

CONTENTS:

1. Methodology	2
2. The overall situation at the control points: waiting conditions	3
3. Socio-demographic structure of those crossing the line of contact	4
4. Crossing the line of contact: duration, frequency, and reasons for crossing	5
5. Claims of citizens and factors of concern while crossing the line of contact	6
6. Recommendations	8



Photo: Foundation.101

INTRODUCTION

NGO "Foundation.101" has been implementing the initiative "Frontline Inspection" since September 2015. The aim of the initiative is to monitor the observance of human rights at the entry-exit control points on the line of contact in eastern Ukraine, check the sanitary condition of control points and study public opinion on the work of inspectors and problems faced by citizens when crossing the line of contact. The project is implemented in close cooperation with the Office of the Ukrainian Parliament Commissioner for Human Rights and the Donetsk regional military-civilian administration.

Within the "Frontline Inspection" initiative, civil society organization "Foundation.101" conducted a survey of people at the five entry-exit control points in Donetsk and Luhansk regions. This publication gives an outline of the results of the survey, as well as a comparison of these results with the results of monitoring conducted earlier in the year, i. e. in August-November of 2016. At the end of the report, NGO "Foundation.101" lists recommendations to improve the situation at the entry-exit control points that operate in Donetsk and Luhansk regions. This report was made possible by the kind support of the United Nations High Commissioner for Refugees.

The contents of this publication are the sole responsibility of NGO "Foundation.101" and do not reflect the views of our partners.

1. METHODOLOGY

The analytical report is based on a survey of persons crossing the line of contact at the five entry-exit control points in government-controlled areas of Donetsk and Luhansk regions, observations of monitors from NGO "Foundation.101" during monitoring visits to control points and analysis of the legislative framework governing the operation of the checkpoints.

The survey of persons crossing the line of contact was carried out from August to December 2016. The purpose of the survey was to collect objective information on the general state of affairs at the checkpoints and identify the main issues at the entry-exit control points. The survey took place at the all operating entry-exit control points in government-controlled areas of Donetsk and Luhansk regions, namely "Marinka", "Mayorske", "Hnutove", "Novotroitske" and "Stanytsia Luhanska". In December, 2,695 persons were interviewed as part of the survey. Covering the whole period from August to December 2016, the organization polled 12,228 persons crossing the line of contact through the aforementioned control points.

The methodology of data collection was the same at all entry-exit control points. The monitors used a questionnaire developed by the United Nations High Commissioner for Refugees (UNHCR) together with NGO "Foundation.101". The questionnaire included 29 questions with one or several follow-up questions depending on interviewees' responses. All civilians interviewed for the survey were informed about its purpose, and the surveying was conducted anonymously.

The survey was conducted by monitors of NGO "Foundation.101" among persons queuing at the entry-exit control points. People travelling both to and from government-controlled areas took part in the survey. The survey was conducted in the form of personal interviews with people in vehicles who were waiting to cross the line of contact as well as with people who were crossing the control points by public transport.

The presence of the employees of NGO "Foundation.101" at a given entry-exit control point had been approved by the Ukrainian authorities prior to the execution of the survey, and members of the Ukrainian military were not present at the time of the interviews.

Monitoring visits were carried out by monitors of "Foundation.101" at each of the five specified entry-exit control points twice a week. Monitors recorded the conditions under which officers of the State Border Service of Ukraine and the State Fiscal Service of Ukraine processed civilians crossing the line of contact, as well as the overall condition of infrastructure present at the control points. Monitors also noted incidents that took place at the entry-exit control points. The monitoring was carried out directly on the territory of the entry-exit control points, as well as in areas adjacent to the control points in government-controlled areas.

2. THE OVERALL SITUATION AT THE CONTROL POINTS: WAITING CONDITIONS

NGO "Foundation.101" collects information about the overall situation and waiting conditions at entry-exit control points in government-controlled areas of eastern Ukraine by conducting monitoring visits and surveys to register the public opinion of civilians crossing the line of contact. The organization focuses on the security of civilians, the sanitary conditions of infrastructure for persons waiting in line to cross, waiting conditions, and extraordinary situations like security incidents, injuries and complaints.

In December 2016, Foundation.101 monitors recorded 4 cases of attacks, **signifying a decrease in military activity on the line of contact in comparison with October and November 2016, in which 10 cases and 8 cases of attacks were recorded, respectively.** On December 10th, volleys of automatic gunfire were heard near control points "Mayorske" and "Marinka". On December 15th at control point "Hnutove", Foundation.101 monitors heard heavy-caliber shooting every 15 minutes. On December 20th, shooting was heard 2 kilometers away from control point "Hnutove".

As regards sanitary conditions at the entry-exit control points, in December several international non-governmental organizations provided additional infrastructure (toilets, heating points and water). That being said, the observance of proper sanitary conditions requires that existing infrastructure be properly maintained, rather than simply replaced at irregular intervals following long periods of neglect.

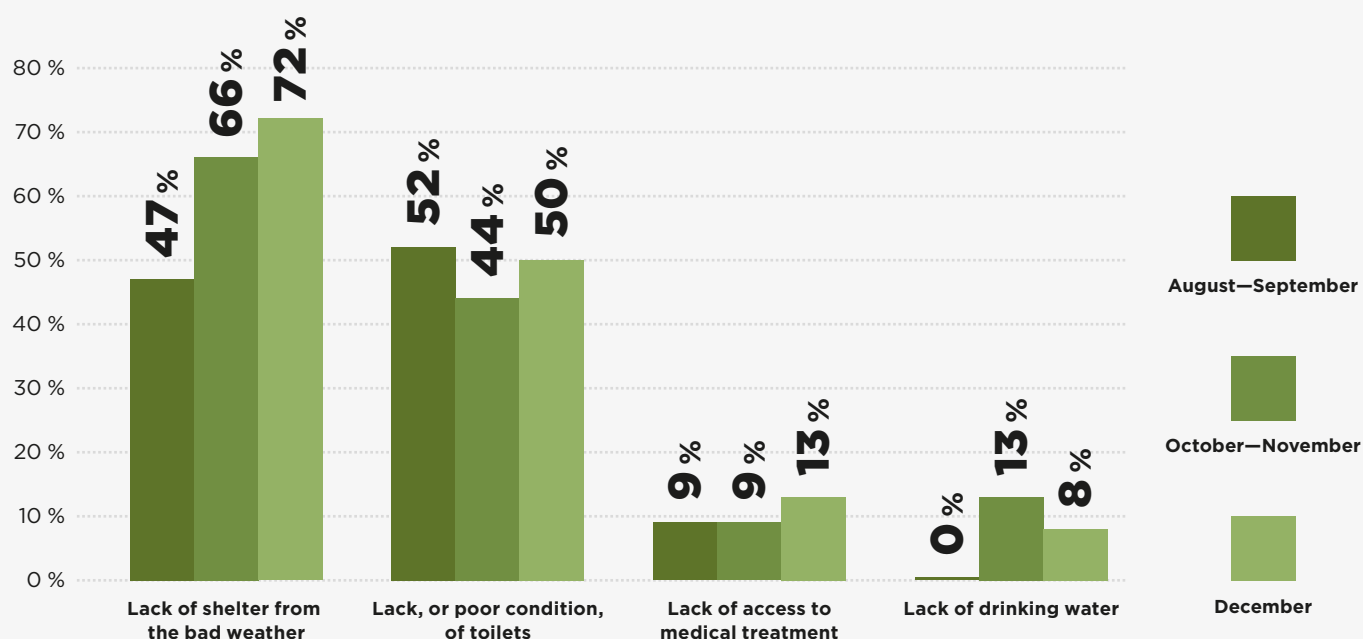
According to the survey results and observations made by Foundation.101 monitors, the pedestrian entry-exit control point "Stanytsia Luhanska" was the cleanest entry-exit control point in the month of December. The toilets received maintenance on a daily basis, drinking water was always available in the heating tent of the State Emergency Service of Ukraine and the roadsides were kept clean. It is worth noting that no problems concerning the presence and availability of drinking water were identified at any of the control points over the course of the reporting period.

At the control points "Novotroitske" and "Hnutove," Foundation.101 monitors recorded consistent problems concerning the sanitary conditions of toilets. All toilets at the aforementioned checkpoints were in poor condition, and rarely cleaned. At "Hnutove," it was reported that toilets were in an unsanitary condition on the side of the checkpoint not controlled by the government of Ukraine. Concerns regarding the sanitary condition of toilets were recorded by monitors seven times (78 per cent of all monitoring visits) at "Novotroitske" and eight times at "Hnutove" (89 per cent of all monitoring visits). At "Marinka," cases of unsanitary conditions of toilets were noted 2 times (22 per cent of all monitoring visits).

Littered roadsides near the control points were documented twice during monitoring visits to control point "Mayorske" (22 per cent of all monitoring visits) and three times at control point "Marinka" (33 per cent of all monitoring visits).

The survey of persons crossing the line of contact has identified several urgent problems connected with waiting conditions at the entry-exit control points. In December, the main concerns of those crossing were lack of shelter from inclement weather and the poor sanitary condition of toilets; 72 per cent and 50 per cent of respondents, respectively, identified these issues as a concern. Access to medical treatment and the presence of drinking water were less likely to be identified as concerns by those interviewed (13 per cent and 8 per cent of respondents, respectively, identified these issues as concerns).

CONCERNS WITH WAITING CONDITIONS AT CONTROL POINTS



Over the last 6 months, there was a growing demand for shelters from inclement weather. This increase can in part be attributed to the fact that the heating tents provided by the State Emergency Service of Ukraine (SESU) and NGOs are located exclusively on the government-controlled sides of control points. This means that people crossing from the other part of the entry-exit control point may have to wait for extended periods of time in sub-freezing temperatures. Therefore, Foundation.101 recommends placing heating tents on both sides of the control point.

A significant increase in concern about the lack of drinking water at control points was observed over the course of autumn: from 0 per cent in August and September to 13 per cent in October and November. Considering that during monitoring visits observers of Foundation.101 documented the presence of a sufficient amount of water, it is likely that this tendency was caused by the lack of awareness of citizens about the relocation of drinking water from big outdoor tanks to smaller tanks located in the heating points of the State Emergency Service of Ukraine (SESU) or non-governmental organizations. As a result of informational campaigns which spread awareness about the relocation of drinking water at the control points, concern about a lack of drinking water at the control points decreased by a factor of 2 amongst those surveyed.

3. SOCIO-DEMOGRAPHIC STRUCTURE OF THOSE CROSSING THE LINE OF CONTACT

In December 2016, Foundation.101 monitors surveyed 2,695 persons crossing the line of contact, 54 per cent of whom were male and 46 per cent of whom were female.

More than 500 people were interviewed at each of the five entry-exit control points over the reporting period: 549 at control point "Mayorske", 353 people at control point "Marinka", 563 people at control point "Novotroitske", 596 people at control point "Hnutove", and 436 at control point "Stanytsia Luhanska"¹.

¹ In the first half of 2016, the entry-exit control point "Zaytseve" (now moved to Mayorske) was crossed by 1.34 million people in both directions, "Marinka" – 1.103 million, "Novotroitske" – 1.049 million, "Hnutove" – 620000 people. The data released by the NGO "Foundation.101": <http://101.ua/en/news/20160916>

18 per cent of respondents crossing the contact line were identified as especially vulnerable. 13 per cent were travelling with small children, and another 5 per cent are persons with specific needs. The percentage of those crossing the line of contact who belong to the category of especially vulnerable persons remains fairly constant over time. According to the results of monitoring conducted in August and September, 14 per cent of those crossing the line of contact did so with children under age 18, while the figure for the monitoring period October–November was 13.3 per cent. The percentage of people crossing the line of contact who were accompanied by persons with specific needs in August and September was 3.2 per cent, while in October and November it was 6.5 per cent.

Given the above, there is an urgent need to provide safe and sanitary conditions for crossing the line of contact, especially for the most vulnerable. To facilitate this, a new version of the Temporary Order² states that people who accompany children under 3 years old can bypass the line at the control point and cross ahead of others. According to the previous, informal, rules, people with babies up to one year old were allowed to use the expedited queue.

Almost an equal number of citizens travelling towards controlled and uncontrolled territory were interviewed: 1,194 persons and 1,200 persons, respectively. Before the conflict, the majority of respondents (79.5 per cent) lived in what is now non-government controlled area (NGCA). 71 per cent of all respondents identified as currently living in NGCA.

24 per cent of respondents noted that they have changed their place of residence since the beginning of the conflict in eastern Ukraine. More than a half of them (55 per cent) ultimately returned to their original place of residence. The key factor for returning was the stabilization of the situation at their place of permanent residence (91 per cent). High rents in the respondent's place of relocation and inability to find a job were cited by 20 per cent and 11.5 per cent of respondents, respectively, as reasons for return³.

Given these statistics, Foundation.101 would like to emphasize the importance of implementing social and economic programs aimed at the integration of IDPs in government-controlled areas of Ukraine. These programs should increase economic activity and promote job creation in the areas with the largest concentration of IDPs. In particular, involvement of IDPs in temporary jobs, part-time employment or social work sponsored by municipal governments may be solutions. This recommendation is particularly relevant given a new flow of IDPs following a recent uptick in shelling in certain areas along the line of contact.

4. CROSSING THE LINE OF CONTACT: DURATION, FREQUENCY, AND REASONS

Long queues remain the biggest concern among persons crossing the line of contact. Overall, 78 per cent of respondents reported that long queues are a concern while crossing through the control points. The percentage of persons concerned about long lines has remained fairly constant over time.

According to the survey, in December, **the average amount of time spent crossing the entry-exit control points was 3.8 hours.** This has been the lowest figure since August, when the average amount of time spent crossing all entry-exit control was 4.3 hours. In September, the duration of passage of all roadblocks and entry-exit control points was, on average, 4.1 hours. In October, the average crossing time increased to 5.3 hours, before decreasing once again to 4.5 hours in November.

2 A full name "Temporary Order of Monitoring the Movement of People, Vehicles and Goods across the Line of Contact in Donetsk and Luhansk Regions" available at <https://ssu.gov.ua/ua/pages/32>

3 The respondents could give several answers to question about their reasons for return.

It is noteworthy that the amount of time required to cross an entry-exit control point significantly depends on location, and ranges from 3 to 5.5 hours on average. In December, answering the question "How many hours did it take you to cross all entry-exit control points on your last crossing?", those who crossed the line of contact through the control point "Hnutove" reported that it took 3 hours on average, at "Novotroitske" – 3.2 hours, at "Marinka" – 3.5 hours, and at "Stanytsia Luhanska" – 3.9 hours. The entry-exit control point "Mayorske" is the only control point at which crossing the contact line through all roadblocks and control points took over 5 hours (5.6 hours on average).

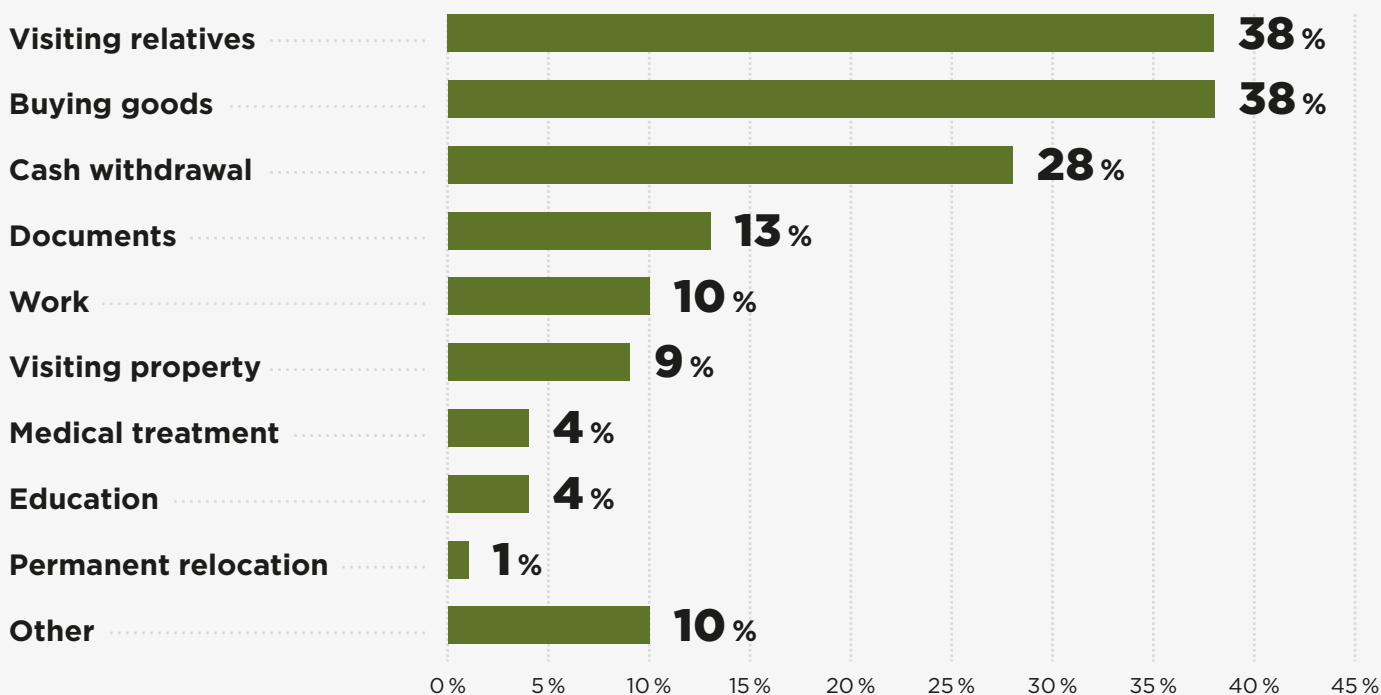
The survey of persons crossing the line of contact gathered information about the frequency with which interviewees travelled from government-controlled to non-government controlled areas and vice versa. Analysis shows that the rate at which people cross – daily, weekly, monthly or once every six months – has remained stable since August of 2016. 9 per cent of respondents cross the control point no more than once every six months, 50 per cent of respondents travel monthly, 17 per cent travel quarterly, and 18 per cent travel weekly. Finally, 4 per cent of respondents reported that they cross the line of contact on a daily basis.

The results of previous surveys show that a given respondent's age and location have the greatest impact on frequency of crossing. Persons met between the ages of 18 and 25 tend to travel the most regularly, while a majority of persons of retirement age tend to cross the line of contact once a month.

Visiting relatives is still the primary reason identified by persons met for crossing the line of contact. Indeed, the order of reasons for crossing remains the same when compared with the last reporting period. The second most commonly-identified reason for crossing the line of contact is purchasing goods. Moreover, in December, 38 per cent of respondents travelled to purchase good – an increase of 7 per cent in comparison to previous periods. The next most-common reasons for crossing are cash withdrawal (28 per cent), solving issues with documents (13 per cent) and work (10 per cent). Checking on property remains the sixth most commonly-identified reason for crossing. In December, the percentage of persons met who identified work as a reason for crossing decreased by 4 compared to results from monitoring in autumn (from 13 per cent to 9 per cent).

40 per cent of respondents identified more than one reason for traveling through the line of contact. This figure has remained relatively stable over time.

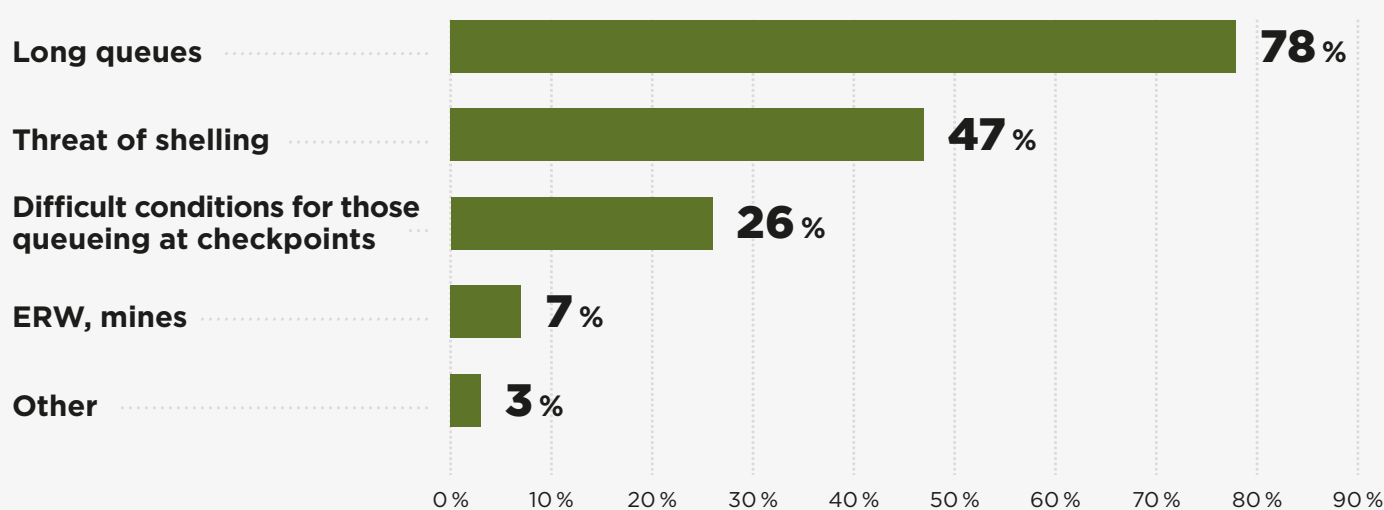
REASONS FOR CROSSING THE LINE OF CONTACT



5. CLAIMS OF CITIZENS AND FACTORS OF CONCERN WHILE CROSSING THE LINE OF CONTACT

As part of the ongoing checkpoint survey, persons met were asked about their concerns while travelling through the line of contact⁴. Most of the civilians at the control points continue to express concerns about long queues (78 per cent), the threat of shelling (47 per cent) and poor waiting conditions in queues (26 per cent). Trip wires and mines were identified as a cause of concern by 7 per cent of respondents. Another 3 per cent expressed concerns about other factors.

WHAT ARE YOUR CONCERNS WHILE CROSSING THE LINE OF CONTACT?



The percentage of persons met who identified shelling as a concern while crossing the line of contact has increased in comparison with August—September (47 per cent in the latest reporting period compared to 34 per cent in autumn). Conversely, persons met appear to be less concerned about poor waiting conditions (26 per cent in December compared with 35 per cent in October—November).

The percentage of people who faced inability to cross the line of contact is consistently high and remains a cause of significant concern. The share of respondents who experienced situations in which they were unable to cross the entry-exit control points in December was 16.6 per cent, compared to 26 per cent in October—November and 17 per cent in August—September.

Foundation.101 received several complaints from persons met that there are cases when border guards ignore requests to let through cars with little children before the border guards close the control points for the night. The complaint is supported by statistics: 15 per cent of persons who didn't manage to pass the control point before its closure travelled with children, another 6 per cent are persons with specific needs. Such situations might be especially difficult and dangerous for vulnerable categories of people, and therefore demand special attention from both the public and the State Border Service, which is responsible for the entry-exit control points along the line of contact.

Foundation.101 collects additional complaints from persons crossing the line of contact through the mobile app "Skarga.101", which was created with the support of USAID. Usually people use the application to report serious concerns or incidents of abuse.

⁴ The respondents could give several answers to this question.

In December, the largest number of complaints received through the "Skarga.101" application was related to the mistreatment of civilians by inspectors at the control points, as well as about corruption associated with the priority passage of particular vehicles through the control points.

Taking into account the changes to the Temporary Order which allow three key organizations in eastern Ukraine⁵ to exercise public control over the priority line at the entry-exit control points, it has become critically important for the public to find enough resources to be involved in the mitigation of corruption, particularly as it pertains to individuals paying for preferential treatment while crossing.

6. RECOMMENDATIONS

1. Promoting the freedom of movement across the line of contact

To implement the Action Plan for the implementation of the National Strategy on human rights for the period until 2020, approved by the Cabinet of Ministers decree #1393-r dated November 23rd, 2015, the Security Service of Ukraine should amend the "Temporal order of monitoring the movement of people, vehicles and goods across the line of contact in Donetsk and Luhansk regions", which will restore the possibility of crossing the line of contact by public transport.

2. Improving waiting conditions

In order to improve the waiting conditions at the entry-exit control points, military-civilian administrations should ensure the establishment of additional shelters for protection against adverse weather conditions (shelters from the sun and rain during the warm season and heating points during the cold season), both on the controlled territory and the "gray" area.

To improve the conditions of providing medical assistance, military-civilian administrations should ensure the establishment of additional medical aid points, both on the controlled territory and the "gray" area.

3. Improving sanitation

To improve the sanitary condition of entry-exit control points, military-civilian administrations should ensure regular cleaning of toilets and garbage disposal from the roadside.

To improve the conditions of water supply, military-civilian administrations should cover more of waiting area with drinking water tanks, both on the controlled territory and the "gray" area.

4. Raising awareness about the risks associated with mining

To raise awareness about the risks associated with mining and explosive remnants of war, the State Border Service of Ukraine and the Antiterrorist Center at the Security Service of Ukraine should strengthen the awareness about mining along the roadside close to the places of waiting.

5. Providing decent treatment during the personal inspection of citizens at the entry-exit control points

To provide decent treatment during the personal inspection of women at the entry-exit control points, the State Border Service of Ukraine and the State Fiscal Service of Ukraine should provide a sufficient number of female workers.

⁵ Foundation.101, Vostok-SOS, Donbass SOS

PARTNERS

