There is not enough money to survive, not to mention refurbishment”⁸⁰.

In some cases, IDPs are forced to live in the so-called “summer kitchens” during the entire year while these premises are not suitable for winter accommodation.

We should note that in most cases examined herein the respondents did not encounter discrimination, negative attitude or bias at the new place of residence. In small rural communities, people may be cautious or fail

to understand the problems of newcomers, but these are not systemic issues.

“No, it [discrimination] did not happen. People understand that everyone has their own tragedy. They have normal attitude. We are one country, after all”, shares an older person regarding to attitude of locals towards IDPs⁸¹.

Displaced persons living in private housing apply for social payments individually and upon their own initiative.

Persons with disabilities and resulting reduced mobility have to incur additional transport expenses and deal with challenges in accessing an institution for a meeting with a state official because it is difficult to request a visit from relevant officials to a house or even the street next to the office.

When state officials visited older people at the place of their residence, the people had to cover the transportation costs (taxi)⁸².

The application process for pension or other payments at the new place of residence can take up to several months even if all documents are available. Given the conditions of the elderly IDPs, they end up in a difficult financial situation,

“They did not start paying right away. I had to wait four-five months before receiving [the

80 Interview D_022

81 Interview D_019

82 Interview D_020

pension]. I had some money left, but, for the most part, my friends helped. I had to borrow from my neighbors. I had to find a way – a man needs to eat”⁸³.

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Social payments are allocated on general terms taking into account the IDP status. Residents in private housing are subject to inspections by social services. Professional neglect of social workers can lead to delays in social payments.

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“I had not received the targeted assistance for accommodation for four-five months. The inspector said, ‘I was on vacation, the documents were moved to another folder. It is their fault my application was lost... I called the “hotline”, later they transferred and received everything”, says a displaced older woman⁸⁴.

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When pension cards were lost, the local Pension Fund restored the cards based on an application at the new place of residence.

Older persons affected by conflict receive humanitarian assistance in the form of food, clothing and necessary medical equipment from non-governmental organizations, such as the International Committee of the Red Cross.

There are additional challenges in receiving social and humanitarian assistance by those

who lost their houses in the government-controlled areas,

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“I was rejected. They said, ‘How are you a displaced person?’ Later, when I showed all documents and letters came from Kyiv... But before that I had not received assistance for a long time”⁸⁵.

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Since many IDPs receive social payments in the government-controlled areas of Donetsk and Luhansk regions, the capacity of institutions does not correspond to the increased number of visitors. Interviewees mentioned queues as a problem that affects the process of applying for relevant social payments.

Residents of rural areas have to travel to district centers and cities to apply for social payments, which causes additional waste of money and time. It can lead to delays in pension or social payments and leave the older people struggling to survive:

—

“There were so many problems... I came, and there was a line, I waited in vain. I came back next time – again did not make it. I went again, and there was one certificate missing, then another. We lived without pension for eight months. However, you have to live somehow, don’t you?! We begged, to be honest. We went around – [asked for] potatoes from neighbors; kind people

83 Interview D_019

84 Interview D_020

85 Interview D_023

helped. Of course, otherwise, it was very hard to survive”⁸⁶.

In some cases, social workers visited the elderly displaced people in rural areas.

Due to the loss of documents confirming disability, with the archives in the non-government controlled areas, the elderly persons had to go through a disability commission again⁸⁷.

Due to health issues, lack of knowledge of procedures, queues and lack of sufficient information from the state authorities responsible for social payments, third persons get involved in the process of application for pension and social payments as consultants or “intermediaries”. They charge for their services, which is an additional burden on the people in need of financial assistance.

The quality of medical assistance to the older people forced to leave the war zone and living in private housing depends on the location and medical infrastructure in the new place of residence.

Medical care is provided on general terms. In cities, a doctor visits the patient and provides first aid for free. At the same time, chronic diseases require attention of a specialized professional. When unable to visit the hospital, the elderly are forced to arrange with the doctor, incur additional transport expenses and pay for the services.

Before the conflict, several interviewees were registered with local hospitals and could have regular examination and treatment. At the new place of residence, registration and

examination is more difficult since the older persons lack information about medical care in local facilities.

The study also found reports of difficulties in calling an ambulance, which is a general shortcoming of the healthcare system in Ukraine, not related specifically to the elderly IDPs. When an ambulance arrives, they provide first aid and necessary medication free-of-charge, while further treatment has to be covered by the patient.

In rural areas, access to medical services is more difficult. The ambulance visit and purchase of medicines are rather challenging. The necessary medicines and specialists are in district centers and cities. The remote location of medical establishments impedes access to healthcare for persons with disabilities.

“They [the ambulance] would not come if I called. I called through colleagues (police officials). They called, and only afterwards, the ambulance came. Nobody needs me. Different excuses. Until the head of the police called... then they came”, says displaced person N. living in a rural area⁸⁸.

The undeveloped transport infrastructure in rural areas has additional negative impact on the quality of medical assistance,

“There, in S. [a city in the non-government controlled area in eastern

86 Interview D_022

87 Interview D_022

88 Interview D_022

Ukraine] everything was close. Here, I have to arrange the travel. We pay 300–500 hryvnia to go to the district center”⁸⁹.

All interviewees point out the negative impact of the conflict and related events on their health.

In addition to exacerbation of chronic illnesses, they experience overall deterioration of psychological and nervous condition manifested in nervousness, agitation, lack of sleep and depression. The loss of property, family and social connections, precarious situation have negative impact on the state of older persons.

“Of course, it had an impact, surviving this. All nights in the basement. The entire winter. Damp. Nowhere to get warm. War is war”, shares respondent A⁹⁰.

“It affected me very, very much. I still cannot calm down. Everything I owned was left there [in the destroyed apartment]. And my life”, says respondent T⁹¹.

Sometimes, elderly persons need a neuropathologist due to severe nervous conditions caused by war-related stress. We should note that the state-sponsored “Accessible medicines” program does not cover medicines for neurological conditions⁹².

All interviewees mentioned the need for medical care and the unaffordable medicines, which constitute a significant portion of their expenses.

“A lot of money goes to medicines; we receive money for one injection [free of charge]. And it hurts... We buy medicines and don't have enough to eat...”, an elderly person said about the difficult situation⁹³.

For the seniors living in the private housing, additional expenses related to the use and maintenance of someone else's property add to the overall low level of social support in Ukraine. The monthly housing assistance for IDPs does not cover the cost of utilities.

Psychological assistance taking into account the stress, concerns about their next of kin and abandoned property is also among pressing needs, “Insomnia, I don't sleep. Very bad feelings because my apartment is abandoned. I want to go and look at it... But it is impossible now”⁹⁴.

One of the main wishes of the older people in dire circumstances is coming back to their home. At the same time, in many cases, they

89 Interview D_022

90 Interview D_019

91 Interview D_023

92 <http://moz.gov.ua/dostupni-liki>



93 Interview D_019

94 Interview D_021

feel fear and additional psychological stress when they think of the situation they would need to come back to and the efforts needed to restore their homes.

Legal assistance is among the key needs. The elderly living in abandoned houses in rural areas desperately need consultations and legal support for acquisition of property rights. Overall, there is lack of order and certainty in ownership records of real estate in rural areas in Ukraine. Quite often, several generations live in a house that belongs to a long deceased person. This problem is particularly relevant for the displaced persons who invest their own limited efforts and resources to restore and arrange accommodation at the abandoned property.

The need for legal support is also relevant for the return home,


“When it is liberated, the legal support is also going to be necessary... Will the houses and apartments be repaired so I can live there?”⁹⁵


Humanitarian assistance remains an important aspect of support for this category of older people. Those living in abandoned homes in rural areas have especially acute need of humanitarian assistance. Food items, clothing, construction materials and repair services are among urgent needs of the older people in terms of raising the quality of their lives to the level of minimum requirements and respecting human dignity.

One of the important tasks of this study is to draw the attention of the public and state authorities to these issues.

Accommodation of older people in places of IDP compact settlement

According to Donetsk Military Civil Administration, 48 areas of compact settlement for IDPs accommodate citizens from the area of hostilities who were forced to leave their permanent residence following the escalation of hostilities, including approximately one thousand elderly persons.

One of such locations is a building of the former kindergarten in Kurakhove, which was redesignated as a House for war and labor veterans, and later, in May 2005, renamed back to “Alionushka” kindergarten. The building had been empty for about a decade, and in 2014–2015, the city council provided rooms for temporary accommodation of the residents of Donetsk, Marinka, and Krasnohorivka after massive shelling of their cities.

According to Kurakhove city council, the two-story House of veterans has 10 rooms on the first floor and 16 rooms on the second. Today, 53 people who lost their homes live there, including 21 elderly person. The building is equipped with six bathrooms, 4 showers, a laundry room with three washing machines and a cooking area with two tables and an electrical stove with two burners and an oven.

The building needs additional repairs and equipment. In 2015, the city council organized the roof repair, but locals say it still leaks sometimes. The heating is weak, and there is often a problem with electricity when excessive load causes outages⁹⁶.



An 84-year old widow B. moved from Marinka to Kurakhove after a shell hit the house and killed her son. It happened on 11 July 2014, on the first day of shelling in Marinka. His wife was in another room and sustained mild injuries.

— ● ● ● —

“After that, I lived in my house with my daughter-in-law for several days. The shelling continued, life became unbearable. Marinka had no electricity or water. The mother of the husband of my daughter-in-law’s daughter from Kurakhove called and offered for us to move in with her for some time. The daughter-in-law said we were leaving Marinka for a short time, 2–3 weeks but it turned out different... on 4 August 2014 my house was completely destroyed by shelling. Soon, the husband’s mother who hosted us died, her son refused to give us shelter, and we had to leave. My daughter-in-law rented a place for herself from other people, and I had an opportunity to live here, in the House of veterans”, she recalls⁹⁷.

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She lives in a small room, 2.5 by 2.8 meters, which also serves as her kitchen. After the move, ordinary citizens helped her with the necessities such as cutlery, clothes, and bedding.

Another resident of the House, an elderly woman U. moved to Kurakhove in December 2014. In July, her apartment in Marinka was hit by a shell and burnt down while she was at the summerhouse. She almost had a heart attack and was immediately taken to the hospital. After discharge, she lived in different places – in the summer house, at her brother’s, until her acquaintance from Marinka district state administration advised her to move to the House of veterans that was already hosting IDPs.

— ● ● ● —

“When I came here and entered the room – there was nothing except for an iron bed. I had nothing with me. Teachers from Kurakhove schools whom I knew through work – I worked as an educator for 42 years and also was a director of the House of arts in Marinka – helped me with things, items of first necessity...,” says the respondent⁹⁸.

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97 Interview 026

98 Interview 027

Within the framework of activity of Médecins Sans Frontières, an independent medical humanitarian organization, doctors visit the residents twice a month on Friday to measure

blood pressure, sugar level, examine and provide the necessary medicines. A separate room is allocated for the doctor's visit.



Photo credit: Vladyslav Sodel⁹⁹ ↑ ↘

The building belongs to the city council; it is municipal property. The accommodation is free of charge, people stay there based on contracts and only pay for utilities, including electricity, gas, water, and waste disposal. However, all maintenance costs are divided among the residents regardless of the space they occupy or resources they use. According to the residents, the total amount is 670 UAH per person per month, including 300 UAH for electricity.



99 <https://apostrophe.ua/article/society/2015-02-02/vyi-tam-peredayte-pust-uje-tam-na-verhu-dogovoryatsya-myi-mira-hotim/1190>

Older persons who live in the house receive pension and targeted assistance for IDPs. The state does not provide any other social assistance at the moment. Respondents reported receiving assistance from charities, including Caritas, Pope for Ukraine, and Rinat Akhmetov Foundation, who provide food packages, cutlery, and medicines. Respondent B. said that the Danish Refugee Council provided her with 3960 UAH of financial assistance.

Interviewees have certificates issued by Marinka district council confirming that their homes were destroyed. However, because there are no state programs for compensation of lost property, assistance was limited to temporary shelter. It is temporary because the media reported the plans to establish an ambulance station in the building. The residents were told they would stay in the house until the end of heating season, and the eviction would start in May. In a piece by Radio Svoboda, Roman Romanets, deputy mayor of Kurakhove, said this question was under discussion, and the approval will be given only after an alternative accommodation is found.

“We will try to find a way, because we also do not want to lose the ambulance...,” the officials say¹⁰⁰.

The response from Kurakhove city council states that the plan to place the ambulance is within the authorities’ vision for implementation of the medical reform in the future merger of communities. The residents were informed about these issues. In February, many displaced residents applied to the city council asking for temporary housing.

However, in the absence of available housing and funding for construction, the local authorities cannot solve the issue. They also noted that there were 485 people in the queue for apartments by 1 January 2018.

The response says, “IDPs living in “Alionushka” kindergarten have the right to find temporary accommodation that would satisfy them on their own”.

Residents are terrified of being evicted from their new homes. Though conditions, mildly speaking, can be improved, especially for the older people, they are happy with what they have.

“I have nowhere to go from here, I have no one left in this world” says B. crying, *“I wish they would give any room or leave here and not terrorize us any more with eviction...”*.

Of course, the residents of the House for elderly veterans, as well as other displaced persons who lost their homes suffer from having to live in the homes of strangers, without a definite future and dependent on local officials and volunteer organizations. Respondents complained about deterioration of health, sleep disorders, and high blood pressure.

“I still see the sight of my son dead after the shelling. I cannot even visit his grave in Marinka because everything is mined, tripwire everywhere”, says respondent B.

100 <https://www.facebook.com/donbassrealii/videos/10155699125486843/>

According to Donetsk Regional Military Civil Administration, since July 2014, there have been allocations of funds from the regional budget to compensate institutions, enterprises, and organizations for providing accommodation in dormitories and resort complexes to persons who left the danger area during intense fighting. The regional state administration initiated allocating 10 million hryvnia in Sviatohirsk city budget in 2017 to compensate the expenses of enterprises, institutions, and organizations caused by temporary accommodation of persons who left the ATO area.

“Due to funding from state budget, Sviatohirsk now has conditions for the stay of internally displaced persons, most of whom belong to vulnerable social groups (including persons with disabilities, orphaned children, and seniors). In 2017, actual funding amounted to 11.3 million hryvnia”, the department of social protection stated in its response to a request.

“Sviati Hory” health resort is one of the largest places of compact settlement of IDPs,



mostly people with disabilities. In October 2016, there was a transfer of 217 displaced persons with disabilities from “Kuyalnyk” health resort to Sviatohirsk. Since the fall of 2016, “Sviati Hory” provides temporary accommodation to IDPs from Avdiivka, Horlivka, and Donetsk.

Though this study did not have an objective to monitor the issues faced by the displaced people with disabilities, we should provide an overview of these problems specifically because many older people have disabilities.

“Kuyalnyk” health resort in Odesa where IDPs came to Donetsk from in the fall of 2016 is a private establishment. In 2014, the management agreed to accommodate displaced persons from the East. The state got involved as well and promised compensation to the company for the IDPs – to cover accommodation and utility costs. However, according to the resort director Araik Pohosian, during the two years of accommodating IDPs, the resort’s debt reached 11.8 million hryvnia. However, they only received 903 thousand hryvnia of compensation from the city budget¹⁰¹. Odesa Regional State Administration distanced itself from the problems and did not rush to pay the debts. The Ministry of Finance responded that they had not covered the debt because the regional administration failed to prepare proper documentation. The enterprise was on the verge of bankruptcy. During the first year, people lived free of charge. Then, they started receiving bills for accommodation and meals. While all current issues used to be solved in a relatively constructive way, the conflict had exacerbated since May 2016. The administration insisted that residents found a new place saying the resort needed major refurbishment due to emergency conditions; they also cut off electricity and water

Donetsk Military Civil Administration agreed to solve the issue of temporarily accommodating IDPs. “Sviati Hory” health resort was reconstructed specifically to accommodate persons with disabilities.

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“We never leave our fellow citizens in trouble. Today, we accepted one more group of displaced persons with disabilities in Sviatohirsk who had spent two years in “Kuyalnyk” health resort in Odesa region. For the most part, these are former residents of the temporarily occupied territory of the region. During several last months, the management of the resort has created unbearable conditions trying to get rid of them. We found out and interfered, started urgent repairs and prepared to host our people in the building no. 9 of “Sviati Hory” health resort”, the Donetsk Military Civil Administration



101 <https://hromadske.ua/posts/kurort-dlia-pereselentsiv-kuialnyk>

quotes Pavlo Zhebriovskyy, the head of Donetsk regional administration who came to greet the IDPs¹⁰².

However, an entire range of problems was found during a monitoring visit to “Sviati Hory” in the spring of 2018.

It was stated in 2016 that accommodation for IDPs would not be free of charge. The price per day for adults is 14 hryvnia, for children – 7.5 hryvnia. This money should cover one meal, utilities, and maintenance. It is only 20 percent of the full price of accommodation at the health resort. The regional budget would cover the largest part¹⁰³. It was planned that the payment would come from the monthly targeted assistance to IDPs.

According to interviewees, their contracts had 15 hryvnia per day indicated as the sum. In most cases, residents live in double rooms, and they have to pay for both places if they want to have the room to themselves, as it is difficult for people with severe conditions to stay together.

“How can you put two people with different conditions in one room?! Everybody has different problems, symptoms, habits and specific acute moments! When I have hypertensive crisis, I need several days to get better. What if there is another person around?” a resident of the health resort expresses a common opinion.

Administration of the resort keeps raising the question of increasing the cost of accommodation. They talked about it again on 13 March 2018 referring to the recommendation to “optimize expenses” in response to the letter from Donetsk Regional Military Civil Administration.

In the report on the human rights situation in Ukraine from 16 August to 15 November 2017, the Office of the High Commissioner for Human Rights pointed out the unsatisfactory conditions in “Sviati Hory” collective living center for IDPs:

“The indoor temperature of the two buildings was approximately 15 degrees Celsius. Residents share a single functioning shower, and a warm shower is available only once every nine days. The electricity is weak and the elevators do not function. Furthermore, IDPs accommodated in this collective center lack basic food items, medications and hygiene products”¹⁰⁴.


In fact, in the beginning, the promise was to provide rooms with comfortable conditions for persons with disabilities. However, in reality, they live in rooms without hot running water. The tap water is very cold, like from the well, and it has negative impact on the joints of persons with motor system illnesses. There is a shower with hot water in the building, but the residents say it is very cold in the winter, and people get sick from hypothermia for a long time after that. In addition, it is not allowed to wash the dishes in the shower,

102 <http://dn.gov.ua/z-kuyalnyka-na-donechchynu-povernulasya-shhe-odna-grupa-tymchasovyh-pereselentsiv/>

103 <https://www.radiosvoboda.org/a/28063643.html>

104 http://www.ohchr.org/Documents/Countries/UA/UAReport20th_UKR.pdf.

and the residents have to wash pots and pans in ice-cold water.




“I have problems with my heart. After that extremely cold water my hands swell and I get vasospasms...,” says one of the residents.

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The residents say that the Red Cross brought water heaters two months after their visit, but only two were installed in the five-story building. The rest went to the rooms for paying visitors, not displaced persons.

After the escalation in Avdiivka on 1–6 February 2017, the Donetsk Region Military Civil Administration evacuated and relocated 288 persons to other towns in the region. In particular, 207 people were relocated to Sviatohirsk, including 132 children. A 72-year old N., a resident of Avdiivka, was among the evacuees resettled to “Sviati Hory”. She still lives in the establishment, receives the age pension and IDP assistance. She has a prosthetic joint in one leg, and her other leg is deformed. She also has problems with eyesight – she was under shelling in the beginning of the war and had an eye surgery. Before retirement, she had a disability. When she retired, her pension was higher than disability assistance, so she refused the latter. When she moved to the health resort, the absence of elevators in the five-story building posed a serious challenge for her.



“It was not possible to use the stairs with my sore legs. Very strong pain. I used to live on the fifth floor for over

a year, I crawled down. Only recently was I moved downstairs. I cannot walk even a kilometer. If I need to go to the hospital in Sviatohirsk, I call a taxi. I don’t go anywhere else...,” she says¹⁰⁵.

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All residents complained about the absence of elevators. Of course, wheelchair users were usually accommodated on the lower floors, but other residents have conditions that make it difficult to deal with the barriers several times a day.



“My heart starts pounding when I go up to the fifth floor”, another resident complains.

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Access to medical and social services is restricted due to transportation issues. Now, it is extremely difficult for people with disabilities to get to the Pension Fund, social services, and hospitals in Sloviansk and Kramatorsk even with the low ticket cost. A morning bus from Lavra to the railway station, which arrives before the departure of the local train at 7:10, runs on weekends only¹⁰⁶.

The residents want it to be a daily route so they can leave on weekdays. Now, residents reach the regional center by intercity buses that costs 80 UAH return. The residents find it very costly, especially if they need to travel several times.

According to former residents of “Kuyalnyk”, transport arrangements were very good in Odesa. They would like to have something

105 Interview D_029

106 <http://villagreenhouse.com/raspisanie-avtobusov-zh-d-vokzal-svyatogorsk-svyatogorskaya-lavra/>

similar in Sviatohirsk. Twice a week, a bus provided free of charge by the Odesa Regional State Administration took people to different locations, such as the hospital, social services, shops etc., and picked them up in the afternoon. Of course, Sviatohirsk is quite far from the regional center, and the residents are ready to pay for transport but with a discounted tariff.

An elderly woman S. from Horlivka living in “Sviati Hory” told us about her hardships since 2014. After first incidents of shelling, she was evacuated with her daughter and granddaughter to a children’s camp in Sviatohirsk. One month later, they had to go back because the daughter had troubles at work. Soon after, S. went to the relatives of her late husband in Kramatorsk and applied for pension there.

“Of course, people don’t stay long with their relatives. I started asking Kramatorsk executive committee for some accommodation. They referred me to the dormitory at 4 Klubna Street. I spent one winter there. The following winter, they had no heating for some reason. It was very cold, and I was suffering. Around that time, I met Nadiia Stepanivna Palamarchuk, the head of the association of invalids. When the temperature in the room fell down to zero, I had to go to her. I spent the winter with them. Later, when a big group of people from Odesa was transferred to Sviatohirsk in 2016, she suggested for me to write a request to Zhebriivskiyi to also be accommodated there. Later, she took care of all the paperwork. In the fall of 2016, I came here”, the respondent says¹⁰⁷.

We should mention that the 83-year old woman has a childhood disability. At the age of two, she was run over by a train and lost one arm and one leg. She has had a prosthetic leg since she was five. Now, her condition has been deteriorating. She needs crutches due to her age, and a joint on her arm is inflamed regularly. It is hard for her to wash herself, and she has to ask the social worker supporting wheelchair users for help. She thanked the charitable foundation Caritas Ukraine for providing medicines to the elderly.

She visits her home sometimes, but she cannot stay long since “her nerves cannot stand the shelling”. Due to circumstances, her daughter had to stay in the occupied area, so she tries to deal with the problems on her own, living by herself in the temporary accommodation.

Travelling to Sloviansk for medical appointments is challenging, so she would like to have social housing in Sloviansk, closer to the doctors.

We should emphasize the difficulties with access to medical services in “Sviati Hory”. According to the respondents, doctors in the resort provide care only to the regular visitors. The residents cannot even get assistance from the nurse.

“When I needed injections, I used to go to the municipal polyclinics. We always had a nurse in “Kuyalnyk”, and a doctor used to visit”, says a resident.

“There is a medical unit in the resort, but we cannot even go inside. Local doctors do not service displaced persons. We are outcasts in the country, and also here”, another interviewee complained.

Social services and the Pension Fund representatives come to “Sviati Hory” once a month since the resort is located far from the regional center. They see up to 150 recipients of benefits by appointment. When there is a need to re-apply for targeted assistance once in six months, sometimes, the specialists do not come before the deadline. A week or two can be lost, and the assistance payment is postponed.

Wheelchair users living in the health resort complained about the unsatisfactory situation with accessibility. In the rooms, there is a 20-cm barrier between the room and the shower, and a person in a wheelchair cannot cross it without assistance. Not all curbs on the

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property have ramps. The curbs that do have ramps were hastily made, and using them can be dangerous. A man in a wheelchair showed how much time and effort he spends on a simple task of exiting the gate. In the winter, roads outside of the resort are almost never cleaned, and people are trapped in their dwellings.

Before the resort, an 80-year old B. and her son had to live in a summer home under repair, and in a garage quickly transferred into a somewhat suitable accommodation. In addition, the woman could not walk after a stroke she had suffered back in 2015, when she was living in her apartment. Her son lived in Sviatohirsk at that time and said he would not come to Donetsk during the war, but offered to pay for her move and find a place to live. After two years in terrible conditions, in December 2017, she moved to “Sviati Hory” resort. She is now living in a double room with her son¹⁰⁸.

The process of applying for a category of disability for a woman who does not walk and lives far from Kramatorsk/Sloviansk is rather complicated. One needs to come for an examination several times, and it is too expensive to hire a car every time.

During interviews, residents of the resort complained about discriminatory treatment by the personnel.

*“Why don’t you go home?”,
“When are you all going to leave?!”,
“How long can you sit here and spend
the state money...”*
is what the residents
regularly hear.

“The main thing is that both in Odesa and here the attitude was the same – we were treated like cattle!” respondents say.

“When they hear the word “displaced person” – that’s it! They gaze like tigers! What if it happened to them! What can I do? My house was destroyed; I was alone in this world. Who needs me in a wheelchair? Who is going to take me in? The hospital is not accessible. I have to take the “children’s” elevator – go down the stairs on my bottom. And the medical staff only ask me why I was riding around in a wheelchair, dragging the dirt around! It’s killing me psychologically”, a 60-year-old O. shares his bitter experience.

The statements above are based on interviews and interactions with people. It turned out there were many challenges for persons with disabilities in the institution, but we should be objective and provide room for opinion of the state authorities and Nadia Palamarchuk, the head of the regional organization of people with disabilities.

The head of the family and youth department of the Donetsk Military Civil Administration Lilia Zolkina said they regularly received complaints from the displaced persons with disabilities living in Sviatohirsk. However, the resort is not designed for permanent accommodation of persons with disabilities. She said people would be transferred to the center for people with disabilities in the nearest time.

“Sviati Hory’ health resort is private, it belongs to trade unions, so the Donetsk Military Civil Administration does not have the right to invest budget money into its maintenance and infrastructure”, said Lilia Zolkina. “The regional authorities pay for 80 percent of utilities, but there are also current repair and maintenance costs. We cannot spend budget costs for repair of elevators because it is a private resort. We suggested transferring it to the inventory of the Donetsk Military Civil Administration, but the owners refused. IDPs pay 600 hryonia per person, this money covers utilities; they were offered to pay 800 for the resort to get money for current repair but people refused”.

According to the official, the question of relocating IDPs to the center for persons with disabilities would be solved during the month.

“We have already offered people to move to the homes for invalids but they refused because the life in a resort in nature is much more attractive. However, the resort is not designed for permanent accommodation of people with special needs. So we will be solving the issue with accommodation during the month, conduct a comprehensive analysis of the available placements in the homes for invalids in the region”¹⁰⁹.



Photo from social network Facebook

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Nadia Palamarchuk said there was a visit to “Sviati Hory” following an order of the head of the Donetsk Military Civil Administration together with the Department of Social Protection, managements of the Center of Social Services for the Family, Children, and Youth. Though the visit was meant to verify information about terrible conditions in the resort reported by the media¹¹⁰, she said this information was not confirmed.

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“IDPs pay 600 hryvnia per month, which includes accommodation, water, electricity, and heating. A daily hot lunch costs 100 hryvnia per person per month. It is optional. The room has a TV, a fridge, furniture, a balcony, a separate shower and toilet. People do not appreciate it. Several hundreds of people wrote complaints.

They do not let the management of the resort live or work... One can only dream about the nature and air like in that area. Such beauty is hard to find. In addition, it is all in the town center. Many had order and cleanliness in their rooms. However, some people turned their dwelling into a “garbage dump”. They smoke in the rooms, drink, do not leave the children living next to them alone. And all of this only for 600 hryvnia per month. The rest is paid by the regional state administration. I think that Donetsk authorities have done everything they could to ensure that people live in peace, comfort, and not under shelling. However, certain rogue individuals poison everyone’s life”, Nadia Palamarchuk writes on social media¹¹¹.

110 <http://bit.ly/2wrfTzx>

111 <http://bit.ly/2wEJ4qa>

According to her, people who cannot take care of themselves have to agree to temporary placement in centers for people with disabilities where they would receive round-the-clock care and medical assistance.

Therefore, the situation in “Sviati Hory” health resort, a place of IDP compact settlement, is complex. On the one hand, local officials say they had done everything to provide temporary shelter to the IDPs despite certain

difficulties. On the other hand, displaced persons who had been living away from home and in isolation from society for several years have complaints about the conditions of accommodation considering their special situation. This is not an exceptional case, and other places of compact IDP settlement face similar issues. As we can see, the search for solutions on the regional level has reached a deadlock, and central authorities need to get involved and adopt the necessary legal instruments.

SOCIAL PROTECTION FOR THE OLDER PERSONS IN NEED OF EXTERNAL CARE IN THE “GREY AREAS”

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Life near the frontline, in the so-called “grey zone”, poses significant challenges in different areas. Regular shelling, disruptions of water and electricity supply, impeded access to medical and social services, lack of shops and pharmacies are only some of the issues faced by the local residents on a daily basis. For single elderly people who need additional care life in such conditions becomes truly challenging. Often, they are left to live out their days face-to-face with their problems even when they formally have children who fail to fulfil their duty to take care of their parents. With the help of volunteer organizations, some of these older people found shelter in private hospices for the elderly located far away from the war zone. However, the majority have remained in their homes. According to the volunteers, it is extremely difficult psychologically for the single seniors to leave the homes where they had spent their entire life,

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“They are ready to die there, in those terrible conditions. No matter how much food they have and how warm it is, for the people who lived free for 80 years it is a cage even if it is a golden one...”¹¹²
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According to the State standard for home-based care approved by the order of the Ministry of Social Policy of Ukraine no. 760¹¹³ on 13 November 2013, elderly persons incapable of self-care receive services of home-based care through departments of social assistance of municipal territorial centers. However, this service is available free of charge only to seniors **with no relatives** who have the duty to provide care and assistance, or with relatives of older age or a recognized disability status (according to the Cabinet of Ministers decree no. 1417 dd. 29 December 2009

112 <https://www.radiosvoboda.org/a/video/29048499.html>

113 <http://zakon2.rada.gov.ua/laws/show/z1990-13>

“Certain aspects of activities of the territorial centers of social services)¹¹⁴. In other cases, services are provided in accordance with the established tariffs on social services.

Based on examination of living conditions of citizens in difficult life circumstances and their needs, social workers draw up an Individual plan of social services and an Agreement on social services. Social services may include the purchase (with the person’s own funds) and delivery of food items or medicines, superficial cleaning, calling a doctor, and organizing an application for subsidies etc.

According to the territorial centers, the workers are provided with bicycles, travel passes or compensation for travel costs from the local budget when they give home-based care.

According to the CMU Decree no. 1417 dd. 29 December 2009, one social worker provides services for:

- ▶ six citizens in rural areas without transport connection, in private or state sector without public utilities;
- ▶ ten citizens in cities with public utilities.

However, social workers have higher workload due to specific conditions. Territorial centers in Bakhmut, Marinka (Donetsk region), Popasna, Novoaidar, Stanytsia-Luhanska (Luhansk region) provided data on the number of social workers servicing localities next to the contact line. In some cases, the data shows excessive workload on the personnel.

Districts	Number of older people receiving home-based care	Number of social workers	Number of people serviced by a social worker
Bakhmut	194	14	>13
Marinka			
urban areas	194	25	>7
rural areas	43	5	>8
Popasna	460	41	>11
Novoaidar (mostly rural areas)	34	4	>8
Stanytsia-Luhanska	189	16	>11

Social workers face multiple challenges when providing social services to the residents of the “grey zone”. Apartment blocks in several localities (for example, Novotoshkivske village, Zolote-3 town in Luhansk region) have no centralized heating, and the locals use solid fuel for their furnaces. Social workers, most of whom are women, have to take coal and firewood up the stairs.

The lack of regular transport connection between the localities where people in need of care live and the district center where social services are located is also an issue affecting home-based care for the residents of villages near the frontline. For instance, in Popasna district of Luhansk region, the bus goes twice a week to Troitske village and three times a week to Novotoshkivka. Social workers who live in Popasna are not always able to get to work on time due to poor road conditions and unsatisfactory conditions of the passenger transport.

There is no centralized water supply almost in all villages near the contact line. Social workers draw water from the wells that are often located far from the person’s house. The lack of proper mobile connection creates additional obstacles for communication between seniors and social workers or relevant institutions.

Social workers providing care to seniors in areas located far from district centers are mostly locals. However, since people capable of working have been leaving that area, it is rather challenging to find candidates for the job.

A position of a social worker providing home-based care in Zaitseve village on the frontline has been open for a year.

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“Because of the specifics of providing care for seniors, neither Bakhmut territorial center, nor the military civil administration can find a person for this position. There is no up-to-date information about the number of persons in need of care in that area”, the staff of the military civil administration said in an interview¹¹⁵.

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In March 2018, there were approximately 1000 permanent residents in Zaitseve village, including older pensioners. In Maiorsk and Zhovanka, localities within Zaitseve village, people live under constant threat to life and health. On the outskirts of Maiorsk, the distance between an entrance to the house and the nearest trench is 100 meters.

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“During shelling, people need to run out of the house and reach the basement. However, they are not able to do that because as soon as they exit the door they are on the line of fire. Therefore, it is safer, if this word is applicable here at all, to lie down on the floor and wait for the shelling to end”,

said the workers of Zaitseve Military Civil Administration.

Almost all streets and houses in Zhovanka, a locality partially controlled by the so-called “DPR”, are under constant threat of shelling.

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An older resident of Zaitseve M. lives by herself in a house with the windows facing the area of hostilities. To ensure her safety, in the winter of 2017, the military civil administration of the village arranged her visits for treatment at a hospital in Chasiv Yar.

An older citizen F. had lived in his apartment in Krasnohorivka until the spring of 2016. In 2014, his wife and daughter fled from hostilities to the Russian Federation, and they have lost connection ever since. According to F., there are approximately 10 people left in the building with 90 apartments. A “Grad” hit next to the building near the contact line. As a result, there are no windows and the plastic balcony panels were damaged. There was no gas or electricity supply in the town.

The man has bad legs from vascular occlusion, which makes it hard to walk. The neighbors have brought water and humanitarian assistance kits.

The respondent says:

“I managed with 6 liters of water per week. I tried to conserve and not be too demanding. Every morning, especially in the summer, you wake up and wait for the shelling. There was no gas; I learned to cook everything in the microwave. When I had no electricity for three weeks, I was eating uncooked semolina. My daily intake was a bowl of semolina, a spoon of sugar, a cup of water, and a piece of bread. I did not leave the apartment during that time. I have bad legs, I walk 50 meters and they “give in”. I was not receiving my pension. There was nowhere to receive it,

everyone had left... A social worker called me once, “How are you, what do you need? Should I come and sweep the floor?” No, thank you, the neighbors do that for me...”¹¹⁶

It was particularly difficult in winter period. The town has been without gas supply and, accordingly, heating since 2014. Some residents of multi-story buildings used space heaters; others installed makeshift stoves (“burzhuika”) because of power outages.

“I had an aluminum container in the kitchen; the water froze to its bottom. The heater in the room was on, but the temperature was +4, even though I covered the windows with lining and blankets. It was like living in a tomb. There were plenty of mice in the apartment. I made a mouse-trap and caught 28 mice...,” the respondent says.

To make ends meet in the absence of money, he had to sell his plasma television set and look for places that accepted non-ferrous metals. Finally, he moved to a private hospice for seniors with the help of Proliska humanitarian mission.

In almost all interviews, respondents acknowledge the important role of humanitarian and volunteer charities in supporting the residents of towns near the frontline, vulnerable social groups, especially single older people. These organizations include

Proliska humanitarian mission, HelpAge International, Humanitarian Center of the Rinat Akhmetov Foundation, international charitable foundation Caritas Ukraine, the Red Cross Society, a Czech organization People in Need, ADRA, Pope for Ukraine and others. Assistance comes in the form of food packages, hygiene items, fuel briquettes, and technical equipment for rehabilitation. When necessary, volunteers organize evacuation of seniors from dangerous areas, conduct trainings for social workers and service recipients on overcoming depression, anxiety, and stress.

Some villages in Popasna and Novoaidar districts of Luhansk region where seniors are the only residents have no gas supply because the gas pipes have been damaged during hostilities. Older people have to freeze in the winter because they cannot afford to pay high electricity bills if they use electric heaters. Humanitarian organizations try to arrange the delivery of fuel briquettes to these villages if there is a possibility to use them for heating. However, even availability of solid fuel does not guarantee warmth for older people because many people above seventy cannot physically work the furnace.

Like all other people living near the contact line, social workers face risks in the area that regularly comes under shelling. Additional security measures include trainings involving the State Emergency Service, the Danish Demining Group regarding behavior around objects with an explosive risk, during/after shelling, and the first aid for the injured.

In the moments of escalation, social workers had to hide from a shelling in a basement during their working hours.

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“Our staff are absolutely unprotected, they face danger while working”, the respondents complained, “The staff who went through stress related to the shelling should receive assistance from a psychologist...”¹¹⁷

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Respondent D., an elderly resident of Zolote-3 in Popasna district (Luhansk region), complained about the lack of proper social care. A shell hit his home and killed his wife; their home was destroyed. His left arm was paralyzed because of stress. He also had a first-degree disability involving a visual impairment. The pensioner received an apartment in Zolote-1 for temporary disposal. The conditions were terrible — there was no electricity as the meter had burned out. The neighbors helped him construct a furnace.

It was difficult for D. to manage without external assistance.

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“I went to the city council in Zolote and asked for a social worker, and they told me the line was long, there were many ill people, you would need to wait for a long time. I could not do laundry, cut the bread or even tie my shoelaces on my own! I asked other people in the street to do it for me. I asked the neighbors to help me, but they are young and did not want to get involved with me...”¹¹⁸

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Because Zolote (with five settlements) was governed by Pervomaisk city council before the conflict, D. stopped receiving pension.

117 Interview D_011

118 Interview D_007.

During the ATO, the city on the contact line was resubordinated to Popasna district. D. had to apply for renewal of payments, prepare the documents, and go to the district center etc. However, a half-blind man with one hand could not do it on his own. He recalls that the humanitarian assistance from the Red Cross Society and the Rinat Akhmetov foundation was of great help to him. He also temporarily lived at the church in Komyshuvakha.

Several times during the interview, the respondent expressed gratitude to N., a resident of Zolote-1 who helped him get his pension – she prepared the documents, accompanied him to the Pension Fund. Later, N. facilitated his referral to Kreminna residential center for the elderly and persons with disabilities because it was difficult for him without external care.

Usually, not all medical services are accessible at the contact line. A volunteer of the humanitarian organization mentioned that the town of Shchastia (Luhansk region) does not have an ophthalmologist or other specialists to provide age-specific care to the seniors.

“In Luhansk region, only one expert can determine the level of hearing loss, and he is in Sievierodonetsk; people with hearing impairments have serious difficulties finding a specialist. Many towns, even those with more than 5000 residents, do not have dentists, not to mention smaller villages. Many villagers have not had an examination of respiratory system for over three years’, says the respondent¹¹⁹.

Life near the frontline, in constant fear of shelling and without “the light at the end of the tunnel” necessarily has an impact on the psychological condition of civilians. Many seniors are depressed and contemplate suicide. An employee of a territorial center said in his interview, “*Those who do not wish to live ask for death*”, vividly characterizing the extremely difficult situation of older people.

Representatives of HelpAge International, an organization that also works with older IDPs, suggested that assistance of social workers solely in relation to living conditions is not sufficient in the time of war. There is a need to teach social workers in the war zones to assess the psychological condition of the elderly and provide an algorithm of action for various situations and determination of the need for specialist care.

Single people face, first and foremost, loneliness and lack of possibilities of communication. Isolation leads to “laziness” in day-to-day care and unwillingness to maintain at least basic order in their homes. Volunteers consider it necessary to develop and support the independence of older people in domestic issues.

“Employees of the territorial center deliver food to single people’s homes and prepare meals for them. I think it is important to help an older person walk to the shop and let them choose the products, cook together, not instead of them. It would increase and support their independence. Even in case of people with no mobility, bed-ridden ones, it is necessary to make an assessment from the point of view of independence and

find what they can do on their own. Encouraging certain degree of independence, trying to extend it with different equipment or skills – this is, of course, individually in each case”, says a representative of HelpAge International¹²⁰.

To conclude, the life of single seniors in need of external care in the areas near the contact line is far more challenging than the life of pensioners in peaceful areas. The everyday lives of pensioners living “between war and peace” involve the lack of social and medical

services caused by difficulties in accessing relevant services, the lack of stable mobile connection, loneliness caused by relocation of their relatives, fear, and depression caused by constant shelling. Their situation is even more severe due to issues with utilities, including power outages, disrupted water supply, lack of gas supply and centralized heating. The only benefit they have before the pensioners who went to the safe area is living in their homes, in familiar circumstances. It is perhaps difficult to call living in a house that can be destroyed tomorrow a benefit, but some respondents said, “at least you are home when you die”.

SOCIAL CONDITIONS OF THE OLDER PERSONS IN NEED OF EXTERNAL CARE IN THE ORDLO

Before the conflict, in addition to municipal institutions providing social services, seniors in Donetsk and Luhansk regions received care from establishments supported by public organizations and religious communities from different denominations and faiths.

After the beginning of the armed aggression, some of the establishments were under threat because of their affiliation.

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“When the war started, armed people came to us and started threatening, asking why we were here and who organized us”, said the resident of a center for seniors in the non-government controlled areas of Luhansk region supported by the protestant religious community¹²¹.

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Several institutions were forced to leave the war zone due to military activities and abuse by the armed groups.

There was no organized evacuation of seniors from the war zone in the early stages of the conflict in part due to legal uncertainty surrounding the events. In particular, there was no declaration of the state of emergency that would trigger evacuation by the state emergency services.

At the same time, existing plans for evacuation of institutions for permanent residence of older persons did not include a possibility of the armed aggression by the Russian Federation:

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“The evacuation plan for the territorial center in case of war provided for evacuation to Chornukhyne which

is also in the non-government controlled areas; there was no evacuation plan in case of a war with Russia”¹²².

On 28 July 2014, Luhansk regional geriatric residence no. 1 came under shelling. As a result, five people died and three sustained injuries of different gravity¹²³.

There were attempts to relocate institutions for seniors from the epicenter of hostilities deeper into the ORDLO. However, authors of this report do not have verified information about the outcomes of these attempts.

There are ongoing attempts to evacuate individuals from the non-government controlled areas to the territory controlled by Ukrainian authorities. The contact line divided parts of Luhansk and Donetsk regions without taking into consideration the movement of seniors for medical assistance and social services:

“A man used to temporarily stay at the in-patient care unit of the territorial center [a municipal institution with accommodation for seniors] in Alchevsk [the ORDLO territory]. He was undergoing treatment but lived in Popasna [government-controlled area], in a residential center. He was supposed to return to the place of residence, but employees of the residential center could not pick him up because of the hostilities, and he did not have legs and could not return on his own”¹²⁴.

There are also successful transfers of the elderly from the ORDLO with the help of volunteers and international organizations, in particular, the International Committee of the Red Cross.

One of the main issues faced by the elderly living in the ORDLO is related to pensions. Under Ukrainian legislation¹²⁵, exercise of the right to pension is linked to the IDP status.

The status involves inspections by the Ukrainian social services and identification in the state bank authorized to conduct the payments, as well as crossing the contact line to interrupt the term of stay in the ORDLO. It is also difficult for the seniors to receive an electronic permit to cross since most of them do not have computer or Internet skills.

At the crossing points, the elderly have to deal with several-hour queues without cover from precipitation or shelling, or infrastructure for basic hygiene.

For many single elderly people these are insurmountable obstacles to receiving their pension, and it has a devastating impact on their living conditions. To circumvent the legislative requirements, some of the elderly people have to use the paid services of intermediaries who solve the issue using corrupt methods. The cost of renewing pension payments can be up to 30–40 percent of the entire amount outstanding. The pensioner does not have to leave the ORDLO area.

In certain cases, legal obstacles are accompanied by risks to life and health, such as crossing the contact line outside of the crossing points established by the parties.

122 Interview D_024

123 <https://korrespondent.net/ukraine/events/3398593-v-luhanske-pod-obstrel-popal-dom-prestarelykh-est-zhertvy>

124 Interview D_024

125 The Law of Ukraine no. 1706-VII “On ensuring the rights and freedoms of internally displaced persons” dd. 20.10.2014

The psychological and physical condition of older people was affected by life in the epicenter of the armed conflict, conflict-related uncertainty, problems with communication, and long-term lack of any social services. Common problems with local infrastructure caused by the conflict, in particular, disruption of basic necessary utilities, have additional negative impact.

“The time came when older people could no longer reach the government-controlled area of Ukraine and had no means of surviving. Many people felt despair, fear, and depression. There were also strokes and heart attacks. People who were not registered by the social services were in especially difficult situation. Almost no one knew about them. I heard that older people committed suicide out of despair”, a volunteer who helped older people in the ORDLO in 2015 recalls¹²⁶.

Since many people fit for work have gone to the government-controlled areas or abroad, the number of seniors left alone and in need of external care has increased significantly.

A number of international humanitarian organizations limited by the “authorities” of the so-called republics continue to operate in the ORDLO. These include the International Committee of the Red Cross and Czech humanitarian organization “People in Need” who provide help to single elderly people¹²⁷.

According to the testimonies, more than two thousand people assisted by a volunteer organization in the ORDLO were left without support during the conflict because the organization could no longer carry out its activities in those areas. Where possible, information about older people was provided to social services, religious organizations and charities that continue to work.

Activities of Ukrainian organizations that used to provide active humanitarian assistance to the victims in the war zone have been terminated in the ORDLO, inter alia, due to unlawful actions of illegal armed groups against their property¹²⁸.

Local charities and religious organizations have tried to cooperate with representatives of the so-called “LPR” and “DPR”, in particular, in relation to processing of humanitarian assistance at the customs or drawing up lists of people in need of the assistance, as well as the procedure for its distribution.

When necessary, based on receiving information or request for help, volunteers organize fundraising for medicines through specialized groups on social networks or personal contacts with entrepreneurs and locals.

Local humanitarian organizations in the ORDLO also work on providing free meals for those most in need, including the single seniors who require external care. The meals take place in designated premises or at the homes of people with disabilities. The list of people in need is based on recommendations, information from the local social services, and direct requests.

According to the testimonies, local authorities controlled by the so-called “LPR” stopped

126 Interview D_012

127 <http://novosti.dn.ua/news/281580-chelovek-v-bede-y-krasnyy-krest-otpravly-v-doneck-gumanyarnuyu-pomoshh>

128 <http://www.fdu.org.ua/news/26105>

funding free meals for those most in need in 2015. At the same time, they could support the charities by providing a place for the social cafeteria on preferential terms.

The withdrawal of funding from the Ukrainian government has negative impact on the activities of the state (municipal) institutions for the elderly remaining in the non-government controlled territory. The quality of their services has deteriorated due to problems with the supply of food and salary payments in 2015. Later, representatives of the so-called "LPR" and "DPR" have gained control over these institutions.

As the most qualified medical and social workers have left the war zone, the staff shortage also has an impact on the promptness and quality of the medical and social assistance for seniors.

Accessibility of medicines, their quality and price in comparison to Ukrainian analogues pose yet another challenge in receiving proper

medical care. The absence of the market of insurance services in the ORDLO or the possibilities to provide medical insurance for emergencies or diseases also has a negative impact on the quality of life of vulnerable groups.

In the "LPR", the so-called "social cards" provide a fifty-percent discount for public transport for seniors during certain hours or days. At all other times, they use public transport on general terms, which is a significant shortcoming in comparison with the pre-conflict situation.

Social protection authorities governed by the so-called "LPR" and "DPR" in the ORDLO redistribute the humanitarian assistance among the least protected groups and organize financial assistance. For instance, in the "LPR", single older people or people with chronic illnesses receive assistance in the form of one thousand five hundred Russian rubles once in three-four months, which is not enough to satisfy their basic needs¹²⁹.

NATIONAL LEGISLATION AND INTERNATIONAL STANDARDS OF CARE FOR OLDER PERSONS IN ARMED CONFLICT

According to Article 46 of the Constitution of Ukraine¹³⁰, *citizens shall have the right to social protection including the right to financial security in cases of old age, and in other cases determined by law. This right shall be guaranteed by the mandatory state social insurance and by establishing a network of state, communal, and private institutions caring for incapacitated persons.* Article 48 of the Constitution provides that every citizen of Ukraine shall have the right to a standard of living sufficient for themselves and their families including adequate nutrition, clothing, and housing.

According to Article 1 of the Law of Ukraine “On the basic principles of social protection of labor veterans and other categories of elderly persons in Ukraine”¹³¹, the state guarantees to each citizen of old age proper level

of living, satisfaction of various vital needs, provision of different types of benefits, such as provision of pensions and benefits, provision of housing, creating conditions to help maintain their health, as well as maintain health, day-to-day services etc.

If the international treaty or the agreement of Ukraine establish higher requirements concerning guarantees of social protection of veterans of work and citizens of old age, than those which are provided by this Law then are applied rules of the international treaty or the agreement (Article 5 of the Law). The Law of Ukraine “On ensuring the rights and freedoms of internally displaced persons”¹³² establishes the safeguards for the rights, freedoms and legitimate interests of people forced to leave their place of residence to avoid negative consequences of the armed

130 <http://zakon5.rada.gov.ua/laws/show/254k/96-bp>

131 <http://zakon5.rada.gov.ua/laws/show/3721-12>

132 <http://zakon3.rada.gov.ua/laws/show/1706-18>

conflict. People of retirement age and others living in difficult circumstances and registered as IDPs have the right to use social services in accordance with the Ukrainian legislation at the place of actual residence (Article 7(3) of the Law).

According to Article 25 of the Universal Declaration of Human Rights¹³³, everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood,

old age or other lack of livelihood in circumstances beyond his control.

In 2002, the key international framework document on aging, the Madrid International Plan of Action on Ageing (MIPAA) was adopted at the Second World Assembly on Ageing with the purpose of ensuring safe and decent living conditions of living and full enjoyment of economic, social, and cultural rights by older persons¹³⁴.

MIPAA includes recommendations on state action in emergency situations (Issue 8, Objective 1).

In particular, in order to ensure access by older persons to food, shelter and medical care and other services the state shall (MIPAA, p. 55):

- ▶ Take concrete measures to protect and assist older persons in situations of armed conflict and foreign occupation, including through the provision of physical and mental rehabilitation services for those who are disabled in these situations;
- ▶ Call upon Governments to protect, assist and provide humanitarian assistance and humanitarian emergency assistance to older persons in situations of internal displacement in accordance with General Assembly resolutions;
- ▶ Locate and identify older persons in emergency situations and ensure inclusion of their contributions and vulnerabilities in needs assessment reports;
- ▶ Raise awareness among relief agency personnel of the physical and health issues specific to older persons and of ways to adapt basic needs support to their requirements;
- ▶ Aim to ensure that appropriate services are available, that older persons have physical access to them;
- ▶ Recognize that older refugees of different cultural backgrounds growing old in new and unfamiliar surroundings are often in special need of social networks and of extra support and aim to ensure that they have physical access to such services;
- ▶ Assist older persons to re-establish family and social ties and address their post-traumatic stress;
- ▶ Following disasters, put in place mechanisms to prevent the targeting and financial exploitation of older persons by fraudulent opportunists.

133 The Universal Declaration of Human Rights, United Nations, 217 (III) A, 1948

134 <https://www.un.org/development/desa/ageing/madrid-plan-of-action-and-its-implementation.html>

- ▶ To ensure enhanced contributions of older persons to the reestablishment and reconstruction of communities and the rebuilding of the social fabric following emergencies, the following action is suggested by the MIPAA (p. 56):
 - ▶ Include older persons in the provision of community relief and rehabilitation programmes, including
 - ▶ by identifying and helping vulnerable older persons;
 - ▶ Assist older persons to re-establish economic self-sufficiency;
 - ▶ Provide legal advice and information to older persons in situations of displacement and dispossession of land and other productive and personal assets.

One of the strategies suggested by the MIPAA to prevent abuse is to set minimum standards of care in specialized institutions, as well as conduct regular inspections and monitoring.

Governments have the primary responsibility for implementing the recommendations (MIPAA, p. 116).

In the Resolution 2168 (2017) “Human rights of older persons and their comprehensive care”, the Parliamentary Assembly of the Council of Europe¹³⁵ called upon the member States to take measures with a view to improving care for older persons and preventing their social exclusion. The measures should ensure a minimum living income and appropriate housing for older persons with a view to enabling them to live in dignity; prohibit, in law, age discrimination in the provision of goods and services; raise awareness of physical, psychological and financial abuse of older persons, and collect relevant data, including on associated risk factors, with a view to drawing up an action plan to eliminate such abuse.

Within the framework of the Age and Disability Capacity Program (ADCAP)¹³⁶, international institutions and organizations have developed the Minimum Standards for Age and Disability Inclusion in Humanitarian Action¹³⁷.

The minimum standards are a tool for developing and improving action to meet the sector-specific needs of people (protection; water, sanitation, and hygiene; food security and livelihoods; nutrition; shelter, settlement and non-food items; health; and emergency education).

The main goal of the standards is to support inclusion of older persons in the programs of humanitarian organizations. Minimum standards ensure adherence to the equal access and opportunities principle in crises. Humanitarian actors should use the Actions suggested under each Standard to help identify what is immediately feasible and relevant to their context and what requires action in the longer-term.

135 <http://assembly.coe.int/nw/xml/XRef/Xref-DocDetails-EN.asp?FileID=23768&lang=EN>

136 <https://startnetwork.org/start-engage/age-and-disability-capacity-programme>

137 <http://bit.ly/2PAKxFC>

CONCLUSIONS

Shortcomings of the current legal framework relevant to the rights of older persons affected by the armed conflict

1. There is no state program for compensation of conflict-related property loss, in particular, for older persons, or a state housing program for those affected by conflict in case of forced removal from their own property due to military necessity.
2. There is no state support program for the purchase of medicines or medical equipment for the displaced older persons.
3. There is no integrated system for registration and assessment of needs of the older people who live near the war zone and cannot easily be visited by social services or humanitarian organizations due to life and health risks.
4. Ukrainian legislation lacks provisions on private institutions for permanent residence of older people, which creates obstacles to their operation or effective protection of the residents' rights. In particular, there is no comprehensive approach to keeping track of private social and medical institutions for permanent residence of older people or registering people (including IDPs) in such institutions, which prevents the state from assessing and addressing their needs.
5. Procedures for recovery and submission of application for social payments do not take into account the health condition, restricted mobility of older people, and the impact of the armed conflict (the need to go through court procedures, non-recognition of representation, long distances between rural areas and the administrative offices, and challenges with requesting a visit of state officials directly to the place of residence of an older person).
6. Pension for citizens of Ukraine who live in the non-government controlled areas of Donetsk and Luhansk regions remains linked to the status of an internally displaced person, which impedes access to pension for older people.

Shortcomings in the actions of state authorities and local self-government in relation to older persons

1. There are shortcomings in the work of social services related to the rights monitoring and advising older persons in difficult living situations due to the armed conflict on the opportunities to receive social assistance and protection provided by the law.
2. Residents of municipal residential centers do not receive all necessary medicines.
3. Some municipal residential centers for the elderly do not provide psychological support to the displaced residents.
4. Places of compact settlement for IDPs are not designed to accommodate the needs of older people, including those with disabilities. The state lacks a proper system of placement of people from this group in specially equipped institutions or providing the necessary conditions of accommodation and medical care.
5. There is a lack of proper material and technical resources or incentives for social workers who provide home-based care in the “grey zone”.
6. In rural settings, local authorities often allow older people to use housing (intestate property or housing abandoned by owners) under legal uncertainty of the property status which leaves them vulnerable and uncertain about the future.
7. State authorities and local self-government bodies do not pay sufficient attention to the living conditions of displaced older persons living in private housing, in particular, in rural areas.
8. Long queues in state institutions are a significant problem with negative consequences for the procedure of application for social payments by older people.

Assistance to older persons affected by conflict from international and local organizations

1. Humanitarian, psychological, and legal support for the older people affected by conflict are among the pressing needs that require particular attention of humanitarian and human rights organizations working in the war zone.
2. Restriction of activities of humanitarian organizations in the areas controlled by the so-called “LPR” and “DPR” are detrimental to the situation of older residents.

RECOMMENDATIONS

- ▶ *To the Cabinet of Ministers of Ukraine* – to introduce a state program for compensation of conflict-related property loss with the possibility of urgent action to address the needs of vulnerable groups, including older persons.
- ▶ *To the Cabinet of Ministers of Ukraine, local state administrations* – to provide the necessary supply of medicines to the older people in residential centers and psychological support to the displaced residents.
- ▶ *To the Cabinet of Ministers of Ukraine, local state administrations* – to develop a system for placement of older people, including those with disabilities, in the specially equipped institutions, ensuring the necessary conditions of accommodation and medical care.
- ▶ *To the Ministry of Social Policy of Ukraine* – to introduce a system of material and technical support and incentives for social workers who provide home-based care in the “grey zone”.
- ▶ *To the Ministry of Social Policy of Ukraine and local social protection services* – to intensify the work related to rights monitoring and advising older persons in difficult living situation due to the armed conflict on the opportunities to receive social assistance and protection provided by the law
- ▶ *To the parties to the conflict* – to ensure access of social workers and representatives of humanitarian organizations to the older persons in the “grey zone” for the purpose of assessing and addressing their needs.
- ▶ *To the Verkhovna Rada of Ukraine* – to introduce regulations governing the activities of private institutions for older persons.
- ▶ *To the Verkhovna Rada of Ukraine* – to amend current legislation regarding pensions for citizens of Ukraine living in the non-government controlled areas of Donetsk and Luhansk regions without the status of an internally displaced person.
- ▶ *To the Cabinet of Ministers of Ukraine* – to introduce state programs for implementation of the Madrid International Plan of Action on Ageing adopted in April 2002, in particular, actions in emergency situations, as well as the provisions of Resolution 2168 (2017) of the Parliamentary Assembly of the Council of Europe.
- ▶ *To the Cabinet of Ministers of Ukraine* – to amend the procedure for recovering and submitting documents for social payments to ensure

consideration of the health condition or reduced mobility of older persons and the impact of the armed conflict.

- ▶ *To the Cabinet of Ministers of Ukraine – to introduce a housing program for those affected by conflict in case of forced removal from their own property due to military necessity.*
- ▶ *To the Cabinet of Ministers of Ukraine – to develop a system of incentives for the local authorities to register the property rights for intestate estates or abandoned housing with possibility of subsequent transfer of the property to the internally displaced persons.*
- ▶ *To the Cabinet of Ministers of Ukraine, the Ministry of Health of Ukraine – to introduce a state support program for the purchase of medicines or medical equipment for the displaced older persons.*
- ▶ *To the Ministry of Social Policy of Ukraine – to introduce a system for keeping track of private social and medical institutions for permanent residence of older people, as well as for registering people (including internally displaced persons) in these institutions.*

▶ *To the ministries, agencies and institutions involved in the procedure of application for social payments and recovery of documents for internally displaced persons – to develop and introduce an appointment system to prevent long queues and take into account the needs of older people.*

▶ *To the local authorities and self-government – to strengthen the monitoring of living conditions of the displaced older people in private housing with the purpose of assessing and promptly addressing their needs.*

▶ *To international organizations – to support the pressure on the Russian Federation and the so-called “DPR” and “LPR” in order to remove restrictions on activities of humanitarian organizations in the separate districts of Luhansk and Donetsk regions.*

▶ *To the international organizations working in Ukraine and Ukrainian non-governmental organizations – to implement programs of humanitarian, psychological and legal assistance to the older people affected by conflict in line with the Minimum Standards for Age and Disability Inclusion in Humanitarian Action.*

