



MINISTRY OF FOREIGN AFFAIRS
OF DENMARK
Danida



REPORT SUMMARY

AVAILABILITY OF LEGAL AID IN THE CONTEXT OF MARTIAL LAW

This report summarizes a study of the availability of legal aid in the context of martial law in Ukraine. The report analyses specific features of public access to free legal aid services and bodies and organizations that provide access to justice and administrative services; lists the most common legal needs that internally displaced persons may have; and provides testimonies from employees of regional and local free secondary legal aid centres regarding provision of legal aid since 24 February 2022, as well as recommendations for improving the situation. To better understand the issues, we recommend referring to the full version of the report (available in Ukrainian).

The information contained in the report is applicable as of 15 November 2022.

The report is based on a comprehensive study prepared by a team of authors from Sotsioinform, the Ukrainian Centre for Public Opinion Research, comprising Natalia Zaitseva-Chipak (Candidate of Sociological Sciences), Dmytro Myronovich (Candidate of Sociological Sciences), Oksana Khimovych (Candidate of Sociological Sciences), and Solomiia Shchutiak (Master of Sociology), with the assistance of the United Nations Development Programme (UNDP) Ukraine in the framework of the UN Recovery and Peacebuilding Programme (UN RPP), and with financial support from the European Union.

The report and conclusions were finalized – and the recommendations and summary report drafted – by Natalia Rebenko, UNDP national consultant for the study.

The authors would also like to acknowledge the contributions of the staff of regional and local free secondary legal aid centres in all oblasts of Ukraine (except for Kherson Oblast and the Autonomous Republic of Crimea), without whose support this report would never have been completed.

The research was managed and supervised, by Darina Solodova, research expert and data analyst; Ivan Honcharuk, rule of law and access to justice specialist at UN RPP; Anna Storozhenko, rule of law and public security analyst; and Svitlana Kolyshko, the Human Rights for Ukraine project manager. These colleagues also made editorial proposals and provided key source materials for the study.

Quotes are presented as close as possible to the direct speech of the interlocutors, preserving vocabulary and speech style. The opinions, recommendations and conclusions are solely those of the authors and do not necessarily reflect the official positions of UNDP, the United Nations, the European Union and/or other international partners.

The UN RPP is being implemented by four United Nations agencies: UNDP, the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), the United Nations Population Fund (UNFPA) and the Food and Agriculture Organization of the United Nations (FAO).

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Experts from the Human Rights for Ukraine project — which is being implemented by the United Nations Development Programme in Ukraine and financed by the Ministry of Foreign Affairs of Denmark between 2019 and 2023 — were also involved in this study.

LIST OF ABBREVIATION

FLAS — Free Legal Aid System

FLA — Free Legal Aid

FPLA — Free Primary Legal Aid

FSLA — Free Secondary Legal Aid

LC — Local Centre for Free Secondary Legal Aid Provision

RC — Regional Centre for Free Secondary Legal Aid Provision

SMS — State Migration Service of Ukraine

NGO — Non-governmental organization

Ombudsperson/Commissioner — the Commissioner for Human Rights of the Verkhovna Rada of Ukraine

Office of the Ombudsperson/Commissioner — Secretariat of the Commissioner for Human Rights of the Verkhovna Rada of Ukraine

CASP — Centre for the Administrative Services Provision

IDP — Internally Displaced Person

1. INTRODUCTION

The report summarizes a study on the availability of legal aid for the population of Ukraine, including internally displaced persons, which was conducted in June – July 2022. The main goals of the study were:

- to determine specific aspects of public access to the free legal aid system, and to bodies and organizations that provide access to justice and administrative services;
- to identify the most common legal needs and problems that internally displaced persons may have, and their needs for access to relevant information; and
- to identify the main challenges faced by regional and local centres for provision of free secondary legal aid, and the needs that must be met for them to work effectively.

The study includes two components:

- a quantitative component (2,044 telephone interviews with citizens of Ukraine (for certain areas of the Donetsk and Luhansk oblasts not under the control of the Government of Ukraine, as well as the temporarily occupied Autonomous Republic of Crimea) and 1,750 personal interviews with internally displaced persons in the frontline, transit and host communities of Ukraine); and
- a qualitative component (70 expert interviews with free legal aid system specialists).

A random probability sample (automated generation of mobile numbers in proportion to the number of subscribers of network operators) was used for the survey of the population of Ukraine, and a multi-stage stratified sample (with a cluster sample at the first stage, and a quota/stratified sample at the second stage) was used for surveying the internally displaced persons. The quota by type of settlement, age and sex of the internally displaced person was adhered to. Expert semi-structured interviews were conducted with free legal aid personnel.

This study assesses the availability of legal aid as a component of access to justice and a necessary element for filing complaints about rights violations and ensuring the protection or restoration of such rights. Similarly, access to documents, including identity documents, is an inseparable element of access to justice, as well as a condition for receiving administrative services.

For the purposes of this study, free legal aid means the provision of legal services guaranteed by the state and fully financed from the State Budget of Ukraine. Under Article 14 of the Law of Ukraine "On Free Legal Aid",¹ certain categories of citizens have the right to free secondary legal aid.

It should also be noted that, in addition to the free legal aid system guaranteed by the state, legal aid can also be provided by non-governmental organizations as a component of humanitarian support.

For the purposes of this study, the term 'citizens' of Ukraine refers to the population of the country as a whole and includes both local community residents and the internally displaced; the local population includes persons who have already lived in communities (except the internally displaced); while internally displaced persons refers to those who have been forced to leave their places of residence as a result of, or in order to avoid, the negative consequences of the armed conflict.

1 Law 3460 "On Free Legal Aid" of 2 June 2011 No. // Database "Legislation of Ukraine" / VR of Ukraine — Available at <https://zakon.rada.gov.ua/laws/show/3460-17#Text> (as of 18 October 2022)

2. RESULTS OF THE SURVEYS OF POPULATION OF UKRAINE AND INTERNALLY DISPLACED PERSONS

The full-scale military invasion of Ukraine by the Russian Federation has given rise to multiple legal issues involving both internally displaced persons and other war-affected persons. In addition, law during wartime is dynamic, making it difficult for the general public to keep track of changes. For this reason, access to high-quality and qualified legal aid for citizens is a priority. Provision of administrative services – for example, civil status registration services, obtaining or restoring documents, and maintaining social benefits for persons who received them before the war – remains critical, even in a context of significant security challenges.

From the study we conclude that the invasion of Ukraine by the Russian Federation increased demand for legal and administrative services. A significant proportion are appeals from internally displaced persons. For example, the study found that 80 per cent of interviewed internally displaced persons applied to the free legal aid system and administrative services centres (ASCs). They also contacted the State Migration Service (SMS). Men and women applied equally often to the free legal aid system and the SMS; however, women applied more often to ASCs, and men to the police (the same trends are also shown among internally displaced persons). Citizens interacted most often with ASCs.

The study data revealed a relatively low volume of appeals to the Office of the Commissioner. This can be explained by the fact that the Office of the Commission is not viewed specifically as having a mandate for addressing legal problems but rather for exercising parliamentary control. Thus, according with the survey, only 5 per cent of citizens indicated that they wished to appeal to the Office of the Ukrainian Parliament Commissioner for Human Rights. In fact, only 1 per cent of internally displaced persons and less than 1 per cent of the general population applied to this Office. At the same time, 0.4 per cent of surveyed citizens stated that they needed to contact the Commissioner's Office, but for various reasons, were unable to make contact. Among internally displaced persons, this indicator is slightly lower, at 0.3 per cent.

Despite the low level of interaction with the Commissioner's Office, 67 per cent of respondents who were able to make contact rated their experience as positive or rather positive. Internally displaced persons had very similar scores. However, the number of interviewees who interacted with the Office is insufficient for reliable analysis.

It is important to point out that the Office of the Ukrainian Parliament Commissioner for Human Rights has not stopped accepting applications from citizens since the beginning of the Russian invasion. The Office is contactable by phone or online. After the stabilization of the security situation in Kyiv, the Commissioner's Office resumed the operations of its public reception office. It can therefore be concluded that citizens, including internally displaced persons, are poorly informed about how to seek protection of their rights from the Ukrainian Parliament Commissioner for Human Rights.

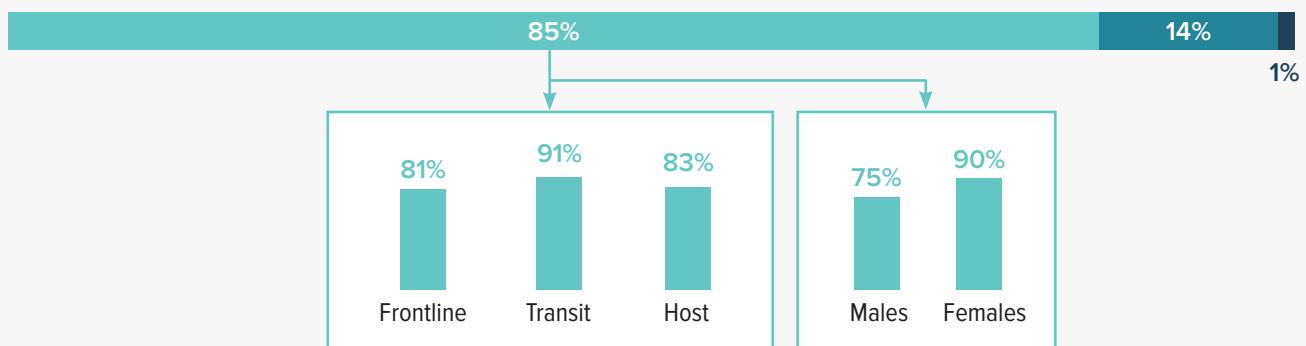
In general, respondents positively assessed their interaction with the bodies and institutions surveyed: the SMS – 84 per cent, the free legal aid system – 78 per cent, and the police – 76 per cent. Citizens, including internally displaced persons, rated their interaction with ASCs especially highly: the level of satisfaction with their services reaches 85 per cent (the sum of the 'positive' and 'rather positive' ratings).

How would you rate your experience of interaction with ASCs after 24 February 2022?

(Of those with experience of interaction; disaggregated by socio-demographic indicators)

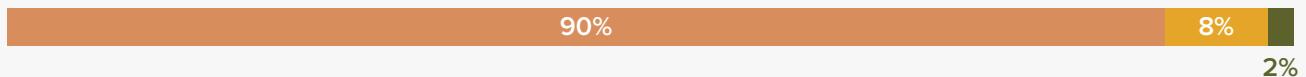
Population of Ukraine (n=303)

■ Positive ■ Negative ■ Hard to say



Internally displaced persons (n=1,302)

■ Positive ■ Negative ■ Hard to say



Significantly, the younger the respondents, the more highly they rate their interactions with the various justice and administrative services, and the more they trust them. There is also a certain bias in the evaluations of court and police services: citizens with experience of interacting with them display greater trust than those without such experience.

We conclude that law enforcement agencies, the SMS, the free legal aid and the public administrative services system have maintained their manageability and efficiency during the war under an increasingly heavy load. This is evidenced by the fact that most of the population remain confident in public bodies, and this is particularly true of citizens and internally displaced persons with experience of interacting with them.

Analysis of the most common questions posed to the free legal aid system reveals that 87 per cent of the surveyed citizens of Ukraine did not experience violations of their rights (83 per cent for internally displaced persons). However, every tenth citizen and every sixth internally displaced person experienced violations of their rights or the rights of household members. Most often, this concerned a violation of labour rights (7 per cent), a violation in the mobilization process (3 per cent), or a violation when crossing checkpoints (3 per cent).

Almost a quarter of all legal enquiries of Ukrainian citizens concern obtaining internally displaced status and associated payments. The most common requests for legal aid from the local population relate to applications for social benefits and personal documents.

The most common legal issues for various categories of the population are tabulated below.

Five most common questions posed to the free legal aid system after 24 February 2022

Population of Ukraine	Local population	Internally displaced persons
<ul style="list-style-type: none"> • obtaining internally displaced status • registration of payments to internally displaced persons • registration of social benefits • re-registration of an internally displaced person's place of residence • issuing of documents 	<ul style="list-style-type: none"> • registration of social benefits • issuing personal documents • applying to law enforcement authorities (not related to threats of war) • matters associated with inheritance • notarial services 	<ul style="list-style-type: none"> • obtaining internally displaced status • registration of payments to internally displaced persons • registration of place of residence • registration of social benefits • re-registration of an internally displaced person's place of residence

Approximately 3 per cent of the population and 4.5 per cent of internally displaced persons pointed out that they or members of their households required legal issues to be resolved remotely while abroad (after 24 February 2022). Most often, this concerned social benefits and pensions, restoration of documents, or compensation for property damage. Availability of legal aid therefore remains critical not only for citizens of Ukraine as a whole, but also for internally displaced persons and Ukrainians who are currently abroad.

In the vast majority of cases, citizens reported need for primary legal aid; consultations and clarification of legal issues (41 per cent); drafting of documents not related to court cases (35 per cent); or information about rights and laws (30 per cent). More frequently than women, men requested consultations and explanations on legal issues (46 per cent and 38 per cent respectively) and also when drafting documents related to court cases (12 per cent and 7 per cent respectively). Citizens aged 18–35 most often required information on rights and laws (45 per cent), while citizens over the age of 60 needed help with writing applications, complaints and other documents not related to court cases (41 per cent).

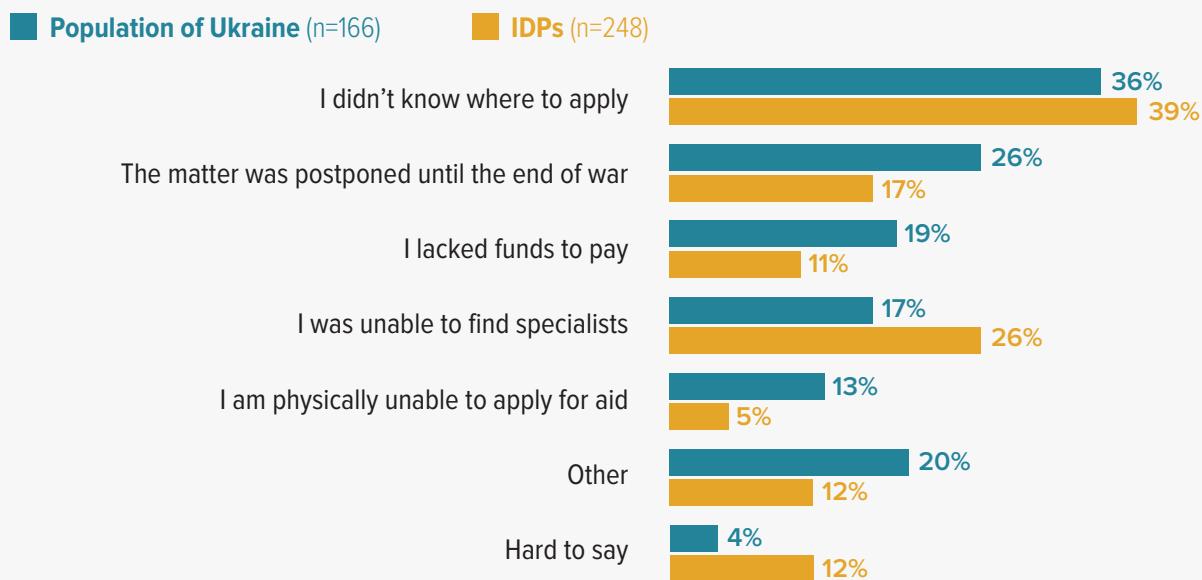
Issues related to internally displaced status (22.4 per cent) and payments to internally displaced persons (17.6 per cent) were the most common reasons for requesting legal aid in the all-Ukrainian context. Registration of social benefits is relevant for both the local population (12.6 per cent) and internally displaced persons (14.3 per cent).

Internally displaced persons' demand for legal aid is consistently higher than nationwide demand for legal aid, due to the increased vulnerability associated with displacement. A quarter of internally displaced respondents needed legal aid, compared to every tenth surveyed citizen in the host population.

The survey found that the vast majority of Ukrainian citizens – and internally displaced persons in particular – have access to legal aid during the war, and the free legal aid system has remained manageable and efficient. Thus, about 70 per cent of respondents believe that since the beginning of the war their opportunities to receive legal assistance have not changed, or have even increased. At the same time, 13 per cent of respondents indicated a deterioration of access to legal aid, citing extended delays in receiving answers and the overloading of the free legal aid system, as well as a lack of specialists able to advise on the military situation. Deterioration in the accessibility of legal aid is associated with the full-scale invasion by the Russian Federation of Ukraine.

Why did you not get all the legal aid you needed?

(Of those who needed but did not receive legal aid)



Despite the high level of demand, only 40 per cent of the surveyed citizens received legal assistance in full, with 29.5 per cent receiving assistance only in part. Thirty per cent of citizens who required legal aid did not receive any. The situation for internally displaced persons is better: 53 per cent of those who applied for legal aid received it in full, while 18 per cent did not. Among the reasons for not receiving legal aid, respondents cited a lack of information on where to apply and where to obtain this service, and on where to find specialists on specific legal issues.

Legal aid is provided by multiple actors, both state funded (the free legal aid system, and local officials), and by privately practising lawyers, international organizations and civil society (NGOs and volunteers).

The main sources of legal aid for the population were: local authorities and private lawyers, legal professionals, and notaries. Citizens also use the internet actively to independently research answers to legal questions.

Internally displaced persons most often received legal aid from local authorities (48%), volunteers (29%), and public authorities (21%). For this group, appeals to the free legal aid system (18%), independent search for information (18%) and the help of NGOs (17%) were important. Thus, internally displaced persons had wider access to free legal aid because they more actively used opportunities to appeal to authorities and the free legal aid system.

You said you had received legal aid after 24 February 2022. Who did you get it from?

(Of those who received aid)

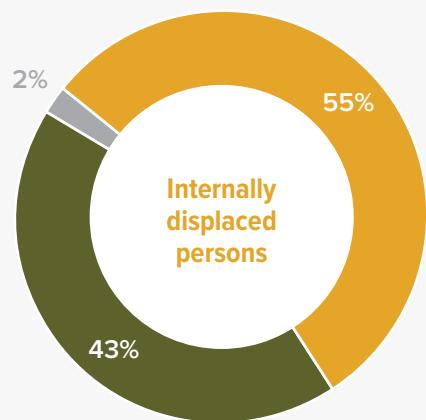
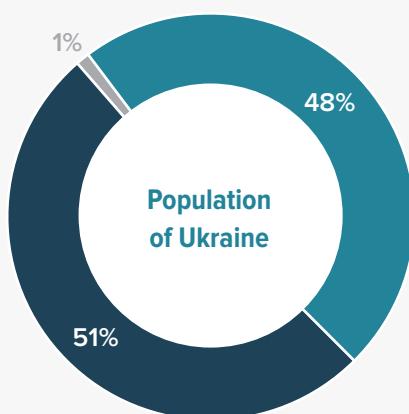


The survey found that about half of the citizens of Ukraine knew about the possibility of obtaining free legal aid. Among internally displaced persons, that indicator is higher, at 65 per cent.

Are you aware of the free legal aid system in Ukraine?

■ Yes ■ No ■ Hard to say

■ Yes ■ No ■ Hard to say



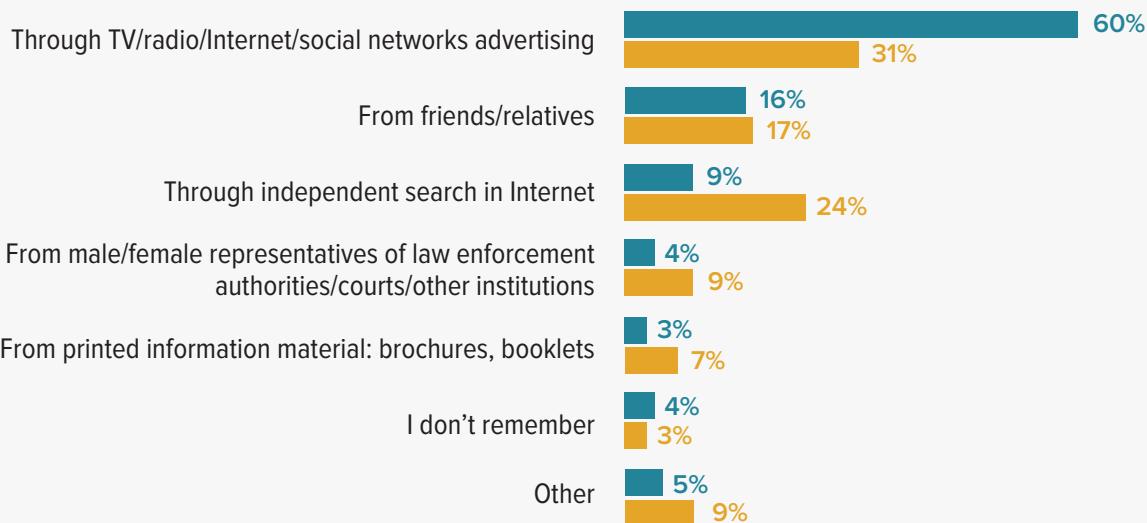
Most of the population believe that only primary legal assistance (consultations, information, and so on) can be obtained free of charge in the free legal aid system, and only a third are aware that they can also obtain free secondary legal aid. Internally displaced persons are slightly better informed about the possibility of receiving primary legal aid than the population of Ukraine as a whole. It is noteworthy that urban residents are better informed than rural residents about the accessibility of all types of aid.

Just under half of the general population know about free legal aid. Most of them learned about it from television commercials, from friends and acquaintances, or through independent research on the internet.

Where did you first learn about the free legal aid system?

(Of those who know about the system)

■ Population of Ukraine (n=983) ■ IDPs (n=967)



Respondents consider advertising on television, social networks, Telegram channels, and Viber groups to be the most effective way of disseminating information about the free legal aid system. Internally displaced persons often do not have access to television, so they prefer social networks and messaging apps. Messages in Telegram channels and on Facebook are the most effective for this population category. Print advertising is considered less relevant than the above channels, but the benefit is that it can be distributed in shopping malls and administrative and social service buildings. Placing printed materials in volunteer centres is also helpful for internally displaced persons. Advertising messages must contain important information including: how to exercise or protect your rights; information about rights, and lists of free legal aid system services.

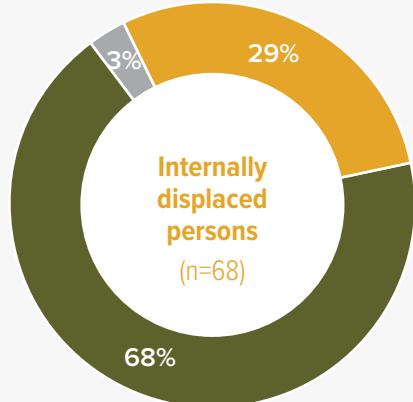
Since 24 February 2022, the load on the free legal aid system has increased significantly. Since the full-scale invasion, 7 per cent of respondents who knew about the system had made applications. Internally displaced persons applied for free legal aid four times more often than the general population of Ukraine (15.8 per cent), once again confirming the significantly higher demand for legal services among this group. Women applied to the free legal aid system twice as often as men, although a study of awareness of the system's services showed that men are more aware of the types of legal aid that can be obtained free of charge.

Free legal aid system services were particularly relevant for vulnerable groups in the population (people with lower incomes and residents of frontline communities), as well as for young people.

Those with experience of using the free legal aid system both before and after the invasion have mixed opinions about changes in its functioning. Slightly over half of respondents believe that the quality of services has not changed. About 40 per cent believe that they have become less effective. Ratings by internally displaced persons are significantly better: 70 per cent do not observe a deterioration in the quality of services.

**You contacted the free legal aid system before and after 24 February 2022.
Did you notice a reduction in the effectiveness of its services?**
(Of those who applied to the free legal aid system)

■ Yes ■ No ■ Hard to say



Free legal aid system users most often made contact after 24 February 2022, usually through the hotline (about half of the requests). Less frequently, people received consultations from lawyers of the free legal aid system (about 20 per cent of the general population and 40 per cent of the internally displaced persons). Every tenth individual received the services of lawyers.

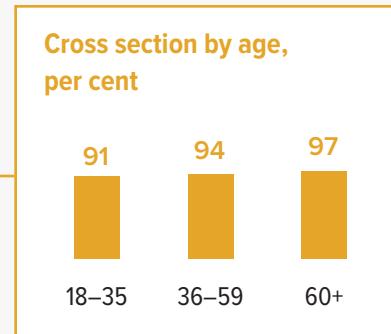
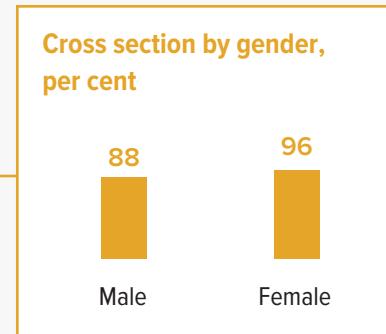
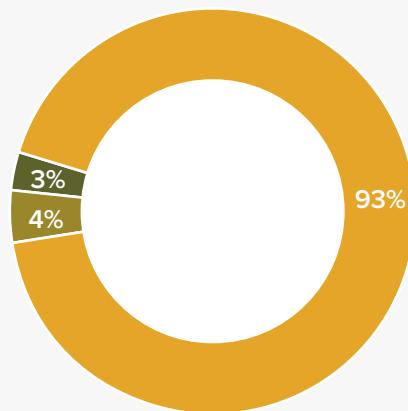
At least three quarters of all service users are satisfied with the quality of the free legal aid system services in the period following 24 February 2022.

The main problems noted by internally displaced persons at their new places of residence are housing rent and employment. Significant number of internally displaced persons also faced problems in the areas of social payments, benefits and medical care.

The vast majority of surveyed internally displaced persons (93 per cent) have obtained internally displaced status, and another 4 per cent plan to obtain it in the near future. Despite the significant number of people who had registered, only 6 per cent had encountered difficulties during registration, indicating a well-established and efficient procedure.

Have you registered for internally displaced status?

■ Yes, I have already attained it ■ No, but I am planning to do it in the near future ■ No, I am not planning to do it



The vast majority of internally displaced persons (84 per cent) also receive social benefits, benefits or compensations. Of those, 80 per cent have received targeted financial aid for housing from the government. Every sixth internally displaced person (or 30 per cent of those who received such benefits) had difficulties with registration payments, benefits and compensations.

The results of the study give reason to believe that internally displaced persons have found themselves in a situation where their rights had been violated and they were in need of legal assistance. Despite this, only 3.1 per cent of internally displaced persons claim they faced difficulties obtaining legal aid.

3. SPECIFIC FEATURES OF ACCESS TO LEGAL AID FOR INTERNALLY DISPLACED PERSONS AND PERSONS AFFECTED BY HOSTILITIES, ACCORDING TO THE TESTIMONIES OF THE STAFF OF THE FREE LEGAL AID SYSTEM

The survey of free legal aid system staff provides additional insight on access to legal aid after 24 February 2022. Respondents from regional centres (RCs) and local centres (LCs) providing free secondary legal aid point to several key changes: more applications on topics associated with the war; more applications from internally displaced persons, the affected population, and combat veterans; and more remote applications.

These changes took place against the background of the forced transition of some employees to working remotely, the relocation of some offices from areas not controlled by the Government of Ukraine, and increased psychological stress on the staff who advise internally displaced persons and the local community.

Despite these unfavourable changes in operations, the free legal aid system has devised mechanisms for providing services in the face of the new challenges. The free legal aid system responding by strengthening client orientation (expanding the availability of legal aid through remote communication methods; a broad outreach campaign to inform citizens about possibilities for obtaining free legal aid; creation of new distant consultation points and reformatting the work of the existing ones; and expanding the range of persons who can apply for free legal aid under legislation), and a results orientation (strengthening internal coordination and cooperation; improving personnel competencies; and reorientating some personnel to overloaded areas of work). Therefore, the system has demonstrated a high degree of adaptability to the current context.

Free legal aid system employees point out that with the start of hostilities, citizens' need for legal services has generally increased: more than half of the regional and local free secondary legal assistance centres have recorded an increase in the number of applications:

We don't even have time to record people. Sometimes, you are speaking to one person, and the rest surround you, and listen to the same question that they wanted to ask. — Host LC

Free primary legal aid and information services were particularly critical during the first two months of the war. Although the number of such applications is gradually declining, it still has not reached pre-war level. Requests for free secondary legal aid decreased significantly at the beginning of the war, but are gradually increasing:

The need and desire of people to receive free secondary legal aid has decreased. However, since June, there is, again, a trend of increase in 'secondary' requests. That is, people are somehow returning to their everyday lives. — Host RC

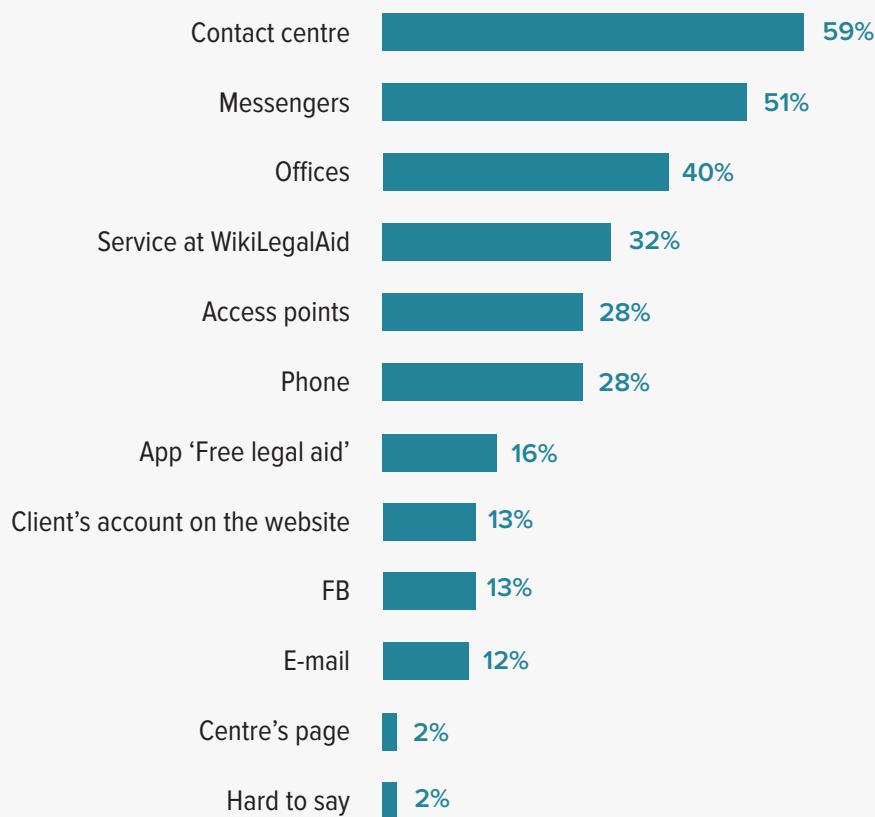
According to free legal aid system staff, after 24 February 2022, internally displaced persons most often apply to the free secondary legal aid RCs and LCs about the following issues: social benefits; ensuring labour rights; obtaining internally displaced status; registration of births and deaths; and compensation for damages. Free legal aid system staff highlighted the specific features

of applications filed by internally displaced persons, depending on their areas of residence before 24 February 2022. For example, internally displaced persons from communities in the de-occupied territories often apply on issues of labour relations, social benefits, humanitarian aid, provision of access to education, medical aid, and border crossing. Internally displaced persons from communities on the front lines often apply for establishment of the fact of death, compensation for destroyed property, restoration of documents, and recording of war crimes. Internally displaced persons from areas under the control of the Government of Ukraine, and in particular in Kherson Oblast, ask about the prospects for compensation for property that was destroyed or damaged during hostilities.

The study did not disaggregate application by criteria such as gender, age, ethnicity or religion. This indirectly indicates the absence of pronounced discrimination concerning any of these groups.

The following have become the most popular consultation channels since 24 February 2022: the contact centre, Telegram and Viber messengers, regional and local free secondary legal assistance centres, and the WikiLegalAid platform. These statistical data correlate with the experience of the respondents: half of those who sought help from the free legal aid system contacted it through the hotline. Messengers are the second most popular channel of communication with the free legal aid system.

The most popular advisory channels after 24 February 2022, per cent



According to free legal aid system staff, the population and internally displaced persons are well informed about how free legal aid can be obtained. However, they recommend continuing the advertising campaign for the system's services in social networks, on television, and on billboards. Placement of printed materials and advertising on the radio would be effective.

According to staff of the regional and local free secondary legal assistance centres, citizens' access to legal services did not deteriorate after the start of hostilities, and in certain ways it improved. This

was facilitated by the deployment of mobile teams, the opening of new access points, dissemination of information in crowded places about the possibility of obtaining free legal aid, strengthening cooperation with local authorities, transition of the centres to operating on a 24/7 basis, and the availability of powerful remote work tools. According to the respondents, their centres retained their capacity to meet the needs of communities and internally displaced persons after 24 February 2022:

Our system has always been ready for these challenges, because it survived the pandemic, and we have lots of apps, ways of seeking aid and getting advice. The same hotline: during the war the number of calls went mad. Opportunities have grown if only because the number of employees at the call centre has increased. — Transit RC

This data is consistent with the opinion of respondents, 70 per cent of whom claim that their ability to access legal aid has not deteriorated since the full-scale invasion by the Russian Federation.

At the same time, opportunities to obtain free legal aid have significantly decreased for certain social groups: citizens in the occupied territories and areas where active hostilities are ongoing, residents of rural areas (due to logistical problems), and clients with their cases pending in courts (due to delays in consideration of court cases).

At the same time, since the beginning of the full-scale invasion of Ukraine, the system has faced a number of difficulties: the loss of some personnel, work in conditions of increased stress, a lack of financial support (to pay for transport costs, utility services and wages) and material and technical support (office equipment), and complications at work due to the closure of state registers.

The following needs must be met as a priority: lack of financial support (to pay rent, utility bills and cover transportation costs), insufficient material and technical support (lack of modern equipment: printers, computers, web cameras and so on), training of free legal aid system staff in psychological first aid skills to reduce stress levels, skills for communication with clients with signs of psychological trauma; and strengthening human resources in certain centres.

Requests to improve the efficiency of the free legal aid system staff include: measures to exchange experience with colleagues from other centres, and additional training on specific topics relevant as of now: military legislation and mobilization, compensation for lost property, land law, amendments to labour legislation, the specifics of crossing the state border during martial law, issues of pension provision, and establishing the fact of birth and/or death in territories temporarily not under the control of the Government of Ukraine. It is also necessary to ensure the personal safety of staff: the creation of bomb shelters or permits for switching to working remotely in the centres not equipped with bomb shelters; provision of job descriptions that would regulate work arrangements under martial law, and provision of ‘alarm’ buttons or security for all offices.

4. MAIN FINDINGS OF THE STUDY

The study has found that, despite the full-scale invasion of Ukraine by the Russian Federation and the ongoing active hostilities in the east and south of the country, the free legal aid and administrative services systems are continuing to perform. Citizens of Ukraine, including internally displaced persons, still have access to these systems, either in person or remotely.

Internally displaced persons are much more active than citizens of Ukraine in general in applying for legal aid and administrative services: thus, since 24 February 2022, over 80 per cent of the surveyed internally displaced persons have applied to ASCs, compared to 25 per cent of the rest of the population. This also applies to requests to the free legal aid system, which relates to an increase in the number of legal requests due to displacement and an increase in the level of vulnerability. Thus, the topics of requests for legal assistance at nationwide level are dominated by internal displacement, including registration of status (16.8 per cent) and targeted financial assistance for the living expenses of internally displaced persons (9.7 per cent). On the other hand, the local population more often requests legal assistance on issues of personal documents (4.2 per cent), inheritance (3 per cent), and notary services (2.8 per cent). Registration for social benefits is relevant for both the local population (6.7 per cent) and internally displaced persons (7.5 per cent).

Importantly, both Ukraine's population in general and internally displaced persons in particular rated their satisfaction with cooperation with the free legal aid system highly: 78 per cent and 83 per cent, respectively. Comparative analysis of the responses shows that internally displaced persons are also more satisfied with the experience of cooperation with ASCs than citizens of Ukraine as a whole (58 per cent of internally displaced persons are fully satisfied with the ASC services, compared to 45 per cent of the population). Given that internally displaced persons interacted extremely actively with ASCs, this suggests a high level of performance in these institutions.

About 70 per cent of respondent citizens believe that since the beginning of the war their opportunities to receive legal aid have not changed or have even increased. At the same time, 13 per cent of respondents noted a deterioration in access to legal aid, citing among the reasons the extended time it takes to receive answers (29 per cent) and the overload of the free legal aid system (28 per cent), as well as the lack of specialists able to advise on issues related to military situation (23 per cent). These reasons for the deterioration of the accessibility in the provision of legal aid are linked to the full-scale invasion of Ukraine by the Russian Federation.

In general, 10 per cent of citizens and a quarter of internally displaced persons required legal aid during the war. In the vast majority of cases, this was about receiving primary legal aid: consultations and clarifications on legal issues (41 per cent), drawing up documents not related to court cases (35 per cent), or information about rights and laws (30 per cent). On the other hand, secondary legal aid was requested much less often: drawing up documents related to court cases (9 per cent); or protection or representation of interests in courts and authorities, in disputes (7 per cent).

Despite the availability of legal aid, only about 40 per cent of the respondents from the general population of Ukraine were able to have their legal requests satisfied. It is important to note here that the situation for internally displaced persons is better: more than half (53 per cent) of the interviewed internally displaced persons were able to receive legal aid in full. Among the reasons for not seeking aid, the respondents most often cited a lack of information about how and where to apply for aid: 36 per cent of the general population and 39 per cent of internally displaced persons.

Some citizens cited a lack of funds to pay for legal aid services (19 per cent of the population and 11 per cent of internally displaced persons) and inability to find the necessary specialists (17 per cent of the population and 26 per cent of internally displaced persons).

The findings on access to legal aid, among other things, indicate insufficient capacity of legal aid agents (including NGOs, privately practising lawyers, and so on) to cover all the requests from the public, given the significant increase in such requests after the full-scale invasion. Therefore, the Government, NGOs and public initiatives must continue to cooperate and make joint efforts to ensure access to legal aid for all sections of the population of Ukraine who need it.

Almost half of citizens and 65 per cent of internally displaced persons know about the capabilities of the free legal aid system. Typically, internally displaced persons are much better acquainted with possibilities for obtaining free primary legal aid (consultation and information about rights and laws), while their awareness of free secondary legal aid remains at the same level as the national average.

The main source of information about the free legal aid system for citizens of Ukraine is advertising placed in mass media: on television, radio, on the internet, and in social networks. The advertising campaign for the free legal aid system in the media turned out to be fairly effective: it was noticed by 31 per cent of the country's population. Social contacts (16 per cent) and independent research on the internet (9 per cent) were also effective channels of information. Advertising in the mass media is a more effective channel of information for the older generation, while young people are more likely to find information on their own through internet research.

Internally displaced persons also received information about the free legal aid system from the mass media. However, the level of effectiveness of advertising for this audience is less pronounced. A significant proportion of internally displaced persons searched for information independently on the internet and among friends/relatives.

Just 0.85 per cent of surveyed citizens and 4 per cent of internally displaced persons had had experience of applying to the free legal aid system before and after the start of the war on 24 February 2022. Just over half of these respondents believe that the quality of services has not changed. About 40 per cent believed that they have become less effective. Ratings by internally displaced persons are significantly better: 70 per cent had not observed a deterioration in the quality of services.

In the context of internally displaced persons applying for legal aid, it is important to point out that the vast majority of those surveyed (93 per cent) have registered their internally displaced status, while another 4 per cent plan to register it in the near future. Despite the significant number of people registered, only 6 per cent encountered difficulties during registration, suggesting a well-established and efficient registration procedure. The vast majority of internally displaced persons (84 per cent) also receive social benefits, benefits or compensations. Of those, 80 per cent have received targeted financial aid for housing from the Government. Every sixth internally displaced person (or 30 per cent of those who applied) had difficulties with registering payments, benefits and compensations; this is reflected in the composition of internally displaced persons' applications for legal aid to agents providing it, including the free legal aid system.

This study also identified the legal needs of internally displaced persons, voiced by representatives of that category of citizens during the survey. Thus, internally displaced persons most often needed primary legal assistance in the form of consultations and clarifications on legal issues, as well as information about rights and laws. Thus, despite the joint efforts of government authorities and NGOs to widely disseminate information on rights and services for internally displaced persons, demand for such information remains high. Legal aid agents should continue to disseminate legal information and publish advice and clarifications on legal issues on their resources (the free legal aid system on its website, Facebook pages and the WikiLegalAid platform).

Another popular legal request among internally displaced persons regarding initial legal aid concerned the drafting of documents not related to court cases. Given the prevalence of such requests, it seems appropriate for legal aid agents to compile and distribute samples of the most common documents requested by internally displaced persons (such as applications, letters and requests).

The number of legal requests by internally displaced persons for secondary legal aid is much smaller than for primary legal aid. This is also confirmed by the statements of free legal aid system staff. However, the number of such requests has begun to increase since summer 2022. This can be explained by the fact that in the first months of the war, the internally displaced persons were tackling basic livelihood and daily life issues, related to finding housing, receiving social benefits and humanitarian aid, and they later returned to addressing legal issues. The most frequent secondary legal assistance needs of internally displaced persons include the establishment of facts of legal significance, issues of labour and family law. Thus, legal aid agents should consider the possibility of providing internally displaced persons with not only primary, but also secondary legal aid in order to satisfy this category of legal needs.

Registration of internally displaced status, receipt of social benefits and restoration of lost documents are the most common subject matters of internally displaced persons' legal requests. However, the number of such requests to the free legal aid system is less than in spring 2022, indicating that the internally displaced persons' needs in these areas are being satisfactorily addressed.² The findings show that labour relations and registration at place of residence are becoming more important.

When analysing the availability of legal aid in the context of martial law, the testimonies of free legal aid system staff should also be considered. In their opinion, the free legal aid system has proved able to adapt to the new realities of providing legal services in the country. The system is supporting public access to legal aid during the war by providing remote aid, creating mobile consultation points for field work with target population groups and strengthening internal coordination and cooperation.

The working conditions of the system have undergone changes: some employees are now working remotely, several offices from territories temporarily not under the control of the Government of Ukraine have been evacuated to safer regions or communities, the psychological burden on personnel has increased as a result of the situation in the country and the volume of work has increased.

At the same time, employees of the free legal aid system point out that with the start of hostilities, public need for legal services has increased: more than half of the regional and local free secondary legal assistance centres have recorded an increase in the number of applications. This increase has mainly been recorded primarily by Centres from host and transit communities, as well as those from large cities. Free primary legal aid and information services were particularly relevant during the first two months of the war. The number of requests for free secondary legal aid decreased significantly at the beginning of the war, but is gradually recovering.

System specialists confirm the data received from respondents regarding the subjects of application: for the internally displaced, registration of internally displaced status and payments to internally displaced persons; and for the local population issues of family and labour law. Enquiries associated with the war are also relevant: the number of appeals from internally displaced persons, the affected population, and combat veterans has increased.

According to free legal aid system staff, the population and internally displaced persons are well informed about possibilities for obtaining free legal aid. However, the advertising campaign regarding the system's services should be continued on social networks, on television, and by placing printed materials in the places of residence of internally displaced persons.

2 <https://minjust.gov.ua/news/ministry/yak-zminilisya-pravovi-potrebi-vpo-dosvid-sistemi-bpd>

The free legal aid system's staff and interviewed citizens believe that access to legal services has not deteriorated since the start of hostilities. This was enabled by the active functioning of the system: field visits of mobile teams, dissemination of information about the possibility of obtaining free legal assistance, the opening of consultation points in places where internally displaced persons and the affected population stay, and remote consultations.

The following became the most popular channels for remote consultations after 24 February 2022: the contact centre, Telegram and Viber messengers, local and regional free secondary legal assistance centres, and the WikiLegalAid platform. These statistical data correlate with the experience of the respondents: half of those who sought help from the free legal aid system contacted it through the hotline. Messengers are the second most popular channel of communication with the free legal aid system.

At the same time, opportunities to obtain free legal aid have significantly decreased for citizens from areas not under the control of the Government of Ukraine due to lack of communication, in areas where active hostilities are ongoing, as well as for residents of rural areas, due to logistical problems.

The free legal aid system continues to function stably and provide services to clients in the new conditions, but urgent problems need to be addressed to enable it to continue to work with the same level of efficiency. The priority tasks include the creation of bomb shelters in centres where they still do not exist, addressing the issue of material and technical support (especially for free secondary legal assistance RCs and LCs from transit and frontline areas), and providing psychological support to system staff to prevent professional burnout and reduce emotional and psychological load, strengthen the training of the management of the centres on civil security issues. It seems appropriate to train system staff on issues related to the war, crossing the border during martial law and a number of other amendments to legislation.

5. RECOMMENDATIONS

The Legal Aid Coordination Centre should:

- ◆ Continue to inform the population about the free legal aid system services, using the communication channels detailed in the study, considering the ages, genders and places of residence of the target audiences.
- ◆ In cooperation with international and national NGOs, consider creating basic bomb shelters in free secondary legal assistance RCs and LCs where those are still not in place or unsuitable for use.
- ◆ Consider installing ‘alarm’ buttons for calling the police or security personnel in the offices of free secondary legal assistance RCs and LCs, where they have not yet been installed, to ensure the personal safety of the staff.
- ◆ Develop and approve emergency action plans, including instructions for employees who have been left in territories temporarily not under the control of the Government of Ukraine (regarding personal protection and protection of personal data of clients), and instructions for actions in circumstances threatening personal safety.
- ◆ Given the significant emotional and psychological burden on the employees of the free legal aid system, conduct training on providing psychological first aid: self-help and communication with clients with signs of psychological trauma or stress (potentially free secondary legal assistance in cooperation with international and national NGOs).
- ◆ In recent years, the Coordination Centre and international and national NGOs have made significant efforts to improve the qualifications of the free legal aid system staff. These measures have had obvious positive results, as confirmed by the system employees themselves reporting a sufficient number and quality of training courses. However, given the significant number of requests related to the war, and based on the study findings, it seems appropriate to hold short training sessions on the following issues for system staff (potentially in cooperation with international and national NGOs):
 1. Military legislation and issues of mobilization (rights and guarantees of combat veterans, the legal status of missing persons and prisoners of war, registration of disability suffered in connection with hostilities, and the procedure for movement of military personnel). Sessions on these topics could be held in cooperation with national NGOs that specialize in legal aid to military personnel and their family members.
 2. Amendments to labour law after 24 February 2022.
 3. The specifics of crossing the state border during martial law.
 4. Certain issues relating to pension provision.
 5. Problematic issues in the field of land law.

Training on these issues could be arranged as separate training courses to be placed on the PRAVOKATOR website and on the distance learning platform of the free legal aid system (<https://academy.legalaid.gov.ua/>).

Free secondary legal assistance LCs should:

- ◆ Continue conducting field sessions for the provision of legal aid and setting up mobile consultation points in places where internally displaced persons are accommodated, and in the places where evacuation buses and trains arrive.
- ◆ Continue cooperating with the social protection departments and ASCs regarding placement of consultation points for the provision of legal aid in the premises of these institutions.

Free secondary legal assistance LCs and RCs should:

- ◆ Continue coordinating efforts with international and national NGOs to provide free legal aid to vulnerable population groups.
- ◆ Introduce regular events for the exchange of experience with colleagues from other free secondary legal assistance LCs and RCs to discuss current problematic issues, and share practices on the mechanisms they have developed to address those, and practical recommendations. These events could be held in person with employees of the free legal aid system, or online with the participation of a small number of specialists from various free secondary legal assistance LCs and RCs with presentations of specific cases from their own experience.
- ◆ Consider the possibility of providing additional leave for the psychological recovery of free legal aid system staff, especially in frontline areas and for the staff who regularly work overtime.
- ◆ Strengthen the training of the management of the LCs and RCs on civil security issues.

The Office of the Ukrainian Parliament Commissioner for Human Rights should:

- ◆ In order to raise public awareness about opportunities to apply to the Ukrainian Parliament Commissioner for Human Rights if there are violations of rights, it is recommended to conduct outreach campaigns about the Commissioner's role and functions in the human rights protection system in Ukraine by using the communication channels detailed in the study and taking into account the ages, genders and places of residence of the target audiences.
- ◆ In pursuance of the Memorandum on Cooperation between the Ukrainian Parliament Commissioner for Human Rights and the Legal Aid Coordination Centre³, post information about free legal aid and the Commissioner's activities on the Commissioner's and the Coordination Centre's official websites.

International and national NGOs cooperating with the free legal aid system should:

- ◆ Continue implementing programmes to provide legal aid to internally displaced persons and war-affected persons in order to satisfy the demand of Ukraine's population for legal aid and ensure access to justice.
- ◆ Consider assisting the free legal aid system to print advertising and informational materials to increase public awareness of the service.
- ◆ Consider providing free legal aid system staff with additional office equipment, especially for free secondary legal assistance RCs and LCs from transit and frontline areas: equipment for field sessions (laptops and notepads), as well as printers and desktop computers.
- ◆ Consider providing individual psychological counselling for free legal aid system employees in order to prevent professional burnout and reduce emotional and psychological stress (in person or online).
- ◆ After satisfying the urgent requests for the proper functioning of the free legal aid system, consider installing SIP telephony (a communication protocol used in IP telephony that allows the creation of virtual call centres with automatic call forwarding) in the system offices.

³ It should be noted that on 17 January 2023, after the survey was conducted, a new Memorandum of Cooperation was signed between the Commissioner's Secretariat and the Legal Aid Coordination Centre, intended to consolidate the parties' efforts to prevent violations of human rights and freedoms, and increase public awareness of opportunities to obtain free legal aid.

