**United Nations Country Team information[[1]](#footnote-2) on protecting human rights during and after the COVID-19**

**Joint questionnaire by Special Procedure mandate holders**

**Common questions**

**Impact on human rights**

* Please explain the impact of the pandemic on the enjoyment of human rights and what actions have been taken by the State to respect, protect and fulfil human rights?
* Are there any measures put in place in your country following the pandemic which have had a limiting effect on human rights? If so, please list them, provide an explanation for their adoption and indicate the time-frame by which they will be lifted?

*The first step to respond to the outbreak of COVID-19 by introducing nationwide quarantine was taken by the Cabinet of Ministers on 11 March 2020. Additionally, restrictions and special measures to fight the consequences of the COVID-19 crisis were introduced by the Parliament, ministries and by the Joint Forces Operation Command. The time-frame of the restrictions in force is reviewed regularly. Currently, an ‘adaptive quarantine’ has been extended until 31 July 2020 with some restrictions in force. According to the ‘adaptive quarantine’ regime, regional authorities have the discretion to decide what restrictive measures to lift and which ones to reintroduce, in light of the epidemic situation which is assessed according to criteria developed by the Ministry of Health.*

* 1. Were these measures determined by law? If yes, please indicate the relevant legislation.

*No, restrictive measures were mainly introduced by the Cabinet of Ministers (the executive body) nationwide, and only some of them were then reflected in legislative acts. At the same time, the decisions on the restriction of freedom of movement across the contact line were taken by the Joint Forces Operation Command (a military structure).*

* 1. Why were these measures necessary to respond to the COVID-19 situation?
  2. Were these measures proportional in view of their expected results to counter the pandemic?
  3. Did these measures have any discriminatory effects on various groups of the population? If so, please indicate which ones and why.

*According to an analysis of anti-pandemic legal acts made by[[2]](#footnote-3) reveals that women's rights were not taken into account. Thus, women, especially from vulnerable groups, face indirect discrimination within the meaning of Article 1 of the Convention on the Elimination of All Forms of Discrimination against Women: at first glance, gender-neutral rules and regulations do not consider their specific status and needs, in violation of the principle of equal rights and opportunities for women and men.*

* Please describe whether responses to the pandemic by States, businesses, faith-based organizations or others actors have resulted in a rollback of human rights, including in relation to affirmative action, gender-equality, inclusion of persons with disabilities and LGBT persons, land rights of indigenous peoples’ or access to sexual and reproductive health services?

*The aforementioned assessment by UN Women, found that gender analysis, as regulated by the Law of Ukraine ‘On ensuring equal rights and opportunities for women and men’, was not conducted prior to their adoption of COVID-19 related legal acts. [[3]](#footnote-4) The introduction of the restrictive measures without proper gender and human rights-based analysis led to the omission of other vulnerable groups who were thus adversely affected. Those groups were the following: single mothers and fathers (who have to go to work and leave children unattended at home); Roma (many of them do not have access to safe water and basic services); persons with disabilities(during the quarantine, women with disabilities faced additional burdens and challenges due to limited access to reproductive health services); self-employed people (the closure of beauty and hairdressing salons and mobile catering led to loss of earnings); individuals in need of special medical procedures (challenges with public transport and the ban for planned surgeries and hospitalisation during lockdown); as well as victims of domestic violence (the referral mechanism was not fully available in all regions due to lockdown measures). Furthermore, frontline social workers providing services and postal workers delivering mail and pensions were not given additional payments, unlike medical staff.*

* What long-term impacts of the pandemic and its response measures are expected on the enjoyment of human rights?
* Please explain if economic recovery and financial assistance mechanisms to reduce the social economic impact of the measures adopted have been subjected to prior human rights impact assessments?

*According to the available information, the legislation and regulatory acts adopted to deal with COVID-19 crisis were not subjected to a human rights impact assessment.*

**Statistical information**

* Please provide epidemiological data on COVID-19 infections, recovery and mortality rates in your country, region or locality, disaggregated by nationality, race, ethnicity, religion, membership of indigenous peoples, age, gender, sexual orientation and gender identity, income/poverty levels, disability, immigration status or housing situation. Which groups in your country have been disproportionately affected by COVID-19 and how can this be explained?
* Please provide age disaggregated data on persons infected by COVID 19 and the percentage of them living in care institutions for older persons. Please provide age disaggregated data on deaths caused by COVID-19 and the percentage of them who were in care institutions.
* Please share any information and data on the availability of health services to ensure access to testing, personal protective equipment and treatment. Please specify to what extent supply issues, economic, social or other barriers have limited access to testing, personal protective equipment and health care services, in particular for persons belonging to particular racial or ethnic groups, indigenous peoples, older persons, persons with disabilities, LGBT persons, persons living in poverty or in situation of homelessness, migrant workers, or persons without legal residency status.
* Please provide us with data indicating the social-economic impact of the economic downturn triggered by COVID-19 such as changes to household income, increase of unemployment, access to food and traditional livelihoods, poverty or homelessness in your country, region or locality, disaggregated by nationality, race, ethnicity, age, gender, sexual orientation and gender identity, disability, religion or immigration status.
* Which groups have been identified as particularly vulnerable to socio-economic hardship in the context of the COVID-19 crisis?

*The conflict-affected population (including residents of armed group-controlled territory – AGCT-), especially older people and individuals having health complications, are among the most vulnerable. In addition to the daily hardships, lost income and source of livelihoods, lost housing and employment, people are facing additional barriers to meet their basic needs due to restrictions and limitations imposed to prevent the spreading of COVID-19. Although the Government extended social payments and pensions to IDPs and residents of AGCT, due to closure of checkpoints those people could not come to government-controlled territory (GCT) to collect their pensions/social benefits.*

*Additionally, due to the temporary ban for certain businesses to operate, self-employed and persons engaged in small and micro business, season workers lost their earnings or work places.*

* Please provide data on the number of older persons who live in residential care institutions or alternative setting; the number of older persons in situation of homelessness and/or without adequate housing; and the number of older persons who are in prisons, refugee camps and informal settlements.

*The State authorities only count the number of people in situation of homelessness who receive services for homeless people from local authorities (approximately33,000 persons in 2019). This data excludes those who do not access any services. The data is not disaggregated based on gender, age, disability, ethnicity and other characteristics. Civil society organisations (CSO) estimate that the numbers in Kyiv vary between 5,000 and 40,000 and in Ukraine about 200,000. The policy responses during the COVID-19 crisis do not include specific provisions in relation to people in situation of homelessness.*

* Please provide data on abuse and neglect of older persons, in and outside care institutions brought to the attention of public authorities or complaint mechanisms.
* Please provide data on incidents of domestic violence, including femicides disaggregated by a) intimate partner femicide b) family related femicide based on the relationship between the perpetrator and the victim/s and c) all other femicides based on the country context.

**Protection of various groups at risk and indigenous peoples**

* What measures have public authorities taken to protect high-risk populations from COVID-19, including: a) health care and social workers, b) older persons, c) other persons with a possibly reduced immune system such as indigenous peoples, or persons living with HIV, d) detained and incarcerated persons, including persons under state custody; e) persons living in care homes, f) children and adults living in institutions, camps, shelters or collective accommodation, g) persons with disabilities, h) homeless persons; i) persons living in informal settlements or overcrowded homes; j) refugees, IDPs and k) migrant workers.

*Specific legal acts were adopted to protect vulnerable population groups, including those at higher risk of exposure to COVID-19. In particular, the following legislative measures were taken: 1) additional payments for pensioners, persons with disabilities, including those born with a disability and children with a disability; recipients of social aid who are not eligible for a pension[[4]](#footnote-5); 2) a 300% salary increase for medical workers engaged in treating patients with coronavirus,[[5]](#footnote-6) as well as a one-off cash payment[[6]](#footnote-7) to members of families of medical and other personnel of health care institutions who died of COVID-19 and one-time payment[[7]](#footnote-8) to medical and other personnel of health care institutions who became disabled as a result of COVID-19 infection.[[8]](#footnote-9)*

1. *OHCHR notes that, while the State offered regular COVID-19 testing and salary bonuses for healthcare staff involved in COVID-19 response, no similar measures have been offered to social workers.[[9]](#footnote-10)*
2. *In April, the government* [*imposed*](https://zakon.rada.gov.ua/laws/show/211-2020-%D0%BF#Text) *additional restrictions on freedom of movement (mandatory self-isolation) for older persons (over 60) who were banned from leaving home, unless they lived alone. They were allowed to go shopping within a 2 km perimeter around their home. Exceptions were made for persons working for the military, law enforcement and strategic enterprises. In Ukraine, many persons over 60 . continue working, therefore such additional restrictions of the freedom of movement based on age aspect negatively affected their right to work. However, there is no information available as to whether 60+ persons have been sanctioned for violating the rules of self-isolation. The requirement for mandatory self-isolation for persons over 60 was* [*lifted*](https://zakon.rada.gov.ua/laws/show/435-2020-%D0%BF/ed20200604#n17) *on 5 June 2020.*

*A survey conducted by NGO HelpAge showed that 99.95% of older people were informed about the pandemic, mainly via TV broadcasting. 94% of older people face differed psychosocial problems due to the pandemic. 0,77% (53% of them are women) reported about at least one type of violence. 99% of older people rely on pension as a main source of income.*

1. *NTR*
2. *OHCHR monitoring shows that the preparedness of places of detention for outbreaks of COVID-19 remains worryingly low, in GCT, AGCTand in Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, temporarily occupied by the Russian Federation (Crimea). As of 14 June, 31 COVID-19 cases had been confirmed in penitentiary institutions, mostly among staff, in GCT (including one death of a male detainee). No information is available on COVID-19 cases in places of detention in AGCT. To date, OHCHR is not aware of any reports of cases of COVID-19 in penitentiary institutions in Crimea.*

*OHCHR distant monitoring of places of detention in Ukraine reveals that the administrative services of detention facilities do not consistently and systematically implement all the necessary preventive measures. OHCHR is aware of at least two pre-trial detention facilities that are overcrowded, OHCHR is also concerned that even in the facilities in which the number of detainees is below the officially established capacity, there is still not enough space and premises to implement social distancing precautions. Some detention facilities and courts have limited capacity to ensure court hearings via videoconference. Movement of detainees to court hearings often continues without compliance with preventive measures. A number of detention facilities do not have enough personal protection equipment (PPE). In others, penitentiary staff do not wear PPE, or do not wear them properly, including at internal checkpoints. No special transportation is organized for penitentiary staff. When the quarantine started, those who lived far away were able to go on leave. Those living in the city use either public transport or cooperate with other colleagues to share private cars. Some facilities are not undertaking any additional disinfections and detainees have not been informed about the risks and prevention measures. Similar concerns were raised by detainees and lawyers interviewed by OHCHR about places of detention in self-proclaimed ‘republics’ and Crimea. It is essential that measures are taken to protect both detainees and staff. The Cabinet of Ministers  allocated 23 millions to Ministry of Justice from the special ‘COVID fund’ to purchase PPE and medical equipment for COVID-19 treatment, to cover payments to medical personnel who deal with COVID patients in specialized detention facilities.[[10]](#footnote-11)*

*In April the Ombudsperson's Office conducted monitoring of all 30 pre-trial detention centers currently functioning in Ukraine and identified numerous gaps and violations. [[11]](#footnote-12) In particular, the Ombudsperson highlighted: the difficulties of holding court hearings during quarantine through video conference mode; gaps/lack of personal protective equipment by the staff of the institutions; the institution 's staff and detainees were not making appropriate use of personal protective equipment; the staff was not carrying out temperature screenings, as well as ; and daily examinations of prisoners and the disinfection of cells and administrative premises.*

*As of 14 June 2020, the Parliament has not yet approved legislative amendments aiming to decrease the prison population in order to prevent the spread of COVID-19 in penal colonies and pre-trial detention facilities.[[12]](#footnote-13)*

1. *See below on older persons in institutions.*
2. *NTR*
3. *OHCHR is not aware of any measures aiming to protect persons with disabilities*
4. *See below on persons living in homelessness*
5. *See below on Roma living in informal settlements*
6. *NTR*
7. *NTR*

* Can you inform us about particular measures taken to mitigate the impact of the COVID-19 pandemic for communities and groups subject to structural discrimination and disadvantage?
* What measures have been taken by public authorities to ensure continued provision of services, including food, healthcare, education, psycho-social assistance to persons in vulnerable situation, including a) older persons, b) persons with disabilities, c) LGBT persons, d) persons in situations of homelessness, e) indigenous peoples, f) victims and survivors of domestic, sexual and gender-based violence, g) human trafficking, h) discrimination, i) victims of contemporary forms of slavery, including forced labour, as well as h) child victims of sale and sexual exploitation?
  1. ***Older persons***

*In addition to nation-wide restrictions to the freedom of movement, the Government introduced measures targeting the conflict-affected areas in the east,[[13]](#footnote-14) including restrictions on people’s movement through the contact line in Donetsk and Luhansk regions, and through the Administrative Boundary Line (ABL) with Crimea. Armed groups in eastern Ukraine and the Russian Federation authorities in Crimea also imposed restrictions to freedom of movement. OHCHR is concerned that the restrictions in place are disproportionate and have a negative impact on the social and economic rights of people living in the conflict-affected area along the contact line in eastern Ukraine and the ABL with Crimea. The restrictions also violated the right to an adequate standard of living, including the right to food and access to other basic services, social protection, the principle of family unity, right to education and right to health.*

*From mid-March, both the Government and armed groups have restricted crossing of the contact line to prevent the spread of COVID-19 to those who are registered as permanently residing in the territory they respectively control. These restrictions allowed access based solely on residency registration, which does not always reflect where a citizen lives, resulting in discriminatory treatment and limited access to rights such as access to healthcare, work, housing and family life. By the end of March, the full ban on crossing the contact line was introduced by all the sides. Given that nearly 60 per cent of the people who regularly cross the contact line are* ***older persons*** *and that* ***older women*** *constitute a majority among them, they have been the groups mostly affected by the restrictions.[[14]](#footnote-15) The Joint Forces Operation (JFO) of Ukraine and the self-proclaimed ‘Luhansk people’s republic’ (‘LPR’) have granted permissions (provided on an ad hoc basis) to cross the contact line on humanitarian grounds, and civilians were able to cross through the Stanytsia Luhanska entry-exit crossing point (EECP) in groups on several occasions. Representatives of self-proclaimed ‘Donetsk people’s republic’ (‘DPR’) did not grant permissions for crossing on humanitarian ground, although individual crossings have occasionally occurred.*

*The restrictions of movement imposed as part of the COVID-19 response drastically reduced the number of people that cross the contact line. While before the quarantine, the monthly average was a million crossings in both directions, this dropped in end March-early May to only a few hundred. The ban on crossing the contact line is disproportionate and has led to limited access to, or denial of a number of human rights.*

*The restrictions on crossing the contact line particularly affect those individuals residing inAGCT, which constitute up to 90 per cent of those who crossed to receive pensions and social benefits, access basic services, studies and employment in GCT. More than 300,000 pensioners from ACGT, who rely on their pensions in GCT, and another 163,000 people are unable to withdraw cash in GCT are affected. According to the bank that provides services to IDP – pensioners, some 272,000 pensioners did not withdraw their pension since the restriction measures were imposed.*

*It is positive that the Government lifted the obligation of residence verification/identity checks for internally displaced persons (IDPs) who receive pensions and other social benefits during the quarantine and for 30 days afterwards.[[15]](#footnote-16) However, persons who live in AGCT and receive pensions and social benefits are not able to withdraw their money from the bank because they are unable to pass through the EECPs. Many people rely on these payments.*

*Recently, the movement through two out of five EECPs has been resumed. However, civilians are able to cross to GCT only if they install a mobile application for self-isolation tracking.[[16]](#footnote-17) Older people are again at risk of being unable to reach GCT and withdraw cash, because many of them have no smartphones. Moreover, in some cases, people may face a risk of being prohibited to enter armed group-controlled territory, since they were forced to sign a paper stating that they will not come back until the epidemiological situation there improves.*

***d) Persons in situation of homelessness***

*In four regions, municipal shelters for homeless people do not accept new people due to the quarantine and, in one region, homeless people cannot access healthcare services for the mandatory medical examination required to be admitted by the shelters. Although the shelters have taken measures to prevent the spread of COVID-19 through frequent disinfection, personal protection equipment for staff and residents and limits on movement outside the shelter, often they do not have sufficient area within the premises to allow for self-isolation of newly arrived persons. There were no clear instructions from the central government ruling how social services to people living in homelessness should be provided during the quarantine and many organisations, including charities and NGOs, stopped providing services to people living in homelessness.*

*Access to healthcare services has been further limited due to the pandemic. Out of 27 shelters whose representatives were interviewed by OHCHR, only three municipal shelters in Ivano-Frankivsk, Kherson and Lviv and one CSO-run shelter in the Lviv region reported having rapid COVID-19 tests. Several interlocutors complained that homeless people diagnosed with pneumonia were not tested for COVID-19. In Zhytomyr, a resident of a shelter for homeless people was hospitalised because he tested positive to COVID-19. However, neither other residents, nor staff were tested because there were not enough tests in the city. The shelters also risk the health of their staff and other residents as few have a space to isolate a person with COVID-19 suspicion.*

*Because of the quarantine, persons living in homelessness have lost their already limited access to shelter, food, water, hygiene and sources of income. In many cases, the closure of railway and bus stations have left persons living in homelessness without shelter and access to water for drinking and hygiene purposes, essential during a pandemic. The closure of waste recycling facilities that served as a source of income for many homeless people across the country, and the closure of markets and the suspension of construction removed one of the rare opportunities homeless people had to make a living or ask for food.*

***Access to food***

*OHCHR notes that the closure of food markets due to the quarantine in March-April negatively impacted food prices and access to food, especially in isolated rural communities, as well as incomes of small entrepreneurs and agriculture procedures. The work of food markets was restored in late April-early May.*

*As of 18 May, the Cabinet of Ministers enforced the provisions on the stabilization of prices for goods of social significance (10 food items), medicine (7 items), sanitiser (11 items), personal protection equipment (20 items) for the period of the quarantine.[[17]](#footnote-18)*

* Has there been any interruption of services, such as the closure of emergency shelters, food banks, or the disruption of health care or psycho-social services that has been of concern?

*The COVID-19 crisis exposed the discrimination faced by people without documents, including persons living in homelessness and undocumented Roma, in access to healthcare. Without a valid identity document, undocumented persons cannot sign a formal agreement with a family doctor and, as a result, they cannot access medical examinations and tests, including COVID-19 testing, and other specialists. Administrative services for the restoration of identity documents have been suspended during the quarantine.*

*The referral mechanism for victims of domestic violence was not fully available in all regions due to lockdown measures. Even without interruption in the work of shelters for victims of domestic violence, access to them was limited due to the pandemic (for example, because of the inability to get to the shelter by public transport)[[18]](#footnote-19)*

* Have particular measures been taken to address the situation of single parent households?
* What measures have been taken to address racial disparities, prevent racial discrimination and protect victims of racism, racial discrimination, xenophobia, and related intolerance during the pandemic?

*Certain acts of violence, incidents of hate speech, and discriminatory acts**towards different groups, including persons infected/potentially infected by the virus, lesbian, gay, bisexual, transgender and intersex people (LGBTI), Roma, people living in homelessness and healthcare workers during the COVID-19 crisis. In a number of instances, representatives of public authorities were themselves responsible for hate speech and discriminatory acts.[[19]](#footnote-20)*

*In this regard, it should be mentioned that a recent survey supported by UNDP [[20]](#footnote-21) proved that the absence of reliable and full information provided by official sources could increase social tension and provoke a negative reaction of the population (as happened in Novy Sanzhary,* where protesters attacked buses carrying evacuees from coronavirus-hit China*)[[21]](#footnote-22). According to the survey, about 30 percent of the respondents stated that the situation in Novy Sanzhary was more complex, and that the government had failed to communicate properly with the locals and did not provide them with enough information. Another 15 percent of respondents said they thought that the situation was triggered by the opposition.*

**Social Protection**

* Please provide information on implemented and planned adjustments to the social safety net in response to the crisis, to ensure that individuals who lost all or part of their income as a consequence of the pandemic have access to sufficient nutrition, housing, water and sanitation, health care, energy and other essential goods and services? How has the State ensured fair and equitable access to social safety net measures across lines of race, gender, sexual orientation and gender identity, membership of indigenous peoples, and others?

*The Government introduced the following measures:*

* *simplified administrative requirements for enrolment in the Housing Utilities Subsidy program (energy social assistance). It removed restrictions preventing enrolment for those who lost their jobs as a result of the introduced COVID19 quarantine measures;[[22]](#footnote-23)*
* *No reductions in the period of payment of unemployment benefits (but not exceeding 270 days);[[23]](#footnote-24)*
* *The unemployment status and financial assistance to be granted starting from the same day when a person applied for it;[[24]](#footnote-25)*
* *For the duration of the measures introduced to prevent the outbreak of COVID-19, a person can register as unemployed remotely with the use of means of communication, including via the mobile app ‘Diia’;*
* *Throughout the duration of the quarantine and for 30 days thereafter, the minimum financial assistance for certain categories of individuals (young persons, persons who have less than 6 months of insurance record, persons who have been dismissed from the last place of work for negligence and IDPs who cannot prove their insurance record) shall increase from 650 UAH to 1000 UAH.[[25]](#footnote-26)*
* *For the duration of quarantine the Government prohibited to stop granting subsidies for utilities (except when a person changes a place of residence, or in case of death of a single person); ruled to prolong subsidies for households which received them in 2019-2020 even in the absence of a written application; grant subsidies for utilities for registered unemployed persons, who have been dismissed during quarantine due to the reorganization, slimming down of production, or due to the bankruptcy of the employer[[26]](#footnote-27);*
* *unpaid leave during quarantine shall not be included to the maximum allowed amount of unpaid leave days;*
* *extension payments of social benefits (for families with children, persons with disabilities, IDPs, residents of AGCT) without applying to authorities for the duration of quarantine;*
* How has the State approached social protection of small entrepreneurs and for people whose livelihoods are based in informal economies, in particular persons working often informally, in agriculture and other traditional livelihoods, child and health care, domestic work, construction, restaurants, street vending, tourism or as sex-workers? What specific efforts have been made to assess and mitigate the relevant health and social-economic risks to these populations?

*For the duration of the COVID-19 restrictive measures, employees of* ***small and medium******businesses*** *are entitled to receive financial assistance in case of partial unemployment throughout the entire duration of quarantine measures starting from the first day of the reduction of working hours. The employer shall apply to local departments of the employment service to receive assistance for his/her employees. The amount of the assistance is to be envisaged by the Cabinet of Ministers.[[27]](#footnote-28) According to adopted regulations, it should not exceed the monthly minimum wage.*

*The Government introduced aid for children of individual entrepreneurs (payers of unified social tax) during the quarantine period and one month after. The amount of aid for each child under the age of 10 is equivalent to one minimum wage (for children under 6 years – UAH 1779; for children aged between 6 and 10 – UAH 2218)[[28]](#footnote-29).*

**Participation and consultation**

* What decision-making processes were used to adopt measures to respond to the pandemic? Did they include participation of local and decentralized authorities, including indigenous authorities, scientific experts, and civil society organizations?

*The key coordinating agency of government actions to prevent the spread of the COVID-19 pandemic in Ukraine is the "Anti-Crisis Headquarters for counteracting COVID-19 Acute Respiratory Disease caused by Coronavirus SARS-CoV-2", established by Decree No. 03 of the Cabinet of Ministers. Out of 33 members in total, six are women (18%). Representatives of almost all key ministries and agencies are included, excluding the Ministry of Social Policy and national human rights mechanisms.*

*A second coordination body on the COVID-19 response, the Coordination Council, which was established by the President of Ukraine, incorporates all sectors/departments, except the ones on education and economy, as well as well as the national human rights mechanisms. The lack of inclusion of these sectors might lead to the omission of important aspects of the differentiated impact of the pandemic and of ensuring equal rights and opportunities. The State Commissioner on Gender Equality is not a member of any of coordinating agency on COVID-19. Only one of the 17 members is a woman.*

* If emergency regulations have been imposed, to what extent have they affected official processes ensuring public participation and consultation? Have women and groups particularly affected by the pandemic and the response measures participated in such decision-making processes?

*The limited participation of women in decision-making processes related to COVID-19 does not allow them to influence policy making at national and local levels, the adoption of appropriate legal acts inclusive of the needs of women and most vulnerable populations, and the mitigation of the negative economic consequences that are anticipated after the end of lockdown measures. Women’s representation does not exceed 20% of the membership of specifically established temporary commissions, committees, and working groups at national and regional levels, due to the lack of women in decision making. Most of the structural units analysed, whose activities are aimed at ensuring the protection of the population in the context of the COVID-19 pandemic, do not include gender experts and/or gender policy advisers. In local communities this situation is caused by a low level of human resources and a lack of relevant experts. However, there is also a lack of interaction mechanisms between the established commissions and the operative response headquarters for the prevention of the spread of COVID-19 with women’s NGOs and representatives of vulnerable groups. The possibility of establishing and/or cooperating with consultative-advisory bodies on gender equality has not been exploited[[29]](#footnote-30).*

* What participation and consultation methods have been employed in preparing and implementing re-opening strategies or after emergency regulations have been lifted?

**Awareness raising and technology**

* What awareness-raising activities have been undertaken by the State to inform groups in vulnerable situation, indigenous people and other populations living in remote or conflict-affected areas of health risks associated with COVID-19?

*Although the dissemination of information by the Ministry of Health on the situation in Ukraine with COVID-19 and related precautionary measures is quite prompt and systematic, most of the data provided are not sex- and age-disaggregated. The only division between women and men is with regards to persons who died as a result of complications caused by COVID-19. At the same time, the Ministry does not provide any analysis of urgent needs and risks for most vulnerable groups. The Ministry of Social Policy provides the most complete, though also unstructured, information on measures to assist the most vulnerable groups during lock-down.*

*Apart from Kyiv City Administration, which provides structured information on COVID-19 transmission, precautions, health care, sex and age-disaggregated data, the information published by Regional State Administrations on the COVID-19 situation is incomplete and gender-insensitive. In addition, none of the websites of the 24 oblast State administrations have clear and detailed information on the risks faced by vulnerable populations in a pandemic and the measures taken to ensure their regular access to specific services.*

*The Government published recommendations on COVID-19 in 13 languages of national minorities, residing in Ukraine: Belarus, Bulgarian, Gagauz, Greek, German, Roma, Russian, Slovak, Yiddish, Polish, Crimean Tatar, Hungarian and Romanian only on 30 April. The production of materials was supported by the Council of Europe.  Short infographics with recommendations in Polish, Crimean Tatar, Hungarian, Romanian languages were available since 3 April.  Apart from this, all information is provided in the State language, which is Ukrainian.*

*According to a sociology survey,[[30]](#footnote-31) almost twenty six percent of Ukrainians obtain information about COVID-19 from official sources.*

*Nevertheless, there were attempts to restrict the right to public information at the legislative level. A draft law was registered in the Parliament, which allowed public authorities to address requests for information of citizens after the end of the quarantine (whilst, according to the current legislation the authorities have five days to address such requests).This draft law was criticized by human rights defenders and the Ombudsperson considered this draft as restriction of the right to the information guaranteed by the Constitution. [[31]](#footnote-32)*

*In parallel, to ensure a rapid assessment of the access to information of the population, on 24-30 March the Ombudsperson, with UNDP’s support, conducted monitoring[[32]](#footnote-33) of access to urgent public information in all oblasts of Ukraine (specifically Oblast Councils, City Councils at the Oblast level, and Oblast State Administrations). The monitoring identified a number of gaps and challenges in the provision of access to urgent information. According to the survey, 66 per cent of information holders provided response timely, 76 per cent published information regarding relevant quarantine regulations, but only 50 per cent provided public information regarding protective measures and plans. These results were addressed by the Ombudspersons through recommendations to the local authorities.*

* Have public officials and law enforcement officials been trained and briefed with regards to the overall human rights impact of the pandemic, and the situation of groups in vulnerable situation during and after the crisis?

**Internet**

* The internet and social media were increasingly used for work, education, shopping for food and other goods, awareness raising sharing of information, freedom of expression, religious ceremonies, cultural and social interaction, consultation and political decision making. What challenges and obstacles has the pandemic highlighted in terms of access for all to internet? Has the recent situation given rise to increased violations of human rights, mobbing and bullying online? If so, how was this addressed?
* What approach have the relevant authorities taken to monitor online information related to the pandemic? Have some contents been removed from the internet? If so, what criteria were applied to decide that the specific contents should be erased? Have specific measures been implemented against hate speech in cyber-space?

**Accountability and justice**

* Could you kindly highlight key concerns in complaints received by national human rights institutions, ombudspersons, anti-discrimination bodies in relation to the COVID-19 crises and how they have been addressed?
* Could you provide any account and statistics on the impact of the COVID-19 pandemic on the operation of the justice system, including law enforcement, the provision of legal assistance and the operation of courts? Which activities were temporarily suspended?

*There is a risk of potential violations of the right to a trial without undue delay, and impediments to access to justice, as the population’s physical access to court premises is limited during the quarantine. Despite the fact that the Parliament enabled this by law,[[33]](#footnote-34) and the State Judicial Administration of Ukraine issued a Regulation on remote participation in civil, commercial and administrative proceedings (outside of court premises),[[34]](#footnote-35) poor technical equipment poses an obstacle for administering justice online. Lawyers reported that judges were facing trouble moving their hearings online, as courts were unwilling and unprepared to use videoconferencing platforms. Often hearings are merely rescheduled, while defendants continue to be kept in detention. CSOs also complained that they were unable to monitor hearings online.*

*The significant reduction of funding to the justice system (due to amendments of the Law “On the State Budget for 2020” as a result of the COVID-19 response) will have a negative impact on access to justice and on the independence of the judiciary. According to a High Council of Justice statement published on 28 April, the amount of funding available for the judicial system in 2020 only covers 50 per cent of the costs. The lack of funding will affect the remuneration of judges and infringe their essential guarantee of independence. The lack of funding also hampers further development and introduction of courts’ digital information and communication system.*

* Please describe measures taken by the justice system in your country in protecting individuals from human rights violations and abuse during or after the COVID-19 pandemic. What measures have been taken to prevent, investigate or prosecute a) arbitrary arrest and detention, b) gender-based violence, c) sale and sexual exploitation of children, d) contemporary forms of slavery, e) racial discrimination, or f) illegal evictions?
* What measures have been taken to ensure access to justice, and provide accountability and redress for victims of hate-speech, racism, racial discrimination, xenophobia, and related intolerance during the pandemic?
* What has been the impact of this situation on women's access to justice? Are courts open and providing protection and decisions in cases of domestic violence, and are protection orders accessible?
* Have persons in situation of homelessness been fined, detained or prosecuted for non-respect of confinement or stay at home orders? How was this issue addressed in your country?
* In which way have restrictions for public or private meetings impacted on the freedom of expression and assembly? Have persons taking part in peaceful protest been fined, detained, or prosecuted for breaking national restrictions imposed for public or private meetings?

*Despite the fact that public gatherings were banned for the period of the quarantine, citizens held* ***peaceful assemblies*** *in various regions in Ukraine to express their views on various public matters, including how the Government’s COVID-19 response measures affects them. With a few exceptions, the assemblies were appropriately policed, and citizens did not face any punishment for participating in them. OHCHR notes, however, that during a public assembly held in Kyiv on 29 April, the police forced journalists filming the event from a park across the street to leave the area reportedly due to quarantine restrictions, allegedly damaging their equipment.*

*While media freedom has not been affected by the COVID-19 response, authorities may be arbitrarily restricting* ***freedom of expression*** *by fining individuals for social media posts about COVID-19 created by other users and reposted hundreds of times by others. OHCHR interviewed one man and one woman from Poltava region, who were subjected to administrative liability for* *‘spreading false rumours’. Both persons were visited by the local district police officer who told them that the Security Service of Ukraine, which investigates criminal cases related to national security, had contacted the National Police regarding their cases after social media monitoring.*

*Since introducing quarantine restrictions, partner CSO as well as media outlets reported about increase in such attacks. Most of cases of attacks against media workers documented between 12 March and 12 June were related to their professional activities focused on COVID-19 reporting. CSO Institute of Mass Information reports about 30 incidents recorded during the same period. This includes cases of obstruction to journalist’s activities (mainly – denying access to areas or events) and physical attacks.*

* Are there public or parliamentary investigations under way in relation to the response of public authorities to contain the spread of the pandemic?
* Please provide information on any alleged neglect, abuse, or serious violation of health regulations in health care institutions and institutions caring for older persons and persons with disabilities during the COVID-19 epidemic in your country?
* What measures have been taken by public and judicial authorities to address such allegations and to establish accountability, if applicable? Have any disciplinary, public inquiries or court cases been initiated, including against managers of the institutions concerned?
* Could you kindly share information on emergency regulations and COVID-19 response measures that may have been reviewed or suspended by national or constitutional courts in your country?

*On 4 June, the Supreme Court of Ukraine submitted an* [*appeal*](http://www.ccu.gov.ua/novyna/nadiyshlo-konstytuciyne-podannya-verhovnogo-sudu-shchodo-konstytuciynosti-vstanovlenyh-na) *to the Constitutional Court of Ukraine to recognize certain restrictive measures introduced by the Government unconstitutional. In particular, the Supreme Court argues that restrictions of the freedom of movement (on self-isolation for persons 60+), freedom of peaceful assembly, right to equality before law (on restriction of certain types of commercial activities) should have been introduced by law, rather than by decisions of the Cabinet of Ministers. The Supreme Court also notes certain limitations, in particular, on commercial activities, access to medical care (temporary cancellation of planned surgeries), could have been introduced only under regimes of martial law or emergency state. The Court reiterated its position in stating that temporary reduction of judicial remuneration[[35]](#footnote-36) directly violates constitutional provisions on guarantees for independence of judiciary.*

**Questions by the Special Rapporteur on extreme poverty and human rights**

The Special Rapporteur on extreme poverty and human rights, Mr. Olivier De Schutter, will examine the impacts of the COVID-19 crisis on people in poverty by assessing the extent to which the economic recovery plans adopted, in order to cushion the impacts of the economic recession, take into account the need to reduce poverty and inequalities. He will also examine the specific vulnerability of people in poverty to contamination.

In accordance with the ILO Social Protection Floors Recommendation No. 202 (2012), a national social protection floor is conceived as a basic set of rights entitling individuals to basic social security guarantees for health care and for income security for children, older persons and those unable to work, in particular in cases of sickness, unemployment, maternity, and disability. Do the economic recovery plans adopted include measures towards making progress towards establishment or strengthening of a national social protection floor?

Do the employment policies associated with the economic recovery plans take into account the specific situation of people working in the informal sector, and the need to improve working conditions in that sector as well as to extend formal social protection to them? Have such policies sought to increase the employability of groups that face specific barriers in their access to employment, for example, through demand-driven skills development and vocational training?

Have the economic recovery measures prioritized investments in education and skill development for women and girls, and in sectors where women make up a considerable proportion of the labour force (such as in export manufacturing)? Do they include gender budgeting to ensure that women benefit equally from public investments?

*No gender-responsive recovery measures have been envisaged. Vulnerable groups of women face more barriers to access to economic resources, public services and decision-making. The development and assessing of the relevant fiscal stimulus packages have not considered sectoral/occupational concentration of women as well as their employment status to address impacts on women’s employment*.

Have the tax reforms associated with the economic recovery plans sought to widen the tax base, by rebalancing the tax contributions of corporations and those in high-income brackets? Have the impacts of the introduction of new or higher taxes on those living in poverty been assessed?

The human rights principles of participation, transparency and accountability require States to create and maintain mechanisms by which individuals can meaningfully and effectively contribute to, provide feedback on and claim redress from policy measures that affect their enjoyment of human rights. Were any mechanisms established to allow people living in poverty to participate in the design, implementation and assessment of economic recovery plans?

*No such mechanisms have been established*

**Questions by the Special Rapporteur on the right to food**

The thematic report of the Special Rapporteur, Mr. Michael Fakhri, to the General Assembly will focus on international trade. The report’s main objective will be to identify the limits of the current international food system, explore to what extent the WTO is still suitable, and propose principles and mechanisms for a new food system. COVID-19 highlights the pre-existing weaknesses and inequities of the current system, but also provides a way to find new paths forward.

1. To what extent, and how, were international and domestic food supply chains disrupted during the pandemic? What were the measures taken by national, federal, provincial or local governments? Did authorities close particular local markets or impose export restrictions on certain goods? What was the reasoning for the actions taken by the respective authorities?

2. What measures did national, federal, provincial or local governments put in place to ensure access to food for the individuals in vulnerable situations such as older persons, children, women, rural communities, LGBT persons, national or ethnic, cultural, religious and linguistic minorities, and indigenous peoples?

*It is worth to note positive practices at the local level when local authorities cooperated with businesses and civil society in provision of food packages for older persons and persons with disabilities. CSOs also provided food for people living in homelessness. In two cities, local authorities provided additional funding for food provision for homeless people.*

*Despite the challenges caused by COVID-19, in some communities there were positive practices of food delivery for women and men from vulnerable groups. For example, delivery of food kits to low-income families, single elderly people and other vulnerable groups was organised under the charity project of the Ministry of Social Policy and the chain of grocery stores. Social mobile groups were created to provide vulnerable populations and older people with food, medicines and basic necessities So-called "social taxi" service was created in one of the communities to provide transportation support to people with disabilities. Food purchased by educational facilities that was left unused due to quarantine was given away to low-income people. In some communities, landowners delivered necessary assistance (food, medicines and basic necessities)to vulnerable people (including those with limited mobility) .[[36]](#footnote-37)*

3. What were the conditions under which food workers such as agricultural labourers, store workers, transporters, cooks, and shopkeepers had to work? What measures did national, federal, provincial or local governments put in place to ensure the safety and welfare of these workers? Were any special provisions and protections made for migrant workers?

1. Can you provide examples of any other measures taken by national, federal, provincial or local governments in your country to prevent hunger during the pandemic and in its aftermath?

**Questions by the Special Rapporteur on the right to adequate housing**

The report of the Special Rapporteur on the right to adequate housing, Mr. Balakrishnan Rajagopal, to the General Assembly focuses on the impact of the COVID-19 crisis on the right to housing. It will analyse measures taken to prevent and stop evictions during and in the aftermath of the crisis and to protect groups at risk of marginalization, including persons living in situation of homelessness and in informal settlements. The report will discuss whether emergency measures implemented may have had discriminatory outcomes, map out emerging good practices to counter them by local and national governments, and analyse medium and long term interventions required to protect during and after the crisis the right to adequate housing for all.

1. Please elaborate on measures taken by national, federal, provincial or local governments to ensure persons are protected from the virus at their home or place of living:
2. Has your country declared a prohibition on evictions? If a prohibition was declared, indicate its legal basis and how long it will last. Please specify if it is a general prohibition and if it also applies to persons living in informality or in informal settlements. Is the prohibition of evictions restricted to tenants or mortgage payers who have been able to pay their rent or serve their mortgages, or broader?
3. If no general prohibition on evictions was declared, please indicate how many evictions have taken place, the number of people affected, and the specific details of time, location and reasons.
4. Have any measures been taken to ensure that households are not cut-off from water, heat or other utility provision when they are unable to pay their bills?

*On 17 March, the Parliament approved* [*a law*](https://zakon.rada.gov.ua/laws/show/530-20#Text) *(No. 530 IX) banning, during the period of quarantine or of COVID-19 restrictive measures and 30 days after their termination:*

* *accrual and collection of penalties for late payments for housing and communal services;*
* *termination or suspension of the provision of housing and communal services to the citizens of Ukraine in case of their non-payment or incomplete payment;*
* *forced eviction and forced foreclosure (residential buildings, parts of residential buildings, apartments, rooms in apartments, rooms, residential sections or blocks in dormitories, other residential premises), which belongs to the right of private property to citizens of Ukraine, during the enforcement of decisions courts to recover debts for housing and communal services;*
* *forced eviction of citizens for late payment of housing and communal services from residential premises in state, public housing and social housing.*

*The procedure for granting housing subsidies and the introduction of additional compensation of expenses for housing utilities during the lockdown period have approved by the Government.[[37]](#footnote-38).*

*The government also* [*envisaged*](https://zakon.rada.gov.ua/laws/show/211-2020-%D0%BF#Text) *that citizens who delayed payments on consumer credits(including mortgages, starting from 1 March until the last day of the month in which the quarantine is over) should not be penalized by banks for not meeting their obligations.*

*On 25 March, the Cabinet of Ministers of Ukraine adopted* [*resolution*](https://ips.ligazakon.net/document/KP200247?an=10) *no. 247:*

* *prohibiting the termination of housing subsidies for the period of quarantine, except for circumstances that make it impossible provision of a housing subsidy, in particular in the event of a household moving to another dwelling (house) or in the event of the death of a single person;*
* *ensuring that issues related to the allocation of housing subsidies for the next period to all households that received housing subsidies in the heating period 2019 – 2020 are considered without respective applications from citizens;*
* *assigning a housing subsidy to citizens who were dismissed during the quarantine period in accordance with paragraph 1 of the first part of Article 40 of the Labor Code of Ukraine and registered with the employment service as unemployed, based on applications for housing subsidies and information from employment centers about their registration. The size of the assigned unemployment benefit without taking into account of the sum of the received salary is considered for the calculation of the sum of a housing subsidy;*
* *The sum of a housing subsidy is to be calculated taking into account a 50 per cent increase of the social standards established by the government within the period of the quarantine.*

*Due to the COVID-19 related review of the State budget, the budget funding for subsidies for housing and utility services was lowered 47.5 million UAH (1.7 million USD) to 39.3 million UAH (1.4 million USD). OHCHR also regrets that, as a result of COVID-19 related amendments to the 2020 State Budget, the State funding for different housing programmes has decreased and co-funding for the affordable housing programme was terminated.[[38]](#footnote-39)*

1. Please provide any information about other legal or financial measures aimed to ensure that households do not lose their home if they cannot pay their rent or mortgage payments? Have any other tenant protection measures been adopted in response to the pandemic?

*Subsidized mortgage loan for IDPs and participants of Anti-terrorist Operation and/or Joint Forces Operation, as well as reduction of rental payments have for business been introduced by the recent amendments to the State Budget of Ukraine 2020.[[39]](#footnote-40)*

1. What measures have been taken to protect persons living in informal settlements, refugee or IDP camps, or in situation of overcrowding from COVID-19?

*While many Roma families and individuals in Ukraine do not face particular economic or housing concerns, a significant number live in informal settlements, often facing harsh conditions. Each settlement constitutes a separate community with their own set of traditions, hierarchy and economy. Most of these settlements are concentrated in western regions of Ukraine – especially in the Zakarpattia region, including the two largest known settlements in Berehove and Mukacheve with up to 7,000 residents each. A number of informal settlements are also found near large cities throughout the country. Settlements often lack access to on-site water and sanitation, and are over-crowded. A range of instances of forced eviction across the country have left residents of these informal settlements in constant fear that such events may occur again. They face negative attitudes and at times hostility from members of the general public.*

*While OHCHR is only aware of one case of a violent eviction by unknown individuals of a Roma family in Kyiv[[40]](#footnote-41), OHCHR is generally concerned that a significant number of Roma have no running water in their settlements and still face difficulties in accessing clean water for their everyday needs. Difficulties recorded by OHCHR include a limited number of water pumps and wells in Roma settlements combined with the inability to buy a sufficient quantity of drinking water due to low incomes, and a lack of masks to enter shops where they might buy such water if they could afford to do so.[[41]](#footnote-42)*

*There are no IDP camps in Ukraine, but only several premises – dormitories where IDPs have been given with a room as a temporary solution. However, in some cases, IDPs continue living there for 5-6 years already. There were no concrete measures taken to protect living conditions. Moreover, in some dormitories where IDPs live as well, cases of COVID-19 have been detected.*

1. What measures have been taken by authorities to ensure that migrant and domestic workers housed by their employers continue to have access to secure housing during the pandemic and in its aftermath? If migrant workers left their place of work to return to their place of origin, what measures were taken to ensure their right to housing?
2. Have any measures been taken to provide safe accommodation for persons in situation of homelessness? If yes, how many persons were housed, in what form, where and for how long? How will it be ensured that persons provided with temporary accommodation will have access to housing after the crisis?

*No specific measures have been taken at the national government level and there are very few measures taken at the local level regarding the provision of shelter to persons in situation of homelessness.*

*According to the Ministry of Social Policy of Ukraine, social protection facilities in Ukraine have the capacity to provide shelter to 1,600 persons. This figure is well below the number of homeless persons who were accounted by the local authorities in 2019, 21.7 thousand persons. The real demand in shelter may be times higher given that not all homeless persons apply for services and that there are cities, towns and regions in Ukraine which do not offer services that register and count homeless people.*

*Social services to homeless people that include shelter, food, assistance in restoration of identity documents and seeking employment are unevenly spread across Ukraine because their availability depends on the funding from local authorities. Out of 25 regions of Ukraine,[[42]](#footnote-43) in six regions (Luhansk, Kyiv, Ternopil, Vinnytsia, Zakarpattia and Zaporizhzhia), local authorities have neither established shelters for homeless people, nor provided any funding to shelters run by citizens associations or religious organisations. In Lutsk, the charity-run shelter financed from the city budget operates only during the winter months and remains closed during the quarantine. In Mykolaiv, the municipal shelter is only available for men. In four regions (Kharkiv, Khmelnytskyi, Kirovohrad and Sumy), municipal shelters for homeless people did not accept new people during the quarantine.[[43]](#footnote-44) Some shelters run by charities and religious communities available in several regions have also stopped accepting newcomers due to the risk of COVID-19 spread (for example, in Dnipro, Zaporizhzhia, Kyiv city). In the cities with shelters for homeless people, there is a notable gap between the supply and demand of shelter and food during the quarantine. For example, an estimated 5,000 to 40,000 homeless people live in Kyiv, while the city can only accommodate 150 persons in the municipal shelter and feed 300 people on the street.*

*On a positive note, in response to COVID-19, in Sumy and Lviv, the local authorities increased funding for municipal shelters to provide meals for their residents. In Kyiv city, the authorities covered the cost of stay (10 UAH) in the municipal shelter for homeless people. However, in Kherson, the planned funding for the shelter was reduced as a result of the COVID-19 response. In Chernihiv, expected funding for the expansion of the shelter was suspended as part of a COVID-19 response measure.*

1. Can you provide examples of any other measures taken or planned by national, federal, provincial or local Governments in your country to protect the right to adequate housing during the pandemic and in its aftermath?

*The Government and/ or local authorities did not take specific measures and decisions to guarantee and protect the right to adequate housing for conflict-affected population, including IDPs. Moreover, due to pandemic, the budgeting for the compensation for destroyed housing regulated by the Resolution No. 947 has been cut to half for 2020.*

*The draft law on compensation for damaged and destroyed property is yet to be finalised and submitted to the Government and Parliament for revision.*

**Questions by the Special Rapporteur in the field of cultural rights**

The next report to the Human Rights Council by the Special Rapporteur in the field of cultural rights, Ms. Karima Bennoune, will focus on the impact of the COVID-19 crisis on the exercise of cultural rights and on the role of culture and cultural rights in responding to the pandemic.

1. What have been the impacts on cultural rights and on cultural life\* of:
2. the pandemic?
3. measures taken to respond to the pandemic?

\* Cultural rights include the rights to take part in cultural life without discrimination, to access and enjoy heritage, to artistic and scientific freedom, and to benefit from scientific knowledge and its applications. Cultural life includes performing arts, museums, heritage sites, sports and public spaces used for a variety of cultural and social gatherings.

1. What efforts have been made to guarantee the exercise of cultural rights, in accordance with the requirements of public health? How has the message that cultural life must be enjoyed in ways that respect public health and medical expertise been communicated?
2. What roles have culture and cultural rights played in responding to the pandemic:
3. At the individual and collective levels, including in building resilience and solidarity, and memorializing victims?
4. At the scientific level, to provide adequate information to inform public policy and ensure public awareness?
5. In any other relevant manner?
6. What steps have been taken to mitigate the impacts of the pandemic, and of measures to counter the pandemic, on the cultural sector and on the human rights of those working in it (including artists, athletes, cultural heritage professionals, cultural workers, librarians, museum workers and scientists)?
7. How have the cultural sector and those working in it adapted to the pandemic? How have these adaptations been received by the public and how have they been supported, including financially? Are there sectors of the population that may risk exclusion from such adaptations?
8. What kind of measures will be necessary to rebuild the cultural sector going forward? How will inclusion be addressed?
9. Has your Government already envisaged / announced specific measures to support the culture sector during and after the pandemic? How will relevant constituencies participate in their development and implementation?

*On 16 June, the Parliament adopted a* [*law*](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=68643) *which provides for additional State financial assistance for the creative, tourism and publishing industry. The law also prohibits sanctions being issued against TV and radio broadcasters who miss the deadlines for their yearly reporting of activities during the quarantine. This law was requested by representatives of the creative industries, as the Government’s COVID-19 exit strategy only foresees the resumption of these industries’ work at the last stage of the exit strategy.*

1. Have scientific and medical experts been able to express themselves freely about the pandemic, its impacts and needed responses? What measures have been taken to address the denial of scientific information about the pandemic, and to ensure access to reliable scientific information to guide policymaking and personal choices.

**Questions by the Independent Expert on the human rights of older persons**

The report of the Independent Expert, Ms. Claudia Mahler, will focus her report to the General Assembly on the impact of the COVID-19 pandemic on the enjoyment of the human rights of older persons. The report aims to highlight the challenges for the rights of older persons in the current national and international legal framework. It will analyse different risks to older persons human rights which were exacerbated and heightened and made more apparent during the pandemic. Ageism and age discrimination have continued, together with violations to older persons’ right to health and care service support, including their right to life, their right to information, their right to live free from violence, abuse and neglect, and their right to participate and to social inclusion. The report will provide best practices and case studies.

1. Please provide more information on the situation and measures taken in state run or financed facilities with a focus on the needs of older persons with underlying health conditions. Please provide any information concerning shelters for older women to protect them from abuse or from homelessness.

*OHCHR is particularly concerned about the situation older persons and persons with disabilities in a least three long term care institutions (two of which are private) for older persons in Ukraine. Three residents died of COVID-19 in one facility in Odesa, and at least three in facilities for people with psychosocial disabilities. OHCHR’s monitoring also raises concerns about the lack of access to medical care for older persons with non-COVID-19 health issues, and the lack of public funding for food for staff who stay in the facilities for extended periods in order to decrease the potential exposure to COVID-19 of the residents and of the first-responders’ families. Several facilities for older persons and persons with disabilities also reported to OHCHR shortages of personal protective equipment and sanitiser, and a lack of COVID-19 tests available for older persons. OHCHR also learned that after the authorities named the facility in Odesa in which several residents and staff had tested positive for COVID-19, the staff came under pressure from families and friends who requested they do not return home. Staff at other institutions have reportedly voiced fears of similar stigmatization if they are tested or report possible cases.*

*The Ombudsperson’s Office, in its monitoring of the situation w in institutions for older persons and facilities for people with psychosocial disabilities all-over Ukraine, identified numerous gaps including lack of coordination with local medical facilities, as well as lack of clear procedures of implementing anti-epidemic measures. [[44]](#footnote-45)*

*Enacted steps aimed at COVID-19 response do not take into account gaps in health- and education-related legislation, which complicates provision of necessary services to vulnerable populations. This includes, inter alia, introduction of measures to provide additional hospital beds. Thus, due to the requirements to increase the number of vacant beds in hospitals, individuals in need of special care were discharged, in particular older people who were eligible to obtain services of a residential care facilities for the elderly.*

*In some communities social mobile groups were created to provide vulnerable populations and older people with food, medicines and basic necessities. Hotline is created to assist citizens 80+, older people in need of care, persons with disabilities. For the patients in need of haemodialysis, the transportation to hospitals by a village council vehicle was arranged so they could timely undergo procedures[[45]](#footnote-46).*

2. Please provide information how and how many older persons called for assistance, help or made official complaints during the pandemic.

3. Please provide information on reports, speeches and measures which had a special focus on older persons during the pandemic. Please include best and bad practices.

4. Please provide examples how older persons have participated in decision-making processes during the pandemic. Please describe how their perspective and needs have been integrated in national policies and programmes on the way to recovery from COVID-19 to make it a more inclusive and age friendly society.

**Questions by the Working Group on Persons of African Descent**

The Working Group of experts on people of African descent will focus its annual report to the 45th session of the UN Human Rights Council on the impact of COVID-19 and the response to the pandemic, on the human rights of people of African descent.

1. What measures have been taken to assess and address the impact of COVID-19 and associated efforts on people and communities of African descent in the country? For example, is data disaggregated on the basis of race being kept on infection, severity, recovery, and availability and access to both health and non-health resources and interventions? Are economic stimulus, public health, and health care efforts related to the pandemic penetrating communities of African descent and what data supports these conclusions?

2. What measures have been taken to explicitly ensure bias is not motivating medical and policy decisions during this pandemic?

3. What measures have been taken to ensure the impact of the COVID-19 pandemic does not disproportionately fall to people of African descent? This question includes (a) the impact of infection, (b) the impact of new or existing policy, including access to health care and social safety net, and (c) the non-infection impact (like loss of livelihood and income).

4. Given the particular 'social invisibility' of people of African descent in many countries, what measures have been taken to ensure that the unique needs of people of African descent – with respect to both health and policy - are fully understood? What planning has taken place to address these unique needs of communities of African descent during this pandemic?

5. What representation by people of African descent exists in high-level decision making relating to this crisis? What specific efforts have the State used to ensure adequate expertise, and understanding to responsibly plan on behalf of communities of African descent? What measures have been taken to ensure equal protection, including ensuring that interventions that appear neutral on their face do not license or facilitate racial bias and stereotypes?

6. What protection efforts have centred public health issues specific to people of African descent? How have States leveraged existing civil society expertise to define key concerns and to effectively implement policy with respect to people of African descent? How have concerns and assessments relating to people of African descent impacted research and knowledge production agendas developed in response to the COVID-19, including to investigate specific barriers to care, or recognize the racially discriminatory intent or impact of policy?

7. To what extent do people of African descent have access to justice in the time of the pandemic? What remedies are available to people of African descent for the racism, racial discrimination, xenophobia they face in the midst of COVID-19? What independent investigations are conducted for the racially motivated violations of their human rights? What sanctions are imposed on responsible entities and individuals? Please provide examples.

**Questions by the Special Rapporteur on the rights of indigenous peoples**

The Special Rapporteur on the rights of indigenous peoples, Mr. José Francisco Cali Tzay, will present a report to the General Assembly in October 2020.[[46]](#footnote-47) The report will examine how to ensure effective protection of indigenous peoples, who may be at greater risk of negative impacts on their human rights both from the virus and States’ responses to it, while guaranteeing their right to autonomy and self-determination.

The report will also seek to help States avoid impunity for violations and abuses of indigenous peoples’ rights by States or businesses, related to the pandemic. The Special Rapporteur will also present examples of good practices of indigenous participation in implementing innovative responses to the pandemic that include the vision and approaches of indigenous peoples.

1. How has your Government assessed and redressed potential disproportionate impact of the virus on the health of indigenous peoples, and avoided contamination in remote communities? What measures were taken to ensure access to information, health care and other forms of urgent assistance for remote communities? How were such measures adapted to the cultural and other specific characteristics of indigenous communities?
2. Has your Government observed any disproportionate impact of the pandemic and measures in response, on indigenous peoples’ access to traditional livelihood, food and education, or the right to be consulted and provide consent in the context of development and business operations on their territories?
3. How has your Government supported indigenous peoples in their own initiatives to fight the pandemic, protect health and provide assistance in their own communities?
4. How are indigenous peoples ensured a role in shaping the national COVID-19 response to avoid discriminatory effects on their communities and including their actual socio-economic and cultural requirements in recovery programmes? How is their input sought and respected in all relevant programs that could affect them?
5. What measures have been taken to protect the lands, territories and resources of indigenous peoples against potential increased militarization and land-grabbing by external actors during the pandemic, including when indigenous people’s mobilization may be restricted by lockdown and quarantine?

**Questions by the Special Rapporteur on contemporary forms of slavery**

The thematic report of the Special Rapporteur on contemporary forms of slavery, Mr. Tomoya Obokata, to the Human Rights Council at its 45th session in September 2020 will analyse how increasing poverty and rising unemployment caused by the COVID 19 health crisis push people into exploitative employment in informal or illegal economies, increasing their vulnerability to forced labour, worst forms of child labour and other slavery-like practices such as bonded labour, as well as forced marriage. The impact on those who are already in a situation of enslavement will also be highlighted, given that resources for anti-slavery initiatives may be further limited in the context of the economic crisis, likely disrupting services for the prevention and response to contemporary forms of slavery. Finally, the report will offer recommendations with regards to interventions that are required to address these problems and to protect most vulnerable groups.

1. What is the impact of the COVID-19 crisis on contemporary forms of slavery, including descent-based slavery; forced labour; debt bondage; serfdom; sexual slavery; commercial sexual exploitation of children; child labour; domestic servitude; and servile forms of marriage?
2. What steps have been taken by the Government to reduce increased risks of contemporary forms of slavery in the context of the outbreak? Please, share any good practices and identify persistent challenges, including with regards to prevention; identification of victims; provision of access to recovery and rehabilitation services; and investigation and prosecution of slavery-related crimes.
3. Are there indications of an increase in the number of people employed in informal or illegal economies since the outbreak of the pandemic? Are there reports of forced labour and exploitative labour practices in such business sectors, such as long working hours, low pay, no adequate time to rest, and no holiday pays, etc.?
4. Has there been engagement with business entities and other stakeholders to develop joined strategies on reducing the risk of vulnerable workers in their operations and supply chains becoming exposed to contemporary forms of slavery in the context of the pandemic.
5. Since the outbreak, has the Government continued investigating and prosecuting human rights violations related to decent-based slavery; forced labour; debt bondage; serfdom; sexual slavery; commercial sexual exploitation of children; child labour; domestic servitude; and servile forms of marriage?
6. In light of the Sustainable Development Goals and global commitments to eradicate slavery (target 8.7) and measure progress in this area, has the Government been able to ensure timely collection and analysis of disaggregated data? If available, please share the data collected in the first quarter of 2020, including information regarding the number, age, gender and nationality of identified victims; number of prosecution of perpetrators; types of services provided to the victims; industries where victims were identified. Has any of these data significantly varied from previously recorded trends due to factors related to the COVID-19 pandemic?

**Questions by the Special Rapporteur on the sale and sexual exploitation of children**

The report of the Special Rapporteur on the sale and sexual exploitation of children will explore how the COVID-19 crisis threatens to further erode the situation of children most vulnerable to sale and sexual exploitation. The report will focus on identifying push and pull factors, scaling up good practice, and providing recommendations on the measures to address the heightened risks of sale and sexual exploitation of children, during and in the aftermath of the pandemic. The recommendations of the report will seek to: operationalize the pledges made under Agenda 2030 as far as they relate to SDG targets 5.3, 8.7 and 16.2. and ensure implementation of effective child protection responses arising in the context of emergencies.

1. What is the impact of COVID-19 crisis on the nature and scope of various manifestations of sale and sexual exploitation of children, including sexual exploitation and abuse of children, both online and offline; child marriage; trafficking of children; surrogacy and sale of children; illegal adoptions and child labour?

* What are the new forms and manifestations of sale and sexual exploitation of children in the context of COVID 19 crisis?
* What are the key trends and accelerators in the context of the pandemic that may increase children’s vulnerability to the sale and sexual exploitation?

1. What essential protection measures, including identification, reporting, referral and investigation, have been put in place to detect and prevent child sexual abuse and exploitation cases and how effective have they been since the outbreak?
2. Have there been any initiatives on collecting disaggregated data on specific forms and manifestations of sale and sexual exploitation of children during the pandemic and assessing the near and long-term impacts of COVID-19?
3. Please, share information about challenges faced in the provision of undisrupted healthcare, education and legal aid, as well as care recovery and reintegration services for the victims in the context of the outbreak.
4. Have there been examples of innovative solutions to ensure effective functioning of child protection and justice systems that are resilient, adaptable and able to withstand the next crisis?
5. How relevant and functional were the existing legal frameworks dealing with prohibition, prosecution, protection, care, assistance and prevention in relation to all forms of physical, mental and sexual violence against, exploitation and neglect of, and harmful practices in relation to children?
6. Has there been a surge of resource allocation, actions plans or coordination mechanisms, prevention and response services for the protection of children from all forms of violence, abuse and exploitation?

**Questions by the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity**

The report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Mr Victor Madrigal-Borloz, will be presented to the General Assembly in October 2020. It will focus on the impact of the COVID-19 pandemic on the human rights of lesbian, gay, bisexual, trans, and gender diverse (LGBT) persons, communities and/or populations. It will build on consultation and research processes triggered since the start of the pandemic, and also the work of States and civil society to create an LGBT-inclusive response to the health crisis. It will analyse the particular circumstance of LGBT persons who are living with disabilities, older persons, youths and children, migrants, minorities, those affected by poverty and homelessness, as well as those who face health challenges. The report will further analyse measures adopted in the context of the pandemic, aimed at persecuting LGBT persons, with indirect or unintended discriminatory effects, and identify and analyse good practice.

1. How did the State evaluate the situation of LGBT persons vis-à-vis the pandemic and potential specific vulnerabilities?

*Restrictive measures in the context of COVID-19 associated with the prolonged stay of family members in a shared space, and increased overall stress, may escalate domestic violence, including psychological abuse, against LGBTI persons, especially where there is lack of acceptance of person’s sexual orientation and gender identity by the family. There are also some cases of humiliation and harassment by relatives of LGBTI women because of their sexual orientation.[[47]](#footnote-48)*

1. What measures were adopted by the State to ensure that LGBT persons would not be subjected to discrimination in the implementation of COVID-19 related interventions?
2. Did LGBT civil society participate in the design of measures taken to respond to the pandemic? If no, why not?

*The LGBTI community did not participate. In general there was low level of involvement of vulnerable groups, including women and men, facing multiple discrimination, and LBTI persons, in the process of policy development, decision-making, monitoring and evaluation at the national, regional and local levels.*

1. What is the information available to the State as to the impact of the COVID-19 pandemic on the general situation of LGBT persons and their access to education, housing, health and employment and on their living conditions?

*They do not participate given a general low level of involvement of vulnerable groups, including women and men, facing multiple discrimination, and LBTIQ persons, in the process of policy development, decision-making, monitoring and evaluation at the national, regional and local levels.*

1. Can you identify good practices in the State interventions in relation to COVID-19 and LGBT persons? Can you identify good practices stemming from civil society actions? Have lessons be learned from the pandemic on how not to leave LGBT persons behind in emergency situations?

*Key concerns regarding the situation of LGBTI persons during the pandemic relate to availability of services for domestic violence survivors, alleged police profiling when controlling compliance with the quarantine measures and socio-economic concerns aggravated by the patterns of discrimination. In the context of a general increase in domestic violence during the quarantine, civil society has expressed the concern that LGBTI persons who face such violence may be reluctant to seek assistance from police and psychologists due to their distrust of the police and available psychologists. Another civil society concern is that transgender people who have lost their jobs because of the quarantine have a harder time in finding a new job due to the existing societal prejudice and stigma. Access to specialist doctors to consult on hormone treatment is restricted. There is also an alleged increase of police stop-and-search actions towards LGBTI people on suspicion of having drugs.*

**Questions by the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes**

The Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, Mr. Baskut Tuncak, would welcome in addition responses to the following specific questions related to his mandate:

What evidence have you collected on environmental factors (such as exposure to hazardous substances and wastes, air and water pollution) that are contributing to serious or deadly cases of COVID-19?

Which initiatives and measures have been taken to understand such link and to currently address this problem?

**Questions by the Independent Expert on foreign debt and human rights**

The report of the Independent Expert on foreign debt and human rights, Ms. Yuefen Li, to the United Nations General Assembly will focus on debt servicing and debt sustainability of low-income and developing countries in view of the current COVID-19 pandemic and its impact on financing for development , economy, poverty and the right to an adequate standard of living. To inform her report Ms. Li welcomes contributions from States, International Financial Institutions, Regional Banks, national human rights institutions, civil society organisations, academics and other stakeholders, on the following issues:

1. Did your Government benefit or have been allocating (as a creditor, lender or donor) any forms of debt alleviation including debt standstill, relief, moratorium, restructuring or cancellation. Was human rights a major consideration in making decisions and the use of the financial resources? Were there any specific groups at risks identified and if so, please detail specific measures considered to protect their human rights.
2. How much additional resources have been deployed to deal with the pandemic and COVID-19 relief if applicable? If any forms of debt alleviation have been allocated/received, were there any adjustments made to social spending and COVID relief programmes, if so, please provide further details.
3. In addition, have the debt repayment requirements pressed your Government to cut some of the social expenditures, including on health? If so, do you think that this has hampered the current response of the health system to the COVID-19 crisis?
4. Going forward, what measures or policy recommendation are being considered by your Government/institution for economic recovery and debt sustainability and to prevent and mitigate human rights impacts of the COVID-19 economic fallout?

1. The present submission is based on contributions from OHCHR, UNWOMEN and UNDP. [↑](#footnote-ref-2)
2. UN Women Rapid Gender Assessment of the situation and needs of women in the context of COVID-19 in Ukraine (https://www2.unwomen.org/-/media/field%20office%20eca/attachments/publications/2020/06/rapid%20gender%20assessment\_eng-min.pdf?la=en&vs=3646&fbclid=IwAR3wphFAGH\_2jVeyNHlgWrZYSN\_yy5seCZG7qcHQIbJqN7rsmTC8cnThm3E) [↑](#footnote-ref-3)
3. Ibid. [↑](#footnote-ref-4)
4. Decree of the Cabinet of Ministers of Ukraine no. 251 of 1 April 2020 ”Some issues of increasing of pension payment and provision of social support to certain categories of population in 2020”; available at: https://www.kmu.gov.ua/npas/deyaki-pitannya-pidvishchennya-pensijnih-viplat-i-nadannya-socialnoyi-pidtrimki-okremim-kategoriyam-naselennya-u-2020-roci-i010420-251. [↑](#footnote-ref-5)
5. Law of Ukraine ”On amendments to State Budget 2020” no. 553 of 13 April 2020, available at: https://zakon.rada.gov.ua/laws/show/553-20. [↑](#footnote-ref-6)
6. Payment amounts to 750 minimum subsistence level. As of 1 January, the minimum subsistence level is 2102 UAH; as of 1 July 2020 – 2197 UAH. [↑](#footnote-ref-7)
7. Depends on the gravity of disability but shall be no less than 300 minimum subsistence level. [↑](#footnote-ref-8)
8. [Law ‘On amendments to article 39 of the Law of Ukraine ‘On protection of population from infectious diseases’ on additional guarantees for medical and other personnel, involved in protection of population from infectious diseases, and their family members’, No.588 of 7 May 2020.](https://zakon.rada.gov.ua/rada/show/588-20#Text) [↑](#footnote-ref-9)
9. The relevant draft law No. 3626 is registered in the Parliament in June. Hwever, it has not been tabled for consideration yet. The draft foresees additional doubled salary payments for social workers. [↑](#footnote-ref-10)
10. [Resolution no. 493, of 17 June 2020.](https://www.kmu.gov.ua/npas/pro-vidilennya-koshtiv-dlya-zabezpe-a493) [↑](#footnote-ref-11)
11. Monitors of the Ombudsperson's Office conducted visits to places of deprivation of liberty to monitor the situation related to the spread COVID-19 and identified numerous gaps:: [Korosten Colony in the Zhytomyr Region](http://www.ombudsman.gov.ua/ua/all-news/pr/prav-zasudzhenix-v-umovax-karantinnix-zaxod%D1%96v-u-korostensk%D1%96j-vipravn%D1%96j-kolon%D1%96%D1%97-na-zhitomirshhin%D1%96/); the Temporary Detention Facility in Pereyasliv Kyiv Oblast ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-v-ki%D1%97vsk%D1%96j-oblast%D1%96,-shho-znaxoditsya-v-m%D1%96st%D1%96-pereyaslav/)), the Temporary Detention Facility No 7 in Kyiv Oblast ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-v-ki%D1%97vsk%D1%96j-oblast%D1%96,-shho-znaxoditsya-v-m%D1%96st%D1%96-pereyaslav/)), Kaharlyk Colony in Kyiv Oblast ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-kagarliczk%D1%96j-vipravn%D1%96j-kolon%D1%96%D1%97/)), Chortkiv Penitentiary № 26 (SIZO) ([link](http://www.ombudsman.gov.ua/ua/all-news/?date=&section=&page=23)), the Temporary Detention Facility in Bila Tserkva ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-%D1%96tt-gunp-ukra%D1%97ni-v-ki%D1%97vsk%D1%96j-oblast%D1%96,-shho-znaxoditsya-v-m%D1%96st%D1%96-b%D1%96la-czerkva/)), the Kovel Colony ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-kovelsk%D1%96j-vixovn%D1%96j-kolon%D1%96%D1%97/)), Kropyvnytskyi Colony ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-kovelsk%D1%96j-vixovn%D1%96j-kolon%D1%96%D1%97/)), the Horodyshchenska Colony ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-gorodishhensk%D1%96j-vipravn%D1%96j-kolon%D1%96%D1%97/)), the Sumska Colony ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-sumsk%D1%96j-vipravn%D1%96j-kolon%D1%96%D1%97/)), the Kolomyiska Colony ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-kolomijsk%D1%96j-vipravn%D1%96j-kolon%D1%96%D1%97/)), the Temporary Detention Facility in Zaporizhzhia ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-v-%D1%96tt/)), the Cherkaska Colony ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-cherkask%D1%96j-vipravn%D1%96j-kolon%D1%96%D1%97/)), the Dykanivska Colony ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-dikan%D1%96vsk%D1%96j-vipravn%D1%96j-kolon%D1%96%D1%97/)), the Kachanivska Colony ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-kachan%D1%96vsk%D1%96j-vipravn%D1%96j-kolon%D1%96%D1%97/)), the Raykivetska Colony ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-rajk%D1%96veczk%D1%96j-vipravn%D1%96j-kolon%D1%96%D1%97/)) and other places of deprivation of liberty in Ukraine. [↑](#footnote-ref-12)
12. On 27 April, the Government of Ukraine submitted to the Parliament [draft law No. 3397](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=68676) on amnesty for prisoners (on prevention the spread of COVID-19) and [draft law No. 3396](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=68675) on amending certain legislative acts to prevent the introduction and spread of COVID-19 in penal colonies and pre-trial detention (regulating the choice of pre-trial detention measures, conducting investigative actions and enforcing sentences). [↑](#footnote-ref-13)
13. As of 7 March 2020, the Joint Forces Operation banned persons travelling from AGCT to GCT, who have COVID-19 symptoms and do not have registered place of residence from entering GCT. As of 16 March, the Joint Forces Operation will not allow persons travelling from AGCT to enter GCT if they do not have a registered place of residence in GCT; will not allow persons, who have a registered place of residence in GCT to travel to AGCT. [↑](#footnote-ref-14)
14. OCHA, Humanitarian Response Plan Ukraine 2020, Issued January 2020, page 14, https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/ukraine\_2020\_humanitarian\_response\_plan\_en.pdf; UNHCR and Right to Protection, Crossing the Contact Line: February 2020 Snapshot, https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/02\_2020\_r2p\_eecp\_report\_eng.pdf. [↑](#footnote-ref-15)
15. On 17 March, the Parliament approved [a law](https://zakon.rada.gov.ua/laws/show/530-20#Text) envisaging the right of internally displaced persons not have their certificates reviewed for the duration of the quarantine and 30 days afterwards, allowing them to receive social benefits for the duration of period without suspension and the residence verification and bank identification checks. [↑](#footnote-ref-16)
16. [Resolution No. 480 of 12 June 2020, the Cabinet of Ministers.](https://zakon.rada.gov.ua/laws/show/480-2020-%D0%BF#n13) [↑](#footnote-ref-17)
17. [Resolution No. 341 of 22 April 2020.](https://www.kmu.gov.ua/npas/pro-zahodi-shchodo-stabilizaciyi-cin-a341) [↑](#footnote-ref-18)
18. Rapid assessment on responsiveness of local domestic violence services and risks faced by survivors during the confinement measures imposed by COVID-19 pandemics in local communities in the Donetsk and Luhansk oblasts conducted by UN Women between 26 March and 2 April. [↑](#footnote-ref-19)
19. On 21 April, the Mayor of Ivano-Frankivsk openly demanded that law enforcement agencies forcefully evict or apprehend Roma who refused to move to another region voluntarily. Following the outbreak of COVID-19 in Nerubaiske village in May, the authorities introduced freedom of movement restrictions that may be discriminatory by establishing several checkpoints on the streets where Roma reside to control their movements, whereas in other cases when COVID-19 broke out in villages, freedom of movement restrictions concerned the entire village rather than particular groups or areas. In an article prepared by an online media on the issue of homelessness in Kyiv published on 4 May, the Director of the Department of Social Protection of the Kyiv City Administration presented the homeless as social parasites and blamed civil society organisations for ‘overfeeding’ them during the quarantine. [↑](#footnote-ref-20)
20. All-Ukraine survey was conducted on 9-24 April by UNDP request <https://www.ua.undp.org/content/ukraine/en/home/presscenter/articles/2020/how-ukrainians-are-responding-to-the-new-challenges-of-COVID-19.html> [↑](#footnote-ref-21)
21. <https://www.bbc.com/news/world-europe-51581805> [↑](#footnote-ref-22)
22. [Decree of the Cabinet of Ministers of Ukraine no. 247 of 25 March 2020.](https://www.kmu.gov.ua/npas/pro-osoblivosti-nadannya-zhitlovih-subsidij-247250320) [↑](#footnote-ref-23)
23. [Law of Ukraine ”On amendments to State Budget 2020” no. 553 of 13 April 2020](https://zakon.rada.gov.ua/laws/show/553-20). [↑](#footnote-ref-24)
24. [Decree of the Cabinet of Ministers of Ukraine no. 244 of 29 March 2020 amending the Order of unemployment registration](https://zakon.rada.gov.ua/laws/show/244-2020-%D0%BF). [↑](#footnote-ref-25)
25. Fund for mandatory State social protection in case of unemployment, Cabinet of Minister’s Resolution ‘On minimum amount of financial assistance in case of unemployment for the duration of quarantine’ No. 217 of 8 April 2020. [↑](#footnote-ref-26)
26. [Decree of the Cabinet of Ministers of Ukraine no. 247 of 25 March 2020.](https://www.kmu.gov.ua/npas/pro-osoblivosti-nadannya-zhitlovih-subsidij-247250320) [↑](#footnote-ref-27)
27. Resolution of the Cabinet of Ministers ‘On approval of the Rules for distribution and returning funds, allocated to cover costs of assistance in cases of partial unemployment during the quarantine, imposed by the Cabinet of Ministers in order to prevent the outbreak of acute respiratory disease COVID-19” No. 306 of 22 April 2020. [↑](#footnote-ref-28)
28. [Decree of the Cabinet of Ministers of Ukraine ”Some issues of social support to families with children” of 22 April 2020](https://www.kmu.gov.ua/news/uryad-zaprovadiv-dodatkovi-socialni-garantiyi-dlya-fopiv-ta-malozabezpechenih-simej-na-period-karantinu) [↑](#footnote-ref-29)
29. https://www2.unwomen.org/-/media/field%20office%20eca/attachments/publications/2020/06/rapid%20gender%20assessment\_eng-min.pdf?la=en&vs=3646&fbclid=IwAR3wphFAGH\_2jVeyNHlgWrZYSN\_yy5seCZG7qcHQIbJqN7rsmTC8cnThm3E [↑](#footnote-ref-30)
30. All-Ukraine survey was conducted on 9-24 April by UNDP request <https://www.ua.undp.org/content/ukraine/en/home/presscenter/articles/2020/how-ukrainians-are-responding-to-the-new-challenges-of-COVID-19.html> [↑](#footnote-ref-31)
31. The Ombudsperson provided relevant conclusion regarding the draft law <http://www.ombudsman.gov.ua/ua/all-news/pr/upovnovazhenij-ne-pіdtrimuє-zakonoproekt-shhodo-vіdstrochki-rozglyadu-zapitіv-ta-zvernen-na-chas-karantinu/> (available on Ukrainian) [↑](#footnote-ref-32)
32. <https://www.ua.undp.org/content/ukraine/en/home/library/democratic_governance/access-to-public-info-re-covid-response.html> [↑](#footnote-ref-33)
33. On 30 March, the Parliament of Ukraine approved the law No. 3275“On amendments to certain legislative acts aimed at providing additional social and economic guarantees due to the outbreak of COVID-19” that, among other things, provided for access to hearings through videoconference. [↑](#footnote-ref-34)
34. On 8 April, the State Judicial Administration issued a Regulation on the participation of parties to civil, economic and administrative proceedings in remote court hearings (outside of court premises), according to which only one software platform was allowed which limited access to citizens who have a digital signature. Following OHCHR advocacy, on 23 April, the State Judicial Administration updated its regulations on online court hearings. In particular, the revisions allowed people who do not have a digital signature to participate in court hearings and courts to use any software and equipment that complies with the set technical requirements for online hearings. [↑](#footnote-ref-35)
35. The Parliament [reduced](https://zakon.rada.gov.ua/laws/show/553-20#Text) salaries of top officials, including judges, ministers, heads of State services and others, for the duration of quarantine in order to cut expenditures of the State budget. The maximum salaries for these categories will be 47,000 UAH. [↑](#footnote-ref-36)
36. https://www2.unwomen.org/-/media/field%20office%20eca/attachments/publications/2020/06/rapid%20gender%20assessment\_eng-min.pdf?la=en&vs=3646&fbclid=IwAR3wphFAGH\_2jVeyNHlgWrZYSN\_yy5seCZG7qcHQIbJqN7rsmTC8cnThm3E [↑](#footnote-ref-37)
37. [Decree of the Cabinet of Ministers of Ukraine no. 247 of 25 March 2020.](https://www.kmu.gov.ua/npas/pro-osoblivosti-nadannya-zhitlovih-subsidij-247250320) [↑](#footnote-ref-38)
38. See UNHCR, Legislative Update, April 2020, <https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/2020_04_legislative_update_eng.pdf>. [↑](#footnote-ref-39)
39. Law of Ukraine ”On amendments to State Budget 2020” no. 553 of 13 April 2020, available at: https://zakon.rada.gov.ua/laws/show/553-20 [↑](#footnote-ref-40)
40. On 30 April 2020, unknown perpetrators attacked a tent that was being used as a temporary home for one Roma family in Kyiv. The incident is being investigated by the police as a hate crime. [↑](#footnote-ref-41)
41. For instance, in a Roma settlement in Mukacheve (in the Zakarpattia region), there is only one water pump for some 7000 people. In Berehove (Zakarpattia region) there have been systematic water cuts in settlements because Roma have been unable to pay their water bills, although the water supply has now been restored. In Kreminna district (Luhansk region) where some 150 Roma live, the nearest source of water is 2 km away. In Liubotyn (Kharkiv region) the water that is available is of very bad quality. In Lviv region, one of 12 informal settlements takes water from a river, while the others have to buy it from shops. [↑](#footnote-ref-42)
42. This data only covers the situation on the territory controlled by the Government of Ukraine. Territory of the Autonomous Republic of Crimea, and the city of Sevastopol, temporarily occupied by the Russian Federation as well as territory controlled by armed groups of the self-proclaimed ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’ are not covered due to the lack of access to Crimea and restrictions imposed on OHCHR by the armed groups. [↑](#footnote-ref-43)
43. In Kharkiv, for example, the municipal centre for homeless people had 60 persons during the quarantine with the capacity to host 110. About 30-40 persons asked for shelter during the quarantine but were refused due to the lock-down. Similarly, in Sumy, the municipal shelter can accommodate 60 persons, however, hosted only 21 persons and had to reject about 20-30 applicants requesting shelter. [↑](#footnote-ref-44)
44. Institutions for older persons in Kharkiv ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-prav-lyudini-v-umovax-karantinnix-zaxod%D1%96v-u-xark%D1%96vskomu-ger%D1%96atrichnomu-pans%D1%96onat%D1%96-veteran%D1%96v-pracz%D1%96/)), Zaporizhzhia ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-prav-lyudini-v-umovax-karantinnix-zaxod%D1%96v-u-zapor%D1%96zkomu-ger%D1%96atrichnomu-pans%D1%96onat%D1%96/)), Lvivska Oblasts ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-prav-lyudini-v-umovax-karantinnix-zaxod%D1%96v-u-privatnomu-pans%D1%96onat%D1%96-dlya-l%D1%96tn%D1%96x-lyudej-d%D1%96m-nad%D1%96%D1%97-u-lv%D1%96v-bryuxovich%D1%96/)), Horbanivsk ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-prav-lyudini-v-umovax-karantinnix-zaxod%D1%96v-u-gorban%D1%96vskomu-ger%D1%96atrichnomu-pans%D1%96onat%D1%96-veteran%D1%96v-v%D1%96jni-ta-pracz%D1%96/)), Dnipro ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-prav-lyudini-v-umovax-karantinnix-zaxod%D1%96v-u-dn%D1%96propetrovskomu-ger%D1%96atrichnomu-pans%D1%96onat%D1%96/)), Cherkasy ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-prav-lyudini-v-umovax-karantinnix-zaxod%D1%96v-u-cherkaskomu-ger%D1%96atrichnomu-pans%D1%96onat%D1%96/)), Chernihiv ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-prav-lyudini-v-umovax-karantinnix-zaxod%D1%96v-u-privatnomu-pans%D1%96onat%D1%96-dlya-lyudej-poxilogo-v%D1%96ku-rodinna-turbota-u-m%D1%96st%D1%96-chern%D1%96g%D1%96v/)), Rivne ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-prav-lyudini-v-umovax-karantinnix-zaxod%D1%96v-u-privatnomu-pans%D1%96onat%D1%96-dlya-l%D1%96tn%D1%96x-lyudej-rena-med-u-r%D1%96vnomu/)), Mykolaiv ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/prav-lyudini-v-umovax-karantinnix-zaxod%D1%96v-u-mikola%D1%97vskomu-ger%D1%96atrichnomu-pans%D1%96onat%D1%96/), [link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-privatnomu-pans%D1%96onat%D1%96-dlya-l%D1%96tn%D1%96x-lyudej-teplo-lyubix-m%D1%96sta-mikola%D1%94va/)), Kyiv ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-prav-lyudini-v-umovax-karantinnix-zaxod%D1%96v-u-ki%D1%97vskomu-ger%D1%96atrichnomu-pans%D1%96onat%D1%96/)), Kyiv Oblast ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/v%D1%96ku-v-s.-zazimya-na-ki%D1%97vshhin%D1%96,-de-viyavleno-masove-zaxvoryuvannya-na-koronav%D1%96rusnu-%D1%96nfekcz%D1%96yu/), [link](http://www.ombudsman.gov.ua/ua/all-news/pr/dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-privatnomu-budinku-dlya-prestar%D1%96lix-lyubov-na-ki%D1%97vshhin%D1%96/)), Odesa ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-privatnomu-pans%D1%96onat%D1%96-dlya-l%D1%96tn%D1%96x-lyudej-milyij-dom-m.odesa/)), Lviv ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-lv%D1%96vskomu-ger%D1%96atrichnomu-pans%D1%96onat%D1%96/)), Sumy ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-sumskomu-ger%D1%96atrichnomu-pans%D1%96onat%D1%96-dlya-veteran%D1%96v-v%D1%96jni-ta-pracz%D1%96/)), Vinnytsa ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-oblasnomu-pans%D1%96onat%D1%96-dlya-os%D1%96b-z-%D1%96nval%D1%96dn%D1%96styu-ta-os%D1%96b-poxilogo-v%D1%96ku-na-v%D1%96nnichchin%D1%96/)), Ivano-Frankivsk ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-%D1%96vano-frank%D1%96vskomu-ger%D1%96atrichnomu-pans%D1%96onat%D1%96/)), Ternopil Oblast ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-petrik%D1%96vskomu-oblasnomu-ger%D1%96atrichnomu-pans%D1%96onat%D1%96-na-ternop%D1%96lshhin%D1%96/)), Cropyvnutskiy ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/zaxod%D1%96v-u-kropivniczkomu-psixonevrolog%D1%96chnomu-%D1%96nternat%D1%96-z-ger%D1%96atrichnim-v%D1%96dd%D1%96lennyam/)), Lutsk ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-v-ki%D1%97vsk%D1%96j-oblast%D1%96,-shho-znaxoditsya-v-m%D1%96st%D1%96-pereyaslav/)) and facilities for people with psychosocial disabilities in Kharkiv Oblast ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/zd%D1%96jsneno-distancz%D1%96jnij-mon%D1%96toring-p%D1%96sko-radk%D1%96vskogo-psixonevrolog%D1%96chnogo-%D1%96nternatu-na-xark%D1%96vshhin%D1%96,-de-viyavleno-xvorix-na-koronav%D1%96rusnu-%D1%96nfekcz%D1%96yu/)), Volyn ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-volinsk%D1%96j-oblasn%D1%96j-psix%D1%96atrichn%D1%96j-l%D1%96karn%D1%96/)), Vinnytsa ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/prav-lyudini-v-umovax-karantinnix-zaxod%D1%96v-u-v%D1%96nniczk%D1%96j-oblasn%D1%96j-psix%D1%96atrichn%D1%96j-l%D1%96karn%D1%96/)), Odesa ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-v-odeskomu-oblasnomu-medichnomu-czentr%D1%96-psix%D1%96chnogo/)), Slaviansk ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/n%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-v-oblasn%D1%96j-kl%D1%96n%D1%96chn%D1%96j-psix%D1%96atrichn%D1%96j-l%D1%96karn%D1%96-m/)), Cherkasy ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-cherkask%D1%96j-oblasn%D1%96j-psix%D1%96atrichn%D1%96j-l%D1%96karn%D1%96/)), Starobilsk ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-starob%D1%96lskomu-oblasnomu-psixonevrolog%D1%96chnomu-%D1%96nternat%D1%96-lugansko%D1%97-oblast%D1%96/)), Ternopil ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-ternop%D1%96lsk%D1%96j-oblasn%D1%96j-kl%D1%96n%D1%96chn%D1%96j-psixonevrolog%D1%96chn%D1%96j-l%D1%96karn%D1%96/)), Berehovo ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-oblasnomu-zaklad%D1%96-z-nadannya-psix%D1%96atrichno%D1%97-dopomogi-m.-beregovo-na-zakarpatt%D1%96/)), Bahmut ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/otrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-baxmutskomu-psixonevrolog%D1%96chnomu-%D1%96nternat%D1%96-doneczko%D1%97-oblast%D1%96/)), Kherson ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/on%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-xersonskomu-psixonevrolog%D1%96chnomu-%D1%96nternat%D1%96/)), Chernivtsi ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-chern%D1%96veczk%D1%96j-oblasn%D1%96j-psix%D1%96atrichn%D1%96j-l%D1%96karn%D1%96/)), Poltava ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-poltavsk%D1%96j-oblasn%D1%96j-kl%D1%96n%D1%96chn%D1%96j-psix%D1%96atrichn%D1%96j-l%D1%96karn%D1%96-%D1%96m.o.f.malczeva/)), Mukachevo Zakarpattia Oblast ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-mukach%D1%96vskomu-psixonevrolog%D1%96chnomu-%D1%96nternat%D1%96-na-zakarpatt%D1%96/)), Ostroh ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-v-ostrozk%D1%96j-oblasn%D1%96j-psix%D1%96atrichn%D1%96j-l%D1%96karn%D1%96/)), Lviv ([link](http://www.ombudsman.gov.ua/ua/all-news/pr/rezultati-mon%D1%96toringu-dotrimannya-protiep%D1%96dem%D1%96chnix-zaxod%D1%96v-u-lv%D1%96vsk%D1%96j-oblasn%D1%96j-derzhavn%D1%96j-kl%D1%96n%D1%96chn%D1%96j-psix%D1%96atrichn%D1%96j-l%D1%96karn%D1%96/)). [↑](#footnote-ref-45)
45. https://www2.unwomen.org/-/media/field%20office%20eca/attachments/publications/2020/06/rapid%20gender%20assessment\_eng-min.pdf?la=en&vs=3646&fbclid=IwAR3wphFAGH\_2jVeyNHlgWrZYSN\_yy5seCZG7qcHQIbJqN7rsmTC8cnThm3E [↑](#footnote-ref-46)
46. The full call for input is available at: https://www.ohchr.org/EN/Issues/IPeoples/SRIndigenousPeoples/Pages/Callforinput\_COVID19.aspx [↑](#footnote-ref-47)
47. https://www2.unwomen.org/-/media/field%20office%20eca/attachments/publications/2020/06/rapid%20gender%20assessment\_eng-min.pdf?la=en&vs=3646&fbclid=IwAR3wphFAGH\_2jVeyNHlgWrZYSN\_yy5seCZG7qcHQIbJqN7rsmTC8cnThm3E [↑](#footnote-ref-48)