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REPORT ON THE RESULTS OF THE MONITORING VISIT

**regarding the state of respect for the rights of children in public agencies,
educational institutions of regions of Donetsk and Lugansk
(supported by Civic Union “Ukrainian Helsinki Human Rights Union”
within USAID Human Rights in Action Program)**

Technical task of the monitoring visit:

Visit objective: (1) evaluation of the situation in the field of respect for the rights of children, as well as (2) collection of information on the facts of holding of hostages¹.

Location: Konstyantynivka, Severodonetsk, Rubizhne, Lisitchansk, Artemivsk and Druzhkivka

Dates of visit: December 6-11, 2014

The group line-up:

1. Olexandra Romantsova, Center for Civil Liberties (head of the group)
2. Maria Tomak, Center for Civil Liberties
3. Olexiy Bida, human rights defender, civic activist
4. Maria Lysenko, Center for Civil Liberties
5. Vladislav Lytkevith, International Partnership for Human Rights
6. Olena Chorna, Office of the Ukrainian Parliament Commissioner for Human Rights
7. Hanna Levenko, Office of the Ukrainian Parliament Commissioner for Human Rights

Representatives of the Office of the Ukrainian Parliament Commissioner for Human Rights O. Chorna and H. Levenko were responsible for evaluation of the situation in the field of respect for the rights of children.

¹ A standalone report on the results of the monitoring visit regarding the facts of holding of hostages, torture and extrajudicial executions “Chemical triangle” of the Region of Lugansk during the occupation: hostages, torture and extrajudicial executions”.

Aspects subject to evaluation:

- Number of children who suffered as a result of an armed conflict (apart from children supported by the state, i.e. orphans and children deprived of parental care, disabled children, etc.);
- Nature of injuries sustained;
- Support of activities of educational, healthcare, social security institutions (staffing, supplies and utilities and funding);
- Steps taken by executive authorities to create proper conditions for lodging of families with children and children at risk out of the number of migrants, providing them with social and psychological support and assistance.

Visit description:

About 1 million children out of 8 million children nationwide lived in Regions of Donetsk and Lugansk. Of which about 15 thousand were orphans and children deprived of parental care. About 2 thousand children stayed in residential care facilities, the rest lived with guardian families, foster families and family based care homes (12 thousand).

In order to evaluate the situation in the field of respect for the rights of children, the employees of the Department of Children's Rights, Non-discrimination and Gender Equality of the Office of the Ukrainian Parliament Commissioner for Human Rights along with the representatives of the public organization "Centre for Civil Liberties" within the framework of the USAID Human Rights in Action Project carried out a monitoring visit to inhabited localities in regions of Donetsk and Lugansk situated in the territory adjacent to the ATO.

9 institutions were visited within the framework of the visit, namely the children's unit of the Central District Hospital of Kostiantynivka, Centre of Social and Psychological Rehabilitation of Children of Lysychansk Urban Council, public institutions "Rubizhne Regional General Academic Residential School of I-III levels" and "Rubizhne Academic and Rehabilitation Centre "Kryshtalyk", Severodonetsk Regional General Academic Residential School of I-III levels, specialized general academic school of I-III levels No. 17 in Severodonetsk, Lugansk Regional Infant Orphanage, Regional Specialized Infant Orphanage in Artemivsk and Druzhkivka Orphan Residential School.

Furthermore, the visits to Lugansk Regional State Administration, the Office of Children's Services of Lugansk Regional State Administration, the Office of Children's Services and Social Services Office of Severodonetsk City Council were carried out.

The objective of the visit was to find out the state of respect and upholding of the principal rights of children, orphans and children deprived of parental care, children with special needs, who reside and study at the institutions of Regions of Donetsk and Lugansk.

The visit to the children's unit of the Central District Hospital of Kostiantynivka (Region of Donetsk) revealed a number of problems requiring prompt settlement. Thus the head of the children's unit of the Central District Hospital of Kostiantynivka (Region of Donetsk) emphasized on the inadequate provision of children with medicines, which forced their parents to buy necessary pharmaceuticals. The senior physician also noted on the necessity of significant improvement in sick children's nutrition constituting an inalienable part of direct care.

At the time of the visit to the Centre of Social and Psychological Rehabilitation of Children of Lysychansk Urban Council (Region Lugansk) there were 14 children, of which 10 were the children deprived of parental care. Those were the children from two FBCH (family based care homes) and one foster family from Pervomaysk. Child-upbringing parents and foster parents were forced to put the children to the Centre as Pervomaysk has lied in the

zone of conduct of active warfare which threatened the children's lives. Upon stabilization of the situation the parents intend to return children into the families.

The administration of the Centre makes provisions for the lodging, studying and upbringing of the children. At the same time the visit revealed the insufficient heating of premises, the need in pharmaceuticals, winter footwear for the boys.

During the visit to the public institution "Rubizhne Regional General Academic Residential School of I-III levels" (Region Lugansk) there were 6 foster children staying for the weekend. The residential school itself is designed for 140 children at the age of 6-15 years suffering from back diseases with a round-the-clock stay of those children who are in need of that. The necessary conditions for the treatment of children have been created, i.e. there is a therapeutic exercise chamber, a massage chamber, a chamber for taking medicinal baths, etc. Children get an adequate nutrition and are provided with necessary pharmaceuticals. Three students being orphans have been staying at a health camp in the Region of Odessa since June, 2014.

At the time of the visit (during the weekend) 3 children were staying at the public institution "Rubizhne Academic and Rehabilitation Centre "Kryshtalyk" for the children with vision deficiencies. The institution is designed for 152 foster children, including the permanent residence of 30 persons. 16 children of the Centre bear the status of orphans of children deprived of parental care, of which 14 children are in ward of relatives. Two children being in ward of the head of the Centre currently stay at a health camp in the Region of Odessa.

The monitoring group along with the administrative staff of the institution inspected the classrooms, specialized chambers, bedroom premises, playrooms, medical office, dining-hall, etc. It is worth noting that proper conditions for children's studying and upbringing were have been created at the school, various methods depending on the severity of each child's diseases are applied.

Severodonetsk Regional General Academic Residential School of I-III levels (Severodonetsk Residential School for orphans) is an academic institution for orphans and children deprived of parental care. In summer of 2014 this institution was partially ruined during the shelling of Severodonetsk. At that moment all of the foster children were transported to institutions of healthcare and retreat in the Region of Odessa. Nowadays repair works are conducted supported by the Regional State Administration, volunteers and funders, upon the completion of which the administrative staff plans on bringing the children back to the residential school.

The monitoring group also visited the specialist general academic language school of I-III levels No. 17 in Severodonetsk where 686 students study (27 grades). The school year at the institution has started on September 1, the vacation schedule has been planned in accordance with the recommendations of the Ministry of Education and Science of Ukraine.

According to the information provided by the school principal, all the children have been provided with textbooks. The open extended care groups operate for primary school children. Furthermore, various project teams and sport clubs operate after school hours. The heating season at school has started on time.

The group has also visited the Lugansk Regional Infant Orphanage that was redeployed and located in a standalone wing of the premises of a children's health camp in Severodonetsk in November, 2014. During the visit four young children were staying at the institution.

According to the information provided by the physician in chief of the infant orphanage, Sumy Regional State Administration took the institution under one's patronage and following the preliminary agreement agreed to conduct repair works. Upon the creation of proper conditions for lodging of all the foster children, the administrative staff of the

institution plans on bringing 69 more of their children that are now staying at specialized infant orphanages in the Region of Kharkiv.

At the time of the visit the institution was adequately heated, the issue of provision with food products and pharmaceuticals was resolved.

In the course of the visit to the regional specialized infant orphanage in Artemivsk, Region of Donetsk, the group found out that 49 children at the age of 0 to 5 years were brought up at the institution. In summer of 2014 31 children from Donetsk Regional Infant Orphanage have been transferred to the institution due to evacuation.

The management of the institution provides proper conditions for children's support, i.e. the children receive an adequate nutrition and medical support. However we have to know that due to the inadequate state funding the administrative staff is forced to engage funders' assistance for the purpose of normal operations of the institution. This namely relates with the purchase of pharmaceuticals, food products, personal hygiene products, conduct of repair works, purchase of furniture and other necessary equipment.

Nowadays the institution is in need of washable cloth napkins, diapers, renewal of bed linen, pillows, wooden playards and beds. Furthermore, due to the instable situation in the East, it would be practicable to purchase a new refrigerating chamber with the purpose of building the stock of food products.

During the visit to Druzhkivka Orphan Residential School there were 343 foster children, of which 261 were the children at the age of 4-18 years. Among these children 30 bear the status of orphans, 110 bear the status of children deprived of parental care. The head of the institution is a guardian in respect of 106 children, other children are in ward of relatives. The results of the monitoring visit showed that the visited institution ensures the rights of children with regard to obtaining social material aids, material benefits provided for by the legislation. The conditions for the conduct of rehabilitation exercises with children, the development of their skills have been created at the institution. Furthermore, there are classrooms, chambers for the conduct of special educational classes, logopedic rooms, the institution has a psychologist employed.

Notwithstanding the fact that in August, 2014 200 foster children have been transferred to the institution from Shaktarsk Orphan Residential School, the administrative staff was able to create proper lodging conditions for children. The rooms are warm, the children are provided with individual bed linen and beds. There are shower rooms in the premises, there is a washing machine installed.

Among the issues of concern that are to be resolved, it is worth to emphasize on the necessity of transferring senior foster children (young people at the age of 18-35 years) to other institutions, which shall make a more comfortable lodging of children possible.

Also due to the fact that children (boys) from Shakhtarsk Orphan Residential School were evacuated on an urgent basis, there is a need to provide them with clothes and footwear.

Findings:

The issue of redistribution of the funds for support of the institutions and their residents is subject to settlement due to the transfer of children from one institution to another within the region, as well as between the regions. For example, one center for severely disabled children in Druzhkivka in Donetsk oblast has a capacity for 200 children, but now is accommodating over 300 persons after children and youth were evacuated from Shakhtarsk boarding school due to shelling. Another center meant to accommodate 20 disabled children ages 0-3 is now hosting 60 children, etc.

According to updated information as of the end of 2014 about 6 thousand orphans and children deprived of parental care were staying in the area of the conduct of the anti-terrorist operation, namely:

- At 18 family based care homes (126 children) and with 119 foster families (251 children) in the Region of Donetsk;
- At 9 family based care homes (47 children) and with 96 foster families (149 children) in the Region of Lugansk;
- About 5.5 ths. orphans and children deprived of parental care are brought up in the families of their guardians and caregivers in Regions of Donetsk and Lugansk.

Unfortunately the situation is such that social institutions keep admitting children who lost their parents or became left with no parental care during the military conflict. According to updated information as of the end of the year 50 children were staying at 7 social security institutions located in the territory beyond Ukrainian control.

Steps to be taken:

Following the results of the monitoring visit the Office of the Ukrainian Parliament Commissioner for Human Rights shall forward relevant inquiries and recommendations for their settlement to central executive authorities responsible for the resolution of issues addressed.

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