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## **REPORT ON THE RESULTS OF MONITORING VISIT**

### **of the Ukrainian Helsinki Human Right Union / Centre for Civil Liberties to the places of relocation of people who left the ATO zone (City of Odesa and Odesa Region)**

#### **SCOPE OF WORK WITHIN THE MONITORING VISIT:**

Purpose of a visit: assessment of the situation in the field of children's rights, gathering of facts about the crimes committed against children who were in the ATO zone and displaced to the safer regions (involvement in hostilities, abuse, forcing them to work, etc.).

Membership of the group: volunteers of the Ukrainian Helsinki Human Rights Union, the Centre for Civil Liberties, staff of the Secretariat of the Commissioner for Human Rights of the Verkhovna Rada of Ukraine.

Location: sanatorium-type health institutions "Kuialnyk" named after Pyrohov (City of Odesa), "Plai", "Sperantsa" (Village of Serhiivka, District of Bilhorod-Dnistrovskyyi), Bilhorod-Dnistrovskyyi specialized children (special) sanatorium "Lustdorf", City of Odesa), the orphanage for children of preschool and school age (City of Bilhorod-Dnistrovskyyi), Karolino-Buhaz comprehensive sanatorium-type boarding school of I-II levels (Village of Karolino-Buhaz, District of Ovidiopil).

Dates of a visit: February 5-9, 2015.

#### Aspects subject to evaluation:

*in the field of observance of children's rights by the law enforcement bodies / army / volunteer battalions / illegal armed groups*

- under what circumstances, when and from where these children came to Odesa;
- the number of child victims of the armed conflict (separately the children who are supported by the state (orphans, children deprived of parental care, children with disabilities, etc.);
- the nature and circumstances of the injuries;
- the facts of holding children hostage;
- evidence of child abuse;
- the facts of forcing children to participate in armed conflict (information gathering and reconnaissance, gathering of ammunition, servicing of military vehicles and weapons, provision of public services to combatants – cooking, cleaning, etc.);
- evidence of sexual abuse by the law enforcement bodies / army / volunteer battalions / illegal armed groups;

- maintaining of the work of educational, health care, and social security authorities (personnel, medical, logistical support and funding);
- measures taken by the executive authorities to create appropriate living conditions for families with children and vulnerable children among displaced residents, providing them with social and psychological support and assistance;
- measures taken to protect the rights and interests of children living in the residential care facility (funding of such institutions, availability of personal files of children, protection of proprietary rights of children, realization of the right to education, health care, family education, communication with relatives, etc.).

#### VISIT DESCRIPTION:

At the time of the visit (06.02.2015) the **sanatorium-type health institution “Kuialnyk” named after Pyrohov** housed 70 people with disabilities and 51 children (including 17 children with disabilities).

The families live in separate rooms, living conditions are satisfactory, but some rooms need refurbishment and improvement of furnishing.







With the support of the school administration the toilets and shower rooms in the rooms where wheelchair invalids live were equipped with ramps.





The internally displaced persons do not pay for food and accommodation. But some people complained that the food is monotonous, and they are not provided with dietetic nutrition.

Children are exercising their right to education. For this purpose the administration organized transportation of children to secondary schools. However, the parents of children with disabilities have to take them to special schools on their own transport and to leave them until weekends as transport for these children is not provided.

There is a playroom for pre-schoolers where the parents can leave, if needed, their children with a teacher for a short time (about 4 hours).

The parents have stated that they are forced to buy medicines for children (e.g. insulin, Cortexin, Kudesan, Piromax etc.), which they received for free on prescription at their previous place of residence. In addition, rehabilitation services are scarcely provided for the children.

Moreover, internally displaced persons highlighted the lack of psychological support and assistance. According to the displaced residents, neither family is supported by the centre of social support services for families, children and youth.

The internally displaced persons receive all benefits provided by law. However some people (mostly those who are the clients of Oschadbank (the Savings Bank) reported that in January they did not receive targeted financial assistance provided to the IDPs.

The biggest concern of the displaced persons living in a sanatorium-type health institution "Kualnyk" is associated with the issue of uncertainty of their further stay there, as families have been already warned that they can stay in the resort just until the 1<sup>st</sup> of March.

According to the administration of the sanatorium current debt for utilities and food products makes about 8.0 million UAH.

#### *Other needs*

1. Special orthopaedic shoes for children with disabilities.
2. Diapers.
3. Obtainment of a Certificate of non-support allowing obtaining temporary social assistance (an order of procedure is in the Administration of the State Enforcement Service of the City of Khartsyzk).

#### **The Sanatorium "Plai" (a nine-storey capital building).**



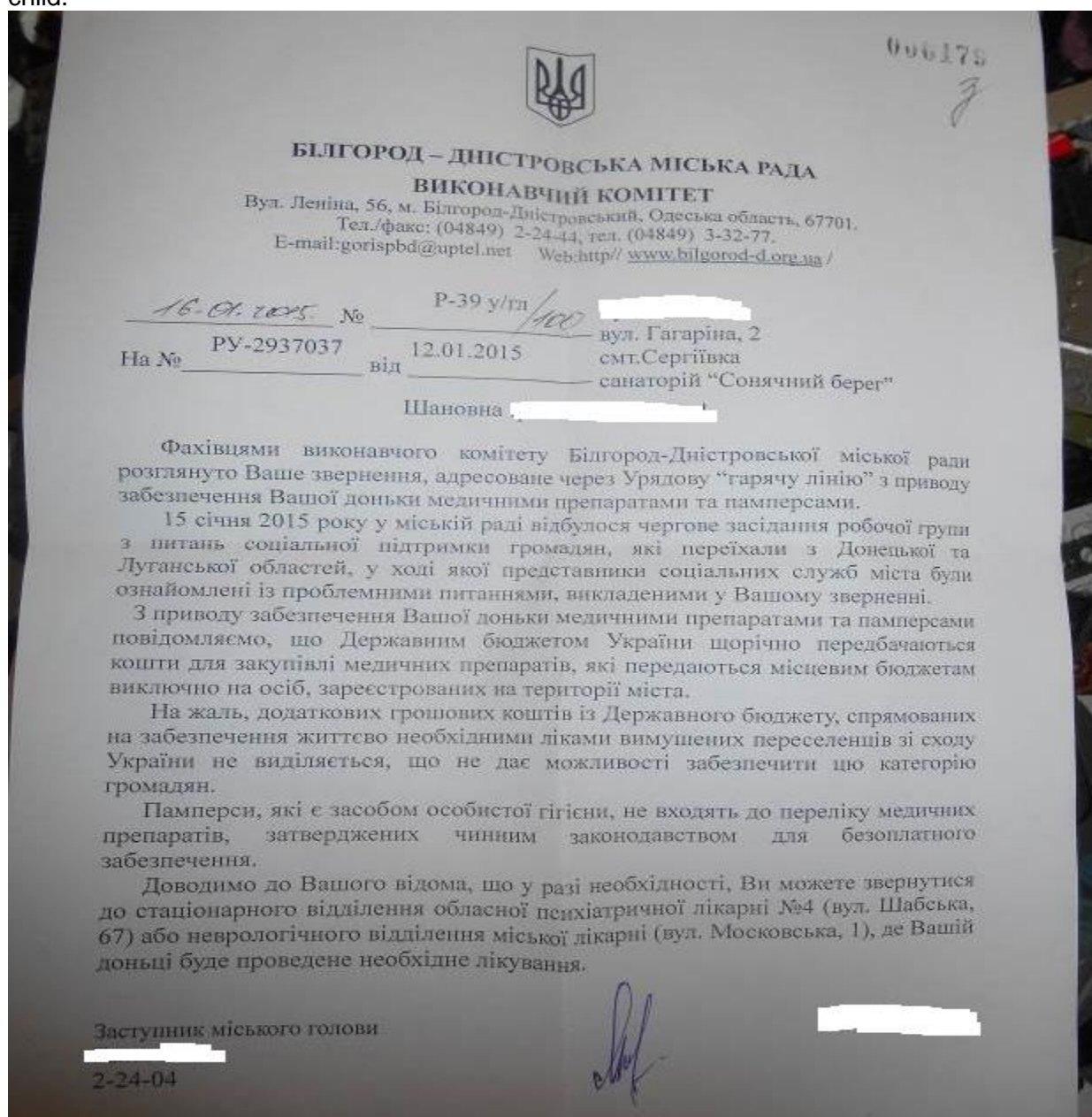
**The total number of temporarily displaced persons:** 257 persons and two babies. Of them: 71 people with disabilities, about 70-80 children, including about 10-15 children with disabilities.

The monitors have not recorded any facts of holding children hostage, child abuse, forcing children to participate in armed conflict, sexual violence, etc.

However, it was found that the measures taken by the executive authorities to create appropriate conditions for displaced families with children, providing them with social and psychological support and assistance are insufficient.

In particular the monitors collected the following information:

- None of the families is under the supervision of the social services. According to information provided by the IDPs, only the representatives of the State Employment Service have visited them in the sanatorium. Also, some individuals with special needs do not receive enough attention (those who need psychological help, disabled children, disabled adults and elderly people). Thus, Mr. V., born in 1939, suffering from cancer, was denied a place in the public geriatric home (nursing home).
- All the families who were registered at the local polyclinic as requiring special medication, do not get them for free, while in their home towns they had an opportunity to receive all the necessary medicines for free. Thus, Ms. R., whose daughter Anastasiia has ICP, has applied to Bilhorod-Dnistrovskyi City Council and was refused to obtain medicines for her child.





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**БІЛГОРОД – ДНІСТРОВСЬКА МІСЬКА РАДА**  
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18.11.2014 № В-347 у/гл / 1936 [redacted]  
На № ВО-2692914 від 10.11.2014 пров. Шаболатський, 1  
ДОЗ "Сперанца"  
смт. Сергіївка

Шановна [redacted]

Фахівцями виконавчого комітету Білгород-Дністровської міської ради розглянуто Ваше звернення, адресоване через Урядову "гарячу лінію" з приводу надання ліків для Вашої дитини. За результатами розгляду повідомляємо наступне.

13 листопада 2014 року у міській раді відбулося чергове засідання робочої групи з питань соціальної підтримки громадян, які переїхали з Донецької та Луганської областей, у ході якої представники соціальних служб міста були ознайомлені із проблемними питаннями, викладеними у Вашому зверненні.

З приводу надання ліків повідомляємо, що за рахунок міського бюджету ліки надаються виключно дітям, зареєстрованим на території міста Білгород-Дністровський.

Для вирішення питання рекомендуємо Вам звернутися до волонтерів, які надають допомогу переселенцям у смт. Сергіївка.

На Ваше прохання відповідь на звернення надана у телефонному режимі.

Заступник міського голови

[redacted]  
2-24-04

- No favourable conditions for rehabilitation, health improvement or treatment of persons with disabilities were created;
- No appropriate conditions for the realization of the right to education were created. In particular, the biggest problem was associated with the childcare institutions: according to several IDPs, they were refused to enrol their child to a kindergarten, because there were no places in the groups. Moreover, the children suffer from the lack of communication with the outside world. For example, Anastasiia, 12-years-old girl with ICP (a daughter of the said Ms. R.) came to the members of the monitoring group, presented herself, welcomed monitors (took them by the hand), expressed willingness to talk or play;



- As of 07.02.2015 a part of the IDPs (especially those who are clients of “Prominvestbank”) has not received funds for January (so-called “IDP’s money”). However, according to the information provided by the IDPs, all the other social payments have been received by them.

*We should recall the history of the family of Olha P. This family was in constant contact with the Ombudsman Office, Olha repeatedly called to the Office to report their difficult life circumstances. According to her, her son Vladyslav was wounded to the leg (already when they were in the East), he did not have documents, the family was not able to rent a some dwelling. Later it became known that family of P. settled in the sanatorium “Plai” so the members of the mobile group expressed a desire to meet this family. However, at the time of the visit family of P. have already left the sanatorium. A senior member of the group of IDPs, Mrs.K., said that the district police officer phoned to “Plai” and asked about family of P. He found that a girl Emma, 17-year-old, who is considered missing in Odesa (the case was initiated on her disappearance), lived with this family in “Plai”. Olha and Vladyslav informed the Administration of the sanatorium that Emma was Olha’s daughter, but the administration had not chance to check whether it was truth due to lack of documents. According to Mrs. K. the policemen “came and took” family P. and Emma on February 1, 2015 and since then they did not hear anything about them. The administration took inventory of their items, and another family of IDP’s moved in the room. Also Olha P. and her family were repeatedly violating the rules of living in the sanatorium (they drank alcohol and smoked in the room).*

*Other needs:*

1. Washing machines.
2. Shoes, including special orthopaedic shoes for adults and children with disabilities.
3. Diapers

In addition, according to the management of the sanatorium the debt of the sanatorium to the utility entities and food products suppliers makes about 4.6 million UAH.

### **The Sanatorium “Sperantsa” (three-story capital building).**

**The total number of temporarily displaced persons:** 180 people, including about 100 disabled persons and 70 children.

When we arrived to the sanatorium (on Saturday, about 14.00p.m.), no one met us, the administration was absent. We noticed broken arm-chairs in the resort premises.







According to the residents, the meals at the sanatorium are quite normal, but in EVERY room we noticed multicookings, pans, electric stoves, which means that people are preparing food by themselves.





The rooms are for 4 people each; often the members of different families live in one room. In one room we saw an old man living together with three women. They responded that they agreed to live under such conditions.

One shared toilet is situated at the floor; there are no showers there, only pans to wash feet.





The people who moved to “Kuialnyk” gave extremely bad feedback about this sanatorium.

The monitors have not recorded any facts of holding children hostage, child abuse, forcing children to participate in armed conflict, sexual violence, etc.

One of the IDPs, Ms. Liudmyla T., a disabled person of group II, reported on the facts of threatening her by illegal armed groups (the members of “DNR”). Woman threatened with death by telephone after she desperately called them to report that her house was shelled and she needed help to get out of there.

However, it was found that the measures taken by the executive authorities to create appropriate conditions for displaced families with children, providing them with social and psychological support and assistance are insufficient. In particular the monitors collected the following information:

- There is an acute problem with rehabilitation of disabled persons, especially children with disabilities. Thus, Ms. S. has a 8-years-old daughter with ICP. The child needs walkers adjusted for her height and orthopaedic shoes. Also the services of a rehabilitation centre are required;
- Some disabled people do not have wheelchairs and consequently that cannot move independently. In particular, the above mentioned Ms. Liudmyla T. is among them. Moreover, a bed-bound disabled Mr. Sh., born in 1939, the Russian citizen, lived in the sanatorium; the man does not have relatives, he came from the Eastern regions without clothing.
- Valeriy L., an IDP from the city of Horlivka, the region of Donetsk does not have family and could work, but he needs to care about his a sick mother, no special care is provided in the sanatorium for her.
- The situation with provision of educational services for children is better here than in “Plai”. It was found that twice a week the teachers from the local school of Serhiivka village come for 2 hours to the children whose parents have expressed such a desire.

In addition, according to the makes about 9.0 million UAH.

*Other needs:* Diapers (children and adult) and Medicines.



As of the time of the visit (07.02.2015) **Bilhorod-Dnistrovskiy orphanage for children of preschool and school age** housed 102 orphans and children deprived of parental care, including 49 children from the Region of Luhansk (Illiria orphanage “Nadiia Ditiia” (Hope for Children), Luhansk Orphanage No. 1, Severodonetsk boarding school, and Krasnodon orphanage).

Children from the Region of Luhansk were enrolled at the Bilhorod-Dnistrovskiy orphanage for children of preschool and school age.

The proper conditions for living have been created in the institution. Living rooms are divided into blocks: children are living in separate rooms for 4-8 people; there are double-decker beds, bedside tables, a wardrobe, a bookcase, a table and chairs in the room where children can do homework. There is sufficient lighting in the rooms, temperature is comfortable.





There are a plasma TV, a sofa, a large dining table and chairs in the group room.



There is an equipped kitchen in a separate room in the block where children have free access to drinking water and can prepare some drinks for themselves (tea, cocoa).





Separate shower rooms (two showers) and two separate toilets for boys and girls were arranged in the institution. Children have free access to water treatments.



According to children they always have hot water. However at the time of our visit to the institution neither cold nor hot water was supplied. As the Director explained us, it was due to the accident at the heating system.

A 4-course meal is organized in the institution. Children confirmed the adequacy of meals and the opportunity to receive additional portion if necessary.

The right of children to education is realized here. Children attend a secondary school, located near the boarding school and some children study in lyceum.

During the conversation almost all children raised the issue of lack of documents (personal files). This situation leads to violation of child's right to family education - adoption, placement in a family, appointment of a guardian, a custodian, adoption to a foster family, admission to a family-type orphanage, as well as the right to protection of housing and property rights of children (obtainment of the survivors pension, child support, etc.).

However, children have original birth certificates. Due to the fact that three children had only the copies of their birth certificates, school administration applied to the Bilhorod-Dnistrovskiy City Department of Justice to issue duplicate birth certificates. Also, a passport was issued to one of the pupils who has reached 16 years.

In a conversation children mentioned that they were able to freely communicate with their family members, other relatives and friends by mobile phone, in social networks, Skype.

In a conversation some children expressed a will to return to a boarding school at the previous place of residence (Luhansk orphanage No. 1).

The conditions for entertainment are organized in the institution; pupils have an opportunity to choose the kind of activity at their wish (a music club, a dance club, a cooking club "Kuhovarochka" etc.).



There is a Guardianship Board established at the institution consisting of volunteers and entrepreneurs who provide material and financial assistance for the needs of the institution.

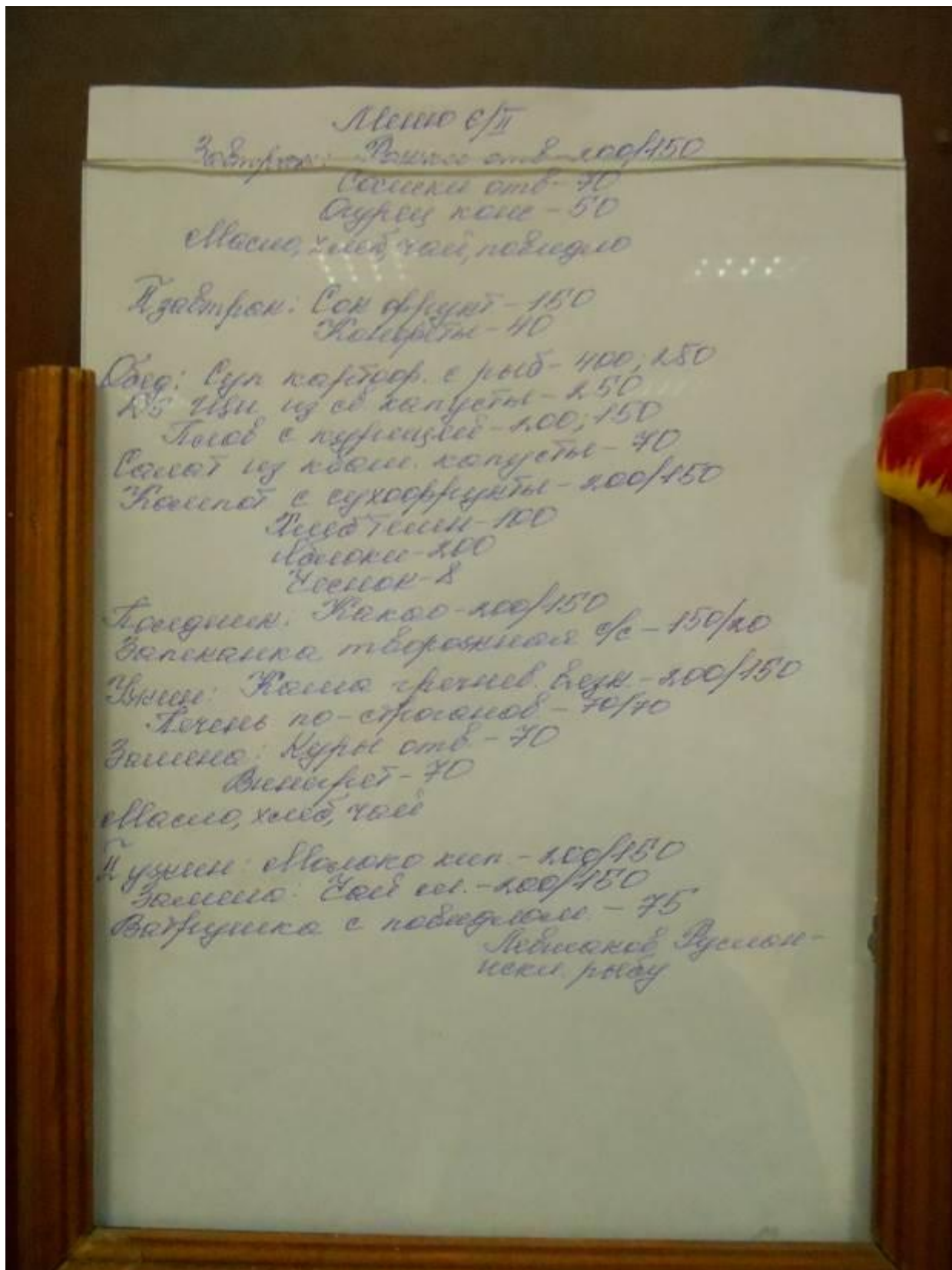
As of the day of a visit (06.02.2015) **Bilhorod-Dnistrovskiy specialized children (special) sanatorium "Lustdorf"** housed 250 children, including 137 children who came from the Region of Luhansk where the Anti-terrorist operation is performed. This educational institution is designed for 220 pupils.

Favourable conditions for living were created in this institution. Children have free access to the bedrooms.





A 5-course meal is organized in the institution, including a special dietary nutrition. According to the children all dishes are cooked tasty.



Lessons are carried out by a special teaching technique.



However, children live here without documents exceeding the term for more than 1 month. Since an issue of their further enrolment at the boarding schools of the Region of Odesa has not been solved yet, there exists a problem with registration of students of the 11<sup>th</sup> form for the external independent testing as well as obtainment of the certificates of basic secondary education by the students of the 9<sup>th</sup> form.

Children, with whom the members of the mobile group have talked, willingly talked about themselves and about their life in the sanatorium. The monitors have not recorded any facts of holding children hostage, child abuse, forcing children to participate in armed conflict, sexual violence, etc.

One of the residents of the sanatorium, Oleksii, about 10 years old, willingly talked us that he has friends there. However, children still are sick for home. As Oleksii said: "My older brothers are still living there (in the Town of Shchastia). I talk to them by phone. I would like to go back." When asked where exactly he wanted to return, Oleksii said: "Well, I would not like to go to the boarding school. I would rather return to my brothers". It should be noted that a situation where children from one family are separated happens quite often.

#### *Other needs*

1. Hygienic means (toothpaste).

As of 07.02.2015 **Karolino-Buhaz comprehensive sanatorium-type boarding school of I-II levels** housed 66 children, including 15 orphans and children deprived of parental care. At the time of the visit to the institution because it was weekend there were 49 children there, 17 children were at home with their parents.

During the monitoring the members of the Group focused on living conditions of children as the children from the Region of Luhansk who were transferred to Kreminna sanatorium-type boarding

school and Severodonetsk boarding school, complained of poor living conditions and limited access to showers and toilets.

The Monitoring Group found that repairs were under way in the institution: replacement of windows through the state program, and redecorating of the rooms on the third floor, where the children from the orphanages of the Region of Luhansk lived with (33 from Kreminna sanatorium-type boarding school and 19 from Shchastia sanatorium-type secondary boarding school).

Given the fact that the repair works are carried out in the institution, the beds of the pupils of the secondary school age were temporarily placed in a group living-room and a room for self-study.



It should be noted that sanitary conditions for children are extremely poor. In the toilet there are two toilets, but there are no partitions and doors between them.



Toilets in the group for children of primary school age are outdated, there are no partitions, toilet paper is in an inaccessible for children place (on top of the toilet tank).





There are two washing sinks and a shower in the room for washing. While talking with children we found out that when one child took a shower, the other pupils did not have access to sinks. Also, children told that they were allowed to take a shower only 1 time per week.



## CONCLUSIONS AND RECOMMENDATIONS:

1. To create the conditions for providing psychological support and assistance to internally displaced persons.
2. To provide free access to rehabilitation services.
3. To provide free medical treatment for children with disabilities.
4. To decide on the children's personal files transfer from the institutions where they are kept.
5. To establish appropriate conditions for living and development in Karolino-Buhaz secondary boarding school of I-II levels.
6. To decide on repayment of debts to the health resorts.

According to the monitoring results and conclusions made based on the information collected during the monitoring visit the relevant recommendations and proposals will be sent to the Ministry of Social Policy, the Ministry of Health, the Ministry of Education and Science and Odesa Regional State Administration.

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