



C L I F F O R D
C H A N C E

Ukraine: COI Repository

Stateless and/or undocumented

1st January 2014 - 3rd July 2022





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Background to this document

The Ukraine Country of Origin Information (COI) Repository was started by Asylos and Clifford Chance as an emergency response to the crisis in Ukraine in February 2022. For more information or to provide comments please contact misha.nayak-oliver@asylos.eu.

Purpose of this document

This document is a collection of Country of Origin Information (COI) and its purpose is to address and pre-empt COI needs that arise as asylum seekers who have fled the current situation will make claims for international protection.

This is a living document intended to collect a) information on sources that are (still) reporting on the situation in Ukraine and b) to collect relevant source excerpts. Research areas for this report are devised in consultation with domestic and regional asylum lawyers. An updated version of this document will be published on a weekly basis, with new weekly additions highlighted in green throughout the document.

Disclaimer

The COI Repository is intended as background reference material for legal representatives and those assisting asylum seekers from Ukraine, to assist in their preparation of the case. The COI Repository should be used as a tool to help identify relevant COI. The information cited in the repository can be considered by decision makers in assessing asylum applications and appeals. Legal representatives are welcome to submit relevant excerpts cited in this document for their specific case to decision makers (including judges) to assist in the determination of an asylum claim or appeal. **However, this document should not be submitted directly, in its entirety or in isolation as evidence to decision-makers in asylum applications or appeals.**

The information cited in this document is illustrative, but not exhaustive of the information available in the public domain, nor is it determinative of any individual human rights or asylum claim. Submissions should always be complemented by case-specific COI research. While we strive to be as comprehensive as possible, no amount of research can ever provide an exhaustive picture of the situation. It is therefore important to note that the absence of information should not be taken as evidence that an issue, incident or violation does not exist. We are COI research experts and adhere to strict research principles of providing relevant, objective, transparent, timely and reliable sources material. We therefore include all discoverable relevant information, whether or not supportive of any human rights or asylum claim. **It is therefore imperative that legal representatives and those assisting asylum seekers read the whole COI Repository and submit only relevant excerpts cited in this document for their specific case in addition to conducting their own case-specific COI research.**

Due to the rapid unfolding of events in Ukraine, as well as internal organisational matters, it was agreed that research would cover relevant sources published on and after 1 January 2014.

Feedback

If you would like to suggest additional research areas or sources to include please [fill in this form](#) or email misha.nayak-oliver@asylos.eu.

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SECTION 1 – COI Findings

Romani people

Number of Romani people in Ukraine

Human Rights Watch, Moldova: Romani Refugees from Ukraine Face Segregation, 25 May 2022

"The estimated 400,000 Roma in Ukraine before the Russian invasion..."

CARE International, Rapid Gender Analysis Ukraine, Brief report on gender issues and current humanitarian operations, 1 March 2022

"The Roma population faces ongoing discrimination. Even data on the Roma population in Ukraine is contested. The last Census took place in 2001. It put the number of Romani in Ukraine at 47,600. However, according to various estimates, the Roma community comprises between 200,000 and 400,000 people living in all regions of the country (Council of Europe, 2021). [...] In 2013, Ukraine adopted a Strategy and Plan of Action for the Protection and Integration of the Roma National Minority into Ukrainian Society, neither of which address gender issues or the needs of Roma women and girls. A 2019, a report by Minority Rights Group Europe on the Roma in Ukraine noted the continuing discrimination and violence against the group. During the COVID-19 pandemic, Roma communities were affected in distinct ways: the majority lack civil status documents, creating difficulties in accessing education, employment and health services. In addition, about 55.6% of internally displaced Roma interviewed by the Roma Women Fund, Chiricli, were not registered, which limits their access to humanitarian assistance. [...]"

GPC – Global Protection Cluster, UN Office for the Coordination of Humanitarian Affairs: Gender-Based Violence; Secondary Data Review, 27 April 2022

"The vast majority of refugees fleeing the country are women and children - believed to be 90% (UN website) - including minoritized women and children such as Roma (Deutsche Welle, 2022)."

Livelihood and living conditions

ADC Memorial, Roma activist's story about life in occupied Kherson is published by RomaUa, 23 June 2022

"The war and the occupation of Kherson hit especially hard the most vulnerable sections of the Roma population. For example, in one of the Roma communities before the war, the main way to earn money was to work in the fields. They harvested, peeled onions, and so on. For a day of work, they could earn about 400-500 hryvnia, which was enough for them for several days. And then they had to go back to the field. Now these people are left without any income. Many Roma come to our and neighboring cities – basically, these are people from territories where active hostilities took place. They lost their homes and all their property. I am aware of cases of looting of Roma houses by Russian soldiers in neighboring villages. They took out all the valuable things they found: carpets, appliances, and so on. And in one yard they even removed the gate. It's hard for me to imagine why they needed them, perhaps to create some fortifications. Mostly they robbed abandoned houses, but also those where the inhabitants remained. Cars were often taken away from them. One of the local Roma even said that he had prepared for this, and that "Kadyrovtsy" could not take his car, because he had disabled it in advance and it simply would not start. But most are far less fortunate. The same man told me that many simply fled their villages on foot to save their lives."

Human Rights Watch, Moldova: Romani Refugees from Ukraine Face Segregation, 25 May 2022

"Romani people face pervasive bias and persistent discrimination in both Ukraine and Moldova. The estimated 400,000 Roma in Ukraine before the Russian invasion faced high levels of poverty and lack of access to employment, education, and health care. The United Nations Children's Fund (UNICEF) called Roma in Moldova "one of [the country's] most disadvantaged minority groups," with most Romani families living in poverty and lacking basic services."

Thomas Reuters Foundation News, Ukraine's stateless trapped in warzone with no proof they exist, 4 April 2022

"Honcharova [stateless person in Ukraine] said the conflict had compounded the difficulties and discrimination already faced by stateless people in Ukraine. "It's hard because I can't get medical care or social help for the kids, I can't work officially and can't earn money," she said. Sofiia Kordonets, project manager with Right to Protection, a Ukrainian organisation supporting stateless people, said many were heavily reliant on charities and volunteers for help as they are unable to access formal work. Stateless people are less likely to have savings to tide them over and could face greater obstacles in finding accommodation and assistance if displaced, she said. The government has offered many Ukrainians in warzones a one-off 6,500 hryvnia (\$220) payment, but stateless people are not eligible because the benefit is only offered to taxpayers."

AI – Amnesty International, Amnesty International Report 2021/22; The State of the World's Human Rights; Ukraine 2021, 29 March 2022

"In July, the government approved a national strategy to 2030 to address discrimination against the Roma community. However, the ongoing Covid-19 pandemic had a disproportionate effect on this community as many relied on the informal economy for irregular earnings.

Past attacks against Roma were not effectively investigated, including the destruction of a campsite and physical violence against Roma at Lysa Hora park in Kyiv in August 2018. In August, the Prosecutor General's Office informed Amnesty International that it had overruled a decision to halt the investigation, but no further progress was reported."

US DOS, Report on the human rights situation, Report on the human rights situation in Ukraine (1 August 2021 - 31 January 2022), 28 March 2022

"In self-proclaimed 'republics', OHCHR continued to observe a lack of media coverage critical of or different from the official position of the 'republics' on various matters. [...] OHCHR is concerned about the complete lack of accountability for past attacks on Roma settlements, including those in the village of Loshchynivka, Odesa region in 2016 and Vilshany, Kharkiv region in 2017. [...] The landfill, which does not have any official documentation as required by Ukrainian law, allegedly pollutes ground waters and negatively affects the health of those living in the area. [...] Due to low housing prices and income-generating opportunities from manual recycling, there have been increasing numbers of Roma moving to the area and increasing tensions between the local Roma and non-Roma [...] in the vicinity of the police or FSB buildings. [...] list of limited exceptions. [...] Entry was, inter alia, granted to travellers visiting close family members in Crimea, provided that the latter held Russian Federation citizenship. [...] No exception was provided to Ukrainian citizens who own land in Crimea and faced the risk of its forcible sale or nationalization due to Russian Federation restrictions on owning land plots by "foreigners" in "border areas". [...] OHCHR documented cases of individual travellers who were unable to enter Crimea despite having family connections and humanitarian reasons to travel".

UN OCHA – UN Office for the Coordination of Humanitarian Affairs, Ukraine: Humanitarian Impact Situation Report (As of 3:00 p.m. (EET), 3 March 2022), 3 March 2022

"The situation of third country nationals from countries in Africa and South Asia and other ethnic minority groups in Ukraine, including the Roma population, is particularly concerning, as there have been numerous reports of discrimination and even violence against these vulnerable groups. The Roma population lack civil status documents, limiting access to critical services, including education and health, and potentially humanitarian assistance as many Roman internally displaced people were not registered prior to the current escalation in conflict."

CoE-ECSR – Council of Europe - European Committee of Social Rights, Ukraine: Conclusions of the European Committee of Social Rights following state report of 27 August 2021, March 2022

"The Committee also refers to its conclusions of non-conformity regarding other relevant provisions of the Charter for an assessment of conformity with Article 30 (see Conclusions 2013 and the Statement of interpretation on Article 30). It refers in particular to [...] Article 31§1 and its conclusion that it has not been established that sufficient measures are taken to improve the substandard housing conditions of Roma (Conclusions 2019) [...] On the basis of the above, the Committee considers that the situation in Ukraine is not in conformity with Article 30 on the ground that there is no adequate overall and coordinated approach in place to combat poverty and social exclusion."

BTI, BTI 2022 Country Report: Ukraine, 23 February 2022

"However, discrimination takes place, especially with respect to the Roma and the LGBTQ+ community. Moreover, equality before the law is not ensured since there is considerable corruption among law enforcement authorities. [...] There are no specific social barriers associated with religion, but some ethnic minorities, especially the Roma, experience social exclusion. Disabled people and people living with HIV/AIDS also continue to experience social exclusion. [...] In 2015, parliament showed strong resistance before giving in to an EU conditionality requiring workplace discrimination based on sexual orientation to be banned. Some ethnic minorities, such as the Roma, experience social exclusion. Social exclusion of the Roma population entails exclusion from education, the labor market and social services".

ILO, Three Essential Questions: Interview with Réka Sáfrány, President of European Women's Lobby, 15 September 2021 [CEE not Ukraine specific]

"Thinking about a job-rich economic recovery in CEE, who are the most vulnerable women on the labour market, and what can be done to avoid that they are once again left behind? Women and girls with disabilities, older women, women with underlying health conditions, and women impacted by prostitution, women from ethnic minorities, especially Roma, and migration status are some of the groups of women too often left on the margins of society. The long-term consequences of the pandemic will also impact young women."

ILO, Assessment of the Social Security Responses to COVID-19, 2021

"All the seven countries have already attained a reasonably wide population coverage of health care. Ukraine has a tax-financed national health system, and the rest of countries finance health care services through social health insurance. Compared with other branches of social security that provide income security benefits, the health insurance coverage of these countries goes beyond the workers in the formal economy, largely due to the State subsidy of certain categories of economically inactive population such as dependent family members, beneficiaries of social assistance, and registered unemployed. There are still groups excluded from coverage, such as those solely informally employed, the unregistered unemployed, and Roma population in some of the countries. [...] Among other excluded groups one has to mention Roma population who are usually excluded from access to health care and social services in most of the countries in the region. [...] We have not addressed the particular situation of Roma

population during the COVID-19 crisis, but their exclusion from the access to health care raised alarming concerns already years ago."

OHCHR, Human Rights Council holds an interactive dialogue on the situation of human rights in Sri Lanka, 20 March 2019

"Minority Rights Group highlighted the violations faced by the Roma communities in Ukraine who were targeted by far right groups and were living in vulnerable situations."

OHCHR, Human Rights Council discusses the human rights situation in Ukraine and in the Democratic Republic of the Congo, 25 September 2018

"Germany said the deprivation of the freedoms of expression and of religion as well as the deprivation of freedom of movement in the Crimean Peninsula was concerning. Germany also condemned recent attacks on Roma settlements and other minorities in Ukraine as well as the lack of accountability for the perpetrators of those attacks on minorities. United Nations Children's Fund urged the Government of Ukraine to embark on a comprehensive child welfare reform to include prevention, timely identification and proactive response to the social needs of vulnerable children. These measures were particularly needed for children affected by the ongoing conflict."

OHCHR, Human Rights Council discusses oral update on the human rights situation in Ukraine, 3 July 2018

"Brutal attacks and threats against Roma were also deeply troubling. Extreme right-wing groups were perpetrating attacks against Roma settlements in Kyiv."

OHCHR, Press briefing notes on Nicaragua and Ukraine, 1 June 2018

"We call on the Ukrainian authorities to act urgently to protect minority groups, including Roma communities and LGBTI activists, in the wake of a number of serious acts of violence and harassment against them in recent weeks.

We are aware of at least four attacks against Roma communities since 21 April.

On the night of 21 April, members of an extreme right-wing group reportedly used rocks and tear gas to force Roma people living in Kyiv's Lysa Hora neighbourhood to flee, before setting fire to their homes. On 10 May, more than 30 masked men assaulted several Roma families living in temporary shelters in the Lviv region of western Ukraine. Again, they forced the inhabitants – five adults and 10 children, including a two-month-old infant – to leave before setting their homes on fire.

On 22 May, about 15 assailants set a Roma camp on fire in the Ternopil region of western Ukraine. And last week, on 24 May, in the Kharkiv region, a lawyer representing the families of a person killed and others injured during a 2017 attack on a Roma settlement in Vilshany village was reportedly violently attacked and threatened by a local prosecutor and three men wearing military camouflage. They reportedly beat the lawyer, searched his office and stole money. They also warned him that he would be killed if he did not drop the case.

To date, no one has been held accountable for any of this violence.

There have also been attacks against other people advocating for the rights of women and LGBTI individuals, including on 8 March in Lviv and Uzhhorod, on 10 May in Kyiv, and on 19 May in Chernivtsi.

We urge the Government to pay closer attention to the actions of extreme right-wing groups throughout the country. In a number of cases, they have claimed responsibility for the recent attacks and intimidation against Roma, as well as the LGBTI community, and individuals promoting gender equality. The attacks, coupled with widespread social media posts that may amount to incitement to hatred and hate speech against Roma, the LGBTI community and other minority groups, are indicators of growing intolerance. This should be immediately addressed to prevent further violence against minorities in Ukraine.

The lack of accountability for attacks against minorities and evictions of Roma in previous years has fuelled an atmosphere of impunity. We urge the Government to demonstrate zero tolerance by publicly condemning such acts, by investigating all attacks against minorities, by bringing perpetrators to account and by guaranteeing the right to non-discrimination and equality."

UNHCR, Ukraine – Stateless persons in Ukraine, 2018

"As of 31 December 2018, 5,650 stateless persons were legally residing in Ukraine. In addition, studies have revealed that there is a significant number of people with undetermined nationality, mainly people from the Roma minority, homeless people, migrants and people released without documents from penitentiaries."

OHCHR, Report of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Ukraine between 16 May and 15 August 2017 (civilian casualties; missing persons; summary executions; torture; other topics), Report of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Ukraine (16 May to 15 August 2017) [A/HRC/36/CRP.2], 15 September 2017

"OHCHR is also concerned about health and possible environmental risks, posed either directly by the armed hostilities or as secondary consequences. 17. OHCHR documented further incidents of violence and discrimination against the Roma community, some involving local authorities, including the shooting to death of one Roma in Vilshany and the destruction of a Roma camp in Lviv. [...] A notable lack of investigations into forced evictions and displacement of Roma prevented accountability for such human rights violations. 18. Restitution and rehabilitation of civilian property destroyed or damaged due to the conflict, or compensation, remain among the most pressing unaddressed socio-economic issues. [...] Discrimination against Roma 131. OHCHR observed the continuation of a worrisome trend of violence and discrimination against Roma people throughout Ukraine, in some cases involving local authorities. [...] [footnoteRef:176] On 21 July 2017, in Lviv, a Roma camp was set on fire, and another two smaller Roma camps were abandoned, following a statement by a member of the Lviv city council, on 20 July, urging local authorities to take more rigorous actions to "resolve" the Roma issue, including by evicting Roma from Lviv. [...] OHCHR is concerned about the lack of investigations of crimes committed against members of the Roma community, particularly regarding the forced displacement of a Roma community in Kyiv, in April 2017, and the forced eviction of Roma families in Loshchynivka village, Odesa region, in August 2016."

OHCHR, Ukraine's human rights record to be reviewed by Universal Periodic Review, 10 November 2017

"Among the issues raised in the above-mentioned documents are: full implementation of the Minsk Agreements; ending and investigating conflict-related human rights violations and abuses, including summary executions, torture and ill-treatment, arbitrary detention, use of heavy weapons and landmines, use of civilian infrastructures for military purposes, and conflict-related sexual violence; ensuring access to humanitarian assistance; combatting discrimination, hate speech and hate crime on the grounds of religion, ethnicity, sexual orientation and gender identity; protecting the freedoms of religion, opinion, and peaceful assembly; combatting human trafficking and corruption; access to adequate housing, health care, social services, education and employment for Roma, Crimean Tatars, migrants, persons with disabilities, the elderly, IDPs and stateless persons; and eradicating gender-based stereotypes, violence and inequality of income."

ILO, International Labour Conference Provisional Record 106th Session, 15 Part Two Observations and Information Concerning Particular Countries, May-June 2017

"Regionally organized crime organizations were implicated in forced begging. Roma mothers from poor communities in the Republic of Moldova and the Ukraine were offered jobs in the sales or care sectors in Poland, but had their passports confiscated upon arrival. Along with their children, they were forced to beg on the streets. According to estimates of the National Bank of Poland, 91 per cent of Ukrainian migrants in Poland had secondary or higher education, but as many as 70 per cent performed manual labour. According to information from the Foundation Nasz Wybór, in charge of helping Ukrainian citizens in Poland, selling fictional jobs was a serious issue, which increased undeclared work and left the labour rights of many workers unprotected."

OHCHR, Human Rights Council discusses human rights technical assistance and capacity building in Ukraine and in Guinea, 22 March 2017

"Concern was also expressed at the situation of Roma, who remained the most economically and socially marginalized minority community in Ukraine. [...] The situation of the Roma minority was worrisome, including reports of Roma being denied medical services. The eviction of Roma families had also been noted, and the Office of the High Commissioner for Human Rights would continue to monitor the situation."

OHCHR, Committee on the Elimination of Discrimination against Women discusses situation of women in Ukraine, Ireland, Jordan and El Salvador with civil society representatives, 13 February 2017

"ADC Memorial said that women in Ukraine were banned from work in 450 professions, including in a number of those which were well-paid and attractive for women. The situation of women from especially vulnerable groups in the war-torn regions of eastern Ukraine was complicated, including for Roma who suffered anti-Roma pogroms organized by separatists in Slavyansk in April 2014. Roma women were also unable to obtain internally displaced person status and faced barriers in accessing social assistance."

OHCHR, Human Rights Council holds separate dialogues on Ukraine and on the Democratic Republic of the Congo, 27 September 2016

"Minority Rights Group expressed concern over the situation of the Roma minority and the indigenous Crimean Tatars in Ukraine. It was furthermore concerned about the continued detention of Crimean Tatars on politically motivated charges. It called on the Ukrainian authorities to ensure the safe return of the Roma population of Loschynivka to their homes. [...] Furthermore, the Housing Code of Ukraine restricted the right to social housing to citizens, which was not only discrimination based on citizenship but indirectly discriminated against Roma who often lacked personal documentation and did not have citizenship. [...] Still, weaknesses remained and Roma suffered violence and racially motivated acts against them, as individuals and as a community. They lacked access to education: one in five had no education, one in four could not read or write in Ukrainian, and 12 per cent could not understand Ukrainian. The Roma lacked identification papers and had difficulties in obtaining them, and funds were lacking to implement programmes for the Roma, including the Roma Strategy 2020."

OHCHR, Committee on Economic, Social and Cultural Rights hears from stakeholders on situation in Ukraine and Indonesia, 28 April 2014

"On Ukraine, issues drawn to the Committee's attention included the inadequacies of the new anti-discrimination law, the continued rights violations suffered by the Roma people and other national minorities, and the under-representation of women in the public sphere. Combating corruption and violations of labour and trade union rights were also highlighted, as were the high levels of morbidity and mortality in Ukraine. [...] The Commissioner regretted continued problems suffered by the Roma population in Ukraine, exacerbated by the lack of demographics. The Commissioner welcomed the

approval of the strategy for the protection and integration of the Roma national minority into Ukrainian society, but had doubts about the effectiveness of that national plan."

OHCHR, Statement of the Special Rapporteur on minority issues, Rita Izsák, following her official visit to Ukraine – 7 to 14 April 2014, 16 April 2014

"I was made aware of ongoing concerns with regard to the situation of Roma communities in Ukraine and visited a Roma settlement. Economic and social marginalization of Roma as well as problems with registration and identity documents were widely reported. The Government's 'Strategy on the Protection and Integration of Roma in Ukraine until 2020' as well as the 'National Action Plan on Roma Inclusion' are welcomed, however Roma representatives expressed their concern over the lack of their participation in the formulation and monitoring of this strategy and stated that policies are often poorly implemented in practice. I consider that more robust responses from the Government are required, including an institutional, policy and programme framework, created with the full participation of Roma, that is adequately financed and politically supported to tackle the long-term marginalization that many Roma experience."

Education

ADC Memorial, The problem of education faced by Romani girls in Ukraine, 3 June 2022

"In many countries Romani girls have difficulties in graduating schools, many drop out after primary school, some never go to school. Girls are often forced to stay home, help with little children and work in the house. One of the negative results of this situation is early marriages, when girls become very young mothers (14-15) that damages their health, development and life perspectives: This is both racial and gender discrimination. All these problems were aggravated in Ukraine in 2021-2022 with the pandemic followed by the horrible war and the Russian military aggression. ADC Memorial carried out a research, later published as a report "Romani Voices From Hell: Discrimination, Epidemic, War" that showed how many children in Romani settlements lost the opportunity to study as the schools were closed and the online education was not an option for the families without computers and other relevant means. We are worried that many girls will not go back to schools even when the situation gets stabilised. The conclusion is that Ukraine will need a special action plan for all children whom the war forced out of schools; Romani children and girls especially should be considered as particularly vulnerable group to the violation of their educational rights, in need for special protection measures."

UNHCR, Ukraine Situation; Flash Update #13; 18 May 2022, 18 May 2022

"Last week, UNHCR visited the Zubéta private school for children with special needs in Budapest, founded in early March to provide educational activities for several Hungarian-speaking, mostly Roma children from Ukraine. The visit aimed at building networks and identifying potential areas of support and is in line with UNHCR's efforts to promote social cohesion and support refugees' integration within host communities in Hungary."

ERRC, UKRAINIAN COURT RULES FOR ROMANI FAMILY AGAINST SCHOOL SEGREGATION, 29 April 2022

"The Eighth Appeal Administrative court has found in favour of a Romani mother whose two children were denied access to an integrated school in Uzhgorod and told they must attend a segregated, Roma-only school instead. The European Roma Rights Centre (ERRC) brought a case on 24th May 2021 against Uzhgorod City Council on behalf of Ljudmila Churej, concerning a city council decision which artificially divided two schools' catchment areas to ensure Romani children from the Telmana Street neighbourhood attended only a segregated school. The ruling of the 18th April 2022

overturned a negative first instance Administrative Court decision and finds the city council practice to be discriminatory. One side of Telmana Street in Uzhgorod is home to a majority-Roma neighbourhood, where the standard of housing is visibly poor: many houses are not officially registered, many have limited or no access to public water and sewerage. The houses on the other side belong mostly to non-Roma, where they generally live in much better conditions. The discriminatory city council decisions from 2017 meant that children living in even-numbered houses on Telmana Street (the non-Romani side) were enrolled in the mainstream “School No.7”, while those living in odd-numbered houses (the Romani side) were enrolled in the 100% segregated “School No.13”. The quality of education in the segregated school is of a significantly lower standard than other schools in the city, as mentioned by the Court in its judgment where it noted that “secondary school №13 enrolls only Roma children, whose level of education is much lower than in other educational institutions.” As a result of the judgment, the City Council have removed the division of the street, and Romani parents are free to enrol their children in the mainstream “School No.7”. Ljudmila Churej, the 41-year-old Romani mother who was represented in the case by the ERRC, said that despite the ongoing war she is pleased that Romani children from her neighbourhood will be given the opportunity for a non-segregated education: “I had eight years of education and I understand that it was not enough and I should have continued my studies, but my parents thought differently. I want my children to have a normal education, the same as any other child attending mainstream school. I want my children to go to a better school than our ‘Roma school’. The teaching at School No.7 is better, the children are more clever. I want my children to have a future. During the war it is a difficult question – if there would be no war I would start collecting documents for the enrolment of my children to School No.7. I hope the war shall end and my kids will start learning in the mainstream school.” The ERRC’s President Đorđe Jovanović commended the Court for its decision, which he said demonstrated a respect for equality and non-discrimination during a time when most would not imagine such issues to be a priority: “This judgment, issued during a time of war, sends an important message that the rule of law is not dead in Ukraine; that there are judicial bodies willing to rule against racial segregation and discrimination of Roma, even as cities are being reduced to rubble. The Roma of Ukraine have larger concerns at the moment – however this judgment may provide some hope, that in future there will be a rebuilding which will include those institutions that remained true to protecting human rights and condemning discrimination.” The City Council of Uzhgorod has 30 days from the date of the judgment to appeal the decision to the Supreme Court of Ukraine. The activity was delivered within ‘Justice for Roma in Ukraine’ co-financed by the European Union. This publication was produced with the financial support of the European Union. Its contents are the sole responsibility of European Roma Rights Centre and do not necessarily reflect the views of the European Union.”

US DOS, Annual report on human rights in 2021, 2021 Country Report on Human Rights Practices: Ukraine, 12 April 2022

"Romani activists expressed concern that some Roma could not afford to flee conflict areas, while others had no choice but to leave their homes. [...] According to Council of Europe experts, 60 percent of Roma were unemployed, 40 percent had no documents, and only 1 percent had a university degree. According to the Romani women’s foundation, Chirikli, local authorities erected a number of barriers to prevent issuing national identification documents to Roma. [...] Authorities hampered access to education for persons who lacked documents and segregated Romani children into special schools or lower-quality classrooms. Officials also expressed anti-Roma sentiments and encouraged discrimination. [...] Many Roma fled settlements in areas controlled by Russia-led forces and moved elsewhere in the country. According to Chirikli, approximately 10,000 Roma were among the most vulnerable members of the

country's IDP population. Many Romani IDPs lacked documents, and obtaining IDP assistance, medical care, and education was especially difficult [...]"

International Crisis Group (ICG) (Ukraine), "Nobody Wants Us": The Alienated Civilians of Eastern Ukraine, 1 October 2018

"Where Zakarpattya is concerned, Kyiv's separatism fears revolve around the oblast's roughly 150,000 ethnic Hungarians. Zakarpattian Hungarians were a major driver of the 1991 referendum, for which Budapest actively lobbied. In 2010, the government of Prime Minister Viktor Orbán introduced a law guaranteeing Hungarian passports to anyone who could pass a language test and offer proof of ancestors "deprived of Hungarian citizenship" during 20th century territory shuffles. [...] The new education law has some valid goals in terms of better integrating residents of the country's south-western oblasts into civic life. Zakarpattian schoolchildren, along with their heavily Romanian-speaking neighbours in Chernivtsi, consistently have the country's highest failure rate on university entrance exams, which revolve around Ukrainian-language proficiency. In both 2016 and 2017, roughly 27 per cent of college-bound Zakarpattians failed the state exam; some estimate that this included over half of Hungarian-language high schoolers."

ERRC, ISI, ENS, Desyate Kvitnya, Statelessness, Discrimination and Marginalisation of Roma in Ukraine, March 2018

"Statelessness, Discrimination and Marginalisation of Roma in Ukraine [...] In fact, the term 'Roma' usually encompasses a wide diversity of groups with 'complex and multi-layered' identities.⁸ Some, but not all Roma speak Romanes or other languages specific to Romani communities. [...] Personally, I think there is no less than 100,000 Roma... Definitely more than 100,000, maybe even two or three times more." ²⁸ As estimated by the World Romani Union and local Roma NGOs. [...] According to a report of the Ukrainian Institute of Social Studies, possibly over 50% of Romani people lack formal education, with 68% of research respondents stating that they cannot read or write, or only read and write with difficulty; 59% state they have no or limited numeracy skills. [...] The typical livelihood activities of Romani people include buying, shelling and re-selling nuts, collecting and peeling mushrooms for sale, collecting scrap metal for recycling, hard labour in construction etc. and the provision of unskilled services. For example, Sofia cleans houses and Andriy weeds gardens in exchange for food or money. [...] This report is dedicated to all Romani people whose lives are impacted by discrimination, lack of documentation and statelessness. We hope this will be a useful tool in their continuing struggle for justice and inclusion."

OHCHR, Human Rights Council holds separate dialogues on Ukraine and on the Democratic Republic of the Congo, 27 September 2016

"Minority Rights Group expressed concern over the situation of the Roma minority and the indigenous Crimean Tatars in Ukraine. It was furthermore concerned about the continued detention of Crimean Tatars on politically motivated charges. It called on the Ukrainian authorities to ensure the safe return of the Roma population of Loschynivka to their homes. [...] Furthermore, the Housing Code of Ukraine restricted the right to social housing to citizens, which was not only discrimination based on citizenship but indirectly discriminated against Roma who often lacked personal documentation and did not have citizenship. [...] Still, weaknesses remained and Roma suffered violence and racially motivated acts against them, as individuals and as a community. They lacked access to education: one in five had no education, one in four could not read or write in Ukrainian, and 12 per cent could not understand Ukrainian. The Roma lacked identification papers and had difficulties in obtaining them, and funds were lacking to implement programmes for the Roma, including the Roma Strategy 2020."

Persecution (attacks, violence, killings)

OHCHR – UN Office of the High Commissioner for Human Rights, Report on the human rights situation in Ukraine (1 August 2021 - 31 January 2022), 28 March 2022

"18. OHCHR is concerned about the complete lack of accountability for past attacks on Roma settlements, including those in the village of Loshchynivka, Odesa region in 2016 and Vilshany, Kharkiv region in 2017. While OHCHR welcomes the increased public reactions of the Ombudsperson's Office condemning hate speech, it notes the continuing lack of any legislative framework to prohibit incitement to violence, hostility and discrimination...

86. [...] OHCHR is concerned about the complete lack of accountability for past attacks on Roma settlements. On 6 December 2021, the Odesa district administrative court rejected the lawsuit filed by Roma individuals who were evicted from Loshchynivka village in August 2016, in which they sought compensation for the decision of the village head to order their eviction and the failure of police to protect the victims. The judgement rejecting the lawsuit was delivered following a retrial of the case after the Supreme Court quashed the April 2019 appeal court judgment granting partially the victims' claims.

87. Similarly, no one has been held accountable for the 2017 attack in Vilshany, Kharkiv region, in which a Roma man was killed. OHCHR observed that the trial against the two men charged with the murder progressed slowly and the investigation of another alleged perpetrator by the Regional Prosecutor's Office was closed for the fourth time.

88. OHCHR is concerned about the failure by local authorities to facilitate public participation in decision making on environmental issues in the village of Makukhivka, close to Poltava city. In particular, local authorities have not taken meaningful steps to resolve social and ethnic tensions, as well as address environmental damage and water pollution around an illegal landfill in the village. The landfill, which does not have any official documentation as required by Ukrainian law, allegedly pollutes ground waters and negatively affects the health of those living in the area. Due to low housing prices and income-generating opportunities from manual recycling, there have been increasing numbers of Roma moving to the area and increasing tensions between the local Roma and non-Roma villagers.

VII. Leave no one behind – economic and social rights

89. During the reporting period, OHCHR continued monitoring the difficulties facing individuals and vulnerable groups in the enjoyment of socio-economic rights. These include homeless persons, persons with disabilities, Roma, and persons living in rural and conflict-affected areas."

US DOS, Report on the human rights situation, Report on the human rights situation in Ukraine (1 August 2021 - 31 January 2022), 28 March 2022

"In self-proclaimed 'republics', OHCHR continued to observe a lack of media coverage critical of or different from the official position of the 'republics' on various matters. [...] OHCHR is concerned about the complete lack of accountability for past attacks on Roma settlements, including those in the village of Loshchynivka, Odesa region in 2016 and Vilshany, Kharkiv region in 2017. [...] The landfill, which does not have any official documentation as required by Ukrainian law, allegedly pollutes ground waters and negatively affects the health of those living in the area. [...] Due to low housing prices and income-generating opportunities from manual recycling, there have been increasing numbers of Roma moving to the area and increasing tensions between the local Roma and non-Roma [...] in the vicinity of the police or FSB buildings. [...] list of limited exceptions. [...] Entry was, inter alia, granted to travellers visiting close family members in Crimea, provided that the latter held Russian Federation citizenship. [...] No exception was provided to Ukrainian citizens who own land in Crimea and faced the risk of its forcible sale or nationalization due to Russian Federation restrictions on owning land plots by "foreigners" in "border

areas". [...] OHCHR documented cases of individual travellers who were unable to enter Crimea despite having family connections and humanitarian reasons to travel".

OHCHR – UN Office of the High Commissioner for Human Rights, UN Special Rapporteur on minority issues concerned about the situation of ethnic minorities, especially that of Crimean Tatars in the city of Kherson, and in other regions where the Russian army is currently conducting attacks, 16 March 2022

"While I am imploring Russia to stop the war, I am also urging the United Nations and its Member States, international and regional organisations to mainstream minority issues in their responses to this human catastrophe, and to Ukraine and neighbouring countries to respond without discrimination to the refugee crisis in the treatment of minorities such as Roma, international students, at borders and elsewhere. It is of paramount importance to acknowledge that minorities, such as Roma, many of whom may be undocumented in Ukraine, face specific vulnerabilities in the times of this conflict. I urge all parties to ensure that all minorities, including Roma, have access to humanitarian assistance without any discrimination. All people of Ukraine, including people of African, Asian, Middle Eastern descent and Roma should be granted equal protection and safety when seeking refuge inside and outside of the country, regardless of their ethnicity, religion, language or status. Minorities such as Roma or people of African descent and all others regardless of the colour of their skin, or their ethnicity or religion, must all be dealt with without discrimination along their evacuation route out of Ukraine."

IPS – Inter Press Service - News Agency, Article on discrimination of Roma as they flee the conflict: 'Brutal' Discrimination Adds Trauma to Roma as they Flee War-torn Ukraine, 9 March 2022

"Russia's invasion of Ukraine on February 24 has sparked what the UN has described as the fastest-growing refugee crisis in Europe since WWII, and as of March 9, an estimated 2 million people had left the country. These include Roma who, like other refugees, abandoned their homes and communities as fighting broke out across the country. But having reached borders of neighbouring states, they have found themselves subject to what some groups helping them have described as "brutal" discrimination. "Groups working on the ground at borders in Slovakia, Romania, and Hungary have confirmed discrimination to us, and also media reports have backed this up. Roma are facing discrimination both by border guards, and then local people once they get out of Ukraine. It's very sad and disappointing, but not surprising," Zeljko Jovanovic, Director of the Roma Initiatives Office at the Open Society Foundation (OSF) told IPS. Roma living in Europe are among the most discriminated and disadvantaged groups on the continent. In many countries, including Ukraine where it is thought there are as many as 400,000 Roma, significant numbers live in segregated settlements where living conditions are often poor and extreme poverty widespread. Health in many such places is also bad with research[1] showing very high burdens of both infectious and non-communicable diseases and significantly shorter lifespans than the general population. Incidents of discrimination of Roma have been reported at the borders of all countries that are taking in refugees, according to the OSF and the European Roma Rights Centre (ERRC). These have included being made to wait much longer in lines, sometimes tens of kilometres long, in freezing weather, than ethnic Ukrainian refugees, before they are processed. "They are always the last people to be let out of the country," said Jovanovic. Media reports have quoted refugees describing discrimination and, in some cases, physical attacks. One Roma woman who had made her way to Moldova said she and her family had spent four days waiting at the border with no food and water, and having found shelter were then chased out of it by Ukrainian guards. Groups working with the refugees said Roma who crossed into their countries told them similar stories. Viktor Teru of the Roma Education Fund in Slovakia said: "Roma refugees tell us that on the Ukrainian side there is 'brutal' discrimination." But once they finally make it over the border, their problems often do not end there. Bela Racz, of the 1Hungary organisation, which is helping Roma refugees in Hungary, said he had witnessed discrimination during three days his

organisation spent in the eastern Hungarian border town of Zahony at the beginning of March. "Roma arrived in separate coaches – the Ukrainian border guards organized it this way – and when they did arrive, Roma mothers were checked by Hungarian police many times, but non-Roma mothers were not. "Local mayors and Hungarians are not providing direct help, such as accommodation, and information, [for Roma] in their towns – that only comes if we ask for it and organise it. Roma did not get proper help, information, or support," he told IPS. There have been numerous media reports of similar discrimination at border crossings in other countries, including incidents of Roma being refused transport by volunteers, and being refused accommodation. Jaroslav Miko, founder of the Cesi Pomahaji (Czechs Help) NGO, who has transported more than 100 Roma refugees from the Slovak-Ukrainian border to the Czech Republic, told IPS he had seen "discrimination of Roma among the volunteers who were picking people up at the border". He said volunteers were picking up some refugees in vehicles and taking them to other places, but that Roma families were being turned away if they asked for help. In another incident, the head of a firefighting station in Humenne, in eastern Slovakia, where many Roma refugees have been sent to a holding camp, told a reporter that the refugees had "abused the situation". "They are not people who are directly threatened by the war. They are people from near the border, they have abused the opportunity for us to cook them hot food here and to receive humanitarian aid," the firefighter allegedly said, adding that Ukrainian Roma should not be allowed across the border. Slovakia's Interior Minister Roman Mikulec and national fire brigade officials have refused to comment on the claims. But despite these incidents of discrimination, Roma refugees are getting local help – from other Roma. "Many Hungarian Roma living in nearby villages are providing accommodation for Roma. Due to the presence of groups like ours, and state representatives, the situation with discrimination is getting better," said Racz. "There is a good network of Roma activist groups coordinating work to help refugees and also there are Roma mayors in many towns near the borders in Romania and Slovakia who are prepared to take Roma refugees and arrange shelter for them," added Jovanovic. However, all those who spoke to IPS said the discrimination against Roma refugees was a reminder of the systemic prejudice the minority faces. Meanwhile, Jovanovic said he hoped that the problems Roma refugees were facing now would not be forgotten, as they had been in the past."

Human Rights Committee, Concluding observations on the eighth periodic report of Ukraine, 9 February 2022

" [...] The Committee is also concerned about cases of Roma not being able to gain access to the courts to defend their rights because they lack identification documents (arts. 2 and 26). 14. [...] In line with paragraph 4 of the Order of the Cabinet of Ministers of Ukraine No. 701-r of 11 September 2013, the State party should intensify its efforts to assist Roma persons in obtaining identification documents. Hate speech and hate crimes 15. [...] While noting the legislative measures taken by the State party to combat hate speech and hate crimes, the Committee is concerned about reports of intolerance, prejudice, hate speech and hate crimes against members of vulnerable and minority groups, including Roma, Hungarians, Jehovah's Witnesses, Crimean Tatars and lesbian, gay, bisexual, transgender CCPR/C/UKR/CO/8 4 and intersex persons [...] In particular, it notes with concern the slow pace of the investigations and lack of convictions in respect of the attacks on Roma settlements in Kyiv, Ternopil and Lviv in 2018 and the attacks that occurred in 2019 against seven members of the lesbian, gay, bisexual, transgender and intersex community participating in a pride event in Kyiv [...]"

ERRC, FAR-RIGHT GROUPS TARGET ROMANI COMMUNITY NEAR KIEV AFTER FIGHT BETWEEN TWO ROMANI TEENAGERS AND A SOLDIER, 21 October 2021

"Around 50 members of Ukrainian far-right groups (including C-14, Right Sector, Svoboda, and the National Corps) attempted to attack homes belonging to Roma on Sunday 17th October. The protestors let off flares, threw smoke bombs, and chanted "death to drug-dealers" while police officers formed a

protective line to stop them getting into the Roma-majority neighbourhood in Irpin, a town around 20 kilometres from Kiev. The action was organised in response to a conflict between two Romani teenagers, aged 16 and 17, who reportedly attacked a 22-year-old Ukrainian soldier on the evening of 15th October. According to Irina Pyanishnikova, the spokesperson of the National Police in the Kiev region: "...there was a case when two representatives of the Romani people caused light bodily harm to one of the inhabitants of Irpin. We have opened a criminal investigation." The protest which began at around 3:00pm lasted until the evening. Attempts to storm Romani homes were successfully denied by the strong police presence at the protest, which included officers from the district police department, the preventive activities department, and special forces as well as the leader of the Kiev police region who was present at the scene. While no violence occurred, the intimidation of an entire Romani community based on the actions of two teenagers is only the most recent example of collective punishment at the hands of an angry mob in Ukraine. In recent years, Romani communities throughout the country have been subjected to similar intimidation, often led by the same far-right organisations who were present at the protest on 17th October. In some instances these actions have led to pogroms of entire communities due to allegations against individual Romani people. In 2018 and 2019, there was a spate of at least 6 pogroms and far-right attacks on Romani people across Ukraine. An attack on 23rd June 2018 was fatal, when members of the far-right group Lemberg Jugend (Lviv Youth) killed 23-year-old Romani man, David Popp, outside of Lviv. In this case the police acted competently and responsibly, preventing serious violence or damage to property. Too often this is not the case in Ukraine. In August 2016, police stood by and watched in Loshchynivka while villagers destroyed Romani homes and drove the entire Romani community from the village. In May 2018, national police failed to protect Roma in Lviv from an attack by masked men who dragged them from their living place, beat them, and set their makeshift homes alight. In April 2018, far-right groups C-14 and the "Municipal Guards" drove fifteen Romani families from their makeshift homes in the Lysa Hora nature reserve in Kiev, seemingly on the authority of the local police and the district administration. Far-right thugs, carrying weapons, chased down fleeing parents carrying small children, threw stones at them, and then set fire to the tents where the Roma had been living. The groups were acting on a memorandum of cooperation signed with both the Holosiyiv District Administration and the Holosiyiv National Police in December 2017 to provide security services. More recently in April 2020, police and the public prosecutor failed to open a criminal complaint after a Romani family were beaten and had their tents set alight in Kiev."

OHCHR, Consequences of internal displacement at the centre of Committee on Economic, Social and Cultural Rights' dialogue with Ukraine, 21 February 2020

"In 2017, violent acts had taken place in Roma settlements, as well as intimidation acts targeting Roma people."

OHCHR, Human Rights Council holds an interactive dialogue on the situation of human rights in Sri Lanka, 20 March 2019

"Minority Rights Group highlighted the violations faced by the Roma communities in Ukraine who were targeted by far right groups and were living in vulnerable situations."

OHCHR, Update on Ukraine under item 10, 41st Session to the Human Rights Council, 10 July 2019

"We are alarmed about interference in the work of media professionals, including physical attacks and acts of intimidation – including the recent death of a well-known investigative journalist on 20 June. To foster an environment conducive to peaceful and inclusive elections, steps should be taken to ensure accountability for previous attacks on journalists, as well as on activists and minorities, notably Roma and LGBTQI."

European Commission, Report on implementation of the EU-Ukraine Association Agreement (democracy, human rights, governance; justice, freedom, security; mobility; other topics), Association Implementation Report on Ukraine [SWD(2018) 462 final], 7 November 2018

"An increased amount of hate speech and violence targeting minority groups including LGBTI and Roma has been documented by the UN Human Rights Monitoring Mission in Ukraine. The majority of these were reportedly perpetrated by extreme right-wing groups. [...] It shows that 55% of planned activities for 2017 are on track; 31% implemented with some delay; and 14% either not implemented or significantly delayed. A baseline measurement of Ukraine's public administration launched by the EU-OECD 'SIGMA' programme in November 2017 was finalised and published in June 2018. [...] In May 2018, the Council of the EU added five persons involved in the organization of the elections to the list of those subject to restrictive measures over actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine 12 . In May 2018, the Kerch Strait bridge was inaugurated by President Putin. [...] Ukraine's legislation aimed at approximating EU customs legislation, and in particular draft laws on authorised economic operator, common transit procedure, enforcement of intellectual property rights and customs relief for travellers with EU, regulations still need to be adopted by the Parliament. [...] These measures specifically address the regulatory 11 framework, which is still tarnished by a number of problematic or outdated legal acts. With regard to the reform of SOEs, profits of the top-100 State owned enterprises have increased by 38% in 2017".

OHCHR, Ukraine: Act now to stop systematic persecution of Roma minority in "alarming" attacks, say UN experts, 17 July 2018

"Ukraine must take immediate action to stop what amounts to a "systematic persecution" of the country's Roma minority, who have been targeted in a series of violent attacks, says a group of UN human rights experts.

"We unequivocally condemn these heinous acts of intimidation and violence against members of the Roma minority in Ukraine. We are also seriously concerned at the growing hatred and racially-motivated violence against this community – and in particular against its most vulnerable members, women and children," the UN experts said.

The attacks began in April 2018, and were allegedly perpetrated by members of extreme right-wing groups. The targets included women and children who were attacked in different regions of the country, including the capital Kyiv, as well as in Kharkiv, Ternopil and Lviv.

Roma settlements were set on fire and residents intimidated, assaulted, and forced to leave their homes. It's reported that the perpetrators were members of extreme right-wing groups, such as the so-called "Sich-C14" and the "National Brigades".

One person was stabbed to death and four others wounded in a separate attack on a settlement in Lviv. In the village of Velyka Berezovytsia in Ternopil, shots were fired at Roma residents who were also intimidated and assaulted. The majority of those present at the time were children.

Those targeted also included a lawyer who was working on a case which involved violence against Roma residents. A local prosecutor, along with three masked men, broke into his office, threatened and physically assaulted him to try to get him to stop working on the case.

"These attacks demonstrate a disturbing pattern of systematic persecution of Roma in Ukraine, compounded by rising hate speech and stigmatization, which appears to be nurtured by the current political and economic situation in the country," the UN experts said.

"We deplore the absence of effective measures to protect members of the Roma minority against such actions by the Ukrainian authorities, and in particular by the national and local police. We are also concerned to hear allegations of a prevailing climate of impunity and lack of accountability with no prompt, thorough and impartial investigation of such criminal acts," the experts stressed.

"It is important that such hate and racially-motivated crimes are effectively prosecuted, with the additional aggravated grounds of 'racial, national or religious enmity or hostility' taken into account, instead of being merely considered as 'hooliganism'.

"Forced evictions triggered by the destruction and burning of homes are a gross violation of human rights and must be thoroughly investigated and prosecuted", the experts added.

The UN experts note that the Minister of Interior, the Commissioner for Human Rights of the Ukrainian Parliament and the Ombudsperson have publically denounced the attacks.

"We urge the Ukrainian authorities to take all appropriate measures to comply with their international human rights obligations, including with regard to the protection of the rights of individuals belonging to national, ethnic, religious or linguistic minorities. They must investigate all attacks against the Roma minority, and provide remedies for all damages, including adequate compensation for victims. Those who lost their homes and property during the attacks need to be provided with safe and secure alternative housing by the authorities, until adequate compensation is provided."

"In our view, coordinated and sustained actions are necessary to prevent such attacks, ensure justice, and end impunity."

The UN experts have been in contact with the Government of Ukraine to seek further clarification and information on the cases."

OHCHR, Human Rights Council discusses oral update on the human rights situation in Ukraine, 3 July 2018

"Brutal attacks and threats against Roma were also deeply troubling. Extreme right-wing groups were perpetrating attacks against Roma settlements in Kyiv."

OHCHR, Report of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Ukraine between 16 May and 15 August 2017 (civilian casualties; missing persons; summary executions; torture; other topics), Report of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Ukraine (16 May to 15 August 2017) [A/HRC/36/CRP.2], 15 September 2017

"OHCHR is also concerned about health and possible environmental risks, posed either directly by the armed hostilities or as secondary consequences. 17. OHCHR documented further incidents of violence and discrimination against the Roma community, some involving local authorities, including the shooting to death of one Roma in Vilshany and the destruction of a Roma camp in Lviv. [...] A notable lack of investigations into forced evictions and displacement of Roma prevented accountability for such human rights violations. 18. Restitution and rehabilitation of civilian property destroyed or damaged due to the conflict, or compensation, remain among the most pressing unaddressed socio-economic issues. [...] Discrimination against Roma 131. OHCHR observed the continuation of a worrisome trend of violence and discrimination against Roma people throughout Ukraine, in some cases involving local authorities. [...] [footnoteRef:176] On 21 July 2017, in Lviv, a Roma camp was set on fire, and another two smaller Roma camps were abandoned, following a statement by a member of the Lviv city council, on 20 July, urging local authorities to take more rigorous actions to "resolve" the Roma issue, including by evicting Roma from Lviv. [...] OHCHR is concerned about the lack of investigations of crimes committed against members of the Roma community, particularly regarding the forced displacement of a Roma community in Kyiv, in April 2017, and the forced eviction of Roma families in Loshchynivka village, Odesa region, in August 2016."

ECRI, Report on racism and intolerance (legislation against racism and discrimination; hate speech; racist and homo/transphobic violence; integration policies; policies to combat discrimination and intolerance towards LGBT people), ECRI Report on Ukraine (fifth monitoring cycle), 19 September 2017

"These showed that, out of a total of 157 incidents, 31 were motivated by racism and xenophobia, three by bias against Roma and Sinti, 18 by antisemitism, 94 by bias against Christians and members of other religions, nine by bias against LGBT people, and two by bias against people with disabilities."

OHCHR, Press briefing notes on Nicaragua and Ukraine, 1 June 2018

"We call on the Ukrainian authorities to act urgently to protect minority groups, including Roma communities and LGBTI activists, in the wake of a number of serious acts of violence and harassment against them in recent weeks.

We are aware of at least four attacks against Roma communities since 21 April.

On the night of 21 April, members of an extreme right-wing group reportedly used rocks and tear gas to force Roma people living in Kyiv's Lysa Hora neighbourhood to flee, before setting fire to their homes. On 10 May, more than 30 masked men assaulted several Roma families living in temporary shelters in the Lviv region of western Ukraine. Again, they forced the inhabitants – five adults and 10 children, including a two-month-old infant – to leave before setting their homes on fire.

On 22 May, about 15 assailants set a Roma camp on fire in the Ternopil region of western Ukraine. And last week, on 24 May, in the Kharkiv region, a lawyer representing the families of a person killed and others injured during a 2017 attack on a Roma settlement in Vilshany village was reportedly violently attacked and threatened by a local prosecutor and three men wearing military camouflage. They reportedly beat the lawyer, searched his office and stole money. They also warned him that he would be killed if he did not drop the case.

To date, no one has been held accountable for any of this violence.

There have also been attacks against other people advocating for the rights of women and LGBTI individuals, including on 8 March in Lviv and Uzhhorod, on 10 May in Kyiv, and on 19 May in Chernivtsi.

We urge the Government to pay closer attention to the actions of extreme right-wing groups throughout the country. In a number of cases, they have claimed responsibility for the recent attacks and intimidation against Roma, as well as the LGBTI community, and individuals promoting gender equality. The attacks, coupled with widespread social media posts that may amount to incitement to hatred and hate speech against Roma, the LGBTI community and other minority groups, are indicators of growing intolerance. This should be immediately addressed to prevent further violence against minorities in Ukraine.

The lack of accountability for attacks against minorities and evictions of Roma in previous years has fuelled an atmosphere of impunity. We urge the Government to demonstrate zero tolerance by publicly condemning such acts, by investigating all attacks against minorities, by bringing perpetrators to account and by guaranteeing the right to non-discrimination and equality."

Roma and Vulnerable Population Working Group, Health and Nutrition Cluster Meeting Minutes, 25 October 2015

"Small percentage of Roma literacy in country - there are about 20-30% of Roma children who attend school, (Renaissance Foundation in Ukraine states)."

ADC, Presentation of a report "Roma and War", 8 April 2015

"Presentation of a report "Roma and War in Eastern Ukraine – refugees, displaced persons, victims of violence" published by ADC Memorial on the International Romani Day. Millions of people have suffered over the past year of combat operations in Donetsk and Luhansk oblasts in Ukraine. During this undeclared war thousands of military personnel and civilians have lost their lives, tens of thousands of people have been wounded, and hundreds of thousands of refugees have fled the conflict zone. Several million people remain in the conflict zone, where they are forced to endure the cold; hunger; lack of a steady income,

medical care, and essential items; and various forms of violence (shelling, raids, and the unlawful actions of unrecognized local authorities).”

ADC Memorial, Roma and War in Eastern Ukraine – refugees, displaced persons, victims of violence, 7 April 2015

“Roma are the victims of the military conflict and are in very difficult situations both in Ukraine and in Russia. Many of them have tried to leave the conflict zone and flee the war. In addition to the hardships they experience as refugees, they also face xenophobia and biases that plague society in both Russia and Ukraine. The governments of these countries are not taking sufficient measures to deal with the problems that refugees and internal migrants face. There are virtually no public initiatives in Russia aimed at migrants, and Ukraine does not have sufficient resources to deal with this issue.”

Annual report on current situation of minorities, State of the World's Minorities and Indigenous Peoples 2014 , 3 July 2014

"In particular, as the impact of the financial crisis has been felt across Europe, hostility towards established scapegoats has been renewed – in particular, Roma communities. While this is frequently expressed in the form of street violence or individual assaults, it is also often reflected in discriminatory government policies. [...] A report published by the European Roma Rights Centre in 2013 lists violent attacks against Roma across 2011–12 and cases of stigmatizing rhetoric on the part of public figures, politicians and the press whereby Roma are associated with criminality. [...] Police officers were reportedly involved in 31 cases during 2013 where victims reported violence or discrimination due to their religion, ethnicity, nationality or skin colour. Hungary The Roma community in Hungary is by far the largest minority ethnic community in the country. As is the case for Greece, Roma in Hungary suffer profound social and economic marginalization. [...] Nor was any official data on racist attacks specifically against Roma or Sinti communities in Hungary reported to ODIHR. By contrast, between them the UN refugee agency UNHCR and NGOs – the Athena Institute and the European Roma Rights Centre – reported to ODIHR numerous cases in 2012 of threats with weapons against Roma families, physical assaults and one case of arson. [...] Furthermore, until recently, while Ukraine had legal provisions (Article 161 of the Criminal Code) criminalizing ethnic or religious hatred or hostility, this legislation was very difficult to apply."

Trafficking and smuggling

Group of Experts on Action against Trafficking in Human Beings (GRETA), Report on trafficking in human beings and the implementation of the corresponding Council of Europe convention (legal framework; anti-trafficking strategies), Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Azerbaijan; First evaluation round [GRETA(2014)9], 19 September 2014

"Any such actions as provided for by paragraphs 1 or 2 committed in respect of a child up to 14 years of age, or by an organised group, or in combination with violence that is endangering the life or health of the victim or his/her close relatives, or in combination with threats of such violence, or committed by an organised group, or if causing grave consequences, are punishable by deprivation of liberty [...] Ukraine's anti-trafficking measures show a lack of attention to the Roma community as a group vulnerable to trafficking, while GRETA was informed that the situation of Roma in Ukraine raises particular concerns as regards human trafficking (see paragraphs 113-114). 64. [...] The Fourth Report of the European Commission against Racism and Intolerance (ECRI), published in 2012, notes that whereas according to

the 2001 census²³ there were approximately 47 000 Roma in Ukraine, Roma organisations consider that a more accurate estimation would be approximately 400 000 persons. [...] Roma Ethnic Minority into Ukrainian Society until 2020,²⁴ which contains measures to improve the protection and integration of the Roma population in the legal, medical and social spheres. [...] In 2013, the Ministry of Social Policy granted the status of victim of THB to six Roma persons living in Zakarpattia oblast, who were referred to assistance and rehabilitation."

Discrimination, hate speech, racism and intolerance

ENS, BRIEFING #3: Protection gaps for stateless refugees from Ukraine, 23 June, 2022

"This third advocacy briefing in our series on statelessness and the Ukraine crisis draws on country briefings produced with our members and local lawyers to provide an update on current protection gaps for refugees from Ukraine who are stateless or at risk of statelessness (including those with undetermined nationality). Our analysis of routes to protection for refugees from Ukraine in 17 European countries shows that there are significant protection gaps across Europe for stateless people. To prevent discrimination, avoid over-burdening asylum procedures, and facilitate eventual safe return to Ukraine, it is imperative that these gaps are addressed by national and regional authorities. [...] In some countries, including France, Portugal, Switzerland, and the UK, it is still unclear whether all those fleeing Ukraine may enter the territory regardless of documentation status. [...] In Hungary, the EU Temporary Protection Directive is being implemented in a very restrictive way and alternative routes to protection (including asylum) are not available to stateless people fleeing Ukraine. Routes to protection for stateless people from Ukraine are also very limited in Austria. [...] No country has extended eligibility to all stateless people and those at risk of statelessness to include those who cannot prove prior legal residence in Ukraine. [...] Reports are continuing to emerge of antigypsyism and discrimination in access to the territory, temporary protection, services, and support faced by Romani people fleeing Ukraine, including in Poland, Moldova, and the Czech Republic."

OCHA, Ukraine: Situation Report, 29 June 2022, last updated 29 June 2022

"Kaverina and Dafina are members of a Roma family that returned from Poland with 20 close relatives to go back to their home on the outskirts of Kyiv. Like them, many of Ukraine's Roma population have struggled to access aid and had faced discrimination adding to the agonies of war" (p.1)

"According to GBV Risk Analysis for Cash and Voucher Assistance (CVA) in Ukraine, registration to the CVA scheme is done primarily online, through onsite registration, self-registration and referrals from local authorities. Even in urban areas, only a minority of individuals have access to smartphones. Some minorities have literacy issues and/or do not speak the language. There is a need to establish alternative ways of registration and communication which do not require a cell phone or are digitally literate. Other groups with difficulties for registration and participation in the CVA scheme include women from minorities, such as Roma (lack of documentation and/or tax number, safe movement outside communities); LGBTQIA+, especially transgender women (social stigma hindering access to partners and information); GBV survivors and other groups with specific protection needs, such as single women at risk, elderly, people with disabilities"

Human Rights Watch, Moldova: Romani Refugees from Ukraine Face Segregation, 25 May 2022

"Romani people face pervasive bias and persistent discrimination in both Ukraine and Moldova. The estimated 400,000 Roma in Ukraine before the Russian invasion faced high levels of poverty and lack of access to employment, education, and health care. They also faced prejudice, hate speech, and violent

attacks by radical groups that the authorities do not properly investigate. Ukrainian Romani refugees in Moldova contend with hostile, discriminatory attitudes from other Ukrainians, Moldovan citizens, and government officials."

Care International, Ukraine: New UN Women and CARE International Report highlights the disproportionate impact of the war on women and minorities, 4 May 2022

"The impact of the war is particularly disproportionate for internally displaced people and marginalised groups such as female-headed households, Roma people, LGBTQIA+ people, and people with disabilities. Many respondents from Roma communities gave testimony of severe discrimination, both in their daily struggle and in access to humanitarian aid."

European Network on Statelessness, Briefing: Update on access to protection for stateless refugees from Ukraine, 28 April 2022

"There have been reports of racial discrimination, antigypsyism, and differential treatment on the Ukrainian side of the border. Between 16-18 April, the Ukrainian State Border Guard temporarily implemented a policy of permitting only Ukrainians with biometric identity documents to exit Ukraine (with some exceptions for persons fleeing active hostilities or persons with disabilities). The policy was amended on the evening of 18 April to permit all those with national identity documents from all parts of Ukraine to exit the territory. This is likely to prevent many stateless persons and persons at risk of statelessness leaving Ukraine. ENS members in Ukraine report significant barriers for stateless people and those without documents to register for support as Internally Displaced Persons, difficulties crossing internal checkpoints, and fear amongst those without documentary proof of their links to Ukraine that they will not be able to return to the country even if they are able to leave.

[...] EU Member States are not currently required to extend temporary protection to most stateless people and those at risk of statelessness living in Ukraine. People without documentary proof of their nationality, international protection, or a residence permit in Ukraine face significant barriers to accessing protection."

US DOS, Annual report on human rights in 2021, 2021 Country Report on Human Rights Practices: Ukraine, 12 April 2022

"Romani activists expressed concern that some Roma could not afford to flee conflict areas, while others had no choice but to leave their homes. [...] The crowd shouted anti-Roma slurs and threatened violence against the Romani community as collective punishment for the attack. The crowd also shot fireworks at a Romani family's house, broke the entrance gate, and spray-painted "get out" on the fence around the house. Local police characterized the incident as a protest of civic activists. [...] According to Council of Europe experts, 60 percent of Roma were unemployed, 40 percent had no documents, and only 1 percent had a university degree. According to the Romani women's foundation, Chirikli, local authorities erected a number of barriers to prevent issuing national identification documents to Roma. [...] Authorities hampered access to education for persons who lacked documents and segregated Romani children into special schools or lower-quality classrooms. Officials also expressed anti-Roma sentiments and encouraged discrimination. [...] Many Roma fled settlements in areas controlled by Russia-led forces and moved elsewhere in the country. According to Chirikli, approximately 10,000 Roma were among the most vulnerable members of the country's IDP population. Many Romani IDPs lacked documents, and obtaining IDP assistance, medical care, and education was especially difficult [...]"

Danish Refugee Council, Ukraine: I/NGO Statement on the Targeting of Civilians and Civilian Infrastructure, 11 April 2022

"The international community, including the UN Security Council and the UN General Assembly, must take sterner measures to bring hostilities to an end, and reaffirm faith in fundamental human rights and conditions under which respect for the obligations from treaties and other sources of international law can be maintained.

We add to and reiterate our demands from March 4, 2022:

[...] All countries to equally welcome all foreign nationals and stateless persons fleeing Ukraine regardless of their nationality, sexual orientation, gender identity, country of origin, religious background, race or ethnicity [...]"

ADC Memorial, [Romani Voices from Hell: Discrimination, Epidemic, War](#), 8 April 2022

"Roma people live in all regions of Ukraine, most often in rural localities or in urban settlements of one- and two-story homes. Life in many tabors, which is what dense Roma settlements are known as in the vernacular, has always been difficult, impoverished, and insulated from the outside world. Since Soviet times, such places have had difficulties with clean water, trash collection, registration of homes, and even personal documents.

Roma children did not always attend school even in the best of times, and if they did, they never received a full secondary education. After school, many were left without real employment and were forced to feed their families by salvaging metal in dumps, working temporary jobs in fields, and so forth.

Discrimination and social exclusion resulted in poverty, which only served to heighten marginalization and enable prejudices about "criminality. [...]"

The Roma also have problems with water: It is very rare to find water in courtyard wells, and only about five to ten houses in all three settlements have any water at all. Neighbors generally go to those houses for water. And this is to say nothing of toilets and showers: No one has them in their homes."

ADC Memorial, [Romani Voices From Hell Discrimination, Epidemic, War](#), 7 April 2022

[Excerpts to follow]

"Since the start of Russian aggression and hostilities in Ukraine in 2014, ADC Memorial has regularly monitored the situation of the Roma minority in the conflict zone. In 2015, we published the human rights report "Roma and War", which was later supplemented with the photo report "For Today, They Don't Seem to be Shooting," which was about the situation in frontline settlements in 2016-2017. A full-scale war has been underway on Ukrainian territory since February 24, 2022. The world is following the events in Kharkiv, Kyiv, and Kherson oblasts, in long-suffering Mariupol, and in other cities in Donbas with pain and horror. To mark International Roma Day, ADC Memorial is publishing the accounts of Roma who have faced discrimination and suffered through the agonizing trials of first the COVID-19 pandemic and then the hell of war.

[...]

War The Roma of Odesa: danger and solidarity

The difficult life of Roma in Toretsk (Donbas): 10 km from the front

Accounts of Roma from Mariupol: hell on earth

Kakhovka, Kherson Oblast: occupation.

Refugees"

OHCHR, [International Roma Day 8 April 2022, UN expert urges better protection of Roma minority during conflicts](#), 7 April 2022

"Roma who are fleeing a conflict and many of whom may be undocumented, should be granted equal protection and safety when seeking refuge inside and outside of the country, regardless of their legal status. Undocumented Roma fleeing a conflict, including children, face additional obstacles and risks crossing the borders. Human trafficking is one of them, as discrimination and racism may increase

vulnerability to trafficking during conflicts. Moreover, those Roma who reach neighboring countries risk remaining invisible in the receiving countries, without decent assistance and access to protection. Therefore, States must ensure that all those fleeing a conflict are granted equal access to security and protection, without possible discrimination."

ADC Memorial, [Roma women and girls in the conflict zone need protection](#), 31 March 2022

"In 2014, the number of Roma people who left their places of residence in the war zone in Donbas was estimated at about 6,000. All the problems characteristic of the Roma communities in Eastern Europe (lack of personal documents, insufficient level of education, poverty, risk of becoming a target of racist violence) have been exacerbated by the war. Roma women find themselves in a particularly difficult situation, as in traditional communities they are responsible for housekeeping, cooking and childcare, and it is they who have searched for ways to survive in a situation of war characterised by the daily risk of being exposed to violence coming from armed groups. [...]

Even before the war, the lack of identity documents prevented Roma women from exercising their social and economic rights. Many do not have passports or money to travel."

AI – Amnesty International, [Amnesty International Report 2021/22; The State of the World's Human Rights; Ukraine 2021](#), 29 March 2022

"In July, the government approved a national strategy to 2030 to address discrimination against the Roma community. However, the ongoing Covid-19 pandemic had a disproportionate effect on this community as many relied on the informal economy for irregular earnings.

Past attacks against Roma were not effectively investigated, including the destruction of a campsite and physical violence against Roma at Lysa Hora park in Kyiv in August 2018. In August, the Prosecutor General's Office informed Amnesty International that it had overruled a decision to halt the investigation, but no further progress was reported."

ACAPS, [Ukraine: Pattern of movement, people's needs, and response](#), 27 March 2022

"Minority groups: the risk of discrimination against minorities, including the Roma community, remains high. There are reports of discrimination along the evacuation route out of Ukraine (OHCHR 16/03/2022; Al Jazeera 07/03/2022)."

ADC Memorial, [Solidarity with the ethnic minorities of Ukraine](#), 21 March 2022

"A report by the European Roma Rights Centre (ERRC) states that Roma children accompanied by adult family members who are not their parents are often denied entry to Moldova and EU countries. Undocumented Roma are also turned away when they are trying to cross the border. According to ERRC, especially many Roma without passports are stuck at the Ukrainian border in the southwestern region of Transcarpathia. On March 6, volunteers of the "Czechs Are Helping" initiative reported discriminatory attitudes towards Roma. In particular, they allege that some Czech hostels groundlessly evict Roma who fled from Ukraine. Polish activist Joanna Talewicz-Kwiatkowska reported that Roma are often not allowed to enter refugee centers in Warsaw and even some train stations under the pretext of "preventing theft." Roma people also face difficulties in Romania. Despite the fact that in Bucharest they are met by volunteers and immediately placed in tents that the local authorities set up on the territory of the railway stations, we receive various complaints from the Roma people about the attitude towards them while they are trying to receive humanitarian aid. A Roma person confirms: "We are gypsies from Kharkiv. We are not allowed to get warm here. We are not allowed to get some water. And we cannot get some stuff for a child. It seems that we are mistaken for locals. There are 31 of us, 18 children. Our luggage was lost. Before that, we had to sleep in the gym for three days."

ICG – International Crisis Group, Mitigating the Gendered Effects of Ukraine's Refugee Crisis; Article on the humanitarian impact of the Ukrainian government's decision to not allow men in conscription age to flee the country from Russian attack, 16 March 2022

"Various ethnic and social groups face very specific challenges as they seek refuge. Many Ukrainians of Roma origin, who often suffer discrimination in Ukraine, may have no documentation of identity or citizenship. Ukrainians and non-Ukrainians of colour have reported mistreatment from both Ukrainian authorities and those in host countries as they flee. LGBTQI people risk a less warm welcome in Poland and Hungary, the two largest receiving countries. Both the Polish and Hungarian governments have adopted homophobic and transphobic legislation. Trans women are forbidden to leave Ukraine if their documents identify them as men."

OHCHR – UN Office of the High Commissioner for Human Rights, UN Special Rapporteur on minority issues concerned about the situation of ethnic minorities, especially that of Crimean Tatars in the city of Kherson, and in other regions where the Russian army is currently conducting attacks, 16 March 2022

"While I am imploring Russia to stop the war, I am also urging the United Nations and its Member States, international and regional organisations to mainstream minority issues in their responses to this human catastrophe, and to Ukraine and neighbouring countries to respond without discrimination to the refugee crisis in the treatment of minorities such as Roma, international students, at borders and elsewhere.

It is of paramount importance to acknowledge that minorities, such as Roma, many of whom may be undocumented in Ukraine, face specific vulnerabilities in the times of this conflict. I urge all parties to ensure that all minorities, including Roma, have access to humanitarian assistance without any discrimination. All people of Ukraine, including people of African, Asian, Middle Eastern descent and Roma should be granted equal protection and safety when seeking refuge inside and outside of the country, regardless of their ethnicity, religion, language or status. Minorities such as Roma or people of African descent and all others regardless of the colour of their skin, or their ethnicity or religion, must all be dealt with without discrimination along their evacuation route out of Ukraine."

OHCHR, Ukraine: UN expert says war against multi-ethnic population must stop, calls for protection of all minorities, 16 March 2022

"It is of paramount importance to acknowledge that minorities, such as Roma, many of whom may be undocumented in Ukraine, face specific vulnerabilities in the times of this conflict. I urge all parties to ensure that all minorities, including Roma, have access to humanitarian assistance without any discrimination. All people of Ukraine, including people of African, Asian, Middle Eastern descent and Roma should be granted equal protection and safety when seeking refuge inside and outside of the country, regardless of their ethnicity, religion, language or status. Minorities such as Roma or people of African descent and all others regardless of the colour of their skin, or their ethnicity or religion, must all be dealt with without discrimination along their evacuation route out of Ukraine."

UN OCHA – UN Office for the Coordination of Humanitarian Affairs, Ukraine: Humanitarian Impact Situation Report (As of 3:00 p.m. (EET), 9 March 2022), 9 March 2022

"[...] A group of Ukrainian Roma reported experiencing discrimination when fleeing Kharkiv towards the Republic of Moldova. IOM says there are likely around 400,000 Roma people fleeing Ukraine, many of whom lack proper travel documents. The reported discrimination and mistreatment must be investigated to ensure that displaced people have access to adequate protection services."

UN OCHA – UN Office for the Coordination of Humanitarian Affairs, Ukraine: Humanitarian Impact Situation Report (As of 3:00 p.m. (EET), 3 March 2022), 3 March 2022

"The situation of third country nationals from countries in Africa and South Asia and other ethnic minority groups in Ukraine, including the Roma population, is particularly concerning, as there have been numerous reports of discrimination and even violence against these vulnerable groups. The Roma population lack civil status documents, limiting access to critical services, including education and health, and potentially humanitarian assistance as many Roman internally displaced people were not registered prior to the current escalation in conflict."

CARE International, Rapid Gender Analysis Ukraine, Brief report on gender issues and current humanitarian operations, 1 March 2022

"The Roma population faces ongoing discrimination. Even data on the Roma population in Ukraine is contested. The last Census took place in 2001. It put the number of Romani in Ukraine at 47,600. However, according to various estimates, the Roma community comprises between 200,000 and 400,000 people living in all regions of the country (Council of Europe, 2021). [...] In 2013, Ukraine adopted a Strategy and Plan of Action for the Protection and Integration of the Roma National Minority into Ukrainian Society, neither of which address gender issues or the needs of Roma women and girls. A 2019, a report by Minority Rights Group Europe on the Roma in Ukraine noted the continuing discrimination and violence against the group. During the COVID-19 pandemic, Roma communities were affected in distinct ways: the majority lack civil status documents, creating difficulties in accessing education, employment and health services. In addition, about 55.6% of internally displaced Roma interviewed by the Roma Women Fund, Chiricli, were not registered, which limits their access to humanitarian assistance. [...] Recommendations To humanitarian donors:

- Consult with Ukrainian women leaders and representatives of marginalised groups like Disability Rights Organisations and the Roma community to understand the needs identified by them and to increase their influence in making humanitarian decisions in and for their communities...
- Map the media landscape in each area of operation to identify affected people's preferred and most trusted channels of communication. Recognise that different groups (e.g. single mothers with young children, people with disabilities, Roma communities) will have different communication and information needs and will likely have access to and trust different media channels, language and format, including those they can and will use to provide feedback or make complaints.
- In all communications on the crisis, feature the diverse voices of women from the most vulnerable groups, including women with disabilities, Roma women, women living with HIV/AIDS and single mothers, and do so in a way that highlights their capacity and agency. Identify and actively engage women members of particular communities in the dissemination of information within the group."

Freedom House, Freedom in the World 2022 - Ukraine, 28 February 2022

"[...] their voting and representation are hindered by factors including discrimination that discourages political participation, the conflict in the east, and the lack of identity documents for many Roma. Internally displaced persons (IDPs), who number 1.5 million, face legal and practical barriers to voting. [...] The Romany minority and LGBT+ people experience significant discrimination in practice. Roma and LGBT+ people and groups generally only receive police protection or justice for attacks against them when there is intense pressure from civil society or international observers. Rights groups have reported that employers openly discriminate on the basis of gender and age."

BTI, BTI 2022 Country Report: Ukraine, 23 February 2022

"However, discrimination takes place, especially with respect to the Roma and the LGBTQ+ community. Moreover, equality before the law is not ensured since there is considerable corruption among law enforcement authorities. [...] There are no specific social barriers associated with religion, but some ethnic minorities, especially the Roma, experience social exclusion. Disabled people and people living with

HIV/AIDS also continue to experience social exclusion. [...] In 2015, parliament showed strong resistance before giving in to an EU conditionality requiring workplace discrimination based on sexual orientation to be banned. Some ethnic minorities, such as the Roma, experience social exclusion. Social exclusion of the Roma population entails exclusion from education, the labor market and social services".

Human Rights Watch, World Report 2022: Ukraine, 13 January 2022

"The armed conflict in the Donbas region of eastern Ukraine continued to pose a grave threat to civilian safety and impede access to food, adequate housing, and schools. Covid-19 pandemic-related travel restrictions, introduced by Russia-backed armed groups and the government, blocked access to health care and pensions and worsened hardships for the already impoverished population of the conflict-affected Donbas. Armed groups forcibly disappeared, tortured, and arbitrarily detained civilians and repeatedly denied some of them access to urgent medical care. A bill reforming Ukraine's notoriously abusive security service advanced in parliament despite human rights concerns. Members of groups advocating hate and discrimination continued putting ethnic minorities, lesbian, gay, bisexual, and transgender (LGBT) people and rights activists at risk, subjecting them to physical attacks and hate speech. [...] Roma people remained a target of online hate speech and occasional physical violence. In April, local media published a video from the meeting of the Ivano-Frankivsk mayor with local police, where he ordered them to "move Roma people back to Zakarpattia." [...] No progress has been made in ensuring accountability for the 2017 murder of Mykola Kaspiisky, the leader of Roma community in Kharkiv region. In January the case was closed for the fourth time. Throughout the year, activists raised concerns over the police allegedly sabotaging the case."

OHCHR, Deputy High Commissioner to Human Rights Council: Deteriorating Security Situation in Eastern Ukraine Has Seen an Increase in Civilian Casualties and Damage to Civilian Objects Resulting from Active Hostilities, 5 October 2021

"Ms. Al-Nashif said that in the context of the administration of justice in Ukraine, the report found that violations of the right to a fair trial and liberty in conflict-related criminal cases continued through the unlawful application of flagrante arrests without court warrants and the denial of prompt access to legal aid. The adoption on 20 May 2021 of a law which harmonised the definitions of international crimes in line with the Rome Statute of the International Criminal Court was welcomed. However, the Office of the High Commissioner was concerned that the law had not yet been signed by the President. In civic space, attacks against journalists were also noted, as well as against human rights defenders, environmental activists, lesbian, gay, bisexual, transgender and intersex people or their supporters, and members of national minorities. Hate speech was also directed against Roma, lesbian, gay, bisexual, transgender and intersex persons, women, persons with disabilities and people perceived to have pro-Russian views."

OHCHR, 48th session of the Human Rights Council Agenda Item 10: Interactive dialogue on oral update on Ukraine, 5 October 2021

"OHCHR documented 22 cases of threats and attacks against journalists and other media workers, human rights defenders, environmental activists, LGBTI people or their supporters, and members of national minorities. Hate speech was also directed against Roma, LGBTI persons, women, persons with disabilities and people perceived to have pro-Russian views. It is imperative that the authorities effectively investigate each such incident in full acknowledgement of any bias motives."

OHCHR, Agenda Item 10: Interactive dialogue on oral update on Ukraine, 22 March 2021

"OHCHR is concerned about continuing attacks infringing upon the freedom of expression and opinion. Over the reporting period, OHCHR documented eighteen cases of threats and attacks against

journalists and other media workers, human rights defenders, civil and political activists, LGBTI people or their supporters, and members of national minorities. In the lead up to local elections in October 2020, a wave of attacks targeted members and staff of political parties, mainly two opposition parties considered by many to be “pro-Russian”. OHCHR also documented incidents of hate speech and threats against Roma and those speaking Russian and Hungarian, as well as hate-motivated attacks and threats against those expressing criticism of the “Law on the State Language”.

ADC Memorial, [European Commission against Racism and Intolerance: Ukraine failed to implement priority recommendations](#), 30 September 2020

“In 2017 the European Commission against Racism and Intolerance (ECRI) addressed 19 general and two priority recommendations concerning combating racism and intolerance to the Ukrainian authorities. The Commission recently came to the conclusion that its urgent recommendations, which had addressed the situation of the LGBTI+ persons and the country’s Roma minority, were not been implemented over the past three years.”

ADC Memorial, [Statement of Kharkiv Human Rights Protection Group and ADC Memorial on the situation of Roma rights violations in Ukraine](#), 9 May 2020

“In 2016, Ukraine delivered a report on its implementation of the Convention on the Elimination of Racial Discrimination. At the time, the overall situation did not appear critical. Many problems arose from the actions of the Yanukovich government or the armed conflict, and members of the new government agreed with the recommendations made by the UN Committee on the Elimination of Racial Discrimination, which took the opinions of the authors of alternative reports submitted to the Committee (including a report from KHPG and ADC Memorial) into consideration. The prescribed four years have passed, and Ukraine was due to present a new report on its implementation of the Convention and the Committee’s previous recommendations in April 2020. This report has not been submitted yet, although its preparation could provide a good reason for assessing the overall situation and developing systemic steps to improve it. In 2020, on the threshold of a new review, the situation appears much worse and has even become critical in terms of Roma rights. Over the past four years Roma people in Ukraine have suffered pogroms and attacks with regularity. These included a pogrom in the village of Loshchinovka, Odessa Oblast (2016), an attack, arson, and the razing of a temporary Roma settlement in Kyiv (Lysaya gora, April 2018), attacks on Roma settlements in the villages of Rudnoye, Lviv Oblast and Bolshaya Berezovitsa, Ternopil Oblast (May 2018), an attack on a temporary Roma settlement in Kyiv (Goloseysky, June 2018), and the burning of two houses where Roma lived in Ivano-Frankivsk (March 2019). In 2017, a 50-year-old Roma man, Nikolai Kaspitsky, was shot after armed local residents organized an attack against a group of Roma people in the village of Olshany, Kharkiv Oblast. On June 23, 2018, a group of Roma people were attacked outside Lviv. A 24-year-old Roma man named David from the village of Rovnoe, Zarkapattia Oblast was killed and four people—two 19-year-old men, a 30-year-old woman, and a 10-year-old child—were injured. There have been two cases of racial discrimination and violation of Roma rights over the past month (April 2020). In late April, the mayor of Ivano-Frankivsk gave an order to remove Roma people from the city and criticized the police for being unable to manage this task. The next day he explained that he was referring to a specific group of Roma who were panhandling in the city center, violating quarantine, and living in a square, and said that he did not believe his statement was discriminatory. Several days later, unknown assailants in Kyiv attacked Roma people, lighting their tent on fire, beating a man, and threatening a pregnant woman. Even though law enforcement bodies have instigated criminal cases in the attacks and several of these cases have gone to trial, the level of aggression against the Roma has not dropped. Rather, this aggression has become systemic and widespread. There are many reasons for this, including the non-integration of Roma people into

Ukrainian society and structural discrimination, the activities of right-wing groups and their ties to local governments, society's overall aggression and fatigue from the armed conflict, and other deeply-rooted causes and conditions. An assessment of Ukraine's implementation of the Convention on the Elimination of Racial Discrimination and preparation of the state report could create a forum for thoughtful discussion about the current situation. This discussion must have the goal of assessing the entire situation and its causes and conditions and should involve not just representatives of national state bodies and NGOs, but also the victims' families, local government bodies, and the media. The results of this public conversation must then be discussed with experts from the Committee, whose opinion will help develop viable mechanisms for improving the situation. This situation will not solve itself on its own, and without a response, the violence and discrimination seen over the past five years will only continue to surge and result in new victims."

ADC Memorial, [Structural discrimination against Roma](#), 8 April 2020

"Poor education, unemployment, poverty, raids, pogroms and other manifestations of racism, arbitrary police behavior, demolition of homes, and lack of documents—this has been the reality for generations of Romani people. These factors not only blend together, but also reinforce one another, forming a vicious circle of structural discrimination."

ADC Memorial, [OSCE ODIHR session discussed anti-Roma outbursts in Russia](#), Ukraine and Belarus, 1 October 2019

ADC Memorial, [Situation of the Roma in Belarus and Ukraine reviewed by UN Committees](#), 26 November 2018

"Although Ukraine adopted its anti-discrimination legislation 6 years ago, Roma population still faces violations of its rights. UN CESCR members paid special attention to the problems of the Roma ethnic group in Ukraine and requested to provide information on specific measures to apply the Ukrainian law "On Countering Discrimination", to assess its impact on the prevention of stereotypes leading to discrimination, to inform the Committee about the difficulties in applying anti-discrimination regulations, the strategies for the protection and integration of the Roma population for the period until 2020 and the corresponding national plan. They also requested to indicate the number of legal cases on discrimination and the statistics on court rulings in these cases. Experts inquired about measures to address issues of social exclusion and discrimination against Roma, including intersectional discrimination of Roma women and girls."

European Commission, Report on implementation of the EU-Ukraine Association Agreement (democracy, human rights, governance; justice, freedom, security; mobility; other topics), Association Implementation Report on Ukraine [SWD(2018) 462 final], 7 November 2018

"An increased amount of hate speech and violence targeting minority groups including LGBTI and Roma has been documented by the UN Human Rights Monitoring Mission in Ukraine. The majority of these were reportedly perpetrated by extreme right-wing groups. [...] It shows that 55% of planned activities for 2017 are on track; 31% implemented with some delay; and 14% either not implemented or significantly delayed. A baseline measurement of Ukraine's public administration launched by the EU-OECD 'SIGMA' programme in November 2017 was finalised and published in June 2018. [...] In May 2018, the Council of the EU added five persons involved in the organization of the elections to the list of those subject to restrictive measures over actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine¹². In May 2018, the Kerch Strait bridge was inaugurated by President Putin. [...] Ukraine's legislation aimed at approximating EU customs legislation, and in particular draft laws on authorised economic operator, common transit procedure, enforcement of intellectual property rights

and customs relief for travellers with EU, regulations still need to be adopted by the Parliament. [...] These measures specifically address the regulatory 11 framework, which is still tarnished by a number of problematic or outdated legal acts. With regard to the reform of SOEs, profits of the top-100 State owned enterprises have increased by 38% in 2017".

OHCHR, Press briefing notes on Nicaragua and Ukraine, 1 June 2018

"We call on the Ukrainian authorities to act urgently to protect minority groups, including Roma communities and LGBTI activists, in the wake of a number of serious acts of violence and harassment against them in recent weeks.

We are aware of at least four attacks against Roma communities since 21 April.

On the night of 21 April, members of an extreme right-wing group reportedly used rocks and tear gas to force Roma people living in Kyiv's Lysa Hora neighbourhood to flee, before setting fire to their homes. On 10 May, more than 30 masked men assaulted several Roma families living in temporary shelters in the Lviv region of western Ukraine. Again, they forced the inhabitants – five adults and 10 children, including a two-month-old infant – to leave before setting their homes on fire.

On 22 May, about 15 assailants set a Roma camp on fire in the Ternopil region of western Ukraine. And last week, on 24 May, in the Kharkiv region, a lawyer representing the families of a person killed and others injured during a 2017 attack on a Roma settlement in Vilshany village was reportedly violently attacked and threatened by a local prosecutor and three men wearing military camouflage. They reportedly beat the lawyer, searched his office and stole money. They also warned him that he would be killed if he did not drop the case.

To date, no one has been held accountable for any of this violence.

There have also been attacks against other people advocating for the rights of women and LGBTI individuals, including on 8 March in Lviv and Uzhhorod, on 10 May in Kyiv, and on 19 May in Chernivtsi.

We urge the Government to pay closer attention to the actions of extreme right-wing groups throughout the country. In a number of cases, they have claimed responsibility for the recent attacks and intimidation against Roma, as well as the LGBTI community, and individuals promoting gender equality. The attacks, coupled with widespread social media posts that may amount to incitement to hatred and hate speech against Roma, the LGBTI community and other minority groups, are indicators of growing intolerance. This should be immediately addressed to prevent further violence against minorities in Ukraine.

The lack of accountability for attacks against minorities and evictions of Roma in previous years has fuelled an atmosphere of impunity. We urge the Government to demonstrate zero tolerance by publicly condemning such acts, by investigating all attacks against minorities, by bringing perpetrators to account and by guaranteeing the right to non-discrimination and equality."

OHCHR, Human Rights Council holds interactive dialogues on human rights in Ukraine and in the Democratic Republic of the Congo, 27 September 2017

"Minority Rights Group expressed concern over the violent incident undertaken against the Roma residents in Odesa Oblast. The failure of the Ukrainian authorities to safeguard the basic human rights of the Roma created a dangerous precedent and undermined the credibility of the Government."

Protection Cluster Ukraine, Ukraine December – January 2017, January 2017

"Tensions have been reported between the local community and Roma IDPs and their host families in Sheludkivka village, Kharkiv region. Some Roma have reported receiving threatening messages from local residents and complain of being discriminated against by police and local authorities."

UK Home Office, Country Policy and Information Note – Ukraine: Minority Groups (Version 1.0), January 2017

[See pages 20 to 33]

"There is wide variation in the treatment of Ukraine's different minority groups. Roma in particular are reported to suffer significant discrimination and disadvantage [...]

Roma are reported to face barriers in accessing housing, education, health care, social services and employment due in part to discriminatory attitudes against them. There are reports that that police forcibly evict, harass, extort and arbitrarily detain Romani individuals, at times beating or mistreating them (see Current situation and Treatment by the state).

The authorities are however reported to have become more responsive to Romani community concerns (see Roma). In 2013 the government adopted a seven-year action plan to implement a strategy for protecting and integrating the Roma into society. However this has not as yet led to significant improvements for Roma (see Treatment by the state).

There are reports of a rise in racist hate speech and discriminatory statements in recent years, including by public and political figures and in the media, in particular on the internet and during rallies, directed mainly against minorities, including Roma (see Situation for minority groups).

However, in general, the level of state discrimination faced by members of Roma in Ukraine is not such that it will reach the level of being persecutory or otherwise inhuman or degrading treatment, although each case should be examined on its own merits.

Roma are believed to be the group which experiences most societal discrimination in Ukraine, both as individuals and as a community. There are reports of widespread social prejudice, hate speech and ethnically-motivated hate crime. This includes threats and violence resulting in physical assaults, acts of vandalism and arson, most of which are committed by groups driven by extreme nationalist and racist ideology (see Societal treatment of Roma).

Furthermore, there are reports that those Roma who have fled the conflict in the Donbas region face prejudice and xenophobia in the government controlled areas. Although civil society organisations and churches have provided assistance with accommodation and food, conditions remain difficult for Roma IDPs (see Roma as IDPs)."

The Equal Rights Trust, [Alternative report submitted to the 90th session of the Committee on the Elimination of Racial Discrimination in relation to the combined 22nd and 23rd periodic reports submitted by: Ukraine, 11 July 2016](#)

[Excerpts to follow]

The Equal Rights Trust in partnership with Nash Mir, [in the Crosscurrents Addressing Discrimination and Inequality in Ukraine, 2015](#)

[Excerpts to follow]

OHCHR, [Committee against Torture discusses report of Ukraine](#), 6 November 2014

"There was not much progress in addressing the discrimination of Roma and the absence of Roma representation."

Law, justice, and order

OHCHR – UN Office of the High Commissioner for Human Rights, [Report on the human rights situation in Ukraine \(1 August 2021 - 31 January 2022\)](#), 28 March 2022

"18. OHCHR is concerned about the complete lack of accountability for past attacks on Roma settlements, including those in the village of Loshchynivka, Odesa region in 2016 and Vilshany, Kharkiv region in 2017. While OHCHR welcomes the increased public reactions of the Ombudsperson's Office condemning hate

speech, it notes the continuing lack of any legislative framework to prohibit incitement to violence, hostility and discrimination...

86. [...] OHCHR is concerned about the complete lack of accountability for past attacks on Roma settlements. On 6 December 2021, the Odesa district administrative court rejected the lawsuit filed by Roma individuals who were evicted from Loshchynivka village in August 2016, in which they sought compensation for the decision of the village head to order their eviction and the failure of police to protect the victims. The judgement rejecting the lawsuit was delivered following a retrial of the case after the Supreme Court quashed the April 2019 appeal court judgment granting partially the victims' claims.

87. Similarly, no one has been held accountable for the 2017 attack in Vilshany, Kharkiv region, in which a Roma man was killed. OHCHR observed that the trial against the two men charged with the murder progressed slowly and the investigation of another alleged perpetrator by the Regional Prosecutor's Office was closed for the fourth time.

88. OHCHR is concerned about the failure by local authorities to facilitate public participation in decision making on environmental issues in the village of Makukhivka, close to Poltava city. In particular, local authorities have not taken meaningful steps to resolve social and ethnic tensions, as well as address environmental damage and water pollution around an illegal landfill in the village. The landfill, which does not have any official documentation as required by Ukrainian law, allegedly pollutes ground waters and negatively affects the health of those living in the area. Due to low housing prices and income-generating opportunities from manual recycling, there have been increasing numbers of Roma moving to the area and increasing tensions between the local Roma and non-Roma villagers.

VII. Leave no one behind – economic and social rights

89. During the reporting period, OHCHR continued monitoring the difficulties facing individuals and vulnerable groups in the enjoyment of socio-economic rights. These include homeless persons, persons with disabilities, Roma, and persons living in rural and conflict-affected areas."

ACAPS, Ukraine: Pattern of movement, people's needs, and response, 27 March 2022

"The closure of judicial services has an impact on people without documentation, including people released from prison and the Roma minority, or people who have identification that may not be internationally recognised."

Freedom House, Freedom in the World 2022 - Ukraine, 28 February 2022

"[...] their voting and representation are hindered by factors including discrimination that discourages political participation, the conflict in the east, and the lack of identity documents for many Roma. Internally displaced persons (IDPs), who number 1.5 million, face legal and practical barriers to voting. [...] The Romany minority and LGBT+ people experience significant discrimination in practice. Roma and LGBT+ people and groups generally only receive police protection or justice for attacks against them when there is intense pressure from civil society or international observers. Rights groups have reported that employers openly discriminate on the basis of gender and age."

Human Rights Committee, Concluding observations on the eighth periodic report of Ukraine, 9 February 2022

" [...] The Committee is also concerned about cases of Roma not being able to gain access to the courts to defend their rights because they lack identification documents (arts. 2 and 26). 14. [...] In line with paragraph 4 of the Order of the Cabinet of Ministers of Ukraine No. 701-r of 11 September 2013, the State party should intensify its efforts to assist Roma persons in obtaining identification documents. Hate speech and hate crimes 15. [...] While noting the legislative measures taken by the State party to combat hate speech and hate crimes, the Committee is concerned about reports of intolerance, prejudice, hate

speech and hate crimes against members of vulnerable and minority groups, including Roma, Hungarians, Jehovah's Witnesses, Crimean Tatars and lesbian, gay, bisexual, transgender CCPR/C/UKR/CO/8 4 and intersex persons [...] In particular, it notes with concern the slow pace of the investigations and lack of convictions in respect of the attacks on Roma settlements in Kyiv, Ternopil and Lviv in 2018 and the attacks that occurred in 2019 against seven members of the lesbian, gay, bisexual, transgender and intersex community participating in a pride event in Kyiv [...]"

Council of Europe, ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES, Fifth Report submitted by Ukraine Pursuant to Article 25, paragraph 2 of the Framework Convention for the Protection of National Minorities – received on 10 January 2022, 10 January 2022

"Committee of the Framework Convention for the Protection of National Minorities, the Council of Europe's European Commission against Racism and Intolerance, the Committee of Experts of the European Charter for Regional or Minority Languages, the Council of Europe's Steering Committee on Anti-Discrimination, Diversity and Inclusion, and the Council of Europe's Committee of Experts on Roma and Traveler [...] On 26–28 April 2017, Ukraine hosted its first ever International Thematic Visit of the Ad-Hoc Committee of Experts on Roma and Traveler Issues (CAHROM), which was held to share experiences of implementing national Strategies for the Roma national minority. [...] The DESS also participated in the work of the Council of Europe Committee of Experts on Roma and Traveler Issues (ADI- ROM) to incorporate relevant international experience. The draft Strategy was published on the DESS official website (<https://dess.gov.ua/roma-strategy>)."

OHCHR, Human Rights Council holds interactive dialogue on the situation of human rights in Libya, 18 June 2020

"Speakers asked what the Deputy High Commissioner's assessment of the conditions of detention in Ukraine was. Some speakers said that the Ukrainian authorities had systematically failed to bring to justice people who perpetrated violations of Roma's human rights."

Al Jazeera, 'Attacked and Abandoned: Ukraine's Forgotten Roma' 23 November 2018

"Lesia Kharchenko, from Amnesty International, tracked the tweets that followed, "Roma people were just taken out of their homes and they had to run away. They were attacked by a group of young people who had gas sprays and other things, but because nobody had died at that time, there was not a lot of reaction from the state and then there were other attacks."

"However, the alarming truth is that, on a number of other occasions, not only have the police stood by and allowed such attacks to take place but, according to the Office of the United Nations High Commissioner for Human Rights (OHCHR), in some cases, they have actually participated."

"A recent OHCHR paper entitled Report on the human rights situation in Ukraine describes raids on Roma communities during which "police were physically aggressive; beating people, damaging or destroying private possessions, and treating the Roma in a humiliating manner."

OHCHR, Update on Ukraine under item 10, 25 September 2018

"However, as next year's Presidential and Parliamentary elections approach, we are seriously concerned about the accelerating erosion of civic space, which includes evidence of increasingly violent attacks against members of the Roma community, civic activists and against lawyers in high-profile cases. We also remain concerned by the continuing aggressive interference in the parades and assemblies of the LGBTQI community. Law enforcement entities and local governments should

address such attacks far more resolutely, and take concrete steps to enhance protection of minorities and preserve civic space for the safe and unhindered exercise of freedoms of expression, opinion and peaceful assembly."

OHCHR, Press briefing notes on Nicaragua and Ukraine, 1 June 2018

"We call on the Ukrainian authorities to act urgently to protect minority groups, including Roma communities and LGBTI activists, in the wake of a number of serious acts of violence and harassment against them in recent weeks.

We are aware of at least four attacks against Roma communities since 21 April.

On the night of 21 April, members of an extreme right-wing group reportedly used rocks and tear gas to force Roma people living in Kyiv's Lysa Hora neighbourhood to flee, before setting fire to their homes. On 10 May, more than 30 masked men assaulted several Roma families living in temporary shelters in the Lviv region of western Ukraine. Again, they forced the inhabitants – five adults and 10 children, including a two-month-old infant – to leave before setting their homes on fire.

On 22 May, about 15 assailants set a Roma camp on fire in the Ternopil region of western Ukraine. And last week, on 24 May, in the Kharkiv region, a lawyer representing the families of a person killed and others injured during a 2017 attack on a Roma settlement in Vilshany village was reportedly violently attacked and threatened by a local prosecutor and three men wearing military camouflage. They reportedly beat the lawyer, searched his office and stole money. They also warned him that he would be killed if he did not drop the case.

To date, no one has been held accountable for any of this violence.

There have also been attacks against other people advocating for the rights of women and LGBTI individuals, including on 8 March in Lviv and Uzhhorod, on 10 May in Kyiv, and on 19 May in Chernivtsi.

We urge the Government to pay closer attention to the actions of extreme right-wing groups throughout the country. In a number of cases, they have claimed responsibility for the recent attacks and intimidation against Roma, as well as the LGBTI community, and individuals promoting gender equality. The attacks, coupled with widespread social media posts that may amount to incitement to hatred and hate speech against Roma, the LGBTI community and other minority groups, are indicators of growing intolerance. This should be immediately addressed to prevent further violence against minorities in Ukraine.

The lack of accountability for attacks against minorities and evictions of Roma in previous years has fuelled an atmosphere of impunity. We urge the Government to demonstrate zero tolerance by publicly condemning such acts, by investigating all attacks against minorities, by bringing perpetrators to account and by guaranteeing the right to non-discrimination and equality."

OHCHR, Committee on the Elimination of Discrimination against Women reviews the situation of women in Ukraine, 14 February 2017

"Other issues Experts raised included the participation of women in the Minsk peace process; discrimination against Roma and lesbian, gay, bisexual, transgender and intersex persons; extremely high rate of domestic and gender-based violence; situation of women in detention particularly in the occupied regions; and the barriers to women's effective access to justice such as corruption and lack of access to free legal aid. [...] Each school in Ukraine needed to accept every legally registered child in that area; that included both elementary and high schools. If, for some reason the child could not be accepted, it would be able to attend schools elsewhere. There was definitely still more that needed to be done to further engage the Roma community."

Targeting of human rights defenders, lawyers, activists representing Romani people

OHCHR, Ukraine: Act now to stop systematic persecution of Roma minority in "alarming" attacks, say UN experts, 17 July 2018

"Ukraine must take immediate action to stop what amounts to a "systematic persecution" of the country's Roma minority, who have been targeted in a series of violent attacks, says a group of UN human rights experts.

"We unequivocally condemn these heinous acts of intimidation and violence against members of the Roma minority in Ukraine. We are also seriously concerned at the growing hatred and racially-motivated violence against this community – and in particular against its most vulnerable members, women and children," the UN experts said.

The attacks began in April 2018, and were allegedly perpetrated by members of extreme right-wing groups. The targets included women and children who were attacked in different regions of the country, including the capital Kyiv, as well as in Kharkiv, Ternopil and Lviv.

Roma settlements were set on fire and residents intimidated, assaulted, and forced to leave their homes. It's reported that the perpetrators were members of extreme right-wing groups, such as the so-called "Sich-C14" and the "National Brigades".

One person was stabbed to death and four others wounded in a separate attack on a settlement in Lviv. In the village of Velyka Berezovytsia in Ternopil, shots were fired at Roma residents who were also intimidated and assaulted. The majority of those present at the time were children.

Those targeted also included a lawyer who was working on a case which involved violence against Roma residents. A local prosecutor, along with three masked men, broke into his office, threatened and physically assaulted him to try to get him to stop working on the case.

"These attacks demonstrate a disturbing pattern of systematic persecution of Roma in Ukraine, compounded by rising hate speech and stigmatization, which appears to be nurtured by the current political and economic situation in the country," the UN experts said.

"We deplore the absence of effective measures to protect members of the Roma minority against such actions by the Ukrainian authorities, and in particular by the national and local police. We are also concerned to hear allegations of a prevailing climate of impunity and lack of accountability with no prompt, thorough and impartial investigation of such criminal acts," the experts stressed.

"It is important that such hate and racially-motivated crimes are effectively prosecuted, with the additional aggravated grounds of 'racial, national or religious enmity or hostility' taken into account, instead of being merely considered as 'hooliganism'.

"Forced evictions triggered by the destruction and burning of homes are a gross violation of human rights and must be thoroughly investigated and prosecuted", the experts added.

The UN experts note that the Minister of Interior, the Commissioner for Human Rights of the Ukrainian Parliament and the Ombudsperson have publically denounced the attacks.

"We urge the Ukrainian authorities to take all appropriate measures to comply with their international human rights obligations, including with regard to the protection of the rights of individuals belonging to national, ethnic, religious or linguistic minorities. They must investigate all attacks against the Roma minority, and provide remedies for all damages, including adequate compensation for victims. Those who lost their homes and property during the attacks need to be provided with safe and secure alternative housing by the authorities, until adequate compensation is provided."

"In our view, coordinated and sustained actions are necessary to prevent such attacks, ensure justice, and end impunity."

The UN experts have been in contact with the Government of Ukraine to seek further clarification and information on the cases."

Political participation, voting, representation

Freedom House, Freedom in the World 2021, Ukraine, 28 February 2022

" [...] There are no formal restrictions on the participation of women and members of ethnic, racial, or other minority groups in political life. However, their voting and representation are hindered by factors including discrimination that discourages their political participation, the conflict in the east, lack of identity documents for many Roma, and rules against running as an independent for many local, district, and regional offices. Internally displaced persons (IDPs), of which there are over 1.5 million, face legal and practical barriers to voting. Societal discrimination against LGBT+ people affects their ability to engage in political and electoral processes [...]"

OHCHR, Update on Ukraine under item 10, 25 September 2018

"However, as next year's Presidential and Parliamentary elections approach, we are seriously concerned about the accelerating erosion of civic space, which includes evidence of increasingly violent attacks against members of the Roma community, civic activists and against lawyers in high-profile cases. We also remain concerned by the continuing aggressive interference in the parades and assemblies of the LGBTQI community. Law enforcement entities and local governments should address such attacks far more resolutely, and take concrete steps to enhance protection of minorities and preserve civic space for the safe and unhindered exercise of freedoms of expression, opinion and peaceful assembly."

Targeted humanitarian aid and/or funding

UN OCHA, UN Office for the Coordination of Humanitarian Affairs, Ukraine Situation Report, 6 May 2022

"Data from a Rapid Gender Analysis by CARE and UN Women confirm that the impact of the war is particularly disproportionate for marginalized groups, such as female-headed households, internally displaced persons (IDPs), Roma people, LGBTQIA+ and people with disabilities. Women from minority groups face particular challenges in accessing humanitarian support and have increased protection needs. Impacts on mental health are a key area of concern."

UNHCR – UN High Commissioner for Refugees, Ukraine Situation; Flash Update #9; 21 April 2022, 21 April 2022

"On 13 April, UNHCR with HHC facilitated access to procedures for 34 people, mostly Roma, by providing counselling, organizing transport to the NDGAP client service and facilitating their application for temporary protection and requests for subsistence allowance."

WFP, WFP aims to reach up to 6 million people caught up in the conflict in Ukraine, 31 March 2022

"We had to set up an office from scratch, then it was trying to find partners, partners who would be able to receive WFP food assistance and then distribute target the most vulnerable and distribute at a scale that we haven't seen here in the past as WFP." Among people the organization is assisting in Dnipro are 4,000 members of the Roma community, a group who have always been marginalized, says Wanmali."

OHCHR – UN Office of the High Commissioner for Human Rights, UN Special Rapporteur on minority issues concerned about the situation of ethnic minorities, especially that of Crimean Tatars in the city of Kherson, and in other regions where the Russian army is currently conducting attacks, 16 March 2022

"While I am imploring Russia to stop the war, I am also urging the United Nations and its Member States, international and regional organisations to mainstream minority issues in their responses to this human catastrophe, and to Ukraine and neighbouring countries to respond without discrimination to the refugee crisis in the treatment of minorities such as Roma, international students, at borders and elsewhere.

It is of paramount importance to acknowledge that minorities, such as Roma, many of whom may be undocumented in Ukraine, face specific vulnerabilities in the times of this conflict. I urge all parties to ensure that all minorities, including Roma, have access to humanitarian assistance without any discrimination. All people of Ukraine, including people of African, Asian, Middle Eastern descent and Roma should be granted equal protection and safety when seeking refuge inside and outside of the country, regardless of their ethnicity, religion, language or status. Minorities such as Roma or people of African descent and all others regardless of the colour of their skin, or their ethnicity or religion, must all be dealt with without discrimination along their evacuation route out of Ukraine."

CARE International, Rapid Gender Analysis Ukraine, Brief report on gender issues and current humanitarian operations, 1 March 2022

"The Roma population faces ongoing discrimination. Even data on the Roma population in Ukraine is contested. The last Census took place in 2001. It put the number of Romani in Ukraine at 47,600. However, according to various estimates, the Roma community comprises between 200,000 and 400,000 people living in all regions of the country (Council of Europe, 2021). [...] In 2013, Ukraine adopted a Strategy and Plan of Action for the Protection and Integration of the Roma National Minority into Ukrainian Society, neither of which address gender issues or the needs of Roma women and girls. A 2019, a report by Minority Rights Group Europe on the Roma in Ukraine noted the continuing discrimination and violence against the group. During the COVID-19 pandemic, Roma communities were affected in distinct ways: the majority lack civil status documents, creating difficulties in accessing education, employment and health services. In addition, about 55.6% of internally displaced Roma interviewed by the Roma Women Fund, Chiricli, were not registered, which limits their access to humanitarian assistance. [...] Recommendations To humanitarian donors:

- Consult with Ukrainian women leaders and representatives of marginalised groups like Disability Rights Organisations and the Roma community to understand the needs identified by them and to increase their influence in making humanitarian decisions in and for their communities...
- Map the media landscape in each area of operation to identify affected people's preferred and most trusted channels of communication. Recognise that different groups (e.g. single mothers with young children, people with disabilities, Roma communities) will have different communication and information needs and will likely have access to and trust different media channels, language and format, including those they can and will use to provide feedback or make complaints.
- In all communications on the crisis, feature the diverse voices of women from the most vulnerable groups, including women with disabilities, Roma women, women living with HIV/AIDS and single mothers, and do so in a way that highlights their capacity and agency. Identify and actively engage women members of particular communities in the dissemination of information within the group."

UK Home Office, Country Information and Guidance – Ukraine: Victims of trafficking (Version 2.0), May 2016

"According to the State Statistics Service of Ukraine the population of Ukraine (excluding Crimea) at the beginning of 2016 is roughly 42.8 million. Whilst there were a significant number of incidents of trafficking in Ukraine, the number when compared with the overall size of the population suggests that there is not a general risk of persons being trafficked. However, some populations are at increased risk of trafficking,

such as: children in state orphanages and vulnerable adults in state institutions; persons displaced due to the ongoing conflict in Eastern Ukraine; members of the Roma community living in Ukraine; and women from some rural populations in Western Ukraine. The onus is on the person to demonstrate that he or she would be personally at risk of being trafficked or re-trafficked. 'Ukraine's anti-trafficking measures show a lack of attention to the Roma community as a group vulnerable to trafficking, while GRETA was informed that the situation of Roma in Ukraine raises particular concerns as regards human trafficking.'"

European Commission, Joint Staff Working Document – Implementation of the European Neighbourhood Policy in Ukraine Progress in 2014 and recommendations for actions, 25 March 2015

"In 2013 a strategy and an action plan on the inclusion of the Roma minority were adopted. Limited progress was made on implementing these, with insufficient time and resources being devoted to the pressing social, educational, administrative and legal challenges that the Roma community faced."

Access to medical and/or mental health care

UN OCHA, UN Office for the Coordination of Humanitarian Affairs, Ukraine Situation Report, 6 May 2022

"Data from a Rapid Gender Analysis by CARE and UN Women confirm that the impact of the war is particularly disproportionate for marginalized groups, such as female-headed households, internally displaced persons (IDPs), Roma people, LGBTQIA+ and people with disabilities. Women from minority groups face particular challenges in accessing humanitarian support and have increased protection needs. Impacts on mental health are a key area of concern."

US DOS, Annual report on human rights in 2021, 2021 Country Report on Human Rights Practices: Ukraine, 12 April 2022

"Romani activists expressed concern that some Roma could not afford to flee conflict areas, while others had no choice but to leave their homes. [...] According to Council of Europe experts, 60 percent of Roma were unemployed, 40 percent had no documents, and only 1 percent had a university degree. According to the Romani women's foundation, Chirikli, local authorities erected a number of barriers to prevent issuing national identification documents to Roma. [...] Many Roma fled settlements in areas controlled by Russia-led forces and moved elsewhere in the country. According to Chirikli, approximately 10,000 Roma were among the most vulnerable members of the country's IDP population. Many Romani IDPs lacked documents, and obtaining IDP assistance, medical care, and education was especially difficult [...]"

ADC Memorial, Romani Voices from Hell: Discrimination, Epidemic, War, 8 April 2022

"When the entire world was seized by the COVID 19 pandemic, the situation in overcrowded tabors, where it was impossible to maintain social distancing or ensure compliance with hygiene rules, was particularly wrenching. Few people had the chance to get vaccinated, and many Roma did not have the required documents and were not registered with local doctors. Even in relatively prosperous villages, the epidemic affected many young people, not to mention the older generation, whose members face a high risk of death if infected with the coronavirus.

In late 2021, almost every tabor resident in Odesa Oblast was infected, and children, from newborns to young mothers (who were only 14 to 15 years old at the time) were particularly affected. Children and adults who were seriously ill were hospitalized, but many suffered through the illness and the high temperature on their feet, without any medical care."

UN OCHA – UN Office for the Coordination of Humanitarian Affairs, Ukraine: Humanitarian Impact Situation Report (As of 3:00 p.m. (EET), 3 March 2022), 3 March 2022

"The situation of third country nationals from countries in Africa and South Asia and other ethnic minority groups in Ukraine, including the Roma population, is particularly concerning, as there have been numerous reports of discrimination and even violence against these vulnerable groups. The Roma population lack civil status documents, limiting access to critical services, including education and health, and potentially humanitarian assistance as many Roman internally displaced people were not registered prior to the current escalation in conflict."

BTI, BTI 2022 Country Report: Ukraine, 23 February 2022

"Social exclusion of the Roma population entails exclusion from [...] social services".

ILO, Assessment of the Social Security Responses to COVID-19, 2021

"All the seven countries have already attained a reasonably wide population coverage of health care. Ukraine has a tax-financed national health system, and the rest of countries finance health care services through social health insurance. Compared with other branches of social security that provide income security benefits, the health insurance coverage of these countries goes beyond the workers in the formal economy, largely due to the State subsidy of certain categories of economically inactive population such as dependent family members, beneficiaries of social assistance, and registered unemployed. There are still groups excluded from coverage, such as those solely informally employed, the unregistered unemployed, and Roma population in some of the countries. [...] Among other excluded groups one has to mention Roma population who are usually excluded from access to health care and social services in most of the countries in the region. [...] We have not addressed the particular situation of Roma population during the COVID-19 crisis, but their exclusion from the access to health care raised alarming concerns already years ago."

EASO, Ukraine FFM report – healthcare reform and economic accessibility, February 2021

"On the topic of discrimination, the representative of the IRF explained that Roma are discriminated against and can be refused care or receive worse care than other patients."

ILO, Universal social protection for human dignity, social justice and sustainable development, 2019

"Globally, broad gaps in legal health coverage exist in relation to undocumented migrants, ethnic minorities, such as the Roma in Europe."

Roma and Vulnerable Population Working Group, Health and Nutrition Cluster Meeting Minutes, 27 April 2015

"Lack of documents cause refusing of hospitals to treat Roma and other marginalized groups (violation of art. 49 of the Constitution of Ukraine)."

COVID-19

AI – Amnesty International, Amnesty International Report 2021/22; The State of the World's Human Rights; Ukraine 2021, 29 March 2022

"In July, the government approved a national strategy to 2030 to address discrimination against the Roma community. However, the ongoing Covid-19 pandemic had a disproportionate effect on this community as many relied on the informal economy for irregular earnings."

Past attacks against Roma were not effectively investigated, including the destruction of a campsite and physical violence against Roma at Lysa Hora park in Kyiv in August 2018. In August, the Prosecutor General's Office informed Amnesty International that it had overruled a decision to halt the investigation, but no further progress was reported."

ILO, Assessment of the Social Security Responses to COVID-19, 2021

"All the seven countries have already attained a reasonably wide population coverage of health care. Ukraine has a tax-financed national health system, and the rest of countries finance health care services through social health insurance. Compared with other branches of social security that provide income security benefits, the health insurance coverage of these countries goes beyond the workers in the formal economy, largely due to the State subsidy of certain categories of economically inactive population such as dependent family members, beneficiaries of social assistance, and registered unemployed. There are still groups excluded from coverage, such as those solely informally employed, the unregistered unemployed, and Roma population in some of the countries. [...] Among other excluded groups one has to mention Roma population who are usually excluded from access to health care and social services in most of the countries in the region. [...] We have not addressed the particular situation of Roma population during the COVID-19 crisis, but their exclusion from the access to health care raised alarming concerns already years ago."

OHCHR, Human Rights Council Holds Interactive Dialogue on Human Rights in Ukraine and High-level Interactive Dialogue on Human Rights in the Central African Republic, 22 March 2021

"NADA AL-NASHIF, Deputy High Commissioner for Human Rights, noted that since the outbreak of COVID-19, its impacts were being monitored and vulnerable groups such as the Roma community were experiencing knock on effects on standards of living. The economic and social rights of the affected population in eastern Ukraine were significantly negatively impacted by the conflict and this was exacerbated by COVID-19."

UNWFP, 2021 Global Report on Food Crises, 2021

"In Ukraine (Donetsk and Luhansk oblasts), widespread COVID-19 infections continue. Severe movement restrictions will further increase the affected population's vulnerabilities, hitting residents in Non Government Controlled Areas (NGCA) particularly hard. The 'contact line' is expected to remain substantially closed until summer 2021. Economic recovery in Donetsk and Luhansk oblasts seems unlikely in 2021 (OCHA, February 2021). The measures adopted to contain the COVID-19 pandemic will continue to have strong socio-economic impacts on vulnerable people, particularly the elderly who account for almost 40 percent of the total population in need. People residing in the NGCA are the most affected, as they need to cross the 'contact line' to access social and financial services, including withdrawing their pensions."

UNICEF, How UNICEF is helping to prevent COVID-19 in Roma communities, 13 January 2021

"Roma families in Ukraine have been particularly vulnerable due to limited access to hygiene products, clean water and electricity, as well as a high poverty rate.

The Roma settlement in the village of Kholmok is home to around 700 people. Similar settlements, which the Roma people call 'tabors' (camps), are located throughout the Zakarpattia region. The Roma are the fifth largest national minority in this region, with estimates ranging from 80,000 to 150,000 since not all possess passports and birth certificates.

"Many people in our tabor work at a garment factory, many sweep the streets, work as janitors, but most are unemployed," says Angela, who lives in a Roma settlement in one of the districts of Uzhhorod. She

has four children and, together with her husband, helps fellow villagers to obtain official documents, enroll their children in school and look for jobs.

According to the latest poll by the Coalition of Roma Non-Governmental Organizations, around half of all Roma are unemployed. In the rural and suburban areas of Zakarpattia, the unemployment rate in Roma communities is even higher, rising to 95 per cent. According to Angela, poor education makes finding good jobs and providing for their families challenging.

In the Roma settlement in the village of Kholmok, the roads are poor, most buildings are unfinished, and some houses have no running water or heating. Yulia, a mother of seven children, says that she is used to it. The family wash clothes and dishes outside, and they heat the house with a stove.

The COVID-19 pandemic and lockdown have further exacerbated the financial vulnerability of Roma families in Zakarpattia. Children who once received meals in schools and kindergartens are now forced to stay at home for long periods, where there is not always enough money for food and medicine. According to the head of the Roma community, Josef Papp, several adults in the Zakarpattia settlement have contracted COVID-19. Now, the Roma of the village of Kholmok are serious about washing their hands and complying with hygienic precautions."

OHCHR, [Ukraine: Leaving no-one behind in the battle against COVID-19](#), 15 October 2020

"The human rights issues arising from COVID-19 are affecting the whole of Ukraine, including territory that is not currently under Government control. While the crisis has hit all of us, it also exposes the inequalities in society and hits groups in vulnerable situations the hardest. Access to healthcare, to education, to justice - to name a few - are further limited by the crisis. In the Kharkiv region, where I am working, and throughout the country, women, people in detention and institutions, older persons, homeless people, Roma and persons with disabilities are disproportionately affected by the crisis."

UNICEF, [Flash Report COVID-19 Impact on Children in Ukraine](#), 3 August 2020

"911 particularly vulnerable families with children with disabilities and families with children who had returned from the residential care institutions in Donetsk and Luhansk oblasts, as well as 867 people living in Roma settlements in western Ukraine, benefited from the provision of family hygiene kits."

UNICEF, [Flash Report COVID-19 Impact on Children in Ukraine](#), 3 July 2020

"UNICEF signed a new partnership with a civil society organization supporting Roma communities and focusing on hygiene promotion in response to COVID-19 outbreak in western Ukraine."

UNICEF, [Country Office Annual Report 2021 – Ukraine](#), Undated

"Continued COVID-19 related school closures and distance education have had devastating consequences for children's learning and wellbeing, particularly vulnerable children without access to distance learning tools, such as Roma children. The continued armed conflict in the east also negatively impacts access to quality education."

"The pandemic provided UNICEF with an opportunity to expand its work on IPC and hygiene promotion, including on menstrual hygiene, to Western Ukraine reaching respectively 17,584 Romas and 8,000 Romas girls and women."

Disabled people

Disability Rights International, [Left Behind in the War: Dangers Facing Children with Disabilities In Ukraine's Orphanages](#), 5 May 2022

“Children in Ukraine’s “baby homes” and “orphanages” (referred to in this report as “institutions”) have at least one living parent or extended family. Children are placed in these facilities because of the poverty of the family or the lack of support for children with disabilities to live in the community. Children from Roma families, who are subject to widespread prejudice and often excluded from schools, are also heavily over-represented. Placements could have been prevented if protections for families and support in the community had been established. The current dangers faced by children in Ukraine’s institutions are vastly increased by the failure to protect families and ensure community inclusion of all children. A family caring for one child with a disability can usually get out of harm’s way. It is much more difficult to evacuate an entire institution of children or adults with significant support needs.”

ILO, Three Essential Questions: Interview with Réka Sáfrány, President of European Women's Lobby, 15 September 2021

"Thinking about a job-rich economic recovery in CEE, who are the most vulnerable women on the labour market, and what can be done to avoid that they are once again left behind? Women and girls with disabilities, older women, women with underlying health conditions, and women impacted by prostitution, women from ethnic minorities, especially Roma, and migration status are some of the groups of women too often left on the margins of society. The long-term consequences of the pandemic will also impact young women."

UNHCR, Community mobilization, 2020

"Among the 122 IDP communities, seven represented ethnic minorities (Crimean Tatars and Roma), 18 focused their activities on persons with a disability, and 25 worked with children, while nine communities focused on youth, and eight conducted activities in support to the elderly."

(Romani) children and unaccompanied minors

Disability Rights International, Left Behind in the War: Dangers Facing Children with Disabilities In Ukraine’s Orphanages, 5 May 2022

“Children in Ukraine’s “baby homes” and “orphanages” (referred to in this report as “institutions”) have at least one living parent or extended family. Children are placed in these facilities because of the poverty of the family or the lack of support for children with disabilities to live in the community. Children from Roma families, who are subject to widespread prejudice and often excluded from schools, are also heavily over-represented. Placements could have been prevented if protections for families and support in the community had been established. The current dangers faced by children in Ukraine’s institutions are vastly increased by the failure to protect families and ensure community inclusion of all children. A family caring for one child with a disability can usually get out of harm’s way. It is much more difficult to evacuate an entire institution of children or adults with significant support needs. [...] Observations at Institution #3 Director said that they were in a richer institution before that. “They had flat a screen TV there, We don’t here.” Most of the men at this facility do not even seem to have an intellectual disability. They are incorrectly diagnosed. And now these diagnosis will follow-them for a lifetime, limiting their movement, depriving them of opportunity, and opening them up to discrimination. Based on our interaction with them, noting how they speak and how they engage with people, they have good adaptive behaviors. There was an overrepresentation of children of Roma descent. [...]The country may be at war, but life is going on.”

OHCHR, Ukraine: Urgent and extra support needed for separated and unaccompanied children, says UN child rights committee, 24 March 2022

"In a statement issued earlier this month, the Child Rights Committee highlighted that the aggression of the Russian Federation in Ukraine is in violation of the fundamental rights enshrined in the Convention on the Rights of the Child. Bearing in mind that Ukraine has one of the largest numbers of children without parental care in Europe, the Committee is especially distraught because of the harm and suffering of these children and the risk they are facing inside and outside the Ukrainian borders. Children in institutions, children with disabilities and long-term illnesses, and those deprived of liberty are among the groups of children that have diverse and complex needs which must be met to ensure their life, survival and development, including a sense of security, continuity and stability. Additional concerns relate to Roma and other minority, stateless and/ undocumented children who are equally exposed."

UNICEF, Europe and Central Asia Region (ECAR) – Ukraine Situation: Refugee Response in Neighbouring Countries, 10-16 March 2022

"The Regional Director for Europe and Central Asia visited the border crossing areas and met with high-level government representatives in the Ministries of Human Capacities, Foreign Affairs and Interior. The Government has welcomed UNICEF's commitment to support the government-led response and UNICEF has scaled up its presence inside Hungary. The first blue dots should be operational in the coming week. UNICEF also emphasized the importance of identifying and supporting the most vulnerable and at-risk children and families including the Roma population as well as children with disabilities."

OHCHR, Human Rights Council discusses the human rights situation in Ukraine and in the Democratic Republic of the Congo, 25 September 2018

"Germany said the deprivation of the freedoms of expression and of religion as well as the deprivation of freedom of movement in the Crimean Peninsula was concerning. Germany also condemned recent attacks on Roma settlements and other minorities in Ukraine as well as the lack of accountability for the perpetrators of those attacks on minorities. United Nations Children's Fund urged the Government of Ukraine to embark on a comprehensive child welfare reform to include prevention, timely identification and proactive response to the social needs of vulnerable children. These measures were particularly needed for children affected by the ongoing conflict."

Social services, child protection services, shelters

UNICEF, Europe and Central Asia Region (ECAR) – Ukraine Situation: Refugee Response in Neighbouring Countries, 31 March-5 April 2022

"In Slovak Republic, 62,334 refugees have applied for temporary protection out of 305,826 arrivals. Over 14,000 refugee households, comprising 42,787 people, have applied for government social protection support. On 4 April, UNICEF began training for 270 border police, 17 representatives of NGOs, and the Plenipotenciary Office for the Roma Community on anti-trafficking, identification and referral of vulnerable children and mothers, which will expand to cover police more generally, social work and social service providers. Partnerships have been agreed on with the NGO Tenenet to develop and set up two Blue Dots, in cooperation with the Municipality of Bratislava."

UNICEF, Europe and Central Asia Region (ECAR) – Ukraine Situation: Refugee Response in Neighbouring Countries, 24-30 March 2022

"In Hungary, the refugee arrival number has increased to 364,804, with additional inflows of refugees from Romania. The new influx of refugees from Ukraine has slowed down over the past week by 25 percent. Temporary accommodation centers are being provided by municipalities and Hungarian charity organizations at border areas, in Budapest, and across the country. Populations at these locations tend to have a high number of Roma and other minority groups present. Whilst individuals staying at these facilities are provided with basic provisions of accommodation, food, and hygiene, there is lack of access to child protection and psychosocial services - programmatic interventions that are made more challenging because of the high rates of onward movement. In response, the establishment of "Blue Dots" is being pursued at border crossings, reception centers in the border areas and in Budapest, as well as in temporary accommodation centers operated by the state, municipalities and Hungarian charity organizations. UNICEF has been advocating to state authorities for the enhancement of guardianship procedures and parental authority processes over potentially separated children identified during registration and since the past week, a process has been established at the main reception/transit point in Budapest to assign temporary parental authority for separated children following registration and assessment.

Over 281,000 refugees have entered Slovak Republic, with an average of 62 percent adults and 38 percent children. So far, 1,036 children have filled temporary request applications. Heightened risks of trafficking, discrimination against Roma refugees at registration and reception centers, stretched capacities of national systems to respond to refugee needs, and lack of registration data continue to be major concerns. UNICEF is finalising agreements with the local NGOs Tenenet and Slovak Humanitarian Council to establish five Blue Dots (two in Bratislava, Kosice, Michalovce, Kosice). As of mid-April, the child protection services, psycho-social support, referrals, outreach teams and Child and Mother Friendly Spaces will be available to approximately 5,000 – 7,000 children and primary caregivers per day. Training of 300 border police, 20 social workers, and 20 NGO representatives working with volunteers on child trafficking and sexual exploitation as well as child friendly communication is being rolled out, in close collaboration with the Ministry of Interior and Border Police Unit. UNICEF and partners are working on hotline services for vulnerable groups of the population and strengthening capacities to respond to the needs of refugees, connecting those services to safe messaging."

UNICEF, Europe and Central Asia Region (ECAR) – Ukraine Situation: Refugee Response in Neighbouring Countries, 17-23 March 2022

"Temporary accommodation has been set up by municipalities close to the border, in Budapest and in associated locations. Refugees in temporary accommodation centres largely consist of Roma and other disadvantaged individuals who do not have financial means or connections to travel on. These facilities are provided with basic shelter, food and hygiene items but lack of access to child protection services"

Violence against (Romani) women and girls

UN OCHA, UN Office for the Coordination of Humanitarian Affairs, Ukraine Situation Report, 6 May 2022
"Data from a Rapid Gender Analysis by CARE and UN Women confirm that the impact of the war is particularly disproportionate for marginalized groups, such as female-headed households, internally displaced persons (IDPs), Roma people, LGBTQIA+ and people with disabilities. Women from minority groups face particular challenges in accessing humanitarian support and have increased protection needs. Impacts on mental health are a key area of concern."

UNFPA, Statement on the occasion of 50th anniversary of the declaration of International Roma Day, 8 April 2021

"Roma constitute an important part of the Ukrainian society and country's rich multicultural historic heritage. Regrettably, on a daily basis Roma face stigmatization, hate speech and bias. Particularly Roma women are subject to intersectional discrimination on the basis of ethnicity and gender. The COVID-19 pandemic has exacerbated the pre-existing inequalities in the societies around the world."

ADC Memorial, Challenges faced by Roma women and girls affected by the Russia-Ukraine military conflict in Donbas (Eastern Ukraine), 7 April 2021

[Excerpts to follow]

"ADC Memorial informed the UN Human Rights Council about the situation of Roma women and girls affected by the military conflict between Russia and Ukraine."

UN, From where I stand: "The more Romani women are visible, the more impact they make to the society as a whole", 29 March 2021

"Romani women and girls often don't have equal opportunities to meaningfully participate in the social, economic and public life of their community. Violence against Roma women and girls, economic dependency and discrimination are the major obstacles encountered by Roma women. We need to raise awareness on the issues faced by Roma women and girls and involve public authorities, law enforcement and health experts in designing and implementing locally owned social inclusion solutions. We should make the contributions of Roma women visible and ensure that they are recognized as agents of change in their communities, because from the contributions of Roma women to local development are benefiting not only the Roma community but the society as a whole. Bias and negative stereotypes about the Roma are deeply rooted in the Ukrainian society."

UN, Ukrainian women's voices amid the COVID-19 crisis, 22 April 2020

"Ukraine's Roma minority have a long history of discrimination affecting women and children. Many communities live in overcrowded housing or in isolated settlements with little access to healthcare, clean water, sanitary facilities and food supplies. As COVID-19 spreads across the country so does fear, which is fuelling the stigmatization of Roma people. "Nowadays Roma are also considered as potential spreaders of the virus," explains Halyna who is helping Roma NGOs mobilize much-needed humanitarian assistance and information to be delivered to Roma families in the settlements."

European Roma Rights Centre, Reproductive Rights of Romani Women in Ukraine, February 2019

" [...] Pregnant Romani women in Ukraine face degrading, discriminatory treatment when accessing reproductive healthcare, especially when giving birth. We set out to document this phenomenon. This report summarises what we found [...]"

OHCHR, Ukraine: Act now to stop systematic persecution of Roma minority in "alarming" attacks, say UN experts, 17 July 2018

"Ukraine must take immediate action to stop what amounts to a "systematic persecution" of the country's Roma minority, who have been targeted in a series of violent attacks, says a group of UN human rights experts.

"We unequivocally condemn these heinous acts of intimidation and violence against members of the Roma minority in Ukraine. We are also seriously concerned at the growing hatred and racially-motivated violence against this community – and in particular against its most vulnerable members, women and children," the UN experts said.

The attacks began in April 2018, and were allegedly perpetrated by members of extreme right-wing groups. The targets included women and children who were attacked in different regions of the country, including the capital Kyiv, as well as in Kharkiv, Ternopil and Lviv.

Roma settlements were set on fire and residents intimidated, assaulted, and forced to leave their homes. It's reported that the perpetrators were members of extreme right-wing groups, such as the so-called "Sich-C14" and the "National Brigades".

One person was stabbed to death and four others wounded in a separate attack on a settlement in Lviv. In the village of Velyka Berezovytsia in Ternopil, shots were fired at Roma residents who were also intimidated and assaulted. The majority of those present at the time were children.

Those targeted also included a lawyer who was working on a case which involved violence against Roma residents. A local prosecutor, along with three masked men, broke into his office, threatened and physically assaulted him to try to get him to stop working on the case.

"These attacks demonstrate a disturbing pattern of systematic persecution of Roma in Ukraine, compounded by rising hate speech and stigmatization, which appears to be nurtured by the current political and economic situation in the country," the UN experts said.

"We deplore the absence of effective measures to protect members of the Roma minority against such actions by the Ukrainian authorities, and in particular by the national and local police. We are also concerned to hear allegations of a prevailing climate of impunity and lack of accountability with no prompt, thorough and impartial investigation of such criminal acts," the experts stressed.

"It is important that such hate and racially-motivated crimes are effectively prosecuted, with the additional aggravated grounds of 'racial, national or religious enmity or hostility' taken into account, instead of being merely considered as 'hooliganism'.

"Forced evictions triggered by the destruction and burning of homes are a gross violation of human rights and must be thoroughly investigated and prosecuted", the experts added.

The UN experts note that the Minister of Interior, the Commissioner for Human Rights of the Ukrainian Parliament and the Ombudsperson have publically denounced the attacks.

"We urge the Ukrainian authorities to take all appropriate measures to comply with their international human rights obligations, including with regard to the protection of the rights of individuals belonging to national, ethnic, religious or linguistic minorities. They must investigate all attacks against the Roma minority, and provide remedies for all damages, including adequate compensation for victims. Those who lost their homes and property during the attacks need to be provided with safe and secure alternative housing by the authorities, until adequate compensation is provided."

"In our view, coordinated and sustained actions are necessary to prevent such attacks, ensure justice, and end impunity."

The UN experts have been in contact with the Government of Ukraine to seek further clarification and information on the cases."

UK Home Office, Country Policy and Information Note – Ukraine: Gender-based violence (Version 2.0), May 2018

"The UN Committee for the Elimination of Discrimination Against Women (CEDAW) Concluding Observations on the Eighth Periodic Report from March 2017 noted that 'The Committee is ... concerned that ... Roma women ... are at a heightened risk of being or have been subjected to sexual violence and sexual exploitation.'"

UNFPA, Home visits by UNFPA mobile teams in Ukraine offer support where it's needed most, 1 January 2016

"Iryna was born to a big Roma family in a small village in Dnipropetrovsk region. She relocated frequently with her family to various towns and villages until she married Serhiy and moved into his home. In addition

to becoming very aggressive when drinking, Serhiy did not allow Iryna to work or look for a job; he even kept her from traveling to another region in order to register her children. [...] 'The difficult economic situation which is badly exacerbated by the ongoing fighting and limited culture of dialogue lead to frequent conflict situations in families,' says Dmytro Bylkiv, the leader of one of UNFPA's mobile teams in Ukraine."

Early or forced marriage

Gender Index, Country: Ukraine, 10 July 2019

" [...] The Family Code stipulates that the legal age of marriage for women and men is 18 years old (art. 22). Upon a decision from a court, a person of 14 years old may marry (Family Code, art. 23). Nonetheless, a marriage is found invalid when a person marries under the legal age without authorisation from the court (art. 41). The legal framework does not contain sanctions for those facilitating a marriage of an individual who is under the minimum age of marriage. There is no legal discrimination regarding child marriage. However, girls in Roma communities are particularly vulnerable to early marriage (CEDAW, 2017). Young Roma girls below the legal age of 18 often leave school to enter marriage (EERC & Chiricli, 2016) [...]"

(Romani) internally displaced people (IDPs)

OSCE – Organization for Security and Cooperation in Europe, Report on violations of International Humanitarian and Human Rights Law, War Crimes and Crimes against Humanity committed in Ukraine since 24 February 2022 [ODIHR.GAL/26/22/Rev.1], 12 April 2022

"In Ukraine, the legal status of IDPs is regulated by the Law On Ensuring the Rights and Freedoms of Internally Displaced Persons, adopted on 20 October 2014.⁶²⁹ By virtue of its Article 4(1), "the fact of internal displacement shall be proved by the certificate of registration of internally displaced person". The registration is regulated by the Resolution of the Cabinet of Ministers No. 509 on registration of internally displaced persons.⁶³⁰ This Regulation has recently been amended to expand the list of persons entitled to register as IDPs to those leaving their homes following the Russian attack and the declaration of the martial law on 24 February 2022.⁶³¹ The personal scope of the Law and the Regulation is no longer limited to citizens of Ukraine but encompasses stateless persons and foreigners permanently residing in the territory of Ukraine. The legislation prohibits discrimination in the exercise of rights and freedoms based on internal displacement. It confirms that IDPs have the same rights and freedoms as the rest of the population. It gives IDPs the right to free temporary residence, access to healthcare and a monthly targeted assistance (2-3,000 hryvnas). It also introduces benefits for those helping IDPs, typically entrepreneurs employing them."

US DOS, Annual report on human rights in 2021, 2021 Country Report on Human Rights Practices: Ukraine, 12 April 2022

"Romani activists expressed concern that some Roma could not afford to flee conflict areas, while others had no choice but to leave their homes. [...] The crowd shouted anti-Roma slurs and threatened violence against the Romani community as collective punishment for the attack. The crowd also shot fireworks at a Romani family's house, broke the entrance gate, and spray-painted "get out" on the fence around the house. Local police characterized the incident as a protest of civic activists. [...] According to Council of Europe experts, 60 percent of Roma were unemployed, 40 percent had no documents, and only 1 percent had a university degree. According to the Romani women's foundation, Chirikli, local authorities erected

a number of barriers to prevent issuing national identification documents to Roma. [...] Authorities hampered access to education for persons who lacked documents and segregated Romani children into special schools or lower-quality classrooms. Officials also expressed anti-Roma sentiments and encouraged discrimination. [...] Many Roma fled settlements in areas controlled by Russia-led forces and moved elsewhere in the country. According to Chirikli, approximately 10,000 Roma were among the most vulnerable members of the country's IDP population. Many Romani IDPs lacked documents, and obtaining IDP assistance, medical care, and education was especially difficult [...]"

UN Women – UN Entity for Gender Equality and the Empowerment of Women (replaces UNIFEM, DAW, INSTRAW, OSAGI), Rapid gender analysis in Ukraine reveals different impacts and needs of women and men, 5 April 2022

"Roma women and girls also face particular challenges in accessing education, which is often not encouraged. The lack of civil status documentation, which particularly affects the Roma (56 per cent of internally displaced interviewed by the Roma Women Fund "Chirikli" in 2017 were not registered), is also limiting access to humanitarian assistance."

International Crisis Group (ICG) (Ukraine), Peacekeeping in Ukraine's Donbas: Opportunities and Risks, 6 March 2018

"Any mission should also facilitate the return of internally displaced persons (IDPs) and commuters who continue to live on both sides of the front line, as well as refugees. IDPs and commuters could be a politically moderating force in reintegrating a Donbas society dominated, on the rebel-controlled side, by a siege mentality and exposed to potent anti-Kyiv and anti-Western propaganda."

International Crisis Group (ICG) (Ukraine), Ukraine: An Opportunity for Reinforced European Diplomacy, 31 January 2018

"Kyiv must also work to improve the lives of Donbas residents affected by the conflict. Of particular concern is the practice of tying social payments to IDP status; because a large number of displaced cannot afford the higher rents in government-controlled areas, many of them return to separatist zones, in the process either losing IDP status and social payments or making frequent, arduous journeys across the line of separation. This predicament has fanned anger at Kyiv, as well as resentment between communities. Nor does the state have a housing program specifically geared toward IDPs or, for the most part, allow those with property in separatist areas to benefit from existing affordable housing. Many civil society experts say such policies sabotage prospects for reconciliation.

The EU should continue to push for stronger internally displaced person (IDP) rights protection and support for conflict-affected residents, including delinking social payments from IDP status. It should also scale up funding of affordable housing in conflict-affected areas, which would ideally be made available to both the most vulnerable IDPs and other disadvantaged residents."

UK Home Office, Country Policy and Information Note – Ukraine: Crimea, Donetsk and Luhansk (Version 3.0), September 2017

"The USSD's 2016 report stated, 'During the year many Roma fled settlements in areas controlled by Russian-backed separatists and moved elsewhere in the country. According to Chirikli approximately 10,000 Roma were among the most vulnerable members of the country's IDP community. Because many Roma lacked documents, obtaining IDP assistance, medical care, and education was especially

difficult.’¹⁵¹ 7.5.2 The same report added, ‘Romani activists expressed concern that some Roma in eastern areas could not afford to flee conflict areas, while others had no choice but to leave their homes.’”

Ministry of Interior of the Slovak Republic, Ukraine – Current status, treatment and assistance available to IDPs in Ukraine, 4 April 2017

"NGOs reported employment discrimination against IDPs. Some IDPs, particularly those in government-controlled Donetsk and Luhansk Oblasts, lacked sufficient sanitation, shelter, and access to potable water. IDPs continued to have difficulty obtaining education, medical care, and necessary documents. Romani activists expressed concern that some Roma in eastern Ukraine could not afford to flee the conflict areas, while others had no choice but to leave their homes."

International Crisis Group (ICG) (Ukraine), Ukraine: The Line, 18 July 2016

"Those able to leave are among the 1.7 million officially registered internally displaced persons (IDPs). About one million are registered as living in other parts of Luhansk and Donetsk, though it is quite possible that many have moved elsewhere or even returned home on the other side of the line. Most IDPs are said to live with relatives, friends or in rental accommodations in larger towns that offer more safety and work opportunities."

International Federation for Human Rights (FIDH), Ending impunity in Eastern Ukraine: new report reveals the urgency to open an ICC investigation, 23 October 2015

"FIDH and Center for Civil Liberties (CCL, Ukraine) report exposes severe atrocities perpetrated by various armed groups against the civilian population in Eastern Ukraine. These new documented human rights violations may amount to war crimes and crimes against humanity and need to be urgently investigated by the International Criminal Court (ICC). FIDH and CCL will present the report at a press conference in Kyiv on Friday October 23rd and will provide recommendations on how to ensure a full and impartial investigation of crimes committed in Ukraine since the beginning of the conflict [...]"

Preliminary evidence of incidents involving the armed groups of the so called DPR (Donetsk People's Republic) and LPR (Luhansk People's Republic) suggests these crimes may result from a plan or policy to direct attacks against the civilian population, consistent with the qualification of crimes against humanity under Article 7 of the Rome Statute. Cases of killings, torture or inhuman treatment, arbitrary arrest and detention may also fall within the definition of war crimes under Article 8 of the Rome Statute. CCL and other observers have documented evidence consistent with these crimes from both sides while further investigation is still required.

Testimonies from victims and material evidence, such as blacklists, presented in the report show that certain categories of civilians have been specifically targeted by separatist armed groups, including pro-Ukrainian citizens and NGO activists, volunteers and journalists, minorities, religious communities, and civil servants. Some cases of persecution by pro-Ukrainian armed forces and militias have also been reported against individuals for their alleged support of "the enemy."

Documentation

ENS, ENS Newsletter, June, 30 June 2022

"ENS was able to catch up with Oleksandr Snitko, Statelessness Project Manager at the Tenth of April ('Desyate Kvitnya'), an ENS member organisation based in Odesa, Ukraine. [...] Freedom of movement of

stateless people was heavily impacted, [...] people faced greater challenges earning money. For example, if people had to checkpoints to get to work, they wouldn't be allowed to pass without documentation. [...] Undocumented people faced huge barriers and were often not permitted to cross the border. [...] Movement towards the west has been particularly difficult and sometimes it is also difficult for undocumented people to return to Ukraine. [...]"

"Back in April the European Commission asserted that 'Temporary Protection applies to everyone fleeing the war from Ukraine'. Yet our analysis of routes to protection for stateless people from Ukraine shows that two months later many stateless people still find themselves outside the scope of this protection"

ENS, BRIEFING #3: Protection gaps for stateless refugees from Ukraine, 23 June, 2022

"This third advocacy briefing in our series on statelessness and the Ukraine crisis draws on country briefings produced with our members and local lawyers to provide an update on current protection gaps for refugees from Ukraine who are stateless or at risk of statelessness (including those with undetermined nationality). Our analysis of routes to protection for refugees from Ukraine in 17 European countries shows that there are significant protection gaps across Europe for stateless people. To prevent discrimination, avoid over-burdening asylum procedures, and facilitate eventual safe return to Ukraine, it is imperative that these gaps are addressed by national and regional authorities. [...] In some countries, including France, Portugal, Switzerland, and the UK, it is still unclear whether all those fleeing Ukraine may enter the territory regardless of documentation status. [...] In Hungary, the EU Temporary Protection Directive is being implemented in a very restrictive way and alternative routes to protection (including asylum) are not available to stateless people fleeing Ukraine. Routes to protection for stateless people from Ukraine are also very limited in Austria. [...] No country has extended eligibility to all stateless people and those at risk of statelessness to include those who cannot prove prior legal residence in Ukraine. [...] Reports are continuing to emerge of antigypsyism and discrimination in access to the territory, temporary protection, services, and support faced by Romani people fleeing Ukraine, including in Poland, Moldova, and the Czech Republic."

Human Rights Watch, [Ukraine: Migrants Locked Up Near Front Lines](#), 6 May 2022

"In mid-April 2022, Human Rights Watch interviewed two men by telephone who are being held in the Temporary Holding Center for Foreigners and Stateless People in Mykolaiv region, close to frontline hostilities. On April 4, Human Rights Watch had released a report based on interviews with migrants and asylum seekers detained in the Zhuravychi Migrant Accommodation Center in Volyn' oblast, a former military barracks one hour from Lutsk, a city in northwestern Ukraine. Migrants and asylum seekers also remain in detention at the Zhuravychi center [...]"

Interviewees in both centers said guards told them they could leave the Zhuravychi or Mykolaiv facilities if they joined the Ukrainian war effort, and that the guards promised them they would be granted Ukrainian citizenship and documentation if they joined. The interviewees said that no one accepted the offer [...]"

Some people from both Zhuravychi and Mykolaiv have been released and evacuated to Poland with the aid and assistance of their embassies in neighboring countries. While the involvement of embassies of third country nationals might be needed at some point to assist with identity and travel documents, this should not be used as a reason to delay the urgent release of everyone currently held in both centers so that they can move to safety."

European Network on Statelessness, [Briefing: Update on access to protection for stateless refugees from Ukraine](#), 28 April 2022

"Most people affected by statelessness residing in Ukraine are stateless 'in their own country' and - due to their statelessness - are unable to prove their links to Ukraine or any other country through

documentation. Estimates for the size of the stateless population vary significantly. In 2021, UNHCR reported 35,875 people who were stateless or had 'undetermined nationality', only 6,047 of whom were recorded as legally residing in Ukraine. Many tens of thousands more are thought to be at risk of statelessness including 10-20% of the Roma population and 55% of children born in nongovernment-controlled areas (NGCA) and Crimea since 2014. According to the World Bank, 999,000 people over 15 years-old reside in Ukraine without a national ID card. Although not all will be stateless, most will be unable to prove their Ukrainian citizenship through documentation and may be at increased risk of statelessness. Ukraine introduced a statelessness determination procedure in 2021 to determine who is stateless on its territory and grant them protection. By the end of 2021, only 55 people had been granted a temporary residence permit through this procedure; and more than 800 had applied and been documented with a certificate of application confirming legal stay."

US DOS, Annual report on human rights in 2021, 2021 Country Report on Human Rights Practices: Ukraine, 12 April 2022

"Romani activists expressed concern that some Roma could not afford to flee conflict areas, while others had no choice but to leave their homes. [...] The crowd shouted anti-Roma slurs and threatened violence against the Romani community as collective punishment for the attack. The crowd also shot fireworks at a Romani family's house, broke the entrance gate, and spray-painted "get out" on the fence around the house. Local police characterized the incident as a protest of civic activists. [...] According to Council of Europe experts, 60 percent of Roma were unemployed, 40 percent had no documents, and only 1 percent had a university degree. According to the Romani women's foundation, Chirikli, local authorities erected a number of barriers to prevent issuing national identification documents to Roma. [...] Authorities hampered access to education for persons who lacked documents and segregated Romani children into special schools or lower-quality classrooms. Officials also expressed anti-Roma sentiments and encouraged discrimination. [...] Many Roma fled settlements in areas controlled by Russia-led forces and moved elsewhere in the country. According to Chirikli, approximately 10,000 Roma were among the most vulnerable members of the country's IDP population. Many Romani IDPs lacked documents, and obtaining IDP assistance, medical care, and education was especially difficult [...]"

ADC Memorial, Romani Voices from Hell: Discrimination, Epidemic, War, 8 April 2022

"The war has brought suffering to every Ukrainian home. Many Roma families have tried to leave and save themselves from violence. But not everyone is able to become a refugee – many do not have documents or any money at all. Some simply were not able to leave the regions that the war reached first right away."

UN Women – UN Entity for Gender Equality and the Empowerment of Women (replaces UNIFEM, DAW, INSTRAW, OSAGI), Rapid gender analysis in Ukraine reveals different impacts and needs of women and men, 5 April 2022

"Roma women and girls also face particular challenges in accessing education, which is often not encouraged. The lack of civil status documentation, which particularly affects the Roma (56 per cent of internally displaced interviewed by the Roma Women Fund "Chirikli" in 2017 were not registered), is also limiting access to humanitarian assistance."

Thomas Reuters Foundation News, Ukraine's stateless trapped in warzone with no proof they exist, 4 April 2022

" * Tens of thousands of stateless people in Ukraine * Lack of ID documents leaves many trapped in warzones [...] When the air raid sirens sound at night, Svitlana Honcharova takes her two young sons to the cellar under their apartment in the Ukrainian city of Sumy and prays they will still be alive in the morning. Although thousands have fled Russia's bombardment of Sumy in the far northeast, 31-year-old

Honcharova dares not leave as she is stateless, meaning she is not recognised as a citizen of any country. "I'm afraid that if I decided to leave I wouldn't be able to cross checkpoints or borders because I don't have documents," Honcharova told the Thomson Reuters Foundation in a video call. "I'm also very scared they'd separate me from my children because I have no proof that I'm their mother." Ukraine here is home to tens of thousands of stateless people, many of whom - without proof of identity - have been left effectively trapped in areas of fighting as checkpoints proliferate across the country. [...] Although neighbouring countries have opened their borders, Kordonets only knew of a handful of stateless people who had left Ukraine, some carrying expired Soviet passports. [...] In 2014, the United Nations launched a campaign called #IBelong to end the plight of millions of stateless people worldwide within a decade. Last year, Ukraine introduced a procedure to identify and protect stateless people on its territory, and potentially provide them with a route to citizenship. But only 55 people have been recognised to date. Hundreds of other applications, including Honcharova's, have been put on hold following the outbreak of war. Honcharova was born during the dying days of the Soviet Union in what is now southwest Russia, but grew up in Ukraine in the care of a woman she regarded as her grandmother although not related. She never knew her father and has lost touch with her mother. She first applied for Ukrainian citizenship when she was 16, but was refused. [...] "I feel like I don't exist," she said. "All I want is an ID card so I can live and move forward." Honcharova said the invasion had left her ashamed she was even born in Russia."

Institute on Statelessness and Inclusion, [Challenges Facing Stateless People Displaced by the War in Ukraine](#), 31 March 2022

"Following Russia's invasion, stateless people and those at risk of statelessness have encountered barriers in the country and at Ukraine's Western borders - depending on their documentation, residence status and personal background. There have been reports of discrimination and differential treatment both at border crossings and inside neighbouring countries, despite their public commitment to welcome everyone fleeing the conflict in Ukraine. Undocumented Roma, for instance, have been experiencing discrimination en route to safety both in Ukraine and bordering countries. As ENS points out, a key challenge that government officials and humanitarian actors must be aware of is that "most people affected by statelessness residing in Ukraine will not be able to prove their residence or nationality status due to the nature of statelessness".

The European Union's EU Temporary Protection Directive (TPD) grants protection in the EU to Ukrainian citizens, those with international protection before 24 February 2022 and stateless people - but only if they held permanent residence in Ukraine before 24 February 2022. Therefore, it does not include stateless people who do not hold (or cannot demonstrate) permanent residence status in Ukraine. ENS recommends that "*The EU should extend eligibility for temporary protection to all stateless persons and persons at risk of statelessness who are/were living in Ukraine, regardless of documentation or residence status. EU Member States should use their discretion under the TPD to extend Temporary Protection to all stateless persons and those at risk of statelessness regardless of prior residence status in Ukraine and/or ensure access to equivalent forms of protection under national law.*"

ADC Memorial, [Roma women and girls in the conflict zone need protection](#), 31 March 2022

"In 2014, the number of Roma people who left their places of residence in the war zone in Donbas was estimated at about 6,000. All the problems characteristic of the Roma communities in Eastern Europe (lack of personal documents, insufficient level of education, poverty, risk of becoming a target of racist violence) have been exacerbated by the war. Roma women find themselves in a particularly difficult situation, as in traditional communities they are responsible for housekeeping, cooking and childcare, and it is they who have searched for ways to survive in a situation of war characterised by the daily risk of being exposed to violence coming from armed groups. [...]

Even before the war, the lack of identity documents prevented Roma women from exercising their social and economic rights. Many do not have passports or money to travel."

[Institute on Statelessness and Inclusion, Challenges Facing Stateless People Displaced by the War in Ukraine, 31 March 2022](#)

"Following Russia's invasion, stateless people and those at risk of statelessness have encountered barriers in the country and at Ukraine's Western borders - depending on their documentation, residence status and personal background. There have been reports of discrimination and differential treatment both at border crossings and inside neighbouring countries, despite their public commitment to welcome everyone fleeing the conflict in Ukraine. Undocumented Roma, for instance, have been experiencing discrimination en route to safety both in Ukraine and bordering countries. As ENS points out, a key challenge that government officials and humanitarian actors must be aware of is that "most people affected by statelessness residing in Ukraine will not be able to prove their residence or nationality status due to the nature of statelessness".

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[Hungarian Helsinki Committee, It is backfiring now that the government destroyed the asylum system after 2015, 29 March 2022](#)

"It is a matter of political will. The organization of staff, accommodation, and interpreters, the establishment of temporary protection registration points, and so on – those are matters of logistics.

Nobody explains to the Roma from the Zakarpattya region who are put up in small villages in Szabolcs county that that status exists, and that they should make it somehow to Nyíregyháza to submit the application. Where are the information materials? Where are the authorities who try to get that information through to the people?"

[ADC Memorial, Solidarity with the ethnic minorities of Ukraine, 21 March 2022](#)

"Reports from various countries that host refugees demonstrate that Romani people are harassed and discriminated against when they are trying to cross the border, get into refugee centers or receive humanitarian aid. [...] A report by the European Roma Rights Centre (ERRC) states that Roma children accompanied by adult family members who are not their parents are often denied entry to Moldova and EU countries. Undocumented Roma are also turned away when they are trying to cross the border. According to ERRC, especially many Roma without passports are stuck at the Ukrainian border in the southwestern region of Transcarpathia."

[ADC Memorial, Solidarity with the ethnic minorities of Ukraine, 21 March 2022](#)

"A report by the European Roma Rights Centre (ERRC) states that Roma children accompanied by adult family members who are not their parents are often denied entry to Moldova and EU countries. Undocumented Roma are also turned away when they are trying to cross the border. According to ERRC, especially many Roma without passports are stuck at the Ukrainian border in the southwestern region of Transcarpathia. On March 6, volunteers of the "Czechs Are Helping" initiative reported discriminatory

attitudes towards Roma. In particular, they allege that some Czech hostels groundlessly evict Roma who fled from Ukraine. Polish activist Joanna Talewicz-Kwiatkowska reported that Roma are often not allowed to enter refugee centers in Warsaw and even some train stations under the pretext of “preventing theft.” Roma people also face difficulties in Romania. Despite the fact that in Bucharest they are met by volunteers and immediately placed in tents that the local authorities set up on the territory of the railway stations, we receive various complaints from the Roma people about the attitude towards them while they are trying to receive humanitarian aid. A Roma person confirms: “We are gypsies from Kharkiv. We are not allowed to get warm here. We are not allowed to get some water. And we cannot get some stuff for a child. It seems that we are mistaken for locals. There are 31 of us, 18 children. Our luggage was lost. Before that, we had to sleep in the gym for three days.”

ICG – International Crisis Group, Mitigating the Gendered Effects of Ukraine’s Refugee Crisis; Article on the humanitarian impact of the Ukrainian government's decision to not allow men in conscription age to flee the country from Russian attack, 16 March 2022

"Various ethnic and social groups face very specific challenges as they seek refuge. Many Ukrainians of Roma origin, who often suffer discrimination in Ukraine, may have no documentation of identity or citizenship. Ukrainians and non-Ukrainians of colour have reported mistreatment from both Ukrainian authorities and those in host countries as they flee. LGBTQI people risk a less warm welcome in Poland and Hungary, the two largest receiving countries. Both the Polish and Hungarian governments have adopted homophobic and transphobic legislation. Trans women are forbidden to leave Ukraine if their documents identify them as men."

OHCHR, Ukraine: UN expert says war against multi-ethnic population must stop, calls for protection of all minorities, 16 March 2022

"It is of paramount importance to acknowledge that minorities, such as Roma, many of whom may be undocumented in Ukraine, face specific vulnerabilities in the times of this conflict. I urge all parties to ensure that all minorities, including Roma, have access to humanitarian assistance without any discrimination. All people of Ukraine, including people of African, Asian, Middle Eastern descent and Roma should be granted equal protection and safety when seeking refuge inside and outside of the country, regardless of their ethnicity, religion, language or status. Minorities such as Roma or people of African descent and all others regardless of the colour of their skin, or their ethnicity or religion, must all be dealt with without discrimination along their evacuation route out of Ukraine."

Human Rights Watch, Ukraine: Ensure Safe Passage, Aid for Mariupol Civilians, 12 March 2022

"Following what residents described as days of especially heavy shelling on March 13 and 14, some of them with access to private cars decided to try to leave the city on their own, despite the ongoing shelling and needing to pass through Russian checkpoints. A convoy of about 160 cars left Mariupol on March 14, and hundreds more left on March 15. Serhii, the shipping inspector, told Human Rights Watch he estimated that, for each car in Mariupol that still functioned, he had seen at least 50 other cars destroyed during the bombardment, seriously limiting the ability of many Mariupol residents to escape.

Residents described passing through between 15 and 20 Russian military checkpoints between Mariupol and Zaporizhzhia. They all said that Russian soldiers either asked for the documents of the driver or for everyone’s documents. Serhii said the soldiers were paying particular attention to the registered address that is written in Ukrainian passports to see if people were from Mariupol or elsewhere. “I suspect they did this because, if they came across a man not from Mariupol, they would assume he was a soldier,” he said. The Russian forces also made Serhii expose his shoulders, apparently to look for signs of bruising which might indicate that a person had used a firearm. Another resident said that they inspected the hands of the adult men for signs that they had been fighting or using a weapon."

IPS – Inter Press Service - News Agency, Article on discrimination of Roma as they flee the conflict: ‘Brutal’ Discrimination Adds Trauma to Roma as they Flee War-torn Ukraine, 9 March 2022

"Russia's invasion of Ukraine on February 24 has sparked what the UN has described as the fastest-growing refugee crisis in Europe since WWII, and as of March 9, an estimated 2 million people had left the country. These include Roma who, like other refugees, abandoned their homes and communities as fighting broke out across the country. But having reached borders of neighbouring states, they have found themselves subject to what some groups helping them have described as "brutal" discrimination. "Groups working on the ground at borders in Slovakia, Romania, and Hungary have confirmed discrimination to us, and also media reports have backed this up. Roma are facing discrimination both by border guards, and then local people once they get out of Ukraine. It's very sad and disappointing, but not surprising," Zeljko Jovanovic, Director of the Roma Initiatives Office at the Open Society Foundation (OSF) told IPS. Roma living in Europe are among the most discriminated and disadvantaged groups on the continent. In many countries, including Ukraine where it is thought there are as many as 400,000 Roma, significant numbers live in segregated settlements where living conditions are often poor and extreme poverty widespread. Health in many such places is also bad with research[1] showing very high burdens of both infectious and non-communicable diseases and significantly shorter lifespans than the general population. Incidents of discrimination of Roma have been reported at the borders of all countries that are taking in refugees, according to the OSF and the European Roma Rights Centre (ERRC). These have included being made to wait much longer in lines, sometimes tens of kilometres long, in freezing weather, than ethnic Ukrainian refugees, before they are processed. "They are always the last people to be let out of the country," said Jovanovic. Media reports have quoted refugees describing discrimination and, in some cases, physical attacks. One Roma woman who had made her way to Moldova said she and her family had spent four days waiting at the border with no food and water, and having found shelter were then chased out of it by Ukrainian guards. Groups working with the refugees said Roma who crossed into their countries told them similar stories. Viktor Teru of the Roma Education Fund in Slovakia said: "Roma refugees tell us that on the Ukrainian side there is 'brutal' discrimination." But once they finally make it over the border, their problems often do not end there. Bela Racz, of the 1Hungary organisation, which is helping Roma refugees in Hungary, said he had witnessed discrimination during three days his organisation spent in the eastern Hungarian border town of Zahony at the beginning of March. "Roma arrived in separate coaches – the Ukrainian border guards organized it this way – and when they did arrive, Roma mothers were checked by Hungarian police many times, but non-Roma mothers were not. "Local mayors and Hungarians are not providing direct help, such as accommodation, and information, [for Roma] in their towns – that only comes if we ask for it and organise it. Roma did not get proper help, information, or support," he told IPS. There have been numerous media reports of similar discrimination at border crossings in other countries, including incidents of Roma being refused transport by volunteers, and being refused accommodation. Jaroslav Miko, founder of the Cesi Pomahaji (Czechs Help) NGO, who has transported more than 100 Roma refugees from the Slovak-Ukrainian border to the Czech Republic, told IPS he had seen "discrimination of Roma among the volunteers who were picking people up at the border". He said volunteers were picking up some refugees in vehicles and taking them to other places, but that Roma families were being turned away if they asked for help. In another incident, the head of a firefighting station in Humenne, in eastern Slovakia, where many Roma refugees have been sent to a holding camp, told a reporter that the refugees had "abused the situation". "They are not people who are directly threatened by the war. They are people from near the border, they have abused the opportunity for us to cook them hot food here and to receive humanitarian aid," the firefighter allegedly said, adding that Ukrainian Roma should not be allowed across the border. Slovakia's Interior Minister Roman Mikulec and national fire brigade officials have refused to comment on the claims. But despite these incidents of discrimination, Roma refugees are getting local help – from other Roma. "Many Hungarian Roma living in

nearby villages are providing accommodation for Roma. Due to the presence of groups like ours, and state representatives, the situation with discrimination is getting better,” said Racz. “There is a good network of Roma activist groups coordinating work to help refugees and also there are Roma mayors in many towns near the borders in Romania and Slovakia who are prepared to take Roma refugees and arrange shelter for them,” added Jovanovic. However, all those who spoke to IPS said the discrimination against Roma refugees was a reminder of the systemic prejudice the minority faces. Meanwhile, Jovanovic said he hoped that the problems Roma refugees were facing now would not be forgotten, as they had been in the past.”

UN OCHA – UN Office for the Coordination of Humanitarian Affairs, Ukraine: Humanitarian Impact Situation Report (As of 3:00 p.m. (EET), 3 March 2022), 3 March 2022

“The situation of third country nationals from countries in Africa and South Asia and other ethnic minority groups in Ukraine, including the Roma population, is particularly concerning, as there have been numerous reports of discrimination and even violence against these vulnerable groups. The Roma population lack civil status documents, limiting access to critical services, including education and health, and potentially humanitarian assistance as many Roman internally displaced people were not registered prior to the current escalation in conflict.”

UNICEF, How UNICEF is helping to prevent COVID-19 in Roma communities, 13 January 2021

“Roma families in Ukraine have been particularly vulnerable due to limited access to hygiene products, clean water and electricity, as well as a high poverty rate.

The Roma settlement in the village of Kholmok is home to around 700 people. Similar settlements, which the Roma people call ‘tabors’ (camps), are located throughout the Zakarpattia region. The Roma are the fifth largest national minority in this region, with estimates ranging from 80,000 to 150,000 since not all possess passports and birth certificates.

“Many people in our tabor work at a garment factory, many sweep the streets, work as janitors, but most are unemployed,” says Angela, who lives in a Roma settlement in one of the districts of Uzhhorod. She has four children and, together with her husband, helps fellow villagers to obtain official documents, enroll their children in school and look for jobs.

According to the latest poll by the Coalition of Roma Non-Governmental Organizations, around half of all Roma are unemployed. In the rural and suburban areas of Zakarpattia, the unemployment rate in Roma communities is even higher, rising to 95 per cent. According to Angela, poor education makes finding good jobs and providing for their families challenging.

In the Roma settlement in the village of Kholmok, the roads are poor, most buildings are unfinished, and some houses have no running water or heating. Yulia, a mother of seven children, says that she is used to it. The family wash clothes and dishes outside, and they heat the house with a stove.

The COVID-19 pandemic and lockdown have further exacerbated the financial vulnerability of Roma families in Zakarpattia. Children who once received meals in schools and kindergartens are now forced to stay at home for long periods, where there is not always enough money for food and medicine. According to the head of the Roma community, Josef Papp, several adults in the Zakarpattia settlement have contracted COVID-19. Now, the Roma of the village of Kholmok are serious about washing their hands and complying with hygienic precautions.”

UNHCR, Ukraine – 2020 year-end report – Population trends, 2020

“During 2020, UNHCR identified 21 unaccompanied and separated children. Overall, the recognition rate in 2020 was 24% compared to 21% in 2019 with 32% of recognized refugees receiving refugee status compared to 44% in 2019, Ukraine having acceded to the 1954 and 1961 statelessness conventions in

2013. The authorities have not yet implemented a statelessness determination procedure hence there were no changes in the number of registered stateless people (some 5,800 out of the estimated 35,875 stateless). This estimate is considered to be significantly lower than the actual stateless population in Ukraine. The census, which was expected to provide updated data on statelessness, has been postponed. In Ukraine, migrants and members of the Roma ethnic minority and people lacking birth registration are at heightened risk of statelessness and may face discrimination. An estimated 65,000 babies born in NGCA lack Ukrainian-issued birth certificates and may be at risk of statelessness. This number rose 30% in 2020 because of the prolonged closure of the EECs which prevented parents from entering GCA to register their babies."

UNHCR, Ukraine – Stateless persons in Ukraine, 2020

"Undocumented people do not receive attention from the authorities. Because they lack documentation, they cannot benefit from the services provided by the state-run free legal system and heavily rely on UNHCR's legal assistance, which remains limited in scope. Stateless people and people with undetermined nationality usually come from vulnerable and marginalized groups, such as Roma, homeless people, migrants, and people released from penitentiaries. The existing procedures to obtain documents are time-consuming and costly, involving payment of administrative fines for irregular stay in Ukraine or of consular fees when a person has links to several countries, as well as court fees. In 2020, the assistance provided by UNHCR to people with undetermined nationality was complicated by the fact that the Government of Ukraine adopted restrictive measures to prevent the spread of the COVID-19 virus, including strict quarantine; Government services were not available for several months and court hearings were also significantly delayed. Compared to other Ukrainian citizens, IDPs and residents of non-government-controlled areas (NGCA) and Crimea face numerous extra requirements and barriers in obtaining or renewing their identification documents. When applying for issuing or renewal of their passport, they must undergo additional verification of their data in available electronic or paper archives."

UNHCR, Ukraine – 2020 plan – Population trends, 2020

"Other groups at risk include migrants from Commonwealth of Independent States (CIS) countries, homeless people, Roma, and people released from penitentiaries. There are many obstacles for individuals who lack documentation to approach the authorities and obtain recognition of their statelessness."

UNHCR, Ukraine – 2018 year-end report – Population trends, 2018

"Migrants and ethnic minorities, such as the Roma, are at heightened risk of statelessness because they may face discrimination, lack birth registration or other identity documents, and/or have ties to multiple post-Soviet countries."

UNHCR, Ukraine – Stateless persons in Ukraine, 2018

"As of 31 December 2018, 5,650 stateless persons were legally residing in Ukraine. In addition, studies have revealed that there is a significant number of people with undetermined nationality, mainly people from the Roma minority, homeless people, migrants and people released without documents from penitentiaries."

International Crisis Group (ICG) (Ukraine), "Nobody Wants Us": The Alienated Civilians of Eastern Ukraine, 1 October 2018

"Where Zakarpattia is concerned, Kyiv's separatism fears revolve around the oblast's roughly 150,000 ethnic Hungarians. Zakarpattian Hungarians were a major driver of the 1991 referendum, for which

Budapest actively lobbied. In 2010, the government of Prime Minister Viktor Orbán introduced a law guaranteeing Hungarian passports to anyone who could pass a language test and offer proof of ancestors “deprived of Hungarian citizenship” during 20th century territory shuffles. [...] The new education law has some valid goals in terms of better integrating residents of the country’s south-western oblasts into civic life. Zakarpattian schoolchildren, along with their heavily Romanian-speaking neighbours in Chernivtsi, consistently have the country’s highest failure rate on university entrance exams, which revolve around Ukrainian-language proficiency. In both 2016 and 2017, roughly 27 per cent of college-bound Zakarpattians failed the state exam; some estimate that this included over half of Hungarian-language high schoolers.”

UK Home Office, Country Policy and Information Note – Ukraine: Crimea, Donetsk and Luhansk (Version 3.0), September 2017

"The USSD's 2016 report stated, 'During the year many Roma fled settlements in areas controlled by Russian-backed separatists and moved elsewhere in the country. According to Chiricli approximately 10,000 Roma were among the most vulnerable members of the country's IDP community. Because many Roma lacked documents, obtaining IDP assistance, medical care, and education was especially difficult.'¹⁵¹ 7.5.2 The same report added, 'Romani activists expressed concern that some Roma in eastern areas could not afford to flee conflict areas, while others had no choice but to leave their homes.'"

Ministry of Interior of the Slovak Republic, Ukraine – Current status, treatment and assistance available to IDPs in Ukraine, 4 April 2017

"NGOs reported employment discrimination against IDPs. Some IDPs, particularly those in government-controlled Donetsk and Luhansk Oblasts, lacked sufficient sanitation, shelter, and access to potable water. IDPs continued to have difficulty obtaining education, medical care, and necessary documents. Romani activists expressed concern that some Roma in eastern Ukraine could not afford to flee the conflict areas, while others had no choice but to leave their homes."

DESYATE KUITNYA R2P, Institute on Statelessness and Inclusion European Network on Statelessness European Roma Rights Centre Joint Submission to the Human Rights Council at the 28th Session of the Universal Periodic Review, (Third Cycle, 6-17 November 2017) Ukraine, 30 March 2017

" [...] Cumulatively, these provisions make birth registration inaccessible to some of the most vulnerable persons in Ukraine, including the Roma and asylum seekers. They also undermine the right of every child to acquire Ukrainian nationality, in contradiction to Ukraine's international obligations under the 1961 Convention, the ECN and the CRC [...]"

OHCHR, Human Rights Council holds separate dialogues on Ukraine and on the Democratic Republic of the Congo, 27 September 2016

"Minority Rights Group expressed concern over the situation of the Roma minority and the indigenous Crimean Tatars in Ukraine. It was furthermore concerned about the continued detention of Crimean Tatars on politically motivated charges. It called on the Ukrainian authorities to ensure the safe return of the Roma population of Loschynivka to their homes. [...] Furthermore, the Housing Code of Ukraine restricted the right to social housing to citizens, which was not only discrimination based on citizenship but indirectly discriminated against Roma who often lacked personal documentation and did not have citizenship. [...] Still, weaknesses remained and Roma suffered violence and racially motivated acts against them, as individuals and as a community. They lacked access to education: one in five had no education, one in four could not read or write in Ukrainian, and 12 per cent could not understand Ukrainian. The Roma lacked identification papers and had difficulties in obtaining them, and funds were lacking to implement programmes for the Roma, including the Roma Strategy 2020."

OHCHR, Statement of the Special Rapporteur on minority issues, Rita Izsák, following her official visit to Ukraine – 7 to 14 April 2014, 16 April 2014

"I was made aware of ongoing concerns with regard to the situation of Roma communities in Ukraine and visited a Roma settlement. Economic and social marginalization of Roma as well as problems with registration and identity documents were widely reported. The Government's 'Strategy on the Protection and Integration of Roma in Ukraine until 2020' as well as the 'National Action Plan on Roma Inclusion' are welcomed, however Roma representatives expressed their concern over the lack of their participation in the formulation and monitoring of this strategy and stated that policies are often poorly implemented in practice. I consider that more robust responses from the Government are required, including an institutional, policy and programme framework, created with the full participation of Roma, that is adequately financed and politically supported to tackle the long-term marginalization that many Roma experience."

Freedom of movement

ADC Memorial, Mayor of Przemyśl Wojciech Bakun restricted to accept Roma people at the help center, 30 June 2022

"On June 26, volunteers helping refugees from Ukraine in the Polish city of Przemyśl, bordering Ukraine, told ADC Memorial that due to interruptions in the schedule of departure and arrival of trains, a large group of refugees from Ukraine, including about 100 Roma, had accumulated at the railway station. The mayor of the city, Wojciech Bakun, who was personally present at the station on Saturday night, demanded from the volunteers that they never take the Roma to the Tesco help center, even for an overnight stay. Wojciech won the 2018 mayoral election as a candidate for the right-wing populist party Kukiz'15. Here is what one of the volunteers helping refugees at the Tesco center said: "The mayor was on duty at the station all night and made sure that the Roma were not taken to our Tesco help center, although we had more than 400 free beds. [They were not allowed] even to sleep for a couple of hours [there]. At the same time, I have personally witnessed that about 50 Roma children with their parents had to sleep on the platform and on the bare asphalt around the station. [Bakun] even sent away the taxis that we wanted to deliver refugees to the center and forbade our volunteer to help them. After that, he came to our center, looked for me, threatened to arrest and deport me, although the only thing I did was put five Roma in a volunteer's car so that he would take them to [our center] for the night. Some of the families have already been at our center, one child has heart problems." Recently, the BBC has reported that refugees from Ukraine are received with warm sympathy in Przemyśl, and Wojciech Bakun was proud that his city of only 60,000 people is helping Ukraine. However, according to the volunteers, this is not the first time Bakun has banned helping Roma refugees in the Tesco center and has tried to expel them from the city."

USDOS – US Department of State, 2021 Country Report on Human Rights Practices: Ukraine, 12 April 2022
"Romani activists expressed concern that some Roma could not afford to flee conflict areas, while others had no choice but to leave their homes."

US DOS, Report on the human rights situation in Ukraine (1 August 2021 - 31 January 2022), March 2022
"In self-proclaimed 'republics', OHCHR continued to observe a lack of media coverage critical of or different from the official position of the 'republics' on various matters. [...] OHCHR is concerned about the complete lack of accountability for past attacks on Roma settlements, including those in the village of

Loshchynivka, Odesa region in 2016 and Vilshany, Kharkiv region in 2017. [...] The landfill, which does not have any official documentation as required by Ukrainian law, allegedly pollutes ground waters and negatively affects the health of those living in the area. [...] Due to low housing prices and income-generating opportunities from manual recycling, there have been increasing numbers of Roma moving to the area and increasing tensions between the local Roma and non-Roma [...] in the vicinity of the police or FSB buildings. [...] list of limited exceptions. [...] Entry was, inter alia, granted to travellers visiting close family members in Crimea, provided that the latter held Russian Federation citizenship. [...] No exception was provided to Ukrainian citizens who own land in Crimea and faced the risk of its forcible sale or nationalization due to Russian Federation restrictions on owning land plots by “foreigners” in “border areas”. [...] OHCHR documented cases of individual travellers who were unable to enter Crimea despite having family connections and humanitarian reasons to travel”.

ACAPS, Ukraine: Pattern of movement, people’s needs, and response, 27 March 2022

“The Roma community comprises between 200,000–400,000 people (CARE 01/03/2022). Many lack legal documentation and identification, which may restrict their access to critical services and potentially humanitarian aid (OCHA 03/03/2022; UNCHR 04/2021)”

OHCHR, Human Rights Council discusses the human rights situation in Ukraine and in the Democratic Republic of the Congo, 25 September 2018

"Germany said the deprivation of the freedoms of expression and of religion as well as the deprivation of freedom of movement in the Crimean Peninsula was concerning. Germany also condemned recent attacks on Roma settlements and other minorities in Ukraine as well as the lack of accountability for the perpetrators of those attacks on minorities. United Nations Children’s Fund urged the Government of Ukraine to embark on a comprehensive child welfare reform to include prevention, timely identification and proactive response to the social needs of vulnerable children. These measures were particularly needed for children affected by the ongoing conflict."

Roma human rights activist(s) and organisations

ADC Memorial, Roma activist’s story about life in occupied Kherson is published by RomaUa, 23 June 2022

“An interview with a Roma human rights activist from the Kherson region about 3 months of life under the Russian occupation has been recently published by analytical media project RomaUa. In an interview, David (name changed) says that they expected an escalation of the conflict from Russia and were preparing to leave the region in case of danger: they packed their things, poured a full tank of gasoline. After the start of the war, due to information about explosions throughout Ukraine, they did not understand where it was safe, where to go and decided to hide in their house with their relatives: “In the first days, many shots and explosions could be heard nearby. We spent most of the time in the bomb shelter. In a word, it was terrible. The constant feeling of stress from planes flying over the house... This is a terrible feeling that you are powerless in front of what is happening.” After some time, David began to help the Roma population with the support of the local Ukrainian authorities: “Since the volume of humanitarian assistance was quite limited, I traveled to different parts of our city and asked the local Roma people which families were the most in need. The priority was to provide assistance to the elderly, but I delivered assistance to everyone, including the non-Roma population. Sometimes we exchanged food and goods, because there was a big shortage in the city and many goods were simply not available. Such mutual assistance was spread among the Roma during wartime.” David says that before the war, the Roma community consisted of roughly half of the Crimean and Sirvitsky groups, but most of the Sirvitsky Roma left, and the city looks devastated:

“...The war and the occupation of Kherson hit especially hard the most vulnerable sections of the Roma population. For example, in one of the Roma communities before the war, the main way to earn money was to work in the fields. They harvested, peeled onions, and so on. For a day of work, they could earn about 400-500 hryvnia, which was enough for them for several days. And then they had to go back to the field. Now these people are left without any income. Many Roma come to our and neighboring cities – basically, these are people from territories where active hostilities took place. They lost their homes and all their property. I am aware of cases of looting of Roma houses by Russian soldiers in neighboring villages. They took out all the valuable things they found: carpets, appliances, and so on. And in one yard they even removed the gate. It’s hard for me to imagine why they needed them, perhaps to create some fortifications. Mostly they robbed abandoned houses, but also those where the inhabitants remained. Cars were often taken away from them. One of the local Roma even said that he had prepared for this, and that “Kadyrovtsy” could not take his car, because he had disabled it in advance and it simply would not start. But most are far less fortunate. The same man told me that many simply fled their villages on foot to save their lives.” To the [Russian] accusation of Ukraine of Nazism, David replies that problems with violence by radical groups cannot be hushed up and law enforcement agencies should investigate such cases. But a similar problem exists both in European countries and in Russia itself — killings of Roma by skinheads, violence on the part of law enforcement agencies (for example, in the Roma settlement of Plekhanovo in the Tula Region), unhindered broadcasting of xenophobic films about Roma on Russian federal channels. Because of the news about the enforced disappearances of journalists, activists, deputies, neighbors, David does not feel safe: “... I have learned to appreciate what I have. For example, I used to be able to go to my brothers and return home at midnight. Then it was not something special. Now the curfew starts at six, and there is nowhere to go, because most of my family members have left.””

Stateless people

Number of stateless people in Ukraine

European Network on Statelessness, Briefing: Update on access to protection for stateless refugees from Ukraine, 28 April 2022

“Most people affected by statelessness residing in Ukraine are stateless ‘in their own country’ and - due to their statelessness - are unable to prove their links to Ukraine or any other country through documentation. Estimates for the size of the stateless population vary significantly. In 2021, UNHCR reported 35,875 people who were stateless or had ‘undetermined nationality’, only 6,047 of whom were recorded as legally residing in Ukraine. Many tens of thousands more are thought to be at risk of statelessness including 10-20% of the Roma population and 55% of children born in nongovernment-controlled areas (NGCA) and Crimea since 2014. According to the World Bank, 999,000 people over 15 years-old reside in Ukraine without a national ID card. Although not all will be stateless, most will be unable to prove their Ukrainian citizenship through documentation and may be at increased risk of statelessness. Ukraine introduced a statelessness determination procedure in 2021 to determine who is stateless on its territory and grant them protection. By the end of 2021, only 55 people had been granted a temporary residence permit through this procedure; and more than 800 had applied and been documented with a certificate of application confirming legal stay. [...]

Populations affected by statelessness in Ukraine include: • Romani people who lack civil documentation to acquire/confirm their Ukrainian nationality • Former citizens of the USSR who were unable to acquire Ukrainian nationality in 1991 and have remained stateless due to lack of access to legal aid and other factors • People from non-Government-controlled areas and Crimea and those internally displaced who

have been unable to obtain/renew personal documents since 2014 • Asylum-seekers, refugees, and migrants (and their children) residing in Ukraine who were stateless prior to leaving their countries of origin or have since become stateless due to displacement, discrimination, State succession, or deprivation of nationality [...]"

UNHCR, 2021 Country Reports on Human Rights Practices: Ukraine, 12 April 2022

"UNHCR estimated there were more than 35,000 stateless persons and persons with undetermined nationality in the country. Persons who were either stateless, at risk of statelessness, or with undetermined nationality included Roma, homeless persons, current and former prisoners, as well as nationals of the former USSR who resided in Ukraine in 1991 but never obtained an endorsement in their Soviet passport indicating they were citizens of Ukraine [...]"

Thomas Reuters Foundation News, Ukraine's stateless trapped in warzone with no proof they exist, 4 April 2022

"The United Nations estimates Ukraine is home to about 36,000 stateless people who live on the margins of society, deprived of basic rights and services. Some experts on statelessness said the real number was probably much higher. They include many like Honcharova who fell through the gaps following the collapse of the Soviet Union in 1991, and a significant proportion of Ukraine's large ethnic minority Roma population. Others at risk of statelessness include people who have fled conflict in the eastern separatist Donetsk and Luhansk regions, as well as an estimated 60,000 children born in these territories and the Crimean peninsula seized by Russia in 2014. [...] In 2014, the United Nations launched a campaign called #IBelong to end the plight of millions of stateless people worldwide within a decade. Last year, Ukraine introduced a procedure to identify and protect stateless people on its territory, and potentially provide them with a route to citizenship. But only 55 people have been recognised to date. Hundreds of other applications, including Honcharova's, have been put on hold following the outbreak of war."

Institute on Statelessness and Inclusion, Challenges Facing Stateless People Displaced by the War in Ukraine, 31 March 2022

"In 2021, UNHCR estimated that 35,875 people were stateless or had 'unknown nationality' in Ukraine, but only 6,047 stateless people had a formalised legal residence status in the country. Moreover, this data does not account for the full picture of statelessness in the country – including an estimated 35,000 Roma who are stateless or at risk of statelessness. Other groups affected are: former citizens of the USSR who were unable to demonstrate permanent residence in Ukraine in 1991 and did not receive Ukrainian nationality; refugees, asylum-seekers and migrants already residing in the country who were already stateless in their countries of origin or due to displacement; and people living in non-Government controlled areas."

European Network on Statelessness, Assisting stateless people trapped in Ukraine: report from the ground, 24 March 2022

"Approximately 10-20% of the estimated 400,000 Romani people living in Ukraine are stateless or at risk of statelessness. Additionally, 55% of children born in Donetsk and Luhansk and 88% of children born in Crimea were reported to lack Ukrainian birth certificates or personal documents, putting them at risk of statelessness."

"individuals who previously held passports from the Former-USSR but lost them and are now undocumented. The majority of this group are elderly with no source of income, and many have long-term health conditions. Even before the war, they were reliant on NGOs for assistance, including for food and medicines. Since the invasion, this group of beneficiaries has become even more vulnerable. [...]"

Another significant group of project beneficiaries are people who were internally displaced from the occupied territories of Donbass between 2014 and 2020 and came to the territory controlled by Ukraine. Many had Ukrainian passports, but their documents were lost, destroyed, or left behind when they left the Non-Government Controlled Territories (NGCA). Ukraine has not had access to identity data files located in the NGCA since 2014, so many of these people resorted to applying for recognition as stateless persons under the SDP. Currently, many of them are stuck in the war zone and unable to leave. One of them, Oleksandr, was able to leave the occupied Makarovskiy district of the Kyiv region together with members of his church and is now in Ternopil, helping newly arrived refugees. His documentation and citizenship status remain unclear.

Another large group of beneficiaries is made up of people who came to Ukraine with their parents at a young age after 1991. Many of those supported by the project are members of minority groups, including Roma, and come from very complex family backgrounds in which parents or guardians never resolved their children's lack of documentation. Upon reaching the age of 16, these young people could not obtain a Ukrainian passport because they lacked any documentation or proof of family links. One of the project's beneficiaries, Natalia, currently finds herself in the war zone in the city of Sumy with two children aged two and five years old. She has no way out. She is in dire need of support, without access to food, baby food, and personal hygiene products. She is completely reliant on the support of local volunteers."

European Network on Statelessness, Amidst the unspeakable awfulness of the conflict in Ukraine we should not forget the particular protection needs of stateless people, 11 March 2022

"In addition to these significant in-situ stateless populations, there are asylum-seekers, refugees, and migrants (and their children) who were residing in Ukraine and were stateless before leaving their countries of origin (e.g., Palestinians, Kuwaiti Bidoon, Kurds); or who may have since become stateless due to displacement, discrimination or gaps in nationality laws, State succession, or deprivation of nationality practices."

European Network on Statelessness, Briefing: Stateless people and people at risk of statelessness forcibly displaced from Ukraine, 10 March 2022

"The last census in 2001 recorded 82,550 stateless people in Ukraine. In 2021, UNHCR estimated that 35,875 people in Ukraine were stateless or had 'undetermined nationality'. However, only 6,047 stateless people were legally residing in Ukraine at the end of 2021. Approximately 10-20% of the estimated 400,000 Romani people living in Ukraine are stateless or at risk of statelessness. Additionally, 55% of children born in Donetsk and Luhansk and 88% of children born in Crimea were reported to lack Ukrainian birth certificates or personal documents, putting them at risk of statelessness."

UN OCHA – UN Office for the Coordination of Humanitarian Affairs, Ukraine - Humanitarian Response Plan 2022, 11 February 2022

"Problems in civil documentation persist for the population in NGCA, facing multiple challenges in identity, civil status and property documentation, impacting every aspect of life, limiting access to services and entitlements and freedom of movement. This includes 68,240 children (as of mid-2021) residing in NGCA, who do not possess a birth certificate of a recognized state and are hence under risk of statelessness."

UNHCR – UN High Commissioner for Refugees, Strengthened protection for stateless people in Ukraine: 737 stateless persons applied to determine their status in 2021, 31 January 2022

"31 January 2022, Kyiv, Ukraine. – In 2021, Ukraine has made impressive progress in addressing statelessness in the country. The State Migration Service (SMS) of Ukraine successfully rolled out a new stateless determination procedure after the Cabinet of Ministers of Ukraine adopted the Resolution "On some issues of recognition as a stateless person" in April 2021. Furthermore, in December, the Parliament

of Ukraine adopted a new law 1941-IX that will allow stateless persons to apply for naturalization after three years (instead of seven) upon their recognition by the SMS. These changes give much hope to stateless persons in Ukraine. As of 31 December 2021, the SMS had registered 737 applications from people seeking the status of a stateless person. Before the year end, the State Migration Service had issued decisions in 61 cases, in 90% of which the applicants were recognized as stateless persons. From having lived as undocumented people, they received identification documents and could access their rights.”

HRHC - Human Rights House Crimea (Author), HRHF - Human Rights House Foundation (Author), published by UN Human Rights Committee: Russian Federation's Periodic Report; Civil Society Submission on the situation with human rights in Crimea to the Human Rights Committee under the ICCPR during its 134th session, 2022

“In Crimea, Russia actively applies the provisions of its migration legislation and the Russian Federation’s Code of Administrative Offences, which establishes administrative liability in the form of expulsion for their violation. Decisions by the occupation courts regarding the expulsion of citizens of Ukraine, foreigners, and stateless persons from the occupied territory with their further detention in the CTDFC is an unlawful interference with liberty and security of person, since such decisions were made by the occupation courts without taking into account the fact that the Crimean peninsula is de jure a sovereign territory of Ukraine, and the occupation is a temporary legal regime. Thus, the Russian Federation violates Art. 9 of the Covenant as it has no legal grounds either for the expulsion of these persons or for the deprivation of their liberty in order to enforce the decisions on expulsion. 24. At least 283 persons (citizens of Ukraine, foreigners, stateless persons) were identified, in respect of whom, from June 2014 to December 2021, the occupation courts in Crimea applied forcible expulsion associated with imprisonment for a period of one day to more than one-and-a-half years.”

European Network on Statelessness, Invisible to the state during the COVID-19 pandemic: stateless people in Ukraine, 4 June 2020

"Stateless people and those at risk of statelessness, as well as people without identity documents have limited access to social services and medical care (see more on the ENS StatelessnessINDEX). Without identity documents, a person cannot register with a family doctor. This makes it impossible to receive primary care and other types of medical care.

The results of Right to Protection’s survey among stateless people conducted in April-May 2020 demonstrate that 92% (175 out of 189 people surveyed) of stateless people do not have a family doctor. Almost half of them were denied registering (ie. signing a declaration with a family doctor) due to lack of an identity document. Children of stateless parents who are over 14 years of age are able to sign a declaration regardless of their parents’ identity documents, but 68% of those who have children and answered the question (38 of 56 respondents) reported that their children did not have a signed declaration with a doctor.

What causes the most concern, is that there is almost no access to health services for stateless people who have chronic diseases or disabilities. Diseases like diabetes, cancer, and tuberculosis are not treated. People without documents cannot participate in State programs, receive free medicines, have access to medical examinations (otherwise free of charge), or establish their disability. In most cases, they do not have any money to cover the cost of medicines. Undocumented people are hospitalised only in case of emergency. 17% (32 respondents) of those interviewed by Right to Protection reported having a disability, chronic condition or cancer.

At the same time, people with chronic condition or disabilities as well as elderly people are at increased risk of COVID-19 related complications. Although the local authorities declared a non-discriminatory

approach to treatment of COVID-19, there is an obvious danger of late diagnosis caused by the absence of primary medical care to stateless people."

UNHCR, Ukraine – 2020 year-end report – Population trends, 2020

"During 2020, UNHCR identified 21 unaccompanied and separated children. Overall, the recognition rate in 2020 was 24% compared to 21% in 2019 with 32% of recognized refugees receiving refugee status compared to 44% in 2019, Ukraine having acceded to the 1954 and 1961 statelessness conventions in 2013. The authorities have not yet implemented a statelessness determination procedure hence there were no changes in the number of registered stateless people (some 5,800 out of the estimated 35,875 stateless). This estimate is considered to be significantly lower than the actual stateless population in Ukraine. The census, which was expected to provide updated data on statelessness, has been postponed. In Ukraine, migrants and members of the Roma ethnic minority and people lacking birth registration are at heightened risk of statelessness and may face discrimination. An estimated 65,000 babies born in NGCA lack Ukrainian-issued birth certificates and may be at risk of statelessness. This number rose 30% in 2020 because of the prolonged closure of the EECs which prevented parents from entering GCA to register their babies."

UNHCR, Ukraine – Stateless persons in Ukraine, 2020

"Undocumented people do not receive attention from the authorities. Because they lack documentation, they cannot benefit from the services provided by the state-run free legal system and heavily rely on UNHCR's legal assistance, which remains limited in scope. Stateless people and people with undetermined nationality usually come from vulnerable and marginalized groups, such as Roma, homeless people, migrants, and people released from penitentiaries. The existing procedures to obtain documents are time-consuming and costly, involving payment of administrative fines for irregular stay in Ukraine or of consular fees when a person has links to several countries, as well as court fees. In 2020, the assistance provided by UNHCR to people with undetermined nationality was complicated by the fact that the Government of Ukraine adopted restrictive measures to prevent the spread of the COVID-19 virus, including strict quarantine; Government services were not available for several months and court hearings were also significantly delayed. Compared to other Ukrainian citizens, IDPs and residents of non-government-controlled areas (NGCA) and Crimea face numerous extra requirements and barriers in obtaining or renewing their identification documents. When applying for issuing or renewal of their passport, they must undergo additional verification of their data in available electronic or paper archives."

European Network on Statelessness, New #RomaBelong research documents the effects of statelessness on Roma living in Ukraine and sets recommendation on how to tackle it, 28 September 2018

"Patterns of statelessness in Ukraine indicate that it most often affects specific groups of the population and that inadequate and inconsistent legislation exacerbate the problem. In general, Ukrainian legislation on citizenship is based on the principle of jus sanguinis, but those who could prove permanent residence at the time of independence in 1991, were given the possibility to acquire citizenship rights. However, those who did not have permanent residence in Ukraine as of 1991 or don't have the documents to prove their residence, are often at risk of statelessness."

UNHCR, Ukraine – 2018 year-end report – Population trends, 2018

"Migrants and ethnic minorities, such as the Roma, are at heightened risk of statelessness because they may face discrimination, lack birth registration or other identity documents, and/or have ties to multiple post-Soviet countries."

UNHCR, Ukraine – Stateless persons in Ukraine, 2017

"Identification of stateless among the Roma community and ex-prisoners may remain challenging due to cultural barriers and xenophobia."

Committee to Protect Journalists, Mission Journal: Crimea's journalists in exile as Russia muzzles free press, 14 July 2015

"Ukrainian authorities have also been criticized for imposing restrictions that officials justify as an attempt to withstand Russian aggression. Separate legal provisions—based on Ukrainian law on the special economic zone in Crimea and travel regulations—virtually bar those in Crimea from using the Ukrainian banking system, according to reports. Declared as non-residents under the economic zone law, Crimean journalists and residents alike—including those who decide to move to mainland Ukraine—must overcome bureaucratic hurdles before opening a bank account, activists told me in Kiev. Rights activists also criticized travel restrictions, saying that the regulation contained confusing provisions and required foreigners and stateless people to obtain a permit from migration authorities."

UNHCR, Ukraine Regional Office – 2014 year-end report – Unmet Needs, 2014

"Efforts to resolve statelessness were made through a public information campaign in Moldova and some activities were undertaken in two regions of Ukraine, with a focus on the Roma population. However, there is no accurate information on the scope of statelessness in the region."

European Network on Statelessness, Statelessness in Ukraine, 23 January 2014

"There is no formal statelessness determination procedure in Ukraine and the current legal regime in Ukraine bars the majority of stateless persons from becoming documented. For example, one legacy of the USSR is the concept of registration at a person's place of residence and any appeal to an official, including an application for identity documents, may only be made by a person who is legally residing in Ukraine. As a result of this, stateless persons find themselves in a Catch-22 situation – denied even a starting point from which to resolve their problem.

With the accession of Ukraine to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, it was hoped that improvements would be made to the legislative framework but unfortunately, there has been no progress to date."

Stateless people: military service, conscription, mobilization, evasion

Legislation of Ukraine, LAW OF UKRAINE On military service and military service (Vidomosti Verkhovnoi Rady Ukrainy (VVR), 1992, № 27, p.385) {Entered into force by the Resolution of the Verkhovna Rada № 2233-XII of 25.03.92, VVR, 1992, № 27, Article 386}, [current version dated] 23 April 2022

"Article 1. Conscription

1. Protection of the Fatherland, independence and territorial integrity of Ukraine is a constitutional duty of the citizens of Ukraine.

2. Conscription shall be established in order to prepare the citizens of Ukraine for the defense of the Fatherland, to provide personnel for the Armed Forces of Ukraine, other military formations formed in accordance with the laws of Ukraine, and special purpose law enforcement agencies (hereinafter - the Armed Forces of Ukraine and other military formations); positions in which are filled by servicemen. [...]

4. Citizens of Ukraine have the right to have their military service replaced by alternative (non-military) service in accordance with the Constitution of Ukraine and the Law of Ukraine "On Alternative (Non-Military) Service".

5. Citizens of Ukraine shall be released from military service on the grounds specified in this Law.

6. Conscription does not apply to foreigners and stateless persons residing in Ukraine.

In cases provided by law, foreigners and stateless persons who are legally on the territory of Ukraine may voluntarily (under contract) serve in the Armed Forces of Ukraine.”

French Office for the Protection of Refugees and Stateless persons (OFPRA), Fact-finding Mission Report - Ukraine, May 2017

“This report is the product of a joint fact-finding mission conducted by the Country of Origin Information Department (Staatendokumentation) of the Austrian Federal Office for Immigration and Asylum (BFA) and the Information, Documentation and Research Division (DIDR) of the French Office for the Protection of Refugees and Stateless Persons (OFPRA), to Ukraine, from 12 June to 19 June 2016. [...] The need for a mission to Ukraine arose due to the rising number of asylum seekers of Ukrainian origin in France as well as in Austria. Both countries consequently saw a need for updated information on a number of issues that have been recurring in cases regarding Ukrainian asylum seekers. This report focuses on the various issues that in recent years have been substantial in the caseload concerning Ukrainian asylum seekers, namely Internally Displaced Persons (IDP), military conscription and mobilization and questions related to police and justice reforms. Additionally, the report provides information on the situation in Government Controlled Areas (GCA) and Non-Government Controlled Areas (NGCA) of the Donbass region. In the scope of compiling this report, during the mission the delegation consulted around 30 sources, including representatives from international organizations, Ukrainian authorities, NGOs, Ukrainian political parties, as well as a journalist and other sources. A complete list of sources consulted can be found at the end of this report. Interviews were conducted in Kyiv as well as in and around Kramatorsk (Eastern Ukraine). [...] In June 2016, the Military advisor of the European Union Delegation in Ukraine asserted that conscripts mainly serve in supporting roles in backward positions and that sending conscripts to combat zones is against the law. Many conscripts are actually drafted into the Navy and the Air Force, but only few into the Army and the National Guard (the latter is mostly guarding public buildings). Representatives of the Ministry of Defense of Ukraine specified that, in anti-terrorist operation (ATO) zones, conscripts could however still work in arsenals. Indeed, the law provides that in the ATO zone, conscripts would not be involved in military tasks.[...]

1. Military service

According to article 1.3 of the Law of Ukraine on Military Duty and Military Service⁹⁶, military duty includes⁹⁷:

- The preparation of citizens for military service;
- The registration of citizens at enlistment offices;
- The enlistment on a voluntary (contract) basis and conscription to the military service;
- The performance of military service;
- The performance of the military duty in the reserves;
- Observation of the rules of military registration.

According to article 1, “Military duty does not apply to foreigners or stateless persons who reside in Ukraine”. It is carried out by citizens of Ukraine and subdivided into the following categories⁹⁸:

- Pre-conscripts – persons subject to registration with enlistment offices;
- Conscripts – persons registered with enlistment offices;
- Servicemen – persons carrying out military service;
- Persons liable for military service – persons in the reserve manning the armed forces and other military formations during a special period as well as in order to perform

other tasks relating to the defense of the state;

- Reservists – persons liable for military service who, on a voluntary basis, carry out military service in the reserve of the armed forces and other military formations.”

Statelessness in Russian and Ukraine

ADC Memorial, [Statelessness in Russia and Ukraine: possible ways to overcome the problem](#), 24 June 2016

[Click on the hyperlink for more information on: documentation in territories of Donetsk and Luhansk, registration of children born in non-government controlled areas, expulsion of Ukrainian citizens from Russia into the combat zones]

“Even though decades have passed since the fall of the Soviet Union, the problems of statelessness, whose roots reach way back into the past, have yet to be overcome in either Russia or Ukraine. The laws and practices of both countries are unfriendly to stateless persons, most of whom are citizens of the former Soviet Union. Ukraine now faces the challenges of adapting laws and practice to the Convention Relating to the Status and of Stateless Persons (1954) and the Convention on the Reduction of Statelessness (1961). Russia, which agreed with recommendations made within the framework of the Universal Periodic Review (2018) concerning accession to these Conventions, must implement the ECtHR’s strategic judgment in the case of “Kim v. Russia” and the subsequent RF Constitutional Court judgment in the case of Mskhiladze. In the absence of general measures, systemic violations of the rights of stateless persons continue. These include the practices of confining stateless persons in foreign national temporary detention centers for an indefinite period without judicial control and of ordering expulsions that cannot be enforced. Both countries must adopt urgent positive measures to improve the situation of the Roma minority, including in relation to documentation. The matter of the citizenship of residents of Donetsk and Luhansk oblasts who are now governed by the self-proclaimed DPR and LPR is particularly critical in light of the military conflict. Russian passports issued to residents of these territories under simplified procedures are not recognized by Ukraine and will likely be boycotted by other countries as well. This means that holders of these passports may be deprived of their Ukrainian citizenship. Children born in these territories who do not have any documents other than the ones issued by the de facto authorities are now hostage to this situation.”

Barriers to protection in Ukraine and/or in neighbouring countries

ENS, [ENS Newsletter, June, 30 June 2022](#)

“ENS was able to catch up with Oleksandr Snitko, Statelessness Project Manager at the Tenth of April (‘Desyate Kvitnya’), an ENS member organisation based in Odesa, Ukraine. [...] Freedom of movement of stateless people was heavily impacted, [...] people faced greater challenges earning money. For example, if people had to checkpoints to get to work, they wouldn't be allowed to pass without documentation. [...] Undocumented people faced huge barriers and were often not permitted to cross the border. [...] Movement towards the west has been particularly difficult and sometimes it is also difficult for undocumented people to return to Ukraine. [...]”

“Back in April the European Commission asserted that ‘Temporary Protection applies to everyone fleeing the war from Ukraine’. Yet our analysis of routes to protection for stateless people from Ukraine shows that two months later many stateless people still find themselves outside the scope of this protection”

Right to Protect, [Who are stateless persons who fled Ukraine after the Russian invasion on 24 of February, 2022](#), 26 April 2022

"Applicants of statelessness determination procedure from Ukraine cannot be granted temporary protection according to the Council Implementing Decision (EU) 2022/382 because they have not yet received the equivalent protection in Ukraine and they don't have a residence permit in Ukraine, they are considered as temporary legally residing in Ukraine during the procedure.

Most of these people are stateless or at risk of statelessness, who have been waiting for the SDP for many years or all their lives."

Al Jazeera, [Stateless Ukrainians: No nationality and now, no home](#), 26 June 2022

"As Europe mobilises to accommodate the growing number of Ukrainians fleeing the country – now more than four million – stateless Ukrainians are fighting a losing battle for protection and recognition. Not recognised as nationals by Ukraine or any other state under the operation of its laws, stateless Ukrainians, who number approximately 40,000, are denied access to basic rights and have been the targets of pervasive discrimination as they seek refuge abroad. European states must act decisively within their international legal obligations to ensure protections for all refugees, irrespective of nationality, race, or ethnicity. After the dissolution of the Soviet Union, people in former Soviet nations who fell through the gaps of new nationality laws became stateless. Racism and ethnic discrimination left certain minority groups particularly vulnerable. For example, Roma represent one of the largest groups of stateless people in Ukraine – and one of the most discriminated against across Europe."

Institute on Statelessness and Inclusion, [Challenges Facing Stateless People Displaced by the War in Ukraine](#), 31 March 2022

"Following Russia's invasion, stateless people and those at risk of statelessness have encountered barriers in the country and at Ukraine's Western borders - depending on their documentation, residence status and personal background. There have been reports of discrimination and differential treatment both at border crossings and inside neighbouring countries, despite their public commitment to welcome everyone fleeing the conflict in Ukraine. Undocumented Roma, for instance, have been experiencing discrimination en route to safety both in Ukraine and bordering countries. As ENS points out, a key challenge that government officials and humanitarian actors must be aware of is that "most people affected by statelessness residing in Ukraine will not be able to prove their residence or nationality status due to the nature of statelessness".

The European Union's EU Temporary Protection Directive (TPD) grants protection in the EU to Ukrainian citizens, those with international protection before 24 February 2022 and stateless people - but only if they held permanent residence in Ukraine before 24 February 2022. Therefore, it does not include stateless people who do not hold (or cannot demonstrate) permanent residence status in Ukraine. ENS recommends that "*The EU should extend eligibility for temporary protection to all stateless persons and persons at risk of statelessness who are/were living in Ukraine, regardless of documentation or residence status. EU Member States should use their discretion under the TPD to extend Temporary Protection to all stateless persons and those at risk of statelessness regardless of prior residence status in Ukraine and/or ensure access to equivalent forms of protection under national law.*"

Human Rights Watch, [Moldova: Romani Refugees from Ukraine Face Segregation](#), 25 May 2022

"Moldovan authorities are deliberately housing most Romani refugees separately from others fleeing the war in Ukraine, in a manner that constitutes unequal and discriminatory treatment. Amid pervasive discriminatory attitudes toward Roma, government authorities have permitted and, in some cases, directed staff and volunteers to deny Romani refugees housing at government-run facilities.

Since mid-March, almost all Romani refugees whose housing has been processed by the government have been placed in a previously abandoned university building at the Faculty of International Relations, Political Sciences, and Public Administration (FRISPA). Many were transferred there from the Manej Sports Arena, while later arrivals said they were directed there from the border, train station, or MoldExpo reception center without being informed of any other accommodation options.

Roma rights defenders and volunteers told Human Rights Watch that conditions at Manej were inferior to those in other facilities. The European Roma Rights Center (ERRC) said that living conditions at Manej and in the first days after FRISPA refugee center opened were “inadequate” and “poor.”

Staff and volunteers in Chisinau’s exhibition center, MoldExpo, which serves as the country’s largest reception center, said that city authorities had an unwritten “policy” denying almost all Roma housing at the center. “The government ordered that this is not a place for Romani people,” a MoldExpo employee said.”

European Network on Statelessness, Briefing: Update on access to protection for stateless refugees from Ukraine, 28 April 2022

“Latest information from ENS members and partners in Ukraine and neighbouring countries suggests that stateless people and those at risk of statelessness fleeing Ukraine are facing barriers to protection due to their lack of nationality, documentation, and/or residence status. Barriers in Ukraine There have been reports of racial discrimination, antigypsyism, and differential treatment on the Ukrainian side of the border. Between 16-18 April, the Ukrainian State Border Guard temporarily implemented a policy of permitting only Ukrainians with biometric identity documents to exit Ukraine (with some exceptions for persons fleeing active hostilities or persons with disabilities). The policy was amended on the evening of 18 April to permit all those with national identity documents from all parts of Ukraine to exit the territory. This is likely to prevent many stateless persons and persons at risk of statelessness leaving Ukraine. ENS members in Ukraine report significant barriers for stateless people and those without documents to register for support as Internally Displaced Persons, difficulties crossing internal checkpoints, and fear amongst those without documentary proof of their links to Ukraine that they will not be able to return to the country even if they are able to leave. Entry to neighbouring countries Hungary, Slovakia, Poland, Romania, and Moldova have stated that they admit everyone fleeing the war in Ukraine, including stateless people, those at risk of statelessness and/or undocumented people. However, inconsistent practices and instances of discrimination have been reported at different border crossings. Those without Ukrainian (biometric) passports may face barriers to accessing the territory or be subject to additional ‘secondary screening’ procedures, including in detention-like conditions in some cases. [...] EU Member States are not currently required to extend temporary protection to most stateless people and those at risk of statelessness living in Ukraine. People without documentary proof of their nationality, international protection, or a residence permit in Ukraine face significant barriers to accessing protection.”

Al Jazeera, Stateless Ukrainians: No Nationality and Now, No Home, 26 April 2022

“As Europe mobilises to accommodate the growing number of Ukrainians fleeing the country – now more than four million – stateless Ukrainians are fighting a losing battle for protection and recognition. Not recognised as nationals by Ukraine or any other state under the operation of its laws, stateless Ukrainians, who number approximately 40,000, are denied access to basic rights and have been the targets of pervasive discrimination as they seek refuge abroad. European states must act decisively within their international legal obligations to ensure protections for all refugees, irrespective of nationality, race, or ethnicity...”

“...But the lack of legal protection is not the only problem stateless refugees are facing. Racial and ethnic minorities – such as the Roma, whose intersecting ethnic and stateless identities make them doubly vulnerable to discrimination – are finding it particularly difficult to access the protection they so desperately need. Many have recounted horror stories of waiting for days in camps without food or water, while their Ukrainian citizen counterparts were welcomed with open arms...”

“...Critically, Europe has excluded stateless individuals from its refugee response plan, which offers immediate protection to Ukrainian nationals and permanent residents. Although Moldova, Poland, Slovakia, Hungary, and Romania have promised to admit all refugees, including those who are stateless, experts worry that without dedicated protections, stateless refugees will be left behind. Importantly, these ad hoc policies do not consider that many stateless refugees are at increased risk because of their ethnicity or race – officials have prevented Roma refugees from entering Hungary and Slovakia, and they have experienced widespread discrimination in Moldova.”

OSCE – Organization for Security and Cooperation in Europe, Report on violations of International Humanitarian and Human Rights Law, War Crimes and Crimes against Humanity committed in Ukraine since 24 February 2022 [ODIHR.GAL/26/22/Rev.1], 12 April 2022

“In Ukraine, the legal status of IDPs is regulated by the Law On Ensuring the Rights and Freedoms of Internally Displaced Persons, adopted on 20 October 2014.⁶²⁹ By virtue of its Article 4(1), “the fact of internal displacement shall be proved by the certificate of registration of internally displaced person”. The registration is regulated by the Resolution of the Cabinet of Ministers No. 509 on registration of internally displaced persons.⁶³⁰ This Regulation has recently been amended to expand the list of persons entitled to register as IDPs to those leaving their homes following the Russian attack and the declaration of the martial law on 24 February 2022.⁶³¹ The personal scope of the Law and the Regulation is no longer limited to citizens of Ukraine but encompasses stateless persons and foreigners permanently residing in the territory of Ukraine. The legislation prohibits discrimination in the exercise of rights and freedoms based on internal displacement. It confirms that IDPs have the same rights and freedoms as the rest of the population. It gives IDPs the right to free temporary residence, access to healthcare and a monthly targeted assistance (2-3,000 hrivnas). It also introduces benefits for those helping IDPs, typically entrepreneurs employing them.”

UNICEF – UN Children's Fund, UNHCR – UN High Commissioner for Refugees (Author): Ukraine Emergency: Children Fleeing Ukraine - The Advocacy Agenda for Action; A call for action to protect all children and their families displaced by the war, 25 April 2022

“Education for refugee children is arguably the best means available to help them, here and now, and to transform their futures. UNHCR and UNICEF calls on states to include children fleeing from Ukraine in national education systems, open vocational and other training programmes, and ensure access to labour markets for their caregivers. This is also an investment in lasting social cohesion by ensuring that refugees and host community children learn and play side by side. Children below the age of 18 who have been granted Temporary Protective Status have a right to access education under the same conditions as nationals, as well as other important social services. Attention must, however, be paid to certain groups, such as asylum seekers and stateless persons, who may fall outside the scope. UNICEF and UNHCR stand ready to support hosting governments to assess education sector needs, strengthen inclusive education systems and policies and work with local/national authorities to expand coverage and quality of all levels of education to respond to the needs in each given context.”

Institute on Statelessness and Inclusion, [Challenges Facing Stateless People Displaced by the War in Ukraine](#), 31 March 2022

"Following Russia's invasion, stateless people and those at risk of statelessness have encountered barriers in the country and at Ukraine's Western borders - depending on their documentation, residence status and personal background. There have been reports of discrimination and differential treatment both at border crossings and inside neighbouring countries, despite their public commitment to welcome everyone fleeing the conflict in Ukraine. Undocumented Roma, for instance, have been experiencing discrimination en route to safety both in Ukraine and bordering countries. As ENS points out, a key challenge that government officials and humanitarian actors must be aware of is that "most people affected by statelessness residing in Ukraine will not be able to prove their residence or nationality status due to the nature of statelessness".

The European Union's EU Temporary Protection Directive (TPD) grants protection in the EU to Ukrainian citizens, those with international protection before 24 February 2022 and stateless people - but only if they held permanent residence in Ukraine before 24 February 2022. Therefore, it does not include stateless people who do not hold (or cannot demonstrate) permanent residence status in Ukraine. ENS recommends that "*The EU should extend eligibility for temporary protection to all stateless persons and persons at risk of statelessness who are/were living in Ukraine, regardless of documentation or residence status. EU Member States should use their discretion under the TPD to extend Temporary Protection to all stateless persons and those at risk of statelessness regardless of prior residence status in Ukraine and/or ensure access to equivalent forms of protection under national law.*"

ERRC, [ROMANI FAMILY DENIED EXIT FROM UKRAINE: BORDER GUARDS ACCUSE ROMA OF "WRONGDOINGS" IN HUNGARY](#), 29 March 2022

"A 52-year-old Romani mother and her two children have been repeatedly denied exit from Ukraine at the border crossing near to Beregovo on the Hungarian border, according to reports from in-country ERRC human rights monitors. Ágnes and her family from Beregovo, in the Zakarpattiya region of Ukraine, were told by an official at the Beregsurányi border crossing on 20th March that they could not pass through to the Hungarian side because of rumours that Roma elsewhere in Hungary had been accused of abusing the welfare system and engaging in begging. On three separate occasions Ágnes, who is a native Hungarian speaker, was denied exit from Ukraine when she tried to take her family across the border to be with her extended family in Hungary. ERRC representatives called the border authorities to report the incident and clarify the situation, they were told that Ukrainian border officials had received no instructions to deny anyone exit from Ukraine, providing they are legally entitled to leave (as men aged 18 – 60 are required to remain in the country following the General Mobilisation order of 24th February 2022). The border authorities encouraged the family to try again. Ágnes attempted to cross the border a second time but was again denied for the same reason, with a border guard stating "no, you are going to commit wrongdoings like the others, so we are not letting you out." She tried for a third time to cross the border after reporting this to the ERRC, this time with her phone camera recording a video to get evidence of the discriminatory treatment she faced from the guards. She was threatened with arrest and confiscation of her belongings if she continued to film members of the Ukrainian army. On Sunday 27th March, the family attempted the crossing for a fourth time and were finally allowed to pass without any obstacles. It is assumed by local human rights monitors that the shift was changed and a different group of guards were manning the border crossing point. With little oversight of border guards' decisions, on either side of the borders, Ágnes' story highlights the precarious situation Romani refugees can find themselves in when attempting to find safety outside of Ukraine. Hers is not the first story since this war began where Roma have been accused of not being 'genuine refugees'. [...] The ERRC will continue to monitor any reports of denied exit on the Ukrainian-Hungarian border to ensure it is not a systemic issue. The name of the Romani woman in this article was changed to protect her identity."

UNHCR – UN High Commissioner for Refugees, News comment: Without international solidarity, Ukraine's displacement crisis could turn into catastrophe, 24 March 2022

“Thousands of third country nationals fled the war alongside Ukrainian nationals, including some in need of international protection or at risk of statelessness. Many have reached safety or returned to their home countries, however, there are persistent reports of unequal or discriminatory treatment.”

Freedom House, Freedom in the World 2022 - Crimea*, 28 February 2022

[Crimea: Annual report on political rights and civil liberties in 2021]

“The occupation authorities have sought to compel Crimea’s residents to accept Russian citizenship and surrender their Ukrainian passports. Those who fail to do so face the threat of dismissal from employment, loss of property rights, inability to travel to mainland Ukraine and elsewhere, and eventual deportation as foreigners. As many as 4,700 people have been forcibly deported since the beginning of the occupation; half of the deportees are Ukrainian citizens, while citizens of another 37 countries and stateless persons represent the remainder.”

Undocumented people

[Please see the section above on documentation]

Dutch Immigration and Naturalisation Service, File on Ukraine, June 2022 [emphasis added]

“Since the end of February, more and more refugees are coming to the Netherlands from Ukraine. Once there they register with their local council in the Personal Records Database (in Dutch: Basisregistratie Personen or BRP) and so become known to the IND. Most of them fall under the European Temporary Protection Directive and are allowed to stay and work in the Netherlands until at least 4 March 2023. The IND gives them proof of this in the form of a **residence sticker placed in their passport or document.**”

Human Rights Watch, Ukraine: Migrants Locked Up Near Front Lines, 6 May 2022

"In mid-April 2022, Human Rights Watch interviewed two men by telephone who are being held in the Temporary Holding Center for Foreigners and Stateless People in Mykolaiv region, close to frontline hostilities. On April 4, Human Rights Watch had released a report based on interviews with migrants and asylum seekers detained in the Zhuravychi Migrant Accommodation Center in Volyn' oblast, a former military barracks one hour from Lutsk, a city in northwestern Ukraine. Migrants and asylum seekers also remain in detention at the Zhuravychi center [...]

Interviewees in both centers said guards told them they could leave the Zhuravychi or Mykolaiv facilities if they joined the Ukrainian war effort, and that the guards promised them they would be granted Ukrainian citizenship and documentation if they joined. The interviewees said that no one accepted the offer [...]

Some people from both Zhuravychi and Mykolaiv have been released and evacuated to Poland with the aid and assistance of their embassies in neighboring countries. While the involvement of embassies of third country nationals might be needed at some point to assist with identity and travel documents, this should not be used as a reason to delay the urgent release of everyone currently held in both centers so that they can move to safety."

European Network on Statelessness, Briefing: Update on access to protection for stateless refugees from Ukraine, 28 April 2022

“Latest information from ENS members and partners in Ukraine and neighbouring countries suggests that stateless people and those at risk of statelessness fleeing Ukraine are facing barriers to protection due to their lack of nationality, documentation, and/or residence status. Barriers in Ukraine There have been reports of racial discrimination, antigypsyism, and differential treatment on the Ukrainian side of the border. Between 16-18 April, the Ukrainian State Border Guard temporarily implemented a policy of permitting only Ukrainians with biometric identity documents to exit Ukraine (with some exceptions for persons fleeing active hostilities or persons with disabilities). The policy was amended on the evening of 18 April to permit all those with national identity documents from all parts of Ukraine to exit the territory. This is likely to prevent many stateless persons and persons at risk of statelessness leaving Ukraine. ENS members in Ukraine report significant barriers for stateless people and those without documents to register for support as Internally Displaced Persons, difficulties crossing internal checkpoints, and fear amongst those without documentary proof of their links to Ukraine that they will not be able to return to the country even if they are able to leave. Entry to neighbouring countries Hungary, Slovakia, Poland, Romania, and Moldova have stated that they admit everyone fleeing the war in Ukraine, including stateless people, those at risk of statelessness and/or undocumented people. However, inconsistent practices and instances of discrimination have been reported at different border crossings. Those without Ukrainian (biometric) passports may face barriers to accessing the territory or be subject to additional ‘secondary screening’ procedures, including in detention-like conditions in some cases. [...] EU Member States are not currently required to extend temporary protection to most stateless people and those at risk of statelessness living in Ukraine. People without documentary proof of their nationality, international protection, or a residence permit in Ukraine face significant barriers to accessing protection.”

Macedonian Young Lawyers Association, When There's a Will There's a Way, January-April 2022, April 2022

“However, there is a worrying practice of placing non-Ukrainians, third country nationals who have fled Ukraine, in detention upon their arrival to Poland. For example, there is a rather large group (30 persons) of non-Ukrainian students placed in the detention centre in Lesznowola, based on the court decision, due to the lack of personal identification documents.”

“Third Country Nationals fleeing Ukraine also at risk of pushbacks

Only two months after the escalation of conflict in Ukraine, PRAB partners already started collecting reports of pushbacks at the EU’s external, as well as internal borders, linked to people who were previously residing in Ukraine.

The following testimony was collected from a vulnerable 3-member family from Afghanistan (including a mother and two children), travelling with a student from India who fled Ukraine, at the beginning of the conflict, pushed back from Croatia to BiH on 18 March:

“ We crossed the border here on Siljkovaca in the village of Kramarice. We walked for an hour and then we came across 3 policemen in blue uniforms. We asked for asylum immediately, but they told us that there was no place in the camp and that we should go back. We begged them to let us pass, but they said that we should try to cross border somewhere else, that we should not try here again. Then came a van with 4 other policemen in black uniforms. They put us in a van and drove us back to the border and told us to go back to BiH.”

“The single women from India, travelling with the family, stated that she fled Ukraine a few days before, where she allegedly studied. She had a student card from Ukraine. She stated that she fled Ukraine together with her brother at the very beginning when the first conflicts in Ukraine began. She left Ukraine for Romania and her brother went to Poland. Then she went to Serbia and from Serbia to BiH.”

“At the border between France and Italy, seven third country nationals (3 persons from Nepal, 1 from Nigeria, 2 from Algeria, 1 from India), with regulated stay in Ukraine prior to the military offensive, were

met in Oulx by the officers of Diaconia Valdese. They reported that they had been pushed-back by the French police at the Italian-French border. Six of them had in their possession Ukrainian temporary residence permit for students, apart from the person from India who had a permanent residence permit. Despite the rights violations faced, none of them decided to stay in Italy to apply for international protection. Rather, all of them opted to try and irregularly cross the border on the mountains to reach other EU countries where they had parents/friends...”

“The use of pushbacks, at the EU’s external and internal borders, is this systematic and widespread that it also affects third country nationals who are searching for protection in the EU after having fled the war in Ukraine. This practice, which clearly violates the EU *acquis*, is observed not when crossing from Ukraine to a neighbouring country, but when moving onwards or residing in a neighbouring country (in the example elaborated upon on Hungary).”

OSCE – Organization for Security and Cooperation in Europe, Report on violations of International Humanitarian and Human Rights Law, War Crimes and Crimes against Humanity committed in Ukraine since 24 February 2022 [ODIHR.GAL/26/22/Rev.1], 12 April 2022

“In Ukraine, the legal status of IDPs is regulated by the Law On Ensuring the Rights and Freedoms of Internally Displaced Persons, adopted on 20 October 2014.⁶²⁹ By virtue of its Article 4(1), “the fact of internal displacement shall be proved by the certificate of registration of internally displaced person”. The registration is regulated by the Resolution of the Cabinet of Ministers No. 509 on registration of internally displaced persons.⁶³⁰ This Regulation has recently been amended to expand the list of persons entitled to register as IDPs to those leaving their homes following the Russian attack and the declaration of the martial law on 24 February 2022.⁶³¹ The personal scope of the Law and the Regulation is no longer limited to citizens of Ukraine but encompasses stateless persons and foreigners permanently residing in the territory of Ukraine. The legislation prohibits discrimination in the exercise of rights and freedoms based on internal displacement. It confirms that IDPs have the same rights and freedoms as the rest of the population. It gives IDPs the right to free temporary residence, access to healthcare and a monthly targeted assistance (2-3,000 hryvnas). It also introduces benefits for those helping IDPs, typically entrepreneurs employing them.”

US DOS, Annual report on human rights in 2021, 2021 Country Report on Human Rights Practices: Ukraine, 12 April 2022

"Romani activists expressed concern that some Roma could not afford to flee conflict areas, while others had no choice but to leave their homes. [...] The crowd shouted anti-Roma slurs and threatened violence against the Romani community as collective punishment for the attack. The crowd also shot fireworks at a Romani family’s house, broke the entrance gate, and spray-painted “get out” on the fence around the house. Local police characterized the incident as a protest of civic activists. [...] According to Council of Europe experts, 60 percent of Roma were unemployed, 40 percent had no documents, and only 1 percent had a university degree. According to the Romani women’s foundation, Chirikli, local authorities erected a number of barriers to prevent issuing national identification documents to Roma. [...] Authorities hampered access to education for persons who lacked documents and segregated Romani children into special schools or lower-quality classrooms. Officials also expressed anti-Roma sentiments and encouraged discrimination. [...] Many Roma fled settlements in areas controlled by Russia-led forces and moved elsewhere in the country. According to Chirikli, approximately 10,000 Roma were among the most vulnerable members of the country’s IDP population. Many Romani IDPs lacked documents, and obtaining IDP assistance, medical care, and education was especially difficult [...]"

OHCHR, International Roma Day 8 April 2022, UN expert urges better protection of Roma minority during conflicts, 7 April 2022

"Roma who are fleeing a conflict and many of whom may be undocumented, should be granted equal protection and safety when seeking refuge inside and outside of the country, regardless of their legal status. Undocumented Roma fleeing a conflict, including children, face additional obstacles and risks crossing the borders. Human trafficking is one of them, as discrimination and racism may increase vulnerability to trafficking during conflicts. Moreover, those Roma who reach neighboring countries risk remaining invisible in the receiving countries, without decent assistance and access to protection. Therefore, States must ensure that all those fleeing a conflict are granted equal access to security and protection, without possible discrimination."

Institute on Statelessness and Inclusion, [Challenges Facing Stateless People Displaced by the War in Ukraine](#), 31 March 2022

"Following Russia's invasion, stateless people and those at risk of statelessness have encountered barriers in the country and at Ukraine's Western borders - depending on their documentation, residence status and personal background. There have been reports of discrimination and differential treatment both at border crossings and inside neighbouring countries, despite their public commitment to welcome everyone fleeing the conflict in Ukraine. Undocumented Roma, for instance, have been experiencing discrimination en route to safety both in Ukraine and bordering countries. As ENS points out, a key challenge that government officials and humanitarian actors must be aware of is that "most people affected by statelessness residing in Ukraine will not be able to prove their residence or nationality status due to the nature of statelessness".

The European Union's EU Temporary Protection Directive (TPD) grants protection in the EU to Ukrainian citizens, those with international protection before 24 February 2022 and stateless people - but only if they held permanent residence in Ukraine before 24 February 2022. Therefore, it does not include stateless people who do not hold (or cannot demonstrate) permanent residence status in Ukraine. ENS recommends that "*The EU should extend eligibility for temporary protection to all stateless persons and persons at risk of statelessness who are/were living in Ukraine, regardless of documentation or residence status. EU Member States should use their discretion under the TPD to extend Temporary Protection to all stateless persons and those at risk of statelessness regardless of prior residence status in Ukraine and/or ensure access to equivalent forms of protection under national law.*"

Hungarian Helsinki Committee, [War in Ukraine – Protection Situation in Hungary](#), 16 March 2022

"Consequently, the current Hungarian legislative framework leaves several groups who had to flee from Ukraine without any valid protection alternative. These include non-refugee stateless residents of Ukraine (including those under a formal statelessness determination procedure and those already received stateless status in Ukraine), undocumented persons and other third country nationals who did not have refugee status in Ukraine, but who cannot return to their country of origin for having fear of persecution or serious harm or for any other pressing legal or durable practical reason. This is at odds with Article 2 (2) of the Council Directive, which, using mandatory language, stipulates that Member States shall either apply EU law-based temporary protection or "adequate protection under their national law, in respect of stateless persons, and nationals of third countries other than Ukraine, who can prove that they were legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent residence permit issued in accordance with Ukrainian law, and who are unable to return in safe and durable conditions to their country or region of origin."

European Network on Statelessness, [Briefing: Stateless people and people at risk of statelessness forcibly displaced from Ukraine](#), 10 March 2022

"Roma and other minoritized groups may be at risk of statelessness due to discrimination and other factors. It is estimated that 10-20% of Romani people in Ukraine lack the civil documentation needed to acquire or confirm their Ukrainian citizenship."

IOM, Regional Ukraine Response Situation Report #3, 9 March 2022

"Additionally, a group of Ukrainian Roma reported incidents of discrimination when fleeing Kharkiv towards the Republic of Moldova. There are likely some 400,000 Roma people fleeing Ukraine, many of whom do not have travel documents."

UN OCHA – UN Office for the Coordination of Humanitarian Affairs, Ukraine - Humanitarian Response Plan 2022, 11 February 2022

"Problems in civil documentation persist for the population in NGCA, facing multiple challenges in identity, civil status and property documentation, impacting every aspect of life, limiting access to services and entitlements and freedom of movement. This includes 68,240 children (as of mid-2021) residing in NGCA, who do not possess a birth certificate of a recognized state and are hence under risk of statelessness."

European Network on Statelessness, New #RomaBelong research documents the effects of statelessness on Roma living in Ukraine and sets recommendation on how to tackle it, 28 September 2018

"Lack of documentation is a major risk factor for statelessness among Roma. In most cases, Roma have the right to Ukrainian nationality under the Law, but without documents, they often cannot evidence their right. Therefore, under the current national legal framework of Ukraine, a child born to undocumented parents would inherit the lack of documentation, and, as a result, (risk of) statelessness."

European Network on Statelessness, Institute on Statelessness and Inclusion, and European Roma Rights Centre, Roma Belong: Statelessness, Discrimination and Marginalisation of Roma in the Western Balkans and Ukraine, October 2017

"One of the key issues relating to the risk of statelessness among Roma populations highlighted by all interviewees (state, non-state, and Roma), is access to civil status and identity documentation. Many interviewees representing state authorities or international agencies were of the view that a lack of information and awareness within Romani communities about the importance of documentation was one of the key challenges. Furthermore, their responses often demonstrated stereotypical views of Roma, including that Roma were 'indifferent' to being documented, or 'avoided being in the system', or that their 'traditional lifestyle' made them responsible for their own lack of documentation. [...] In contrast to this official perspective, many Romani interviewees revealed both an awareness of the importance of documentation and a strong desire to address their lack of documentation. However, they also described a series of financial and bureaucratic challenges that they faced when trying to do so.

[...] In Ukraine, birth registration is also a challenge for undocumented Roma. In practice, undocumented parents cannot register the birth of a child until their citizenship is established, or until they are issued identity documents or they have documented proof of the legality of their stay in Ukraine. Additionally, to proceed with birth registration, a medical certificate confirming the child's birth, or in the case of a birth outside of a medical institution, a document issued by a commission specifically created for this purpose, is needed. In case no medical evidence can be provided, the parents must go before the court to confirm the birth."

Foreign nationals

Al Jazeera, 'Russia-Ukraine War: Not all refugees treated the same' 8 July 2022

“Al Jazeera speaks to Amnesty International Ukraine Director Oksana Pokalchuk on the Ukraine conflict, European refugee crisis, and the fate of prisoners of war. [...] Al Jazeera: What does the so-called European double standard tell us about how refugees are categorised by nationality, or even by ethnic origin? Pokalchuk: While Europe has shown its hospitality to Ukrainians, the response to this crisis has also revealed a “double standard” as you say. Just a couple of weeks ago 23 potential refugees died as they tried to reach Spain from Morocco. It is clear that not all refugees are treated the same. We saw examples of this also inside Ukraine, as our organisation documented a couple of cases where racialised, non-Ukrainian people felt they had been discriminated against by Ukrainian forces as they were trying to leave the country early on in the war [...] It is also important to note that we saw positive stories, where Ukrainians provided help and support to foreigners in Ukraine, mostly students, who didn’t speak the local language.”

Dutch Immigration and Naturalisation Service, Temporary Protection Directive Ukraine, 1 July 2022
[emphasis added]

“The Temporary Protection Directive entitles you to reception and health care. And education for minor children. As well as the possibility to work in the Netherlands.

[...] You will be covered by the directive in the Netherlands if one of the following situations applies to you. You have Ukrainian nationality, You do not have Ukrainian nationality, You lived in Ukraine as a family member of someone covered by the directive.”

European Union Agency for Asylum (EUAA) COI Portal, Ukraine / Requirements for obtaining Ukrainian citizenship, Ukrainian nationality law, 29 June 2022

- TRANSLATION [by Asylus Volunteer]: “[...] practice has shown that even a small connection between the applicant or a relative of the applicant and Ukraine ensures a significantly high chance of success in applying for Ukrainian citizenship.”
ORIGINAL: “Sivuston mukaan käytäntö on osoittanut, että pienikin yhteys hakijan tai hakijan sukulaisen ja Ukrainan välillä takaa huomattavan korkeat onnistumismahdollisuudet Ukrainan kansalaisuuden hakemisessa. ”
- TRANSLATION [by Asylus Volunteer]: “The website notes that in practice there are certain loopholes that allow for two citizenships at the same time [...] practice has shown that although the diplomatic mission of the applicant's current country of citizenship may issue a certificate of renunciation, there is nothing to prevent the applicant from reverting to his/her original citizenship while retaining Ukrainian citizenship.”
ORIGINAL: “Sivustolla todetaan, että käytännössä on olemassa tiettyjä porsaanreikiä, jotka mahdollistavat kahden kansalaisuuden samanaikaisesti. Esimerkiksi käytäntö on osoittanut, että vaikka hakijan senhetkisen kansalaisuusvaltion ulkomaanedustusto voi antaa todistuksen kansalaisuudesta luopumisesta, mikään ei estä hakijaa palauttamasta alkuperäistä kansalaisuuttaan ja säilyttämästä samalla Ukrainan kansalaisuutta.”
- TRANSLATION [by Asylus Volunteer]: “ [...] a Ukrainian MP has stated that an estimated four million Ukrainian citizens also have foreign citizenship. The article ... states that "there is currently no mechanism in Ukraine to determine whether a person has foreign citizenship.”
ORIGINAL: “Valtiollisen uutistoimisto Ukrinformin (ukr. Укрінформ) 4.12.2021 julkaisemassa uutisessa kerrotaan, että eräs ukrainalainen kansanedustaja on todennut arviolta noin neljällä miljoonalla Ukrainan kansalaisella olevan myös ulkomaan kansalaisuus. Ukrainalaisen

Euromaidan Press - verkkolehden artikkelissa todetaan, että Ukrainassa ei ole tällä hetkellä olemassa mekanismeja sen selvittämiseksi, onko henkilöllä ulkomaan kansalaisuutta.”

- TRANSLATION [by Asylos Volunteer]: “According to the Ukrainian Immigration Bureau website, a child born to a foreign citizen and entitled to Ukrainian citizenship from the moment of birth under the Citizenship Law must apply for citizenship separately through a confirmation procedure, which usually takes 4-6 months.”
ORIGINAL: “Ukrainian Immigration Bureau -sivustolla todetaan, että ulkomaan kansalaisille syntyneen ja kansalaisuuslain mukaisesti syntymähetkestä alkaen Ukrainan kansalaisuuteen oikeutetun lapsen tulee hakea kansalaisuutta erikseen vahvistusmenettelyssä, joka kestää yleensä 4–6 kuukautta.”
- TRANSLATION [by Asylos Volunteer]: “the US State Department's Human Rights Report on Ukraine states that birth in the country or to Ukrainian citizens is tantamount to acquiring citizenship. A child born to a stateless person permanently resident in the country is also a Ukrainian citizen.”
ORIGINAL: “Esimerkiksi Yhdysvaltain ulkoministeriön Ukrainaa käsittelevässä ihmisoikeusraportissa todetaan, että maassa tai Ukrainan kansalaisille syntyminen tarkoittaa kansalaisuuden saamista. Myös pysyvästi maassa asuville kansalaisuudettomille henkilöille syntynyt lapsi on Ukrainan kansalainen.”

Association for Legal Intervention, [We present our comments to the European Commission Against Racism and Intolerance](#), 22 June 2022

"However, not all refugees from Ukraine can benefit from the same support as Ukrainian citizens. Foreigners who have lived in Ukraine, but do not have Ukrainian citizenship, may benefit from temporary protection in Poland, but on different – in principle worse – rules than citizens of Ukraine. The above-mentioned different treatment of foreigners fleeing Ukraine depending on their country of origin and the humanitarian crisis on the Polish-Belarusian border, lasting since August 2021, clearly shows the discriminatory approach of the Polish authorities: foreigners from neighbouring countries are encouraged to migrate to Poland and supported upon arrival, during when foreigners from further geographically, culturally and religiously countries are treated worse or not admitted to Poland at all, despite clear international obligations in this regard."

UNHCR – UN High Commissioner for Refugees, [UNHCR Position on Returns to Ukraine](#), March 2022

“Refugees and Asylum-Seekers (Other Nationalities)

[...] People of nationalities other than Ukrainian may also choose, or be compelled, to leave Ukraine as a result of developments related to the conflict, and should be allowed to do so. Some of these persons may have been recognized as refugees, granted complementary protection or registered as asylum-seekers in Ukraine. Afghan and Syrian nationals are among the largest groups of asylum-seekers and refugees in Ukraine, along with nationals of the Russian Federation and other countries. Ukraine has been and remains a country hosting refugees and people otherwise in need of international protection. If travelling onwards in search of safety, these persons should be referred to national asylum procedures for consideration of their applications for international protection. In addition, there may be foreign-nationals or stateless persons who resided in Ukraine and who had not (yet) applied for international protection in Ukraine before they were compelled to leave the country due to the current circumstances. UNHCR recommends that these persons be referred to the national asylum procedure in the country

where they seek international protection. [...] As the situation in Ukraine is volatile and may remain uncertain for some time to come, UNHCR calls on States to suspend the forcible return of nationals and former habitual residents of Ukraine, including those who have had their asylum claims rejected. The bar on forcible return serves as a minimum standard and needs to remain in place until such time as the security situation in Ukraine has significantly improved to permit a safe and dignified return of those determined not to be in need of international protection.”

Al Jazeera, [Hundreds of students trapped in Ukraine's Sumy amid shelling](#), 5 March 2022

“Sumy lies about 48km (30 miles) from the border with Russia – it was one of the first cities to be attacked by Russian forces after President Vladimir Putin ordered the invasion of Ukraine on February 24. So far, fighting has mostly taken place on the outskirts of the city, but there are fears that Russian troops may soon advance into the centre. “We are really demoralised, everybody wants to go home,” Precious Ogunbayo, a 21-year-old medical student from Nigeria, told Al Jazeera. “We keep asking for help, but it’s not coming at all,” she added. [...] “We are scared and mentally exhausted,” she said, adding that there are about 700 Indian students stranded in the city. So far students have been relying on the hostel’s supplies of food, as well as the university’s stocks, but water has been cut in the city for three days, forcing them to melt snow to drink and to cook with. [...] About 400 Nigerian students are currently in Sumy, the second largest group of foreign students after Indians. Other students include citizens of Ghana, Rwanda, Turkmenistan, Jordan and Palestine. Like many others, Ogunbayo tried to flee the city but taxi or bus drivers charged up to \$400 per person when they were still circulating. “You would have to be lucky to find a driver that knows the way and is willing to risk his life,” Ogunbayo said, adding that some who tried to escape with their own cars were shot at and returned to Sumy. [...] Tatyana Mayboroda, who used to work at Sumy’s State University and is now an international students’ coordinator helping the evacuating effort, said that without a ceasefire any movement is impossible. [...] More than 10,000 Indian students have been evacuated from Ukraine over the past week, including from the besieged city of Kharkiv, the Indian embassy in Kyiv said in a statement on Saturday – but none from Sumy. The embassy assured, though, that it “will leave no stone unturned in our efforts to ensure safe evacuation of Indian students” in the northeastern city. “I urge you for some more patience and forbearance so that we can ensure your safety and security,” it added.”

Al Jazeera, [‘There’s Poland, now walk’: Arab students’ ordeal out of Ukraine](#), 5 March 2022

“Moroccan students recount their experience of discrimination at the hands of Ukrainian soldiers and citizens as they fled the Russian war.”

Al Jazeera, [‘Horrifying’: Yemeni students flee war in Ukraine](#), 3 March 2022

“Yemeni students caught up in Russia’s invasion face arduous journeys and racial profiling as they try to escape Ukraine.”

Al Jazeera, [Non-Ukrainian refugees recount their long journey to Poland](#), 2 March 2022

“They prioritise Ukrainians’ Next to Navid sat a young couple. Heda, 22, from Morocco holds a small Pekinese dog called Linda on her lap. Adnan, 23, is a British national of Afghan descent. The couple – just like thousands of other refugees in the station – were foreign students in Ukraine. [...] ‘Worthy and unworthy’ refugees Chinoso from Nigeria stands in front of the train station waiting for a car. The 36-year-old studied business and resource management in Kyiv and worked in a tour agency. It took him 27 hours to get to Lviv. “People were frightened, they left behind all they had, buildings were destroyed. I could hear the sirens, people were asked to go to bunkers or to the metro. There are still many families in the bunkers,” he told Al Jazeera. He planned to stay in Poland in the hope that the situation in Kyiv goes back to normal soon. Kyiv is his city, he said, and he would not like to live anywhere else. He also said he did

not experience any discrimination at the border. “The guards are just trying to control the crowd, but it’s not racism. I haven’t experienced any racism. Not at all,” he said. While most refugees of colour Al Jazeera interviewed did not report any racist episodes, others present a completely different side of the story. [...] Rubi, a 35-year-old international student from India, returned for offline classes to Kyiv only last month. She left all her belongings in her new apartment and escaped the city with 25 Indian and Bangladeshi friends. According to her, they have not received any help. “Everything is free for Ukrainians only. But we are also part of Ukraine,” she said. “One person at the border told us that we cannot cross. Imagine, we walked 30km (18 miles) and the man is saying something like this. We could not get any transportation, we don’t have any accommodation, no one is there to help us.” Anna Alboth from Minority Rights Group confirmed that racial discrimination, while not systemic, is a fact. [...] “Discrimination mostly takes place on the Ukrainian side of the border. But there are people in Poland offering free transportation who refuse it once approached by a non-Ukrainian refugee. We receive messages from Nigerian and Indian students who could not handle the fact that they are treated differently and returned to Lviv,” she said.”

Al Jazeera, [People of colour struggle to escape Russian invasion of Ukraine](#), 2 March 2022

“Záhony, Ukraine-Hungary border – After six years in Ukraine, Ayoub, a 25-year-old Moroccan pharmacy student, had built a life he was proud of in Kharkiv, a city in the country’s northeast. He learned the Russian language, which is widely spoken in the city of 1.4 million, studied Ukrainian culture, and made friends from around the world. He was due to graduate in three months, but Russia’s invasion of Ukraine has forced him to flee the country, and exposed him to a level of racism he had not previously experienced. Initially, he had planned to wait out the invasion in Kharkiv, hoping the Russian assault would stop. But when that possibility appeared increasingly unlikely, he joined classmates to make a long trek across the country to the Polish border. [...] In Lviv, a city 80 kilometres (50 miles) from the Polish frontier, it became clear to Ayoub that he, along with other non-white international students, would be stopped by Ukrainian guards from leaving the country. “They wanted Ukrainians to go first, so it was white people who got priority. Taxi drivers were also charging us crazy money, but I thought there will always be opportunists, even in war. It wasn’t until I reached one of the ‘checkpoints’ on the approach to the Polish border that I was actually pushed back and told to wait,” he told Al Jazeera. Instead of waiting, he decided to try crossing into Hungary, where he arrived on Wednesday. “When I spoke to the guards in Russian, they told me I should be speaking Ukrainian and questioned whose side I was on. That was really upsetting because I had worked so hard to learn Russian, not just speak it, but read and write it as well.” [...] Universities across Ukraine have attracted international students due to the high-quality education on offer for relatively low fees, ranging between \$4,000 and \$5,000 a year. Students from countries such as India, Nigeria, and Morocco have helped to make Kharkiv a vibrant university city and their fees have contributed to the local economy. Many have stayed in Ukraine after graduating and taken jobs in the country’s hospitals and businesses. But some international students said their schools did not offer them assistance to leave the country as Russian forces launched the invasion. In an email seen by Al Jazeera, dated February 24, the day of the invasion, students at one university received an email notifying them that classes would move online. Two days later, students at the same institution received an email announcing a “vacation” from February 28 to March 12. “No one helped us to leave or coordinated anything, we were just left on our own,” said Deborah, a 19-year-old student from northern Nigeria. She asked Al Jazeera not to use her real name. [...] “My friends went to the Polish border and were treated awfully by the Ukrainian guards. It wasn’t just Black people like me; it was anyone who wasn’t white,” she

added. [...] In a statement issued on Wednesday, the Ukrainian Ministry of Foreign Affairs refuted allegations of discrimination by border guards and said it operated on a “first come, first served approach” that “applies to all nationalities” with priority given to women, children, and elderly people in accordance with international humanitarian law. Ayoub is annoyed that his teachers still expect him back in class on March 12. “I understand they want to keep morale high, but I am afraid they will charge us, or stop our studies if we don’t go back. I don’t understand why they cannot just suspend everything until further notice.” The experience has been so emotionally draining, Ayoub doesn’t think he will ever feel the same way about Ukraine again. It is a sentiment shared by Deborah and her sister Aliyah, 19, who also studies in Ukraine. “This country has given me so much. The people of Ukraine don’t deserve this war and like everyone, I cannot understand why this has happened. Seeing pictures of these beautiful cities being shelled is awful. But I’ve seen a side that I cannot forget,” Aliyah added. In recent days, word has spread among the international students fleeing Ukraine that they will likely have an easier time crossing into Hungary than Poland due to the smaller numbers of people waiting to get in. Of the refugees Al Jazeera spoke to, none reported problems boarding a train to the small Hungarian village of Záhony.”

Al Jazeera, [More African students decry racism at Ukrainian borders](#), 2 March 2022

“Barlaney Mufaro Gurure, a space engineering student from Zimbabwe, had finally reached the front of a nine-hour queue at Ukraine’s western border crossing of Krakovets after an exhausting four-day trip. It was her turn to cross. But the border guard pushed her and four other African students she was travelling with aside, giving priority to Ukrainians. It took hours, and relentless demands, before they were also allowed to go through border control. [...] “When we left [Kyiv] we were just trying to survive,” she said. “We never thought that they would have treated us like that [...] I thought we were all equal, that we were trying to stand together,” Gurure added. Her story is not isolated as scores of Africans have reported episodes of abuse and discrimination while trying to cross into Ukraine’s neighbours.”

Al Jazeera, [AU ‘disturbed’ by reports Africans stopped from escaping Ukraine](#), 1 March 2022

“The African Union (AU) says it is “disturbed” by reports that African nationals in Ukraine are being prevented from safely crossing the border to flee the raging conflict in the country. In a statement late Monday, the pan-African body said: “[A]ll people have the right to cross international borders during conflict, and as such, should enjoy the same rights to cross to safety from the conflict in Ukraine, notwithstanding their nationality or racial identity.” [...] African nationals, mostly students, have accused Ukrainian security forces of stopping them from boarding trains headed to the border regions. Videos shared on social media also show Ukrainian border forces pushing African nationals as they attempt to leave Ukraine. “Reports that Africans are singled out for unacceptable dissimilar treatment would be shockingly racist and in breach international law,” the AU statement continued. Al Jazeera spoke to several African and Asian nationals who said they were turned away by Ukrainian authorities at the border to Poland. [...] “We were the last people to get on anything, it was always like that.” Madi Kemel Dinga, a Congolese student, told Al Jazeera at a reception centre in Korczowa, eastern Poland.”

Al Jazeera, [Nigeria urges respect towards Africans at Ukrainian border](#), 28 February 2022

“There have been unfortunate reports of Ukrainian police and security personnel refusing to allow Nigerians to board buses and trains heading towards the Ukraine-Poland border,” read a statement

published on Thursday by Nigeria's presidency. [...] The presidency also cited a video that has been widely shared on social media showing a Nigerian woman with her young baby being forcibly made to give up her seat to another person. "One group of Nigerian students having been repeatedly refused entry into Poland have concluded they have no choice but to travel again across Ukraine and attempt to exit the country via the border with Hungary," read the statement."

Al Jazeera, [The Nigerian students caught in the Russia-Ukraine war](#), 27 February 2022

Students scramble to leave Ukraine as the conflict intensifies, reaching new cities. [...] The third-year medical student from Nigeria is coming to terms with the effects of Russia's invasion of Ukraine that started last week. [...] There are no official figures on the number of African students currently studying in Ukraine but Lawal said "there are hundreds of us in our city". "At my university, there are about 100 Nigerian students. I'm sheltering with some of them," Lawal added. [...] Some students have managed to cross the border into Poland. "I live in Kyiv. I have been living here since March last year," Somto Orah, a student at State University of Telecommunications in Kyiv, told Al Jazeera. "We have received no support from any government authorities. The school only gave us bomb shelter to hide when the air raid siren is on. The sirens came on and off for about five times yesterday before I left," Orah, a Nigerian national, added. "There is little food. I couldn't access cash for two days now. Every ATM on the road has no cash."

ADC Memorial, [Migrant children in Ukraine not be placed in reception centers of the Ministry of Interior](#), 29 November 2021

"Anti-Discrimination Centre "Memorial" advocates cancellation of the practice of placing migrant children into children's reception centers of the Ministry of Internal Affairs within the framework of the #Crossborderchildhood campaign and the project "Promotion of modern international standards of children's rights: deinstitutionalization and humanization of closed institutions in Belarus, Moldova and Ukraine". Until now this practice, which is regulated by the Chisinau agreement of the CIS countries, continues to exist in a number of countries, and migrant children are being placed in reception centres of the Ministry of Interior both before being sent to their home countries, and often also upon returning there, where they are forced to wait behind bars until decisions are made concerning their fate (i.e., whether they will return to their families or be placed into boarding schools). The Chisinau agreement ought to be replaced with new, more humane legal norms for the repatriation of children, without the involvement of the Ministries of Interior, without the use of children's reception centres, where children are placed (imprisoned) as punishment for legal offenses. Migrant children do not violate the criminal codes, they have not come into conflict with the laws, and thus placing them into places of detention is a violation of the rights of minors. This situation was covered in a news report by Ukrainian Magnolia-TV, which was based on the situation in Ukrainian institutions for children. Ukraine withdrew from the Chisinau agreement, and in recent years the country strived not to place migrant children into children's reception centres, but the problem has not yet been fully resolved. New international agreements are needed to return children who find themselves abroad without parents to their home countries, and more humane standards and norms are required concerning the terms of temporary placement of such children in the country of their temporary stay. These children are to be accompanied and supervised by the social services, not the police."

ADC Memorial, [Roma and War in Eastern Ukraine – refugees, displaced persons, victims of violence](#), 7 April 2015

“Millions of people have suffered over the past year of combat operations in Donetsk and Luhansk oblasts in Ukraine. During this undeclared war thousands of military personnel and civilians have lost their lives, tens of thousands of people have been wounded, and hundreds of thousands of refugees have fled the conflict zone. Several million people remain in the conflict zone, where they are forced to endure the cold; hunger; lack of a steady income, medical care, and essential items; and various forms of violence (shelling, raids, and the unlawful actions of unrecognized local authorities). [...] Many refugees return home, but life in Luhansk and Donetsk oblasts is still fraught with danger and violence and is unsettled and difficult in material terms. Additionally, Roma from Eastern Ukraine suffer from biased treatment and the perpetual suspicion of treachery. For example, those who have returned to Sloviansk are accused of being pro-Russian, while those who oppose the Ukrainian government suspect them of supporting anti-Russian forces. It is difficult even for the Roma to understand who is persecuting them and for what reason.”

Ethnic minorities

ADC Memorial, [Alternative report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination by Ukraine](#), 11 July 2016

“The report prepared by Anti-Discrimination Centre “Memorial” and Kharkiv Human Rights Protection Group Anti-Discrimination Centre “Memorial” and Kharkiv Human Rights Protection Group have been closely monitoring the violation of the rights of vulnerable ethnic minorities in the situation of armed conflict in the Eastern Ukraine (Donbass) that has affected the life of all the inhabitants of the region. In 2014-2016 field-missions were organized in order to collect evidence of Human Rights violations. The main focus of the research were the violations of Roma rights, therefore a big part of this report is dedicated to this particular problem – Roma rights violations in the conflict-affected area. However, this does not mean that our organizations have not come across facts of other minorities’ rights violations, for example, Meskhetian Turks were victims of the political unrest and discrimination by the self-proclaimed republics (so-called DNR and LNR), in result most of Mekhetian Turks left the country. Declaring themselves “anti-fascist”, the leaders of these “republics” in fact were promoting xenophobic, anti-Semitic, anti-Roma and anti-Ukrainian ideology. In the annexed by Russia Crimea is also present strong anti-Ukrainian, anti-Western, disseminative to Crimean Tatar rhetoric and practice. Only some aspects of these problems were included in this report, as only the well-proven facts based on the research carried out by our experts were collected. Some general problems of the situation with the hate crime and hate speech illustrate the problem of the influence of the extreme-right discourses on the modern Ukrainian politics.”

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