

Ukraine: Country Background Note

Version 1.0 May 2019

Preface

Purpose

This note provides a summary of and links to country of origin information (COI) for use by Home Office decision makers handling particular types of protection and human rights claims. It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) general background to the country concerned, including demography and geography; and (2) issues which may be relevant to protection claims. Unlike country policy and information notes, they do **not** contain an analysis of the COI.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the <u>Common EU [European Union] Guidelines for Processing Country of Origin Information (COI)</u>, dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), <u>Researching Country Origin Information – Training Manual, 2013</u>. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a <u>terms of reference</u> which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date in the country information section. Any event taking place or report/article published after this date is not included.

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion.

Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the <u>bibliography</u>.

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email the Country Policy and Information Team.

Independent Advisory Group on Country Information

The <u>Independent Advisory Group on Country Information</u> (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the gov.uk website.

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Country information

Section 1 updated: 24 April 2019

- 1. Geography and demography
- 1.1 Key geographic and demographic points
- 1.1.1 Key geographic and demographic points

| Full country name: | Ukraine ¹ | |
|--------------------|---|--|
| Area: | total: 603,700 sq km (233,090 sq miles) ² | |
| | land: 579,330 sq km ³ | |
| | water: 24,220 sq km ⁴ | |
| Flag: | 5 | |
| Population: | 43,952,299 (July 2018 estimate) ⁶ | |
| Capital city: | Kyiv ⁷ | |
| Other key places: | See Main population centres | |
| Position: | Ukraine is in Eastern Europe, bordering the Black Sea, between Poland, Romania, and Moldova in the west and Russia in the east.8 | |
| Languages: | Ukrainian (official) 67.5%, Russian (regional language) 29.6%, other (includes small Crimean Tatar-, Moldovan/Romanian-, and Hungarian-speaking minorities) 2.9% 9 For more information see: Ethnologue's | |
| | <u>Languages of Ukraine</u> | |

¹ BBC, Ukraine country profile, updated 12 October 2018, URL

² BBC, Ukraine country profile, updated 12 October 2018, URL

³ US CIA World Factbook, Ukraine, Geography, updated 11 April 2019, URL

⁴ US CIA World Factbook, Ukraine, Geography, updated 11 April 2019, URL

⁵ US CIA World Factbook, Ukraine, updated 11 April 2019, URL

⁶ US CIA World Factbook, Ukraine, People and society, updated 11 April 2019, URL

⁷ US CIA World Factbook, Ukraine, People and society, updated 11 April 2019, URL

⁸ US CIA World Factbook, Ukraine, Geography, updated 11 April 2019, URL

⁹ US CIA World Factbook, Ukraine, People and society, updated 11 April 2019, URL

| Ethnic Groups: | Ukrainian 77.8%, Russian 17.3%, Belarusian 0.6%, Moldovan 0.5%, Crimean Tatar 0.5%, Bulgarian 0.4%, Hungarian 0.3%, Romanian 0.3%, Polish 0.3%, Jewish 0.2%, other 1.8% ¹⁰ |
|----------------|---|
| | For further information, see Country Policy and Information Note on Minority groups. |
| Religion: | According to a March 2017 national survey: |
| | 68.2% - Christian Orthodox |
| | 7.8% - Greek Catholic |
| | 1.3% - Jewish |
| | 1% - Roman Catholic |
| | 0.8% - Protestant |
| | 0.2% - Muslim |
| | 7% - 'simply a Christian' |
| | 12.6% - do not belong to any religious group. |
| | Small percentages of Buddhists, Hindus, adherents of other religions, and individuals not disclosing their religion comprise the rest of the respondents. ¹¹ |
| | For further information, see Religious freedom. |

1.1.2 Other key points:

- Ukraine is a unitary state composed of 24 oblasts (provinces), the Autonomous Republic of Crimea, and two cities with special status (Kyiv and Sevastopol)¹².
- In March 2014, Russia annexed Crimea, including the city of Sevastopol.
 The United Nations General Assembly passed a resolution on the
 Territorial Integrity of Ukraine on 27 March 2014, emphasising that
 Russia's de facto annexation had no validity under international law¹³.
 For further information on this subject, see Country Policy and
 Information Note on Crimea, Donetsk and Luhansk.

- 1.2 Maps
- 1.2.1 <u>UN map Ukraine (2014)</u>
- 1.2.2 <u>Perry-Castañeda Library Map Collection: Ukraine maps</u>
- 1.2.3 liveuamap, ukraine, 14 March 2019

¹⁰ US CIA World Factbook, Ukraine, People and society, updated 11 April 2019, URL

¹¹ USSD IRF Report for 2017, Ukraine, Section I, 29 May 2018, URL

¹² DFAT, Ukraine, Overview, March 2018, <u>URL</u>

¹³ DFAT, Ukraine, Overview, March 2018, URL

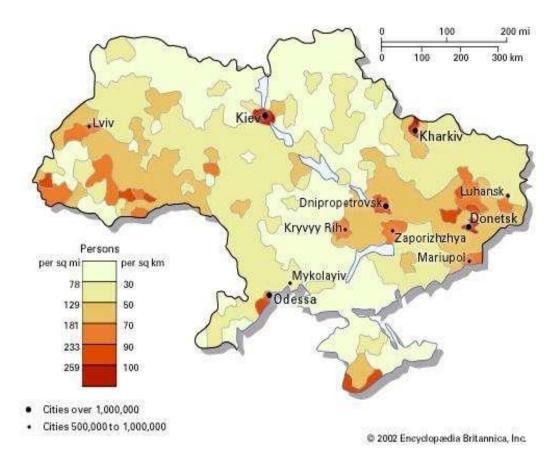
1.3 Physical geography

- Ukraine has a 'strategic position at the crossroads between Europe and Asia; second-largest country in Europe after Russia.'14
- Ukraine has 'mostly fertile plains (steppes) and plateaus, with mountains found only in the west (the Carpathians) or in the extreme south of the Crimean Peninsula.^{'15}

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1.4 Main population centres

- 1.4.1 The CIA World Factbook noted the population distribution: 'densest settlement in the eastern (Donbas) and western regions; noteable concentrations in and around major urban areas of Kyiv, Kharkiv, Donets'k, Dnipropetrovs'k, and Odesa.'16 It gave population figures as follows: '2.957 million Kyiv (capital), 1.436 million Kharkiv, 1.01 million Odesa, 969,000 Dnipropetrovsk, 919,000 Donetsk (2018)'17
- 1.4.2 The following map¹⁸ shows the population density of Ukraine:



¹⁴ US CIA World Factbook, Ukraine, Geography, updated 11 April 2019, URL

¹⁵ US CIA World Factbook, Ukraine, Geography, updated 11 April 2019, URL

¹⁶ US CIA World Factbook, Ukraine, Geography, updated 11 April 2019, URL

¹⁷ US CIA World Factbook, Ukraine, People and society, updated 11 April 2019, URL

¹⁸ Encyclopaedia Britannica, Ukraine, Settlement patterns, 31 October 2018, URL

1.4.3 Further points to note:

- More than two-thirds of the population lives in urban areas.
- High population densities occur in southeastern and south-central Ukraine, in the highly industrialized regions of the Donets Basin and the Dnieper Bend, as well as in the coastal areas along the Black Sea and the Sea of Azov. Portions of western Ukraine and the Kyiv area are also densely populated.
- Of the rural population, more than half is found in large villages (1,000 to 5,000 inhabitants).¹⁹

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1.5 Transport links

- 1.5.1 Road links between Kiev and Moscow, Odessa–Kiev–St. Petersburg, Moscow–Kharkiv–Simferopol, Uzhhorod–Lviv–Rivne–Kiev, and Kiev–Kharkiv–Rostov-na-Donu (Russia) are highways of particular importance.²⁰
- 1.5.2 The heaviest concentration of railway is in the Donets Basin and near the Dnieper River, especially its west bank. The largest railroad centres are Kharkiv, Kiev, Dnipropetrovsk, Bakhmach, Yasynuvata, Debaltseve, Lviv, Kovel, and Kup'yansk-Vuzlovyy.²¹
- 1.5.3 Ukrainian ports on the Black Sea and the Sea of Azov are found at Odessa, Illichivsk, Mykolayiv, Kherson, Feodosiya, Kerch, and Mariupol. Ships on the Danube call at the port of Izmayil. The inland waterways of Ukraine are joined to the Vistula River basin of Poland and to the Baltic Sea. The largest ports on the Dnieper are Kiev, Dnipropetrovsk, Zaporizhzhya, and Kherson.²²
- 1.5.4 Kiev is connected by air with all the regional centres of the country and with major cities throughout Europe and Asia, as well as with cities in North America and Australia. International airports in Ukraine include Boryspil near Kiev and those at Kharkiv, Lviv, and Odessa.²³ A list of international airports in Ukraine can be found at the website of Ukraine Kiev Tour,²⁴ a company which organises tours of Ukraine.

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Section 2 updated: 19 November 2018

2. Economy

2.1.1 Key economic points:

| Currency | Hryvnia ²⁵ |
|----------|-----------------------|
|----------|-----------------------|

¹⁹ Encyclopaedia Britannica, Ukraine, Settlement patterns, 31 October 2018, URL

²⁰ Encyclopaedia Britannica, Ukraine, Transportation and telecommunications, 31 October 2018, URL

²¹ Encyclopaedia Britannica, Ukraine, Transportation and telecommunications, 31 October 2018, URL

²² Encyclopaedia Britannica, Ukraine, Transportation and telecommunications, 31 October 2018, <u>URL</u>

²³ Encyclopaedia Britannica, Ukraine, Transportation and telecommunications, 31 October 2018, URL

²⁴ Ukraine Kiev Tour, International airports in Ukraine, undated, URL

²⁵ US CIA World Factbook, Ukraine, Economy, updated 11 April 2019, URL

| Exchange rate | 1 GBP = 36.5 UAH ²⁶ |
|----------------|--|
| GDP per capita | \$8,800 (2017 estimate) (country comparison to the world: 146) ²⁷ |

2.1.2 Further economics points:

- The main sectors of employment are agriculture: 67.8% (2014), industry: 26.5% (2014) and services: 67.8% (2014)²⁸
- According to a 2017 estimate, the unemployment rate was 9.2%.²⁹
- According to a 2016 estimate, 3.8% of the population lived below the poverty line.³⁰
- Ranked 88 out of 187 countries in the <u>2017 index produced by the UN</u> <u>Human Development Programme</u>.
- Ranked 130 out of 180 countries in the <u>2017 Corruption Perceptions</u> <u>Index produced by Transparency International</u>

2.1.3 For more information see:

Encyclopaedia Britiannica: <u>Economy</u>

World Bank: <u>Country snapshot</u>, <u>Ukraine</u>

CIA World Factbook: <u>Economy</u>, <u>Ukraine</u>

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Section 3 updated: 12 April 2019

3. History

3.1.1 Key timeline:

| 2013 November | Maidan revolution Tens of thousands of protesters take to the streets to protest at the government's sudden decision to abandon plans to sign an association agreement with the EU, blaming Russian pressure. ³¹ |
|------------------|--|
| 2014 February | Security forces kill at least 77 protesters in Kiev. President Yanukovych flees to Russia, opposition takes over. ³² |
| 2014 March | Russian forces annex Crimea, prompting biggest East-West showdown since Cold War. US and European Union impose ever-harsher sanctions on Russia. ³³ |

²⁶ HMRC, November 2018: Monthly exchange rates, 29 October 2018, URL

²⁷ US CIA World Factbook, Ukraine, Economy, updated 11 April 2019, URL

²⁸ US CIA World Factbook, Ukraine, Economy, updated 11 April 2019, URL

²⁹ US CIA World Factbook, Ukraine, Economy, updated 11 April 2019, URL

³⁰ US CIA World Factbook, Ukraine, Economy, updated 11 April 2019, URL

³¹ BBC, 'Ukraine profile – Timeline,' 12 October 2018, URL

³² BBC, 'Ukraine profile – Timeline,' 12 October 2018, URL

³³ BBC, 'Ukraine profile – Timeline,' 12 October 2018, URL

| 2014 April | Pro-Russian armed groups seize parts of Donetsk and Luhansk regions on Russian border. Government launches military operation in response. ³⁴ |
|-------------------|---|
| 2014 May | Leading businessman Petro Poroshenko wins presidential election on pro-Western platform. ³⁵ |
| 2015 February | Germany and France broker a new Donbass deal at talks in Belarus, resulting in a tenuous ceasefire. ³⁶ |
| 2017 September | Following ratification by all signatories, Ukraine's association agreement with the EU came into force. ³⁷ |
| 2018 November | President Poroshenko declares martial law in ten regions and bans the entry of most Russian adult males, fearing invasion after Moscow seizes the crew of three Ukrainian boats off Crimea. ³⁸ |
| 2019 | Presidential elections of April 2019: |
| March | Ukrainian comedian Volodymyr Zelensky was elected President with more than 73% of the votes. The former President, Petro Poroshenko, received 24% of the votes ³⁹ . |

3.1.2 For more information see:

• BBC's <u>Ukraine profile - timeline</u>

Encyclopaedia Britannica: <u>History</u>

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Section 4 updated: 12 April 2019

4. Media and telecommunications

4.1.1 Key media/telecommunications points

| International dialling code: | +380 ⁴⁰ |
|------------------------------|---|
| Internet domain: | .ua ⁴¹ |
| Broadcast media: | Television dominates the media scene, and private commercial channels are the most watched outlets. |
| | Powerful business groups are influential in the market. Half a dozen major networks, including Inter TV and 1+1, attract the biggest audiences. |

³⁴ BBC, 'Ukraine profile - Timeline,' 12 October 2018, URL

³⁵ BBC, 'Ukraine profile – Timeline,' 12 October 2018, URL

³⁶ BBC, 'Ukraine profile – Timeline,' 12 October 2018, URL

³⁷ BBC, 'Ukraine profile – Timeline,' 12 October 2018, URL

³⁸ BBC, 'Ukraine profile – Timeline,' 12 October 2018, URL

³⁹ BBC, 'Ukraine election: Comedian Zelensky wins presidency by landslide,' 22 April 2019, URL

⁴⁰ US CIA World Factbook, Ukraine, Communications, updated 11 April 2019, URL

⁴¹ The Guardian, 'Internet domain names: a complete list,' undated, URL

| | As part of reforms, Ukraine launched a public service TV broadcaster in 2015. |
|-------------|--|
| | National media have adopted a united patriotic agenda following the Russian annexation of Crimea and armed conflict in the east. Ukraine has banned cable relays of leading Russian TVs; in turn, areas under Russian or separatist control have seen pro-Kiev outlets silenced. ⁴² |
| Newspapers: | Many newspapers publish Ukrainian and Russian- language editions. The press is diverse in terms of formats and political affiliation. |

4.1.2 Further points to note:

- The USSD 2018 report on Human Rights Practices stated, 'The
 government introduced measures that banned or blocked information,
 media outlets, or individual journalists deemed a threat to national
 security or who expressed positions that authorities believed undermined
 the country's sovereignty and territorial integrity.'43
- The constitution and law provide for freedom of expression, including for members of the press. Authorities did not always respect these rights, however⁴⁴.
- In March 2019, Human Rights Watch stated:
 - 'Efforts to curb freedom of expression, in particular freedom of the press, have increased. The Institute of Mass Information, a nongovernmental organization (NGO) in Ukraine, registered 235 violations of freedom of the press, such as threats, intimidation, and physical assaults, in 2018. In March, journalists from Radio Free Europe/Radio Liberty's Ukrainian Service were assaulted by officials while conducting interviews.[...] A March 2017 law requires activists and journalists investigating corruption to publicly declare their assets, and Ukrainian courts have granted prosecutors access to a reporter's cellphone data and to the internal documents of a magazine investigating corruption allegations.'
- With some exceptions, individuals in areas under government control could generally criticize the government publicly and privately and discuss matters of public interest without fear of official reprisal⁴⁶.
- Human rights groups and journalists who were critical of Russian involvement in the Donbas region and the occupation of Crimea reported their websites were subjected to cyberattacks⁴⁷.

⁴² BBC, 'Ukraine profile – media,' 13 July 2015, URL

⁴³ USSD HR Report 2018, Section 2a, 13 March 2019, URL

⁴⁴ USSD HR Report 2018, Section 2a, 13 March 2019, URL

⁴⁵ Human Rights Watch, 'Q & A: Ukraine's Presidential Election,' 26 March 2019, URL

⁴⁶ USSD HR Report 2018, Section 2a, 13 March 2019, URL

⁴⁷ USSD HR Report 2018, Section 2a, 13 March 2019, URL

- Government measures to combat Russian propaganda restricted freedom of speech⁴⁸.
- Freedom House described Ukraine's internet use from 1 June 2017 to 31 May 2018 as 'partly free,' with a score of 45/100, where 0 is most free, and 100 is least free⁴⁹.
- Total subscriptions for mobile phones: 55,714,733 (2017 estimate) this was 127 subscriptions per 100 inhabitants⁵⁰.
- Ukrainian media outlets were largely dependent on oligarchs⁵¹.

4.1.3 For more information see:

- The <u>Freedom on the net 2018</u>, <u>Ukraine</u> report, published on 1 November 2018 by Freedom House
- The United States State Department's <u>Country Report on Human Rights Practices for 2018, Ukraine</u> published on 13 March 2019 (Section 2).
- List of newspapers, television sites, radio, news agencies and internet:
 <u>Ukraine profile media</u> by the BBC.

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Section 5 updated: 12 April 2018

5. Citizenship and nationality

5.1.1 The Bertelsmann Stiftung Transformation Index (BTI) 2018, which examines political and economic transformation in a country, stated 'In 1991, every person residing in Ukraine became entitled to Ukrainian citizenship, regardless of nationality. [...] Ukraine does not recognize dual citizenship, but the law on citizenship does not punish it. As a result, there are cases of acquisition of Russian, Romanian and Hungarian citizenship by Ukrainians, especially in western Ukraine and Crimea. Many (elderly) members of the Roma minority do not have Ukrainian passports.'52

5.1.2 The USSD HR Report 2018 noted:

'Persons who were either stateless or at risk of statelessness included Roma, homeless persons, current and former prisoners, and persons over 50 who never obtained a Ukrainian personal identification document after the fall of the Soviet Union and were no longer able to obtain one. The law requires establishing identity through a court procedure, which demanded more time and money than some applicants had. UNHCR reported Roma were at particular risk for statelessness, since many did not have birth certificates or any other type of documentation to verify their identity. Homeless persons had difficulty obtaining citizenship because of a requirement to produce a document testifying to one's residence.'53

⁴⁸ Freedom House, Nations in transit 2018, Ukraine, Independent media, 11 April 2018, URL

⁴⁹ Freedom House, Freedom on the Net 2018, 1 November 2018, URL

⁵⁰ US CIA World Factbook, Ukraine, Communications, updated 11 April 2019, URL

⁵¹ Freedom House, Nations in transit 2018, Ukraine, Independent media, 11 April 2018, URL

⁵² Bertelsmann Stiftung, BTI 2018, Ukraine country report, <u>URL</u>, last accessed: 19 December 2018

⁵³ USSD HR Report 2018, Ukraine, Section 3, 13 March 2019, URL

5.1.3 For more information see <u>Law of Ukraine</u>, <u>On Citizenship of Ukraine (last amended 2016)</u>, 18 January 2001.

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Section 6 updated: 21 November 2018

6. Official documents

6.1.1 The US Department of State's Bureau of Consular Affairs noted:

'Marriages and divorces in occupied Crimea or in the non-government controlled areas of Donetsk and Luhansk oblasts (the "Donetsk People's Republic" [DPR] and the "Luhansk People's Republic" [LPR]) are not legally recognized in Ukraine [...] Only marriages and divorces performed by Ukrainian authorities and evidenced by official documents issued by the Ukrainian authorities are valid.

'Ukrainian authorities do not issue birth or death certificates based solely off certificates issued by Russian authorities in Crimea or by the so-called "DPR" and "LPR." Individuals with birth or death certificates issued in these regions may seek a Ukrainian court decree ordering the issuance of a Ukrainian birth or death certificate.

'As marriages and divorces performed in Crimea or in the non-government controlled areas of Donetsk and Luhansk oblasts are not legally recognized, individuals will need to legally marry outside Crimea or the non-government controlled areas of Donetsk and Luhansk oblasts to create a legal relationship.'54

6.1.2 For further information about official documents, including birth and death certificates, marriage and divorce certificates, identity cards, passports, police, court and military documents, see <u>US Department of State - Bureau of Consular Affairs</u>.

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Section 7 updated: 12 April 2019

7. Healthcare

7.1.1 In October 2017, Euromaidan Press stated:

'During the years of independence, Ukraine hasn't been able to create a healthcare system that can effectively provide the population with quality and affordable medical services, respond to the current challenges related to increasing mortality rates and the spread of AIDS, tuberculosis or hepatitis C, and to carry out effective preventive measures. Today, despite high levels of state expenditure on the medical sector, citizens are forced to pay for expensive treatment on their own. For the disadvantaged section of the population, the payment of medical services is often excessive.'55

7.1.2 In January 2018 a report by the Council of Europe Parliamentary Assembly Committee on Migration, Refugees and Displaced Persons concluded, 'The civilian population living close to the contact line and in areas not controlled by either side systematically face difficulties in accessing basic services,

⁵⁴ USSD – Bureau of Consular Affairs, US Visa: Reciprocity and Civil Docs by Country, undated, URL

⁵⁵ Euromaidan Press, 'What Ukraine's healthcare reform is about,' 20 October 2017, URL

- such as electricity, heating, clean water, and medical care. [...] As reported by the World Health Organisation, 160 health-care facilities have been destroyed since the beginning of the war and more than 700 educational facilities have been damaged by the bombings.'56
- 7.1.3 However, in August 2014, the Ministry of Health of Ukraine initiated a National Healthcare Reform Strategy for 2015-2020.⁵⁷ In June and October 2017, the Verkhovna Rada approved healthcare reforms^{58,59}. Funding for the healthcare system will be increased by UAH 25 billion to 5% of GDP over the three years to 2020.60
- 7.1.4 In 2019 the Health Ministry plans to launch the reform of financing outpatient medical care. The healthcare institutions that signed agreements with the National Health Service of Ukraine would provide outpatient services free of charge.61
- There are also plans for the reform of emergency healthcare in 2019.62 7.1.5
- 7.1.6 For further information see:
 - Ministry of Health of Ukraine for further information about healthcare reform.
 - World Health Organisation Ukraine.
 - Medecins sans Frontieres Ukraine.

⁵⁶ Council of Europe, Parliamentary Assembly, Committee on Migration, Refugees and Displaced Persons, January 2018, URL

⁵⁷ Ministry of Health of Ukraine, Strategy, 'National Health Reform Strategy [...],' undated, URL

⁵⁸ Euromaidan Press, 'What Ukraine's healthcare reform is about,' 20 October 2017, <u>URL</u>
59 The Jamestown Foundation, 'Ukraine and Russia compete [...],' 21 November 2017, <u>URL</u>
60 Interfax-Ukraine, 'Ukraine's healthcare financing to grow [...],' 17 October 2017, <u>URL</u>
61 Interfax-Ukraine, 'Secondary healthcare with referral [...] from 2019,' 14 September 2018, <u>URL</u>
62 Interfax-Ukraine, 'Launch of emergency health care reform in 2019 [...],' 18 October 2018, <u>URL</u>

Key issues relevant to protection claims

The issues below are not meant to be exhaustive; rather the key topics which may be relevant to protection claims. They are listed in alphabetical order.

Section 8 updated: 12 April 2019

8. Children

- 8.1.1 The minimum age for marriage is 18. A court may grant a child as young as 16 permission to marry if it finds marriage to be in the child's interest. Romani rights groups reported that early marriages involving girls under the age of 18 were common in the Romani community.⁶³
- 8.1.2 The age of consent is 16.64
- 8.1.3 The USSD HR report of 2018 stated:

'The law "On Children Protection from Sexual Abuse and Sexual Exploitation." which amended the Criminal Code of Ukraine to criminalize sexual relations between adults and persons who have not reached the age of 16, came into force on April 18. The law calls for imprisonment of up to five years for those who engage in sexual relations with a child younger than 16. Human rights groups noted authorities lacked the capability to detect violence against children and refer victims for assistance. Preventive services remained underdeveloped. [...] Authorities did not take effective measures at the national level to protect children from abuse and violence and to prevent such problems. The ombudsman for human rights noted the imperfection of mechanisms to protect children who survived or witnessed violence, in particular violence committed by their parents. According to the law, parents were the legal representatives of their children, even if they perpetrated violence against them. There is no procedure for appointing a temporary legal representative for a child during the investigation of alleged parental violence.'65

- 8.1.4 The majority of IDP children were from Donetsk and Luhansk Oblasts. According to the Ministry of Social Policy, authorities registered more than 240,000 children as IDPs. Human rights groups believed this number was low.⁶⁶
- 8.1.5 Children continued to take part in active combat as part of the Russia-led forces. Recruitment of children by militant groups took place primarily in Russia-controlled territory and areas where the government was unable to enforce national prohibitions against the use of children in armed conflict.⁶⁷
- 8.1.6 Domestic and foreign law enforcement officials reported that a significant amount of child pornography on the internet originated in Ukraine. Children from socially disadvantaged families and those in state custody continued to be at high risk of trafficking and commercial sexual exploitation and the

⁶³ USSD HR Report 2018, Ukraine, Section 6, 13 March 2019, URL

⁶⁴ USSD HR Report 2018, Ukraine, Section 6, 13 March 2019, URL

⁶⁵ USSD HR Report 2018, Ukraine, Section 5, March 2019, URL

⁶⁶ USSD HR Report 2018, Ukraine, Section 6, 13 March 2019, URL

⁶⁷ US DoL, '2017 Findings [...] Child Labor,' Ukraine, Section I, 20 September 2018, URL

- production of pornography.⁶⁸ Legal prohibitions against child trafficking and commercial sexual exploitation of children are insufficient.⁶⁹
- 8.1.7 Although Ukraine's Constitution and Law on General Secondary Education guarantee free universal education, due to discrimination by school administrators, a limited number of Roma children have been denied access to education, placed in segregated schools exclusively for Roma children, or erroneously placed in special education schools. The authorities were ineffective in compelling school administrators to enroll Roma children who were unfairly denied access to school.⁷⁰
- 8.1.8 In March 2017, the government passed a law to strengthen social protection and access to education for children living in Russia-controlled areas, including government-paid full or partial tuition fees, free textbooks, scholarships, and free housing for students.⁷¹
- 8.1.9 Statistics on child labour and education⁷²:

| Children | Age | % |
|---------------------------|---------|------|
| Working | 5 to 14 | 9.7 |
| Attending school | 5 to 14 | 97.2 |
| Combining school and work | 7 to 14 | 12 |

- 8.1.10 Ukraine has ratified the following international conventions on child labour:
 - ILO [International Labour Laws] C. 138, Minimum Age
 - ILO C. 182, Worst Forms of Child Labor
 - UN CRC [Convention on the rights of the Child]
 - UN CRC Optional Protocol on Armed Conflict
 - UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography
 - Palermo Protocol on Trafficking in Persons⁷³
- 8.1.11 Children in Ukraine engage in the worst forms of child labour, including dangerous tasks in street work. National policies related to child labour lack sufficient funding for effective implementation.⁷⁴
- 8.1.12 The government has established laws and regulations related to child labour. However, gaps exist in Ukraine's legal framework to adequately protect children from child labour, including the prohibition of commercial sexual exploitation of children.⁷⁵

⁶⁸ USSD HR Report 2018, Ukraine, Section 7b, 13 March 2019, URL
69 US DoL, '2017 Findings [...] Child Labor,' Ukraine, 20 September 2018, URL
70 US DoL, '2017 Findings [...] Child Labor,' Ukraine, Section I, 20 September 2018, URL
71 US DoL, '2017 Findings [...] Child Labor,' Ukraine, Section II, 20 September 2018, URL
72 US DoL, '2017 Findings [...] Child Labor,' Ukraine, Section I, 20 September 2018, URL
73 US DoL, '2017 Findings [...] Child Labor,' Ukraine, Section II, 20 September 2018, URL
74 US DoL, '2017 Findings [...] Child Labor,' Ukraine, 20 September 2018, URL
75 US DoL, '2017 Findings [...] Child Labor,' Ukraine, Section II, 20 September 2018, URL

8.1.13 For more information see:

- Section 13 of this Country Background Note: <u>Trafficking</u> and Section 14 <u>Women</u>. See also the Country Policy and Information Note on <u>Victims of trafficking</u>.
- United States Department of Labor, <u>2017 Findings on the worst forms of child labour</u>, <u>Ukraine</u>, 20 September 2018
- United States Department of State <u>Country reports on human rights</u> <u>practices for 2017, Ukraine</u>, 20 April 2018

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Section 9 updated: 22 November 2018

- 9. Crimea, Donetsk and Luhansk
- 9.1.1 See Country Policy and Information Note on Crimea, Donetsk and Luhansk.

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Section 10 updated: 22 November 2018

- 10. Ethnicity
- 10.1.1 See Country Policy and Information Note on Minority groups.

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Section 11 updated: 22 November 2018

- 11. Fear of organised criminal gangs
- 11.1.1 See Country Policy and Information Note on <u>Fear of organised criminal</u> gangs.

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Section 12 updated: 22 November 2018

- 12. Military service
- 12.1.1 See Country Policy and Information Note on Military service.

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Section 13 updated: 12 April 2018

- 13. Political opposition/activity
- 13.1.1 Key points about the political system:

| Government: | A republic. ⁷⁶ |
|-------------------------|---|
| Type: | Semipresidential political system: Unicameral legislature (Verkhovna Rada), Executive led by a directly elected president, Prime minister chosen through a legislative majority, and a judiciary. ⁷⁷ |
| Major political parties | In the parliamentary elections of October 2014: |

⁷⁶ USSD HR Report 2018, Ukraine, Executive summary, 13 March 2019, URL

⁷⁷ USSD HR Report 2018, Ukraine, Executive summary, 13 March 2019, URL

| represented in | Petro Poroshenko's Bloc - 133 seats |
|----------------|--|
| parliament: | People's Front – 81 |
| | Self-Reliance – 33 |
| | Opposition Bloc – 29 |
| | Radical Party – 22 |
| | Fatherland - 19 |
| | Several smaller parties and 96 independents divided the remainder. ⁷⁸ |
| Main figures: | President: Petro Poroshenko ⁷⁹ |

13.1.2 Other notable points:

- In 2014 both presidential and legislative elections took place, and both were considered by observers to be free and fair⁸⁰.
- However, in the elections of October 2014, voting was again impossible in Crimea and separatist-held parts of Donbas. Consequently, the elections filled only 423 of the parliament's 450 seats.81
- The Communist Party was banned in 201582.
- Internally displaced persons were unable to vote in local elections unless they changed their registration to their new place of residence⁸³.
- No laws limit the participation of women and/or members of minorities in the political process, and they did participate.84
- Since Ukraine's 2014 Euromaidan Revolution and Russia's subsequent aggression, extreme nationalist views and groups have become more active and more acceptable to wider society. For further information, see Far-right extremism as a threat to Ukrainian democracy, a special report published in May 2018 by Freedom House.

13.1.3 For more information see:

- For further information about the political situation in Ukraine, see Freedom in the World 2018, Ukraine, published in January 2018 by Freedom House, and Nations in Transit 2018, Ukraine, published in April 2018 by Freedom House.
- Constitution of Ukraine.

⁷⁸ Freedom House, 'Freedom in the World 2019,' Ukraine, A2, 4 February 2019, URL

⁷⁹ Freedom House, 'Freedom in the World 2019,' Ukraine, Key developments, 4 February 2019, URL

⁸⁰ USSD HR Report 2018, Ukraine, Executive summary, 13 March 2019, URL

⁸¹ Freedom House, 'Freedom in the World 2019,' Ukraine, A2, 4 February 2019, URL 82 Freedom House, 'Freedom in the World 2019,' Ukraine, B1, 4 February 2019, URL

⁸³ USSD HR Report 2018, Ukraine, Section 3, 13 March 2019, URL

⁸⁴ USSD HR Report 2018, Ukraine, Section 3, 13 March 2019, URL

Section 14 updated: 26 November 2018

14. Prison conditions

14.1.1 See Country Policy and Information Note on Prison conditions.

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Section 15 updated: 19 February 2019

15. Religious freedom

- 15.1.1 The constitution protects freedom of religion, provides for the separation of church and state, and stipulates, 'No religion shall be recognized by the state as mandatory.'85
- 15.1.2 The Office of the Parliamentary Human Rights Ombudsman is constitutionally required to release an annual report to parliament with a section on religious freedom.⁸⁶
- 15.1.3 For further information, see:
 - See <u>Geography and demography</u> for information about the breakdown of religious beliefs in Ukraine.
 - <u>International Religious Freedom Report for 2017, Ukraine</u>, published by USSD in May 2018.
 - For further information about Crimean Tatars and Jews, see Country Policy and Information Note on <u>Minority groups</u>.
 - For information about conscientious objection on religious grounds, see Country Policy and Information Note on Military service.

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Section 16 updated: 26 November 2018

- 16. Sexual orientation and/or gender identity and expression
- 16.1.1 See Country Policy and Information Note on <u>Sexual orientation and gender</u> identity.

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Section 17 updated: 26 November 2018

- 17. Trafficking and modern slavery
- 17.1.1 See Country Policy and Information Note on Victims of trafficking.

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Section 18 updated: 26 November 2018

- 18. Women
- 18.1.1 See Country Policy and Information Note on Gender-based violence.

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85 USSD IRF Report for 2017, Ukraine, Executive summary & Section II, 29 May 2018, URL

⁸⁶ USSD IRF Report for 2017, Ukraine, Section II, 29 May 2018, URL

Terms of reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the <u>country information section</u>. The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- · Country overview
 - Geography
 - Demography
 - Maps
 - Main population centres
 - Economy
 - History
 - Media and telecommunications
 - Citizenship and nationality
 - Official documents
 - Healthcare
- Main issues relevant to protection claims (including, but not limited to)
 - o Children
 - Political
 - o Religious freedom
 - Sexual orientation and/or gender identity
 - Trafficking and modern slavery
 - o Women
 - Crimea, Donetsk and Luhansk
 - o Ethnicity
 - o Prison conditions
 - Military service
 - Fear of organised criminal gangs

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Sources consulted but not cited

Version control

Clearance

Below is information on when this note was cleared:

- version **1.0**
- valid from 13 May 2019

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First version of this note

First version of country background note.