



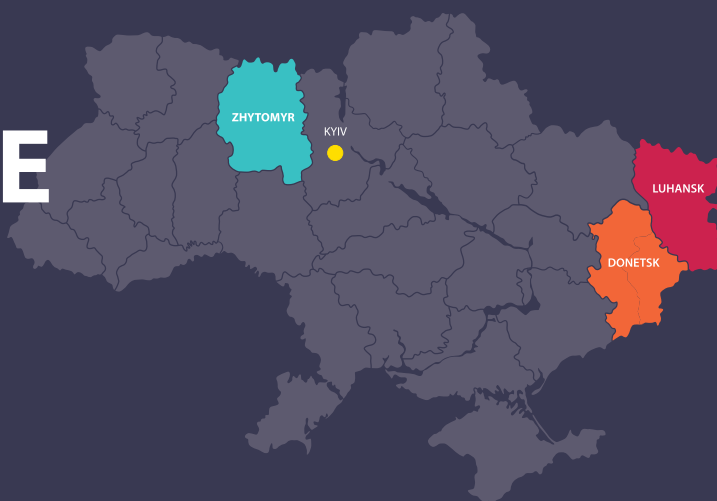
Kingdom of the Netherlands



# SECURITY AND JUSTICE IN UKRAINE

Perspectives from  
Communities in Three  
Oblasts

2017



UNDP partners with people at all levels of society to help build nations that can withstand crisis, and drive and sustain the kind of growth that improves the quality of life for everyone. On the ground in nearly 170 countries and territories, we offer global perspective and local insight to help empower lives and build resilient nations.

This study was built on data and expert opinions generously provided by local social workers and justice actors, including judges, prosecutors, police, legal aid, representatives of the Ombudsperson's Office and of local administrations. Several organizations also offered invaluable assistance, including Country of Free People, Danish Refugee Council, HelpAid, IDLO, Slavic Heart, "Suchasnyy Format" the Organization for Security and Cooperation in Europe Special Monitoring Mission, and US Department of Justice. UN agencies, including UNAIDS, UNHCR, UNICEF, UN-OCHA, OHCHR and UNWomen have also provided helpful assistance and cooperation.

Above all, this report would not have been possible without the 3,900 respondents who volunteered their time and gave invaluable insights to better inform our understanding of community justice and security in conflict-affected areas of Ukraine.

This report was prepared by Survey Methodological Expert Heather Goldsmith.

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# SECURITY AND JUSTICE IN UKRAINE

## Perspectives from Communities in Three Oblasts

2017





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# LIST OF ACRONYMS

CBO	Community Based Organization
CSO	Civil Society Organization
DV	Domestic Violence
FGD	Focus Group Discussion
GBV	Gender Based Violence
GCA	Government Controlled Area
GFK	Gesellschaft für Konsumforschung
HiIL	The Hague Institute for Internationalisation of Law
HIV	Human Immunodeficiency Virus
IDP	Internally Displaced Person
IPV	Intimate Partner Violence
LGBT	Lesbian, Gay, Bisexual, and Transgender
NGCA	Non-Government Controlled Area
NGO	Non-Governmental Organization
PTSD	Post-Traumatic Stress Disorder
RPP	UNDP's Recovery and Peacebuilding Programme for Eastern Ukraine
UAH	Ukrainian Hryvnia <sup>1</sup>
UNDP	United Nations Development Programme
USD	United States Dollar

<sup>1</sup>: At the time of this report 1 USD = 25 UAH



# 01 FOREWORD

Since 2013, Ukraine has experienced a series of major upheavals. The protests at the Maidan, the occupation of Crimea, and the outbreak of armed conflict and massive displacement in the East have led to immense social and economic challenges for Ukraine's government and society. This, in turn, has exacerbated general discontent with, and distrust of, state institutions, and worsened personal and community insecurity, especially in conflict-affected areas.

Insecurity and the breakdown of trust in institutions has been acknowledged by the government as an ongoing problem; without effective and trusted mechanisms to redress grievances, governed by rule of law and in full respect of human rights, the roots of conflict and social instability will remain, and efforts at economic growth and political stabilization will be undermined. The fundamental dynamic between individual, community, and state institutions needs to be transformed if we are to address both the causes and consequences of the conflict, and

promote constructive and systemic change across Ukraine.

UNDP aims to show that a community-based approach, which makes police, local authorities and justice institutions more responsive to the needs of local populations, is an essential component in creating this transformation. This is not only based on UNDP's decade-long experience with empowering communities for local development through a community-based approach, but also draws from lessons-learned in different settings globally, where UNDP has prioritized community security and social cohesion as a key goal. Through the project on Rule of Law and Community Security in Conflict Affected-Areas in Ukraine, generously funded by the Dutch Government, UNDP is piloting interventions in three oblasts to develop pathways for change, building on UNDP's global expertise combined with its traditional strengths in Ukraine: community-based development, civil society networks, and public engagement at the local level, including areas directly

affected by conflict. This assessment is one of a number of related reports that UNDP plans to undertake to deepen our understanding of the perceptions, experiences and needs of local populations in the context of reforming justice sector institutions and the effort of establishing the rule of law and human security.

As the government continues the enormous task of reform and recovery, we hope that this report can be a useful tool to develop policies and laws based on the voices of their ultimate beneficiaries: the people of Ukraine.



**Janthomas Hiemstra**  
Country Director  
UNDP Ukraine





## 02 INTRODUCTION

The 2015 Recovery and Peacebuilding Assessment determined several priorities for strengthening the resilience of conflict-affected communities, especially displaced populations and their host communities. Alongside the rehabilitation of infrastructure and economic recovery, efforts would have to include the promotion of reconciliation and social cohesion and strengthening community security and access to justice. Accordingly, since 2015 community security and justice concerns have been included in public consultations on revising regional development strategies in Donetsk and Luhansk Oblasts. Justice and human rights issues have also been documented diligently by a number of non-governmental and international organizations over the past three years. In 2016 UNDP rolled out its comprehensive programme for governance reform and recovery, with a geographic focus on conflict-affected areas. The new programme includes support to increasing community security and improving access to justice with the aim of ensuring that human rights protection and the rule of law are realized at community level.

Research shows that the majority of issues which cause people to feel insecure are not issues dealt with by law enforcement or the justice system. The Community Security approach applied by UNDP in many contexts around the world does not differentiate between different causes of insecurity, hence it allows us to respond to human security needs from the perspective of people at the local level. To effectively understand these needs, UNDP has been mapping and assessing needs in three regions of Ukraine.

In 2016 UNDP commissioned this assessment first of community security and justice in order to provide a detailed picture of citizens' knowledge, attitudes and experiences with justice and security issues. Although other related surveys have been undertaken and a number of reports have become available, this Report seeks to delve much deeper and thereby to provide a clearer, more comprehensive picture of needs. Moreover, the geographic scope allows positioning the situation in directly conflict-affected areas within a comparative national context.

Thus, the survey sought to ask detailed questions within the framework of a representative, and statistically robust household survey which covers a broad range of interlinked issues including security, justice and administrative services. The survey has been designed to show any significant differences in attitudes based on: gender; age; geographical location (rural vs urban; proximity to contact line); and economic category.

The assessment focused on three oblasts in which UNDP is piloting a community based security and justice programme: Zhytomyr oblast, in Central/Western Ukraine, and government-controlled areas of Donetsk and Luhansk oblasts.

### The assessment consisted of:

- i) a quantitative household survey;
- ii) a quantitative court user/observer survey;
- iii) qualitative interviews with justice actors; and
- iv) qualitative interviews with traditionally underrepresented groups.

The information in this report summarises the key findings of the assessment.

### The report is intended to provide evidence for government, civil society and international partners to:

- » identify priority areas where reform and recovery interventions are required;
- » monitor and evaluate the effectiveness of reforms in the justice sector and service delivery; and
- » advocate for policy and legislative Changes both at the national and the regional level.

The majority of issues which cause people to feel insecure are not issues dealt with by law enforcement or the justice system.

### This report is divided into the following sections:

- » **Section 1** Introduction
- » **Section 2** Overview of demographics of the population surveyed.
- » **Section 3** Key findings across oblasts
- » **Section 4** Summary of key findings separated by oblasts.
- » **Appendix One** detailed description of the research methodology
- » **Appendix Two** detailed breakdown of demographic data by oblast

Practitioners and policy makers are encouraged to use the data to develop practical interventions that can be implemented locally and to measure the success of these interventions over-time.

The full detailed results of the survey for each oblast are available online at: [www.bit.ly/UNDPRuleofLaw](http://www.bit.ly/UNDPRuleofLaw)

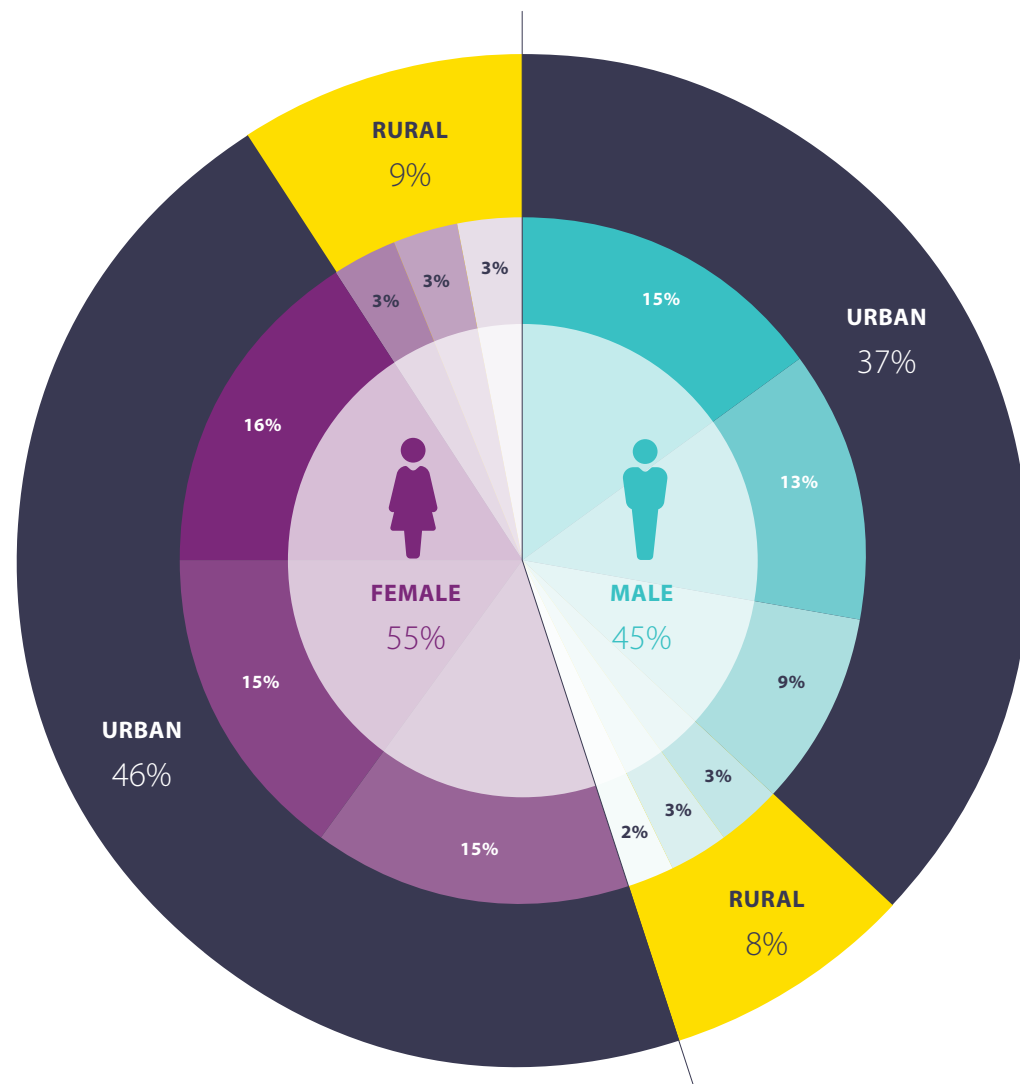


# 03

## DEMOGRAPHICS

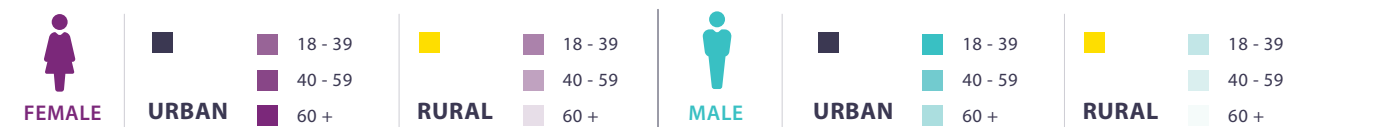
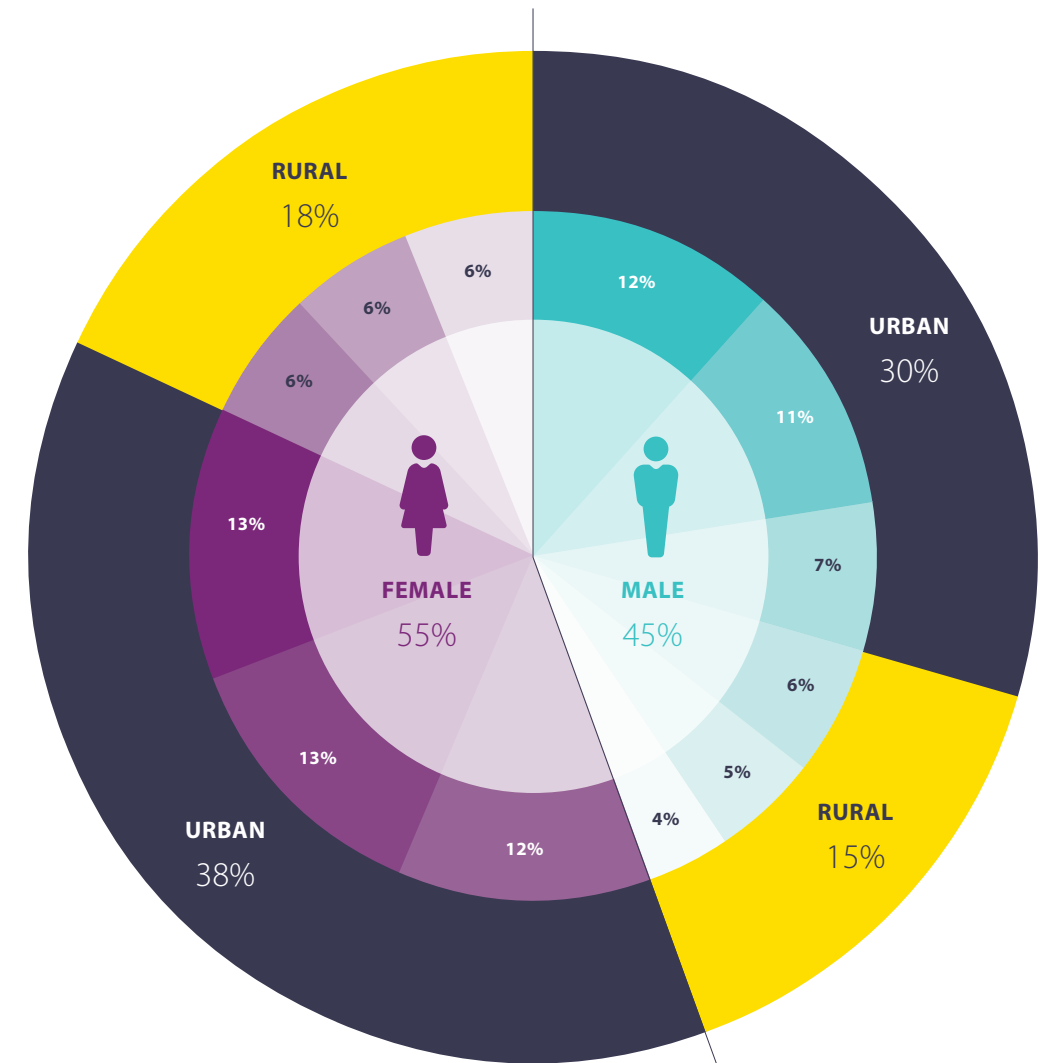
The survey was designed to reflect the regional demographic profile in terms of age, gender and urban/rural distributions, based on the 2016 data from the State Statistics Service. A detailed breakdown of demographics by oblasts is below:

Table 1: **Donetsk** Demographics of Respondents



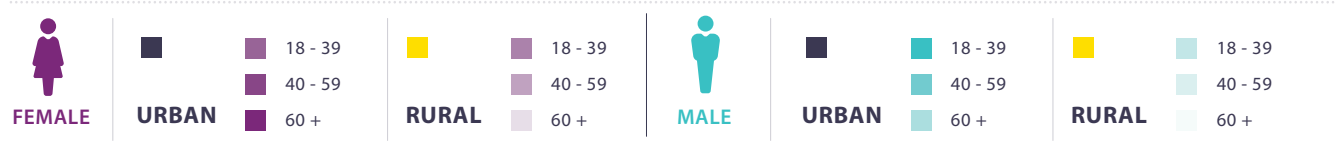
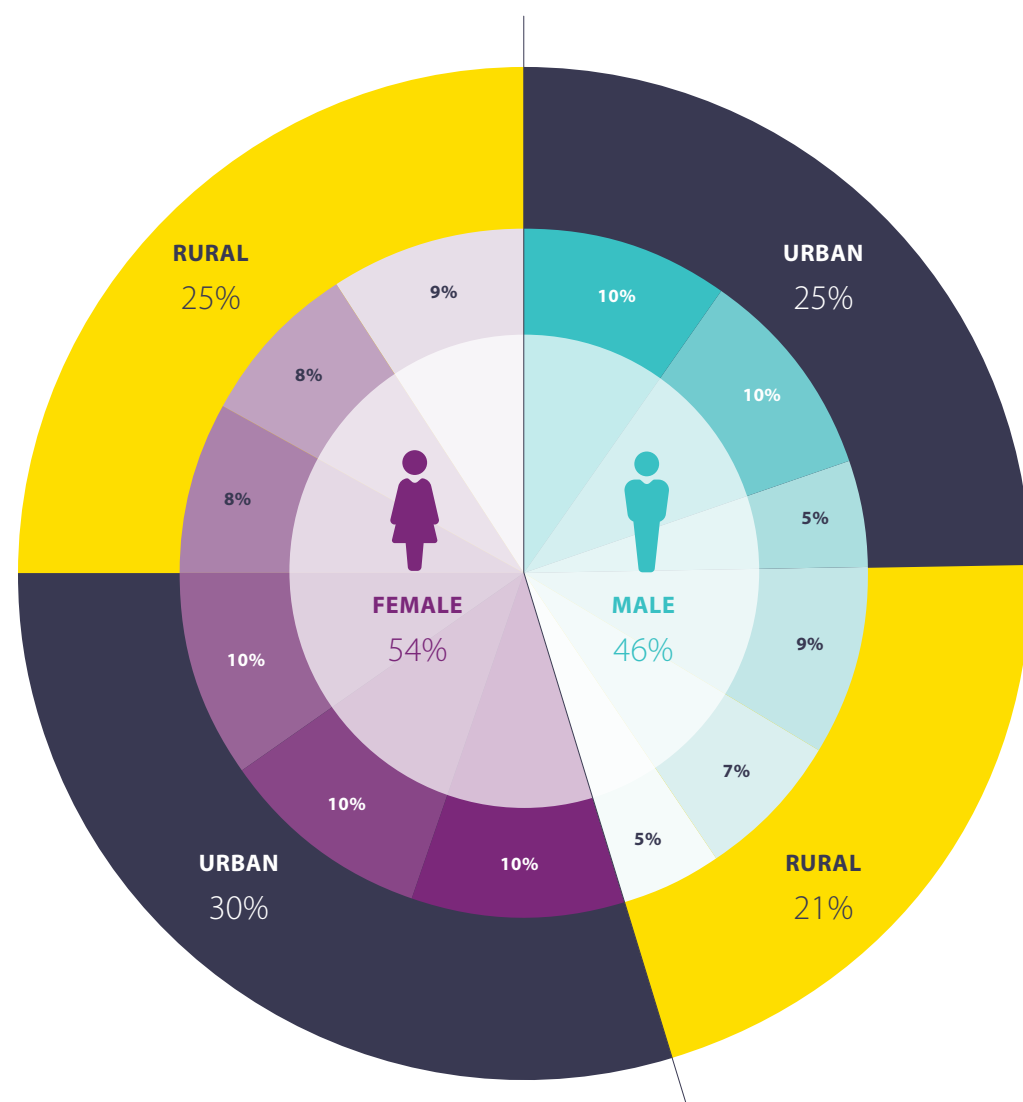
\*Percentages may not total 100 due to rounding

Table 2: **Luhansk** Demographics of Respondents



\*Percentages may not total 100 due to rounding

Table 3: Zhytomyr Demographics of Respondents



\*Percentages may not total 100 due to rounding



Respondents were asked about their economic status, level of education, religious affiliation and other issues that were deemed potentially relevant. The overwhelming majority (around two thirds) of respondents were married. Amongst the older population (aged sixty or over) there are about twice as many females in all oblasts than males, a general pattern in the country. An overwhelming majority of respondents identified as Christian in all oblasts (ranging between 92% - 98%). The population surveyed was generally well educated, but not affluent. At least two thirds of respondents had at least completed high school education, and a large minority had some higher education (33% in Donetsk, 26% and 23% in Luhansk and Zhytomyr oblasts respectively). More respondents identified as being poor than

wealthy and the largest proportion in all oblasts stated they had money for food but not for clothing (ranging from 40% - 47%).

#### Around a quarter of respondents in Donetsk and Luhansk stated they did not have enough money for food.<sup>2</sup>

In Zhytomyr 10% of respondents stated they did not have enough money for food. People with sufficient resources for luxuries such as electronics comprised 5% or less in each oblast.

Respondents who notified as an Internally Displaced Person (IDP) were much fewer than would be expected (only 6%

and 5% in Donetsk and Luhansk oblasts respectively). This supports the feedback from IDPs during in focus group discussions that **many IDPs are moving back to non-Government controlled areas due to economic hardships**. Respondents were also asked whether they or a member of their family have fought in the conflict. In Donetsk and Luhansk oblasts around 1%-2% of respondents answered yes to these questions. By contrast, in Zhytomyr, two percent (2%) of the respondents stated that they had personally been a combatant while another 15% stated that an immediate family member had been a combatant in the conflict.

More detailed demographic data by oblast can be found at Appendix 2.

<sup>2</sup> The percentages were 26% in Donetsk and 23% in Luhansk



# 04

## KEY FINDINGS

*This section gives an overview of the common themes between oblasts; the next section provides a summary of the specific results for each oblast.*

&gt;

### PERCEPTIONS OF SAFETY

*Women and poor people were less likely to feel safe in their communities or in their own homes after dark*

*Women, children, the elderly and people with disabilities were considered to be less safe than others, while IDPs and religious minorities were seen as equally safe*

### 3.1. Security Concerns

When asked about feeling safe in the home, or in their communities (outside the home) most respondents agreed or strongly agreed that they felt safe during the day in their homes and communities. This figure drops noticeably during the night, however, especially for female respondents. Respondents from higher economic brackets were more likely to respond that they felt safe than those in lower economic brackets, particularly at night, outside the home. Surprisingly, age does not significantly impact on perceptions of security. However, gender plays an enormous part.

**A shocking one third of women do not feel safe in their own homes at night, and two thirds do not feel safe in their community at night.**

Those in urban areas also reported that they felt less safe at night than those in rural locations in Donetsk and Luhansk oblasts; the opposite was true in Zhytomyr oblast.

Respondents also believed that groups that are traditionally considered vulnerable, such as IDPs and religious minorities, are as safe in their communities as other members of society; this was echoed by IDPs who, in all oblasts, stated that they were living in harmony with their host communities.

**Women, children, the elderly, and people with disabilities were frequently considered to be less safe than the general population, especially in urban areas.**

This could be because there is greater awareness of their needs in urban communities, or rural communities are more likely to look out for others. Across all three oblasts most of the respondents stated that they did know any members of the LGBT community or people living with HIV, and therefore could not opine about their safety compared to the community at large. In FGDs, respondents who were HIV+ or members of the LGBT explained that they regularly do not share this with their communities, or sometimes even their families, due to fears for their safety and the social ostracisation they believe would follow.

*Amongst the older population (aged sixty or over) there are about twice as many females in all oblasts than males, a general pattern in the country.*







## CAUSES OF INSECURITY

*Unemployment, and poverty were highest concerns for almost everyone*

*People perceive economic, rather than violent, crimes to be the most common*

*Of the 124 IDPs in the survey, 11 thought tension with host communities was a major issue*

*In Donetsk, four of the 67 IDPs surveyed reported that tension between IDPs and host community was a major issue and 12 stated it was a minor issue*

Respondents were presented with a series of thirteen issues that can lead to a sense of insecurity. They were asked to state whether each was a major issue, a minor issue, or not an issue their community faced. The most frequently cited major issues were: unemployment and poverty (in all oblasts these were identified as major issues by around 90% of respondents), followed by corruption, and alcoholism. There was little difference between the perception of male and female respondents. Issues more immediately related to the conflict, such as mines, shelling, conflict related trauma, or tensions between IDPs and host communities were much lower on their list.

**In Donetsk oblast streetlights, street dogs and environmental pollution all rated as higher concerns than shelling.**

This held true even for respondents living within 20 km of the contact line, indicating that the most pressing needs for the residents of these locations are not necessarily conflict-related, although the conflict may have a catalyzing or aggravating effect on for, example alcoholism, poverty and unemployment. In all oblasts petty theft, followed by house burglary were seen as the most common crimes or disputes. As petty theft is of such low value, it may never even be recorded as a crime (petty theft under 137 UAH is not a crime but an administrative offence) let alone reach a court. The scale of the issue is illustrated by comments from a prosecutor in Donetsk oblast who explained that in the first three months of 2016 there

were 3,000 cases reported to the police, of which 1,500 were thefts. Only 250 of those cases were high enough value for the police to intervene. In effect, 83% of all victims of theft who reported the case to the police had their cases turned away by the justice system.<sup>3</sup> This is likely to contribute to negative public attitudes towards the justice institutions, and undermine the positive impacts of the ongoing reform process. Policy-makers need to consider a better response to these low-value, but high volume offenses.

**There is a clear need to find mechanisms to resolve minor crimes and disputes in a way which leads to people feeling justice has been done, even outside the formal justice system.**

In Donetsk, four of the 67 IDPs surveyed reported that tension between IDPs and host community was a major issue and 12 stated it was a minor issue. In Luhansk seven of the 57 IDPs surveyed reported that tension between IDPs and host community was a major issue and 15 stated it was a minor issue.

There are several issues that are more likely to be considered “major problems” in urban areas than rural areas: corruption, drug abuse, environmental pollution, and people traumatized by the conflict. It is also noteworthy that, after unemployment and poverty, respondents in rural communities of Luhansk oblast highlighted insufficient streetlights as a cause of insecurity as this is one of the areas of work UNDP is focusing on with local authorities to strengthen community security.



Unsurprisingly, the police had a far higher presence in urban locations than in rural areas. Between 75% - 86% of respondents said the police were in their neighborhoods either regularly or occasionally compared to 40% - 53% in rural areas. The response time to rural communities is inevitably longer due to distances to be covered, than in urban areas, but police also generally suffer from a lack of vehicles and fuel which makes them far less likely or able to effectively police those areas.

In other countries, open meetings with communities about their specific safety concerns with the police or community leaders have been found to be an effective way of increasing safety and security at the local level.

**Despite legal reforms requiring the police to engage with the public, including through regular reports and consultations, the majority of people said that such meetings occur never or rarely.**

**Female respondents feel less safe in their homes at night than male respondents, by a significant margin.**

This raises the question of what is making women feel unsafe. While there are several possible answers, one is that they are afraid of other people who live with them. The survey did not ask respondents, for ethical and logistical reasons, whether violence occurred within their own home. Instead, as a proxy measure, they were asked whether it occurred within their community. When asked about prevalence of domestic violence around one in five respondents recognized that some form of intimate partner violence (whether resulting in injury or not) occurred occasionally or regularly in their community. Less than one third said it occurred rarely in their community, with just under half saying it never occurred.

**The low level of recognition of intimate partner violence emphasizes that there is a long way to go in raising awareness of the existence and prevalence of this type of crime, which is especially challenging due to it being hidden,**



## POLICING

*Around half of rural people thought police were in their communities never or rarely*



## INTIMATE PARTNER VIOLENCE

*Women feel much less safe at home than men.*

*Around half of people believe intimate partner violence never occurs in their community.*

<sup>3</sup> The 1,250 cases which were not recorded by police were resolved informally, or through the local administration, or simply withdrawn with no further action.





## MINE SAFETY

*Of those who had contact with a mine, about half reported it to the authorities or UXO*

### within the home.

Heads of local administration in the oblast agreed that one of the greatest challenges is finding appropriate means by which to assist victims/survivors of domestic violence. According to one female administrative leader, it is easy to identify domestic violence, but there is no mechanism to react because 15 days of administrative detention is not sufficient. This highlights the need for victim advocacy services and for changes to civil and criminal law and legal practice to ensure a greater range of options for victims.

Respondents' beliefs about prevalence of IPV was explored through three scenarios i) a wife is threatened with physical violence by her husband, ii) a husband and wife physically fight, but no one is injured, and iii) a husband and wife physically fight, and the wife gets seriously injured. In each oblast about half the respondents perceived that at least one of these scenarios occurred in their communities. Over 90% of respondents agreed that ex-

ternal interventions, particularly reporting to the police, were necessary in at least one of those scenarios, such as when a wife is physically injured. This finding differs from a 2015 survey by the Ukrainian Center for Social Reforms which states that only 32% of respondents thought that the police would be helpful to resolve situations of intimate partner violence. The difference could be explained by the fact the 2015 survey was nationwide, rather than oblast specific, and also that most people believe that police involvement is only useful or justified when a woman is seriously injured, but without a serious injury the police would not be helpful.

Most of the population said they had not come in contact with a mine: only 39 respondents in Donetsk oblast reported that they had done so, and only 16 in Luhansk oblast. About half of those who came in contact with a mine reported it to authorities for removal, and they generally reported that the device was removed without cost, although a few respondents indicated that the process could have been faster.



## 3.2. Access to Justice

Respondents believed that reporting to the justice system, usually the police, is the most appropriate means by which to resolve problems such as burglary and property damage. Land disputes, however, were overwhelmingly not seen as appropriate to be dealt with by the justice system, but best resolved by the local administration. This indicates that while most citizens are dependent on the formal justice system to resolve legal problems, alternative dispute resolution mechanisms do exist, and occasionally are used. It also, positively, indicates that despite many problems in the justice system most respondents prefer to resolve matters through the justice system rather than take matters into their own hands.

Around 40% of respondents in all three oblasts said that if they were a victim of crime they would definitely or probably get justice while between 15% - 20% of people said they would definitely not get justice. This answer closely tracked economic status of respondents; the higher the income bracket, the more faith people had that they would get justice. There was also a significant gender difference with males much more likely than females to think they would get justice in almost all economic brackets.

**Those who thought they would not get justice said this was because either they were not rich enough or not powerful enough. Between 50% – 80% of people in each oblast selected these two options.**

In short, poorer people and women i.e. people who see themselves as lacking power, are alienated from a justice system that it is seen as promoting the needs of the rich and powerful.

Despite these responses, not all perceptions of the system were universally negative. Overwhelmingly, respondents expected that if they went to the police, courts, or legal aid lawyers they would be treated with respect.

In all oblasts around 90% of people felt they would be listened to, treated with respect and would not need to pay the police. At the same time they were skeptical whether going to the police would provide a fair and timely result, especially female respondents.

**Around half of all respondents in all oblasts believed that the police would be more likely to help if they were paid, and would be more likely to side with the person who is richest/most powerful. Similar concerns were expressed regarding courts and the Prosecutor's office.**

Many respondents were also concerned about the time it would take the police to respond/resolve the problem, especially those in rural areas.

This belief that the justice and law enforcement institutions do not serve the needs of all persons equally represents a fundamental failure of the rule of law which underlines the need for continuing to implement reforms. However, the positive expectation of respectful treatment gives hope, and implies that it may not necessarily be in their initial and direct interactions with most citizens that these institutions are failing.

**In all three oblasts female respondents were more likely than men to state that a major reason why they thought they would not get justice was because they feared for their safety.**

Given other responses it can be inferred that it is not because they fear the police or courts themselves but rather reprisals either from the perpetrators or others. This raises the need to increase confidence and improved support services and protections for complainants to create equal access to justice, particularly for women.



## PERCEPTIONS OF THE JUSTICE SYSTEM

*Respondents thought that while crimes should be reported to police, most people prefer the local administration to deal with land disputes*

*Most citizens, particularly women and the poor, lack confidence in the justice system, but do not expect they will be treated disrespectfully or asked for a bribe.*

*Around 90% of people felt they would be listened to, treated with respect and would not need to pay the police*





## LEGAL SERVICES

*Most people are aware of the availability of free legal aid for court proceedings but not free advisory legal services ('primary legal aid')*

*Although people in rural areas are generally unaware of primary legal aid services, those living near the contact line have higher awareness than average*



## ACCESS TO COURTS

*Courts are generally seen as slow and expensive and many people worried they would not understand the proceedings.*

Most respondents knew about the availability of secondary legal aid i.e. that if they were accused of a crime, but were not able to afford a lawyer a government lawyer would be provided.

**Most of the respondents who knew about secondary legal aid thought that they would be required to pay the government lawyer, and did not have much confidence that their interests would be represented as well as by a private lawyer.**

This indicates a need to improve the capacity and perception of the government legal aid services. Almost all respondents thought that a lawyer would treat them with respect and would represent their best interests. In two oblasts there was concern whether it would be easy to find a lawyer, and in all the oblasts the majority of respondents thought they would not be able to afford a lawyer. This emphasizes the importance of free legal assistance and of ensuring awareness of the availability of such services.

**While there was good knowledge of secondary legal aid, respondents, particularly poor, less-educated, and rural respondents, were generally unaware of the availability of primary legal aid.**

This indicates the need to increase knowledge of such services across all three oblasts. Respondents who were aware of primary legal aid had an overwhelmingly positive impression of the quality of services that would be provided, and mostly knew it would be free. Further, those who had used primary legal aid services were generally pleased with the service received.

However, a few reported that they were asked to pay the service provider. This indicates that awareness campaigns on primary legal services should emphasize that the services are free, and that there needs to be a mechanism by which people can report service providers who request a payment. It also suggests a need to strengthen internal oversight of legal aid providers.

Vulnerable groups and communities, such as IDPs and individuals living within 20km of the contact line, were more aware of primary legal aid services than those in the general population. This indicates that there may already be efforts to improve knowledge of legal aid in specific areas.

Respondents expressed concern about whether they would understand court procedures, and in some oblasts felt they would not know how to start a case. This underscores the need of improved education and awareness-raising to help citizens understand the judicial process.

**Many respondents, especially women, did not think they would be able to afford court fees to pursue any claim.**

As court fees were recently raised and waivers eliminated, there are now even more financial hurdles to accessing justice. Respondents also expressed concern at the length of time the courts would take to resolve a case. Judges in all three oblasts blamed lengthy delays on the number of vacant posts. At the same time, with improved processes and equipment, it is possible that delays could be reduced by improving court efficiency without increasing judicial numbers.







Some people said they lived in an area where an individual or group of people from the local administration assist in resolving crimes and disputes, although this was a minority of respondents. They had a generally positive perception of the local administration's ability to resolve the problem quickly and fairly, indicating that there might be benefits in increasing the capacity of local administrations to resolve petty crimes and disputes.

The number of people who had directly experienced a crime or dispute in the past year was a relatively small proportion of people surveyed. 110 people in Donetsk, 102 in Luhansk, and 133 in Zhytomyr.

Those who identified as victims were asked i) if they had tried to get justice and ii) if they thought they had received justice. Most of the victims reported yes to the first question but only about a third reported that they actually got justice.

**Victims commonly reported long delays and a general sense of not being treated fairly. On the other hand, most respondents reported that they were treated with respect, that their side of the story was heard, and they were not asked to pay/did not pay anything.**

Further research is necessary to understand the specific reasons why victims feel they are not getting justice which may be attributed to factors such as whether the perpetrator was found, and convicted and appropriately sentenced, or the lack of financial restitution.

Respondents were asked if they had needed any of the following administrative services: i) a birth or death certificate; ii) residence registration ('propiska'); iii) land registration; or iv) government benefits. Those who said yes were asked follow-up questions to explore what action they took and their satisfaction with the services received.

**Birth or Death Certificates:** Almost all the female respondents who needed a birth or death certificate in the past year, including IDPs and those who live within 20 km of the contact line said they had obtained one.

Women are apparently most likely to be responsible for resolving the administrative issues of the family. Similarly, almost everyone who attempted to register a birth or death certificate reported satisfaction with the process, indicating that this process is working efficiently across the three oblasts, and that there is no problem regarding knowledge of how to register a birth or death even for IDPs and those living close to the contact line.

**Registration of Residence (Propiska):** Almost every respondent who needed to register a residence had attempted to register a residence, but about one-fourth of the respondents reported that they were not satisfied with the process.

**Registering Land:** Most respondents who needed to register land were able to do it, but a half to a quarter of the respondents were not satisfied with the process, depending on the oblast.



## COURT USERS' VIEWS

*Only around one third of victims of crimes or disputes felt their case had been resolved justly*



## ADMINISTRATIVE SERVICES

*People are satisfied with the process to obtain birth or death certificates*

*Around a quarter of people are not satisfied with the process for a propiska, up to half of people are dissatisfied with the land registration process, while around two thirds of people are dissatisfied with the process to get government benefits*



## COMMUNICATION PREFERENCES



To varying degrees, the most useful means of communicating information to the residents of the three oblasts are phone calls, newspapers, Ukrainian TV, and websites. Two methods that were overwhelming considered ineffective are Russian TV, local TV, and Russian radio. Public meetings, text messages, leaflets, and posters in public transportation/places are considered somewhat effective.



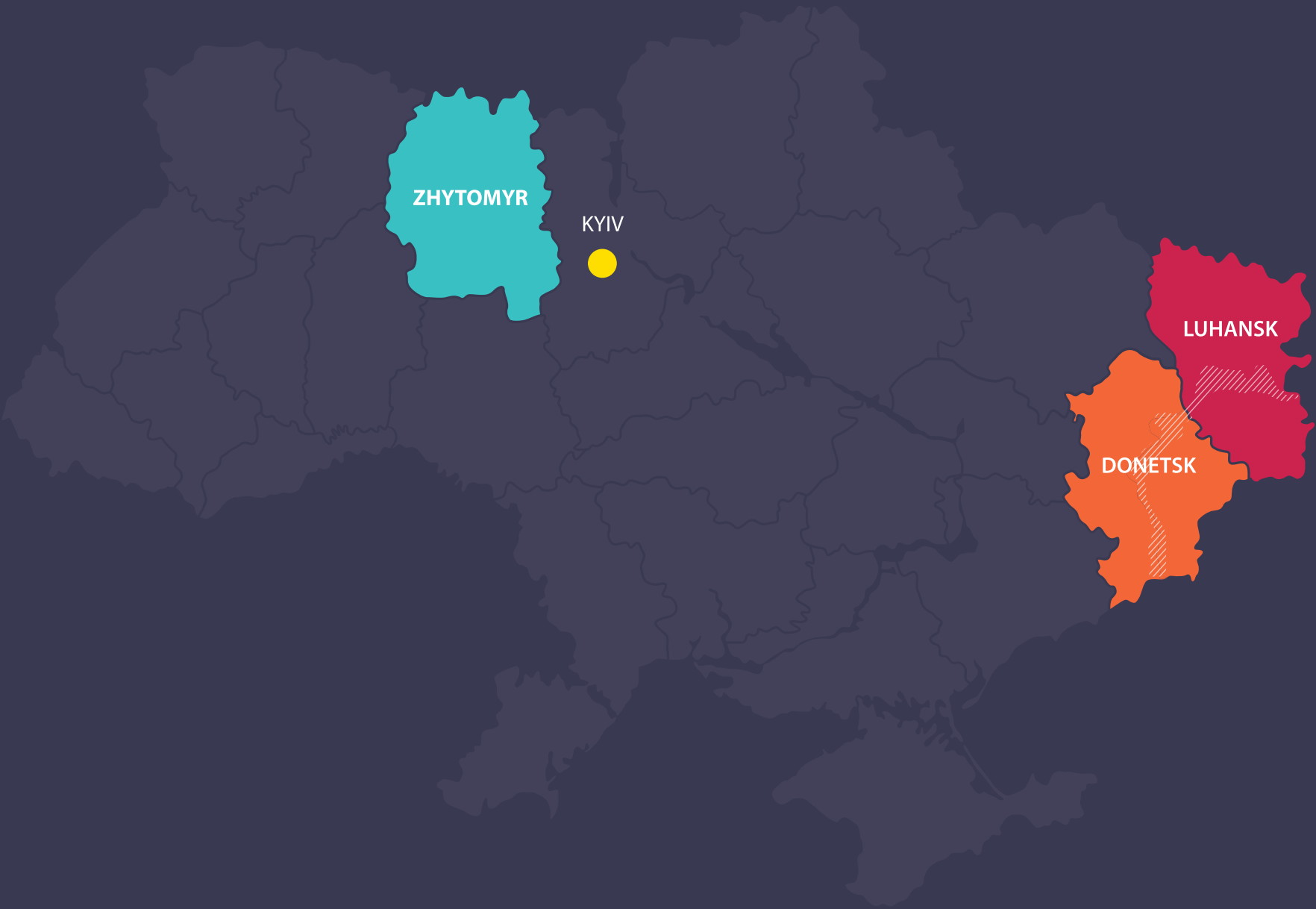


*“One of the biggest challenges is that people are exhibiting symptoms of post traumatic stress without knowing the cause or how to treat it.”*

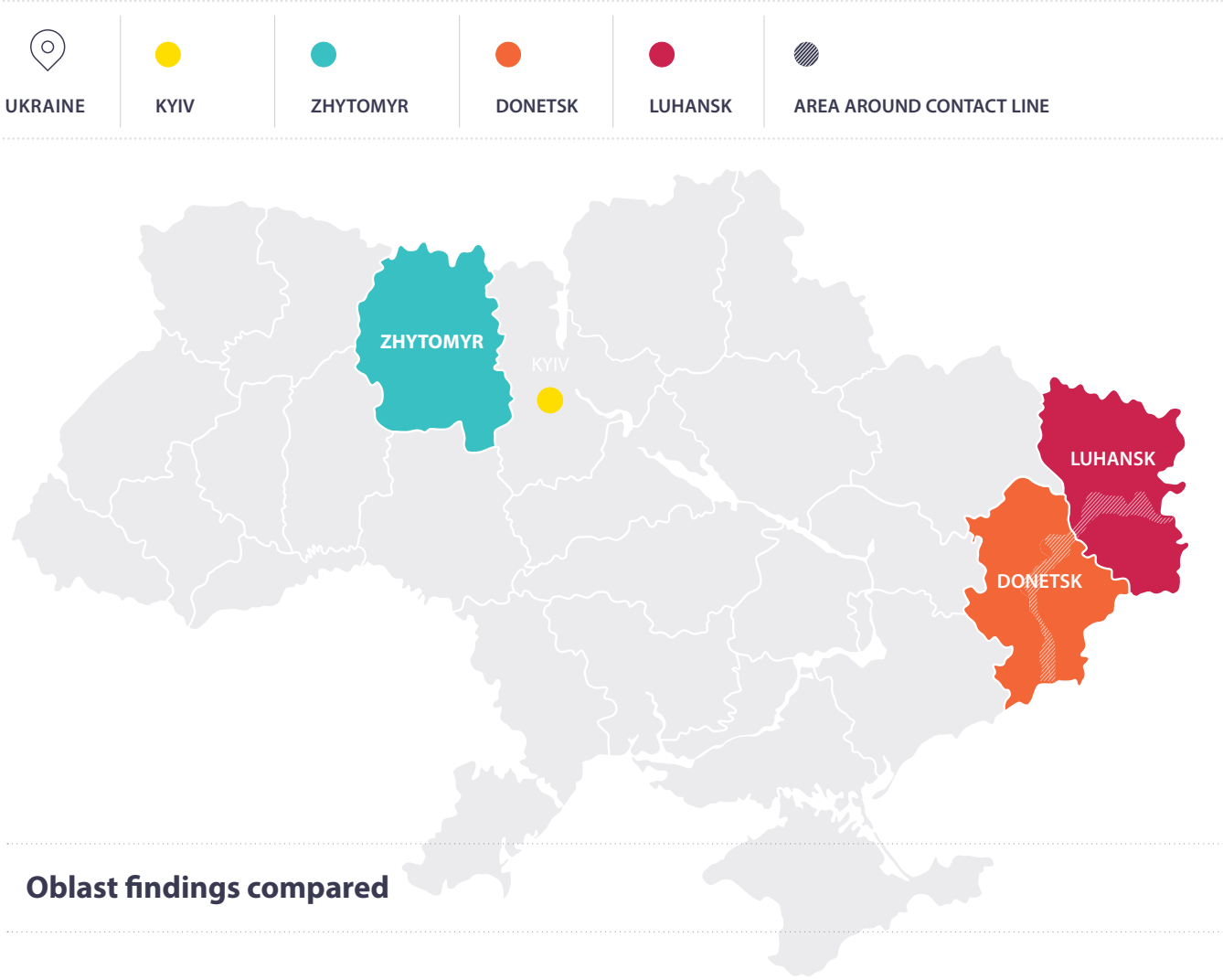
- Pastor, Donetsk oblast.



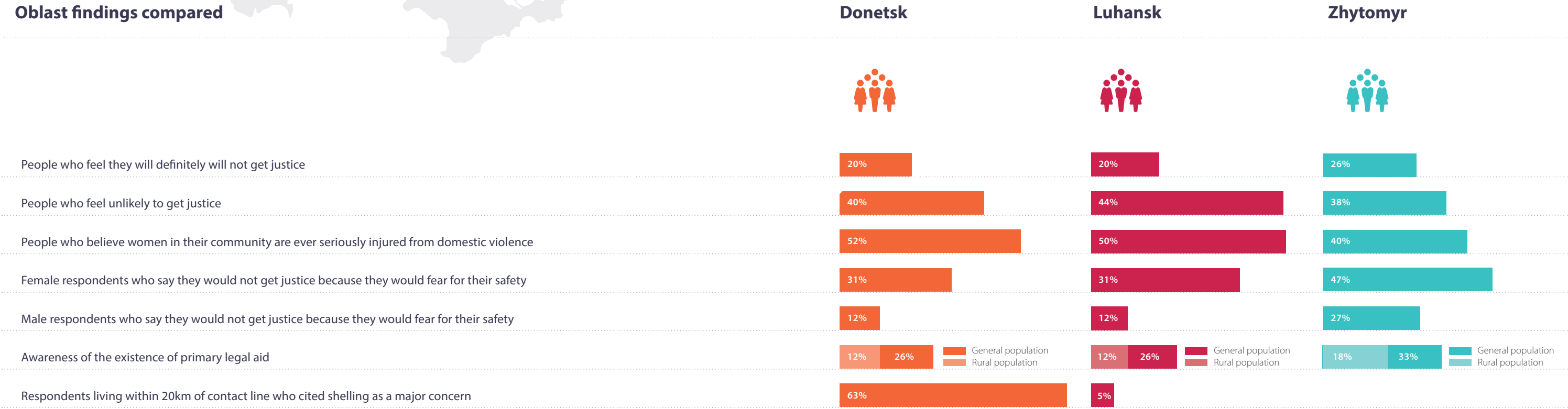
# OVERVIEW OF SURVEY RESULTS BY OBLAST







Oblast findings compared





# 05 DONETSK

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## PERCEPTIONS OF SAFETY

### 4.1. Security Concerns

As the graph shows, most people said that they felt safe at home and in their community in daytime. But the figure drops noticeably at night however, especially for females even in their home.



PEOPLE FROM HIGHER INCOME BRACKETS TENDED TO FEEL SAFER AT NIGHT COMPARED TO THOSE FROM POORER COMMUNITIES



PEOPLE LIVING IN URBAN AREAS ARE LESS LIKELY TO FEEL SAFE AT NIGHT COMPARED THOSE IN RURAL COMMUNITIES





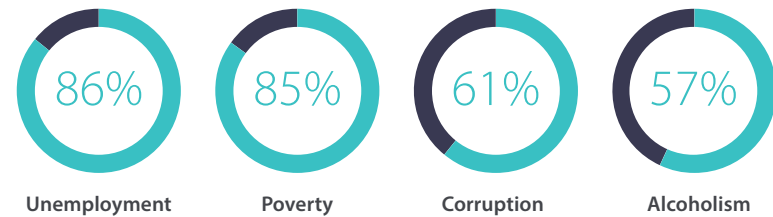


REASONS FOR FEELING INSECURE

The underlying causes of insecurity tend to be issues not directly related

to the conflict, even for those living close to the contact line.

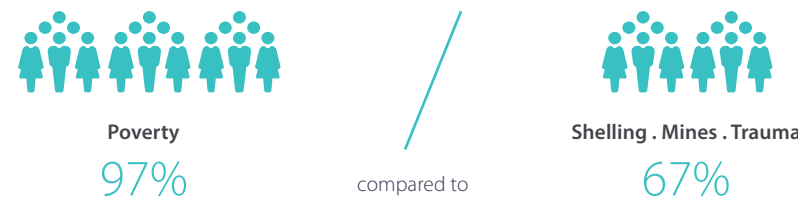
THE TOP FOUR ISSUES PEOPLE CONSIDERED AS MAJOR CONCERNS WERE



Less frequently-cited “major concerns” in Donetsk were mines (15%); shelling (24%), and people traumatized by the conflict (28%).

Even respondents living close to the contact line categorized poverty (97%) as a “major concern” more often than conflict-related issues, such as shelling (63%).

MAJOR CONCERNS  
ECONOMIC VS CONFLICT RELATED ISSUES



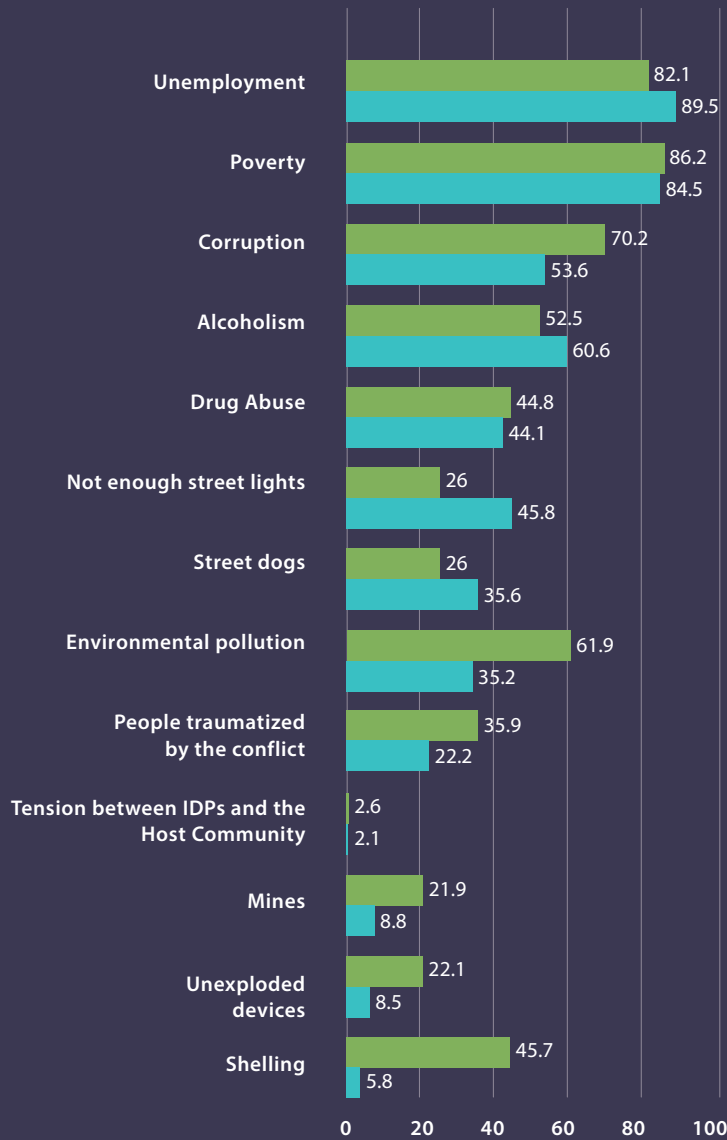
This indicates that the most pressing needs for the residents of the oblast are not necessarily related to the armed conflict as such, but are, like elsewhere, economic, which is of course also exacerbated by the conflict situation.

This is underlined by the finding that respondents believed the most common crimes/disputes in their oblast to be: petty theft (64%), house burglary (41%), and fraud (34%). All three are economic, rather than violent offences.

Underlying causes of insecurity by proximity to conflict

<20 km from contact line  
(n = 322)

≥ 20 km from contact line  
(n = 878)



Respondents stated that the crimes/disputes which concerned them most were i) a violent crime (serious) (30%), house burglary (21%), and petty theft (10%). Twenty percent (20%) of the respondents said they were not worried about any crimes or disputes.

The high number of respondents who reported being concerned about serious violent crime (such as murder and terrorism), likely reflects the active conflict in the oblast.

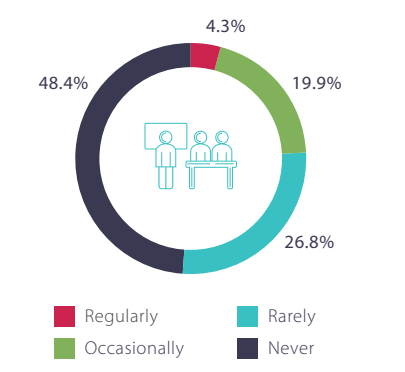




COMMUNITY SECURITY

Far more people in urban areas (86%) reported that the police are in their communities *regularly or often* compared to those in rural areas (46%).

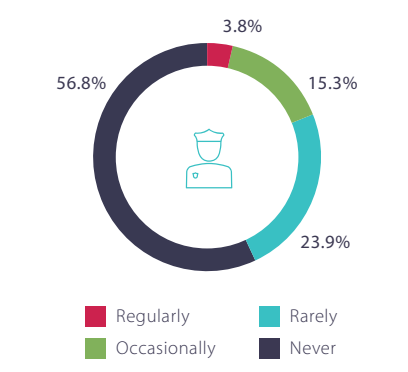
LOCAL ADMINISTRATION HOLDS MEETINGS WITH COMMUNITY ABOUT SAFETY



\*Percentages may not total 100 due to rounding

**Meetings with the community about their safety concerns are not commonly held as shown in the chart below**

POLICE HOLD MEETINGS WITH COMMUNITY ABOUT SAFETY



\*Percentages may not total 100 due to rounding

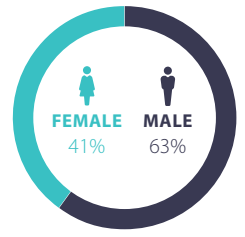


PERCEPTIONS OF INTIMATE PARTNER VIOLENCE

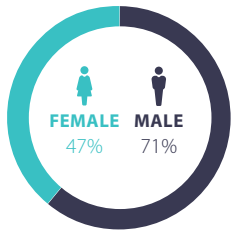
One possible reason for the finding that 35% of women do not feel safe in their homes at night is that they are afraid of other people who reside in their home. For ethical and safety reasons respondents were not directly asked if

this was the case.<sup>4</sup> As a proxy for asking directly about their own experiences, respondents were given various scenarios and asked if they ever occurred in their communities.

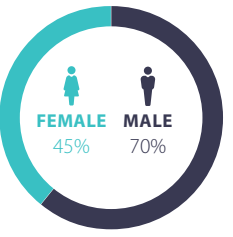
BELIEFS ABOUT TYPES OF VIOLENCE



**average of 52%**  
of respondents said that women in their community were seriously injured from domestic violence



**average of 59%**  
said physical fights occurred between husband and wife in their community



**average of 58%**  
said wives were threatened with physical violence by their husbands in their community

This indicates the need for comprehensive prevention interventions and safe, accessible protection services.

Eighty-eight percent (88%) of male respondents and 90% of female respondents recommended that a woman who was seriously injured by her husband should seek outside assistance, such as go to the police or get a divorce.

<sup>4</sup>The survey questions were not asked in a private location hence other members of the household could hear the answers.



MINE SAFETY

Education on mine safety remains a major issue, with only 62% of respondents believing that children in the community had sufficient mine education.

Twenty-two percent (22%) of respondents stated that mines/unexploded devices were a safety concern in their community and a total of 39 respondents reported that they had seen a mine/unexploded device in their community. Eleven (11) had sought assistance with removing a mine, and 10 of the 11 had a positive experience with the mine removal process.

4.2. Access to Justice

Respondents overwhelmingly believed that the formal justice system, especially the police, were the most appropriate means by which to resolve problems related to crimes. More specifically, 99% of respondents thought a victim of theft should go to the police and 87% thought the same for a victim of property damage. Land disputes, however, were seen as best resolved outside of the formal justice system; 46% of the respondents thought a person with this grievance should go to the local administration. This indicates that while most citizens are dependent on the formal justice system to resolve such problems, alternatives do exist, and are used, in some cases. It also indicates that most respondents prefer to resolve matters related to crime or legal disputes

through the justice system rather than “take matters into their own hands.”

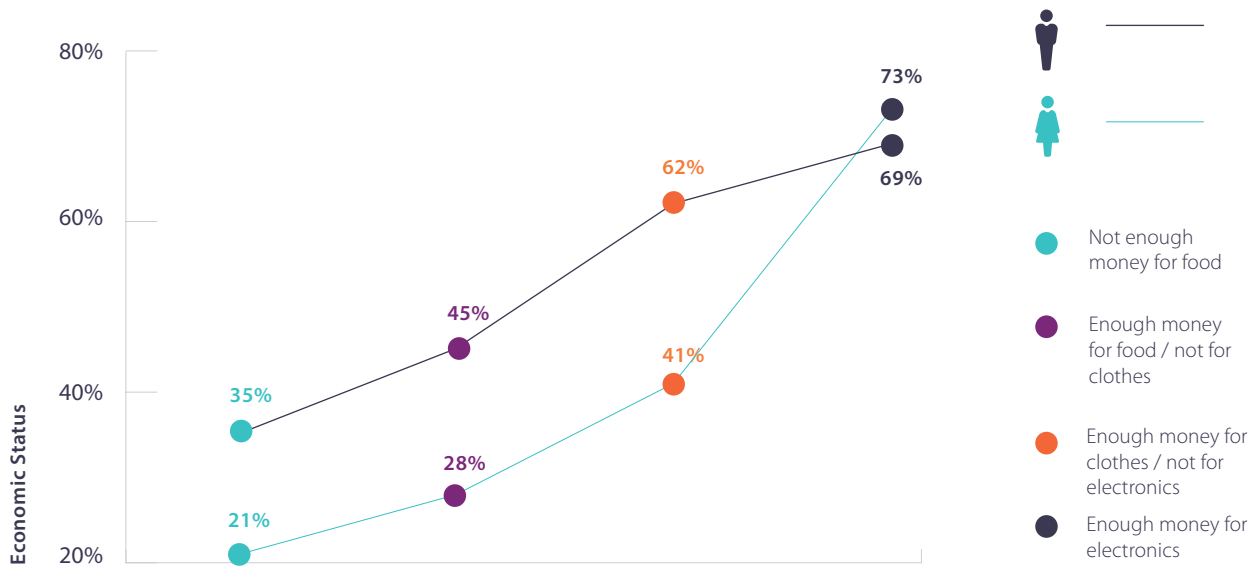
When asked whether they thought they would get justice as a victim of a crime, 7% of respondents thought that they would definitely get justice, 32% that it was likely, 40% that it was unlikely, and 20% that they would definitely not get justice.<sup>5</sup>

As shown in the graph below, people in higher income brackets were more likely to think they would get justice than the lower income brackets, and males more likely than females. This indicates that most residents, particularly women and the poor, do not have confidence in the justice system.



PERCEPTIONS OF THE JUSTICE SYSTEM

WILL GET JUSTICE IN VICTIM OF CRIME



<sup>5</sup> 1% refused to answer





The most frequent reason respondents gave for thinking they would not get justice was that they were not rich enough (80%), and not powerful enough (75%). Interestingly, 31% of female respondents cited fear for their safety, compared with only 12% of male respondents, as a reason why they would not get justice. This raises the question of what support services and protections are available for victims who pursue justice, particularly for women.

**Secondary Legal Aid:** Most respondents (81%) knew that if they were accused of a crime but could not afford a lawyer, the government would appoint one for them.

**37% thought that the government lawyer would expect them to pay and 77% that the government lawyer would not represent them as well as a private lawyer.**

This indicates that there is a need to improve the perception and services of the government legal aid scheme.

**Police:** Respondents were generally not fearful of the police, but were skeptical whether going to the police would produce a fair result. More specifically, 94% of respondents thought it would be easy to find the police if needed and 88% that the police would treat them with respect. However, only 57% thought the police would resolve the problem fairly, with 65% thinking the police would side with the person who could pay the most and 75% with the most powerful. Almost all respondents (94%) thought they would not need to pay the police but 49% thought the police would be more likely to help them if they paid. Another concern was the speed at which the police are perceived to work, with 70% stating the police would not respond quickly and 62% that the police would not resolve the problem quickly.

**Prosecutor's Office:** Eighty percent (80%) of respondents stated that they thought the Prosecutor's Office would treat them with respect, but 75% thought that the Prosecutor's Office would be more likely to help if they were paid.

**Lawyers:** Respondents had a generally high opinion of lawyers, and almost all respondents thought a lawyer would treat them with respect (95%), listen (98%), and represent their best interest (94%). There was concern, however, about how easy it would be to find a lawyer (76%) and whether a lawyer was affordable (41%).

**Courts:** The survey found that 28% of the respondents did not think it would be easy for them to start a case and 80% thought they would not understand the procedures of the court. This underscores the need of having legal education to help residents understand the judicial process. Another 55% did not think they would be able to afford the court fees. This underscores the need to ensure equal access to the courts for all. Respondents tended to have a positive perception of the court if they were able to access it: 83% thought the court staff would treat them with respect and 93% did not think they would have to pay anything more than the official court fees (though 71% thought they would be more likely to be helped if they did).

**Judges:** Almost all respondents thought a judge would treat them with respect (85%) and listen to their side of the story (98%). Thirty-one percent (31%) of the respondents thought that a judge would resolve a problem quickly and 55% fairly, with 77% agreeing with the statement that the judge is likely to side with the person who can pay the most and 84% agreeing the judge is likely to side with the most powerful. This again underscores the public perception that the justice system will not protect the average citizen of Ukraine.

**Court users had a better perception of judges than the general population, but there is still room for improvement:**

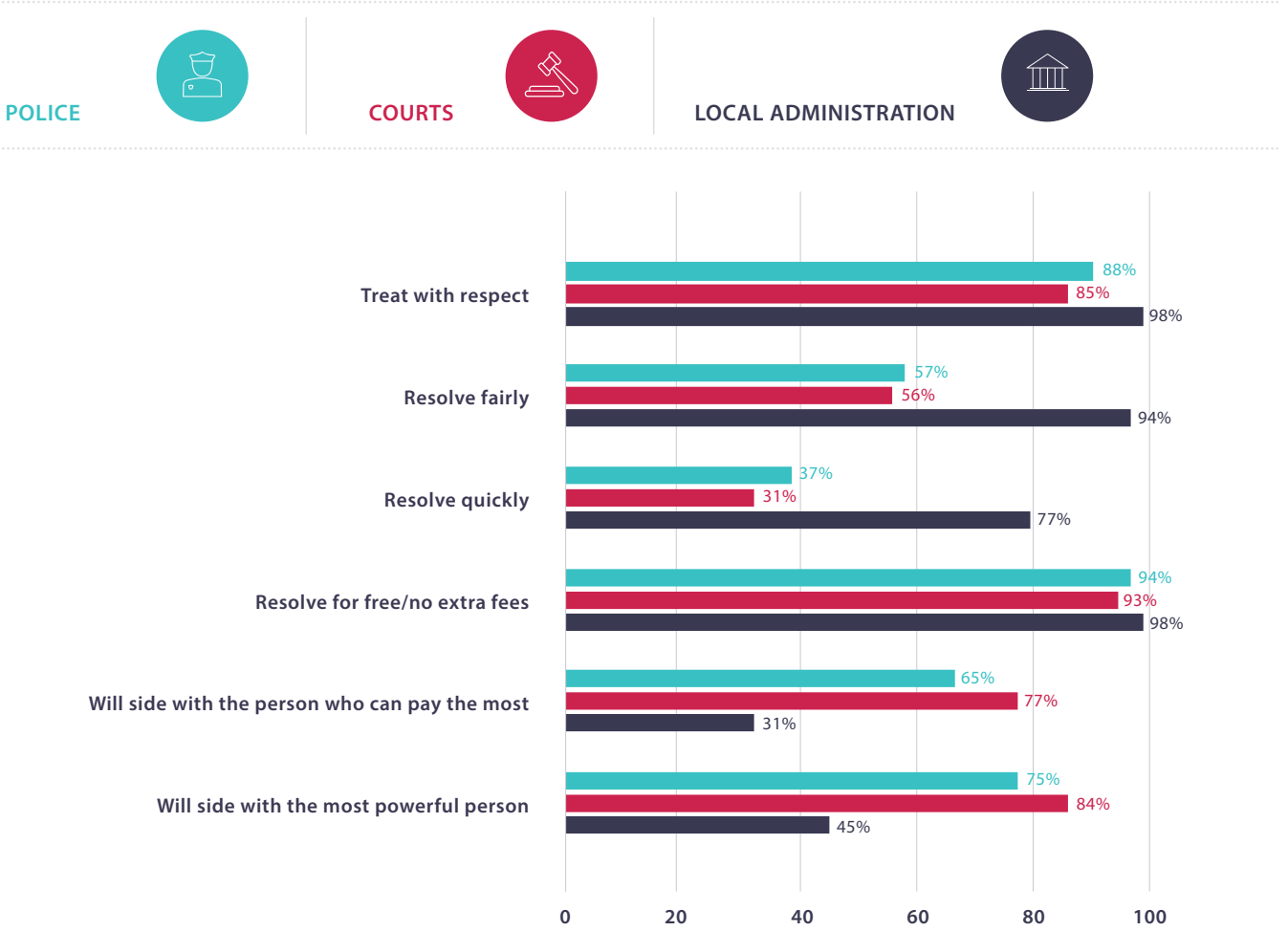
24% of current court users did not have confidence that the judge would resolve their problem fairly, 63% thought the judge was more likely to side with the person who could pay the most, and 74% the one who most powerful. Similarly, 53% of the court users did not think that a judge would resolve the matter quickly.

**Local Administration:** The Local administrations in some, but not all, communities resolve some crimes and disputes – such as disputes between neighbours and petty theft. A total of 299 respondents asserted the local administration for their community assisted with resolving crimes and disputes. These respondents how they thought the local administrations performed this function, and most

answered positively: 98% thought they would be treated with respect, 77% that the problem would be resolved quickly, and 94% fairly. Still, thirty-one percent (31%) of people that the administration would side with the person who could pay the most money and 49% that they would side with the most powerful. This indicates that there might be benefits in increasing the number of local administrations that resolve petty disputes.

The graph below summarizes this section by comparing the treatment respondents expected, by six key factors, across the police, courts, and local administration.

Perception of Treatment by Local Actors







EXPERIENCES OF THE JUSTICE SYSTEM

The number of respondents who reported that they had experienced a crime or dispute within the past year was 110 (combined numbers from the household and court user surveys). Fifty people said that they had been a victim of a crime, 48 of whom (96%) indicated that they had attempted to pursue justice and 17 (34%) reported that they got justice. Thus, most people who sought assistance for a crime or dispute of their own are not satisfied with the results. The reason why people were not satisfied with the results is not clear, especially in light of the fact that the actual experiences with the justice actors was relatively positive. Additional qualitative research is necessary to learn more about the individual experiences of victims and the obstacles they may encounter when trying to access justice.

the 61 respondents who had gone to a government lawyer with a legal question would return if the need arose. It was only in 2015 that the roll-out of local legal aid centres across the country began, hence, until recently, legal aid services were mainly provided by civil society organisations. Awareness-raising campaigns for primary legal aid services are evidently still needed.

It is not uncommon for local administrations to provide legal advice services to their constituents, and 19% of the respondents in Donetsk oblast reported that they knew their local administration was available to answer legal questions. This was particularly the case in rural communities (27%), indicating that this could be a good method to increase legal aid to these generally less accessible areas. Care should be taken, however, to ensure that the local administration is properly trained on the laws of Ukraine and human rights.

Around 20% of the population is aware of the availability of legal advice services from civil society or community groups.

**Awareness of legal advice services is higher among certain vulnerable groups such as IDPs (37%); combatants in the conflict in Donbas (40%), and those within 20 km of those conflict line (27%).**

This indicates that NGOs and CSOs might already be actively working with these more at-risk groups, and could play a critical role in the effort to expand primary legal aid coverage.

The Law on Free Legal Aid was passed in 2 June 2011 and established the principle that primary legal aid services should be provided to certain categories of citizens. Twenty-six percent (26%) of respondents were aware that government lawyers were available to members of their community with a legal question. There were lower levels of knowledge among those from rural communities (12%) and the poorest respondents (22%). Again, those who were aware of the service had a positive perception, and 90% of



LEGAL SERVICES

The survey found that 22% of respondents were aware of the government legal aid telephone hotline, with less knowledge among those from rural communities (12%) and the poorest respondents (17%). Those who have heard of the hotline have confidence that if they used it, they would be treated with respect (97%) and the advice given would be useful (94%). Similarly, 29 of the 34 respondents who have used the hotline said they would use it again if needed. This indicates a lack of knowledge, not a negative perception, is the main potential impediment to the success of the hotline.



A total of 105 respondents needed to register a birth or death in the past year; 87% of them did so. The proportion drops amongst people living within 20km of the contact line where only 79% of the respondents needing to register actually managed to do so. Among IDPs, a the percentage who managed to do so was even smaller at 71%. This could be due to lower knowledge or, as appears more likely, less access to services among these groups.

Fifty-one (51) respondents stated that they were not paid government benefits they believed they were due in the past year, and 92% of them attempted to resolve the problem. Thirty-two percent (32%) of those who tried to resolve the problem stated that they were satisfied with the results. This indicates that increased legal advice and assistance may be necessary for all residents of Donetsk oblast when to help them deal with the government benefits system.



ADMINISTRATIVE ISSUES



COMMUNICATION PREFERENCES



Respondents overwhelming stated that websites are the best means by which to provide them information, such as legal information: 42% of the respondents stated it was “very useful” and another 18% that it was “somewhat useful”. Caution should be taken when using this approach, however, especially when considering the intended population. More specifically, 80% of respondents with less than secondary education said that websites would not be useful to them, as did 74% of respondents over 60. Other useful methods, defined by the percentage of respondents who stated they were “very useful” or “somewhat useful” included Ukrainian TV (60%), phone calls (56%), newspapers (48%), and public meetings (46%).



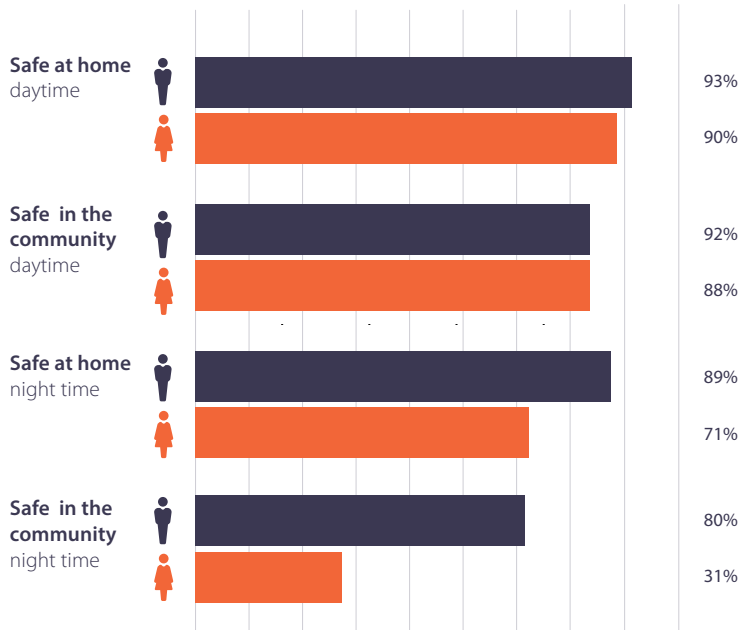
# 06 LUHANSK

>  
PERCEPTIONS OF  
SAFETY

## 5.1. Security Concerns

As the graph shows, most people said that they felt safe at home and in their community in daytime.

But the figure drops noticeably at night however, especially for females even in their home.



Those from lower income brackets tended to feel less safe than those in higher brackets.

Thirty three percent of respondents from the poorest households reported feeling safe in their communities at night, compared to 79% among the richest.

Respondents from urban communities are also slightly less likely to feel safe (50%) than rural (59%) in their communities at night.







REASONS FOR FEELING INSECURE

The issues that were most commonly considered a major concern were unemployment (91%) and poverty (85%).

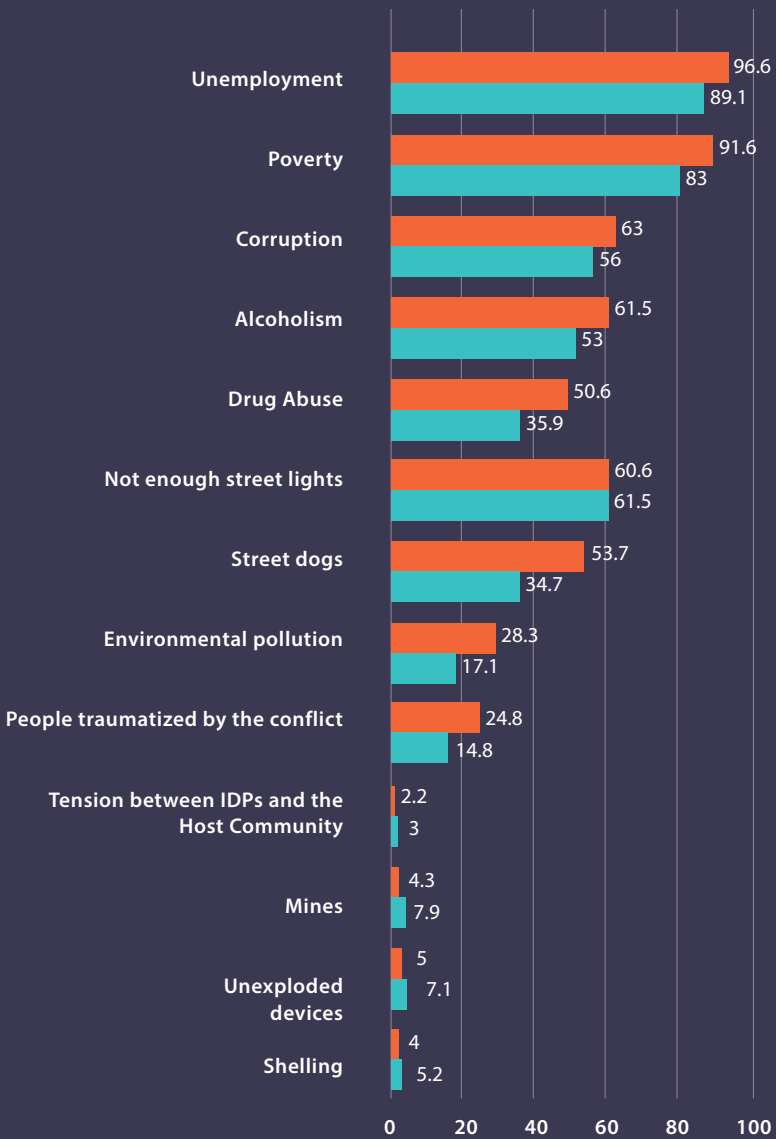
Some major concerns that were less-frequently cited include mines (7%), shelling (5%), people traumatized by the conflict (18%), and tension between the host communities and IDPs (3%).

Respondents living close to the contact line also categorized issues, such as unemployment (97%) and poverty (95%), as “major issues” more often than more immediately conflict-related issues such as shelling (5%). It was notable that 81% of the respondents from rural areas considered insufficient street lighting to be a major problem.



Underlying causes of insecurity by proximity to conflict

<20 km from contact line (n = 322)  
≥ 20 km from contact line (n = 878)



Respondents stated that the crimes/disputes which concerned them most were i) a violent crime (serious) (30%), house burglary (21%), and petty theft (10%). Twenty percent (20%) of the respondents said they were not worried about any crimes or disputes.

The high number of respondents who reported being concerned about serious violent crime (such as murder and terrorism), likely reflects the active conflict in the oblast.

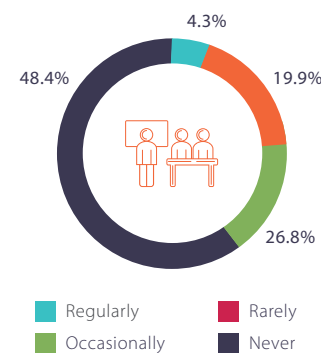




## COMMUNITY SECURITY

People in urban areas reported that the police are in their communities regularly or often significantly more than those in rural areas (83% and 53% respectively).

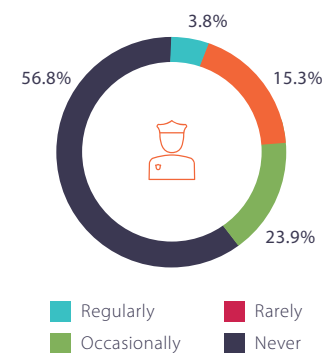
### LOCAL ADMINISTRATION HOLDS MEETINGS WITH COMMUNITY ABOUT SAFETY



\*Percentages may not total 100 due to rounding

Meetings with the community about their safety concerns are not commonly held; the survey found that 24% of the respondents stated such meetings were regularly or occasionally held by the local administration and 19% by the police.

### POLICE HOLD MEETINGS WITH COMMUNITY ABOUT SAFETY



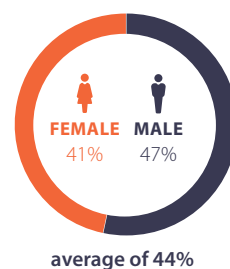
\*Percentages may not total 100 due to rounding



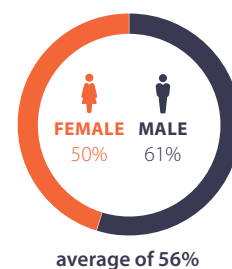
## PERCEPTIONS OF INTIMATE PARTNER VIOLENCE

Respondents were asked whether various situations ever occurred in their communities to clarify perceptions of prevalence of different forms of intimate partner violence (IPV). Ninety one percent of male respondents and 87% of female

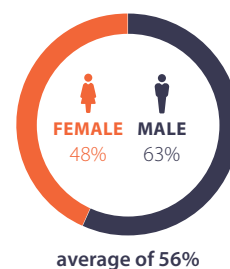
### BELIEFS ABOUT TYPES OF VIOLENCE



of respondents said that women in their community were seriously injured from domestic violence



said physical fights occurred between husband and wife in their community



said wives were threatened with physical violence by their husbands in their community



## MINE SAFETY

Nine percent (9%) of respondents stated that mines/unexploded devices were a safety concern in their community, a much lower percentage than in Donetsk oblast, and a total of 16 respondents reported that they had seen a mine/unexploded device in their community. Eight (8) sought assistance with removing a mine, 7 of whom were able to confirm

the mine was removed. None of the respondents reported needing to pay anything for the service; 4 of the 7 thought the mine was removed quickly. Education on mine safety remains a major issue, with only 58% of respondents believing that children in the community had sufficient mine education.

## 5.2. Access to Justice

Respondents believed that the formal justice system, especially the police, is the most appropriate means by which to resolve most justice related problems. More specifically, 96% of respondents thought a victim of house burglary should go to the police and 89% for a victim of property damage. Land disputes, however, were seen as best resolved out of the formal justice system; 57% of the respondents thought a person with this grievance should go to the local administration. This indicates that while most citizens are dependent on the formal justice system to resolve their problems related to crimes and other legal issues, alternatives do exist, and are used, in some appropriate cases.

**When asked whether they thought they would get justice as a victim of a crime, 6% of respondents thought that they would definitely get justice, 35% that it was likely, 43% that it was unlikely, and 15% that they would definitely not get justice.<sup>6</sup>**

Respondent in higher income brackets were more likely to think they would get justice than the lower income brackets, and males more likely than females. This gender gap closes as income increases.



## PERCEPTIONS OF THE JUSTICE SYSTEM

### WILL GET JUSTICE IN VICTIM OF CRIME



<sup>6</sup> 0.3% refused to answer



The main reasons given for by respondents for believing they would not get justice was that they were not rich enough (83%) and not powerful enough (81%). Interestingly, 33% of female respondents said a main reason why they would not get justice was that they would fear for their safety, compared with only 16% of male respondents.

**Secondary Legal Aid:** Most respondents knew that if they were accused of a crime, but were not able to afford a lawyer, the government would appoint one for them (71%), but 47% thought that the government lawyer would expect them to pay.

**72% that the government lawyer would not represent them as well as a private lawyer.**

**Police:** Respondents were generally not fearful of the police, but were skeptical whether going to the police would produce a fair result. More specifically, 93% of respondents thought it would be easy to find the police if needed and 88% that the police would treat them with respect.

**Only 62% thought the police would resolve the problem fairly, with 57% thinking the police would side with the person who could pay the most and 73% with the most powerful.**

Almost all respondents (96%) thought the police would help them for free; 41% thought the police were more likely to help them if they paid. But another concern was the speed at which the police are perceived to work, with 32% of the respondents thinking the police would not come quickly and 56% that the police would not resolve the problem quickly.

**Prosecutor's Office:** Eighty-two percent (82%) of respondents s stated that they thought the Prosecutor's Office would treat them with respect, but 70% thought that the Prosecutor's Office would be more likely to help if they were paid.

**Private lawyers:** Respondents had a generally high opinion of lawyers, and almost all respondents thought a lawyer would treat them with respect (90%), listen (96%), and represent their best interest (93%). There was concern, however, about how easy it would be to find a lawyer (62%) and whether a lawyer was affordable (48%).

**Courts:** The survey found that 28% of the respondents did not think it would be easy for them to start a case and 77% thought they would not understand the procedures of the court. This underscores the need of having legal education to help residents understand the judicial process. Another challenge was that only 55% of men and 40% of women think they would be able to afford the court fees.

Respondents tended to have a positive perception of the court if they were able to access it: 83% thought the court staff would treat them with respect and 92% did not think they would have to pay anything more than the official court fees (though 66% thought they would be more likely to be helped if they did).

**Judges:** Most respondents thought the judge would treat them with respect (85%) and listen to their side of the story (96%). Thirty-four percent (34%) of the respondents thought that a judge would resolve a problem quickly and 58% fairly, with 71% agreeing with the statement that the judge is likely to side with the person who can pay the most and 81% the most powerful. This again underscores that public perception is that the justice system will not protect the average citizen of Ukraine.

Court users had a better perception of the judges than the general population, but there is still room for improvement:

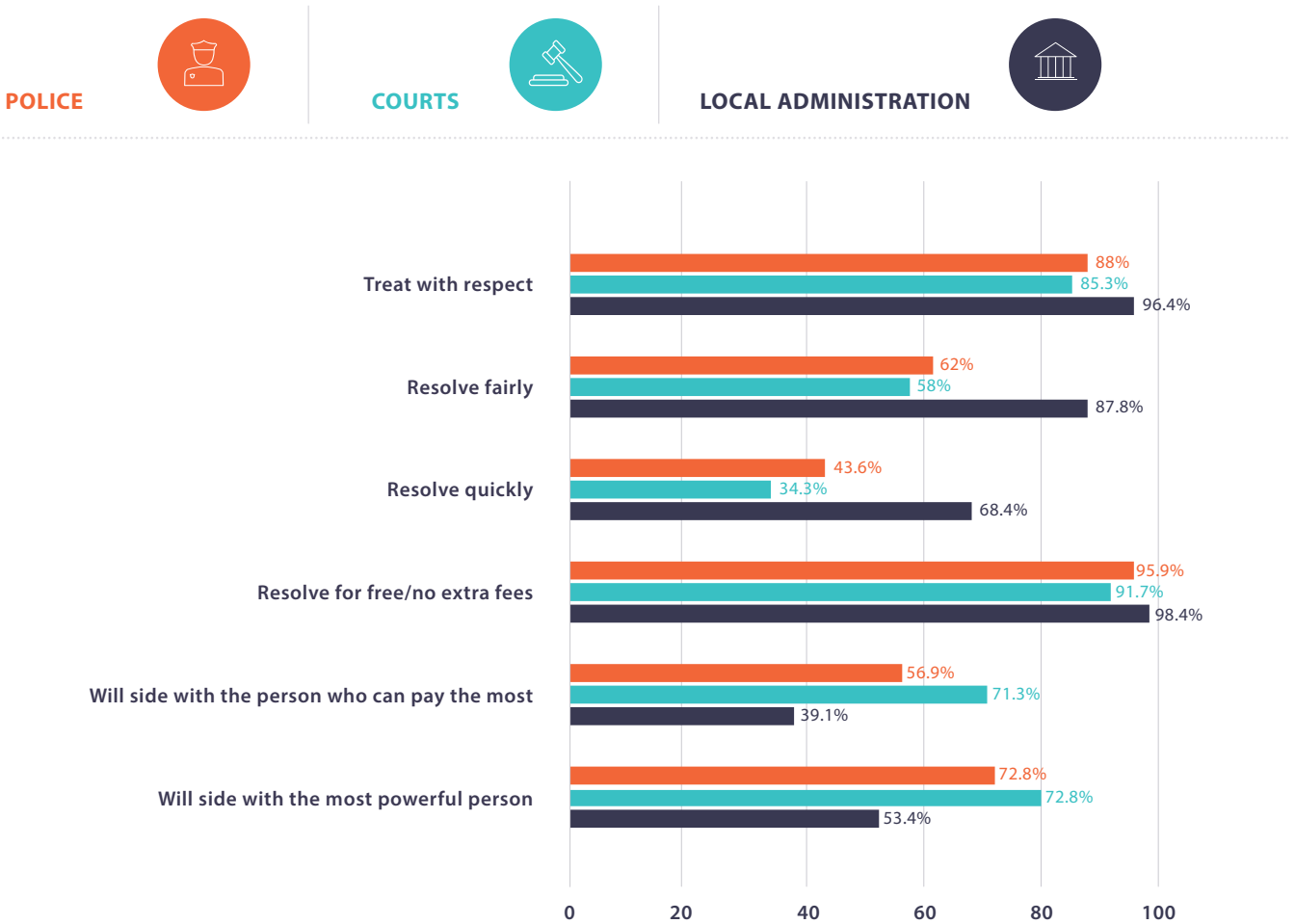
**20% of current court users did not have confidence that the judge would resolve the problem fairly, 67% thought the judge was more likely to side with the person who could pay the most and 86% the one who most powerful. Similarly, 48% of the court users did not think that the judge would resolve a matter quickly.**

**Local Administration:** Local administrations in some, but not all, communities resolve some crimes and disputes – such as disputes between neighbors and petty theft. A total of 253 respondents claimed the local administration for their community

assisted with resolving crimes and disputes. These respondents were asked what they thought of the local administration's behavior in resolving disputes, with a generally very positive response: 96% thought they would be treated with respect, 68% that the problem would be resolved quickly, and 89% fairly. Thirty-nine (39%) stated that they would side with the person who could pay the most money and 53% that they would side with the most powerful. This indicates that there might be benefits in increasing the number of local administrations that resolve petty disputes.

The graph below summarizes this section by comparing the treatment respondents expected, by six key factors, across the police, courts, and local administration.

Perception of Treatment by Local Actors in Luhansk Oblast







EXPERIENCES OF THE JUSTICE SYSTEM

The number of respondents who reported that they had experienced a crime or dispute within the past year was 102 (combined numbers from the household and court user surveys). Thirty-two (32) of them reported that they were victims of a crime, 30 of whom (93%) indicated that they attempted to pursue justice but only 10 (31%) reported that they got justice. This indicates that most people who seek assistance from the justice system for a crime or dispute of their own are not satisfied with the results. The reason why people were not satisfied with the results is not clear, especially in light of the fact that the actual experiences with the justice actors was relatively positive. Additional qualitative research is necessary to learn more about the individual experiences of victims and the obstacles they may encounter when trying to access justice.

community with a legal question, but with a lower level of knowledge among those from rural communities (9%) and respondents who had not completed secondary education (9%). Again, those who were aware of the service had a positive perception, and 86% of the 441 respondents who had gone to a government lawyer with a legal question would return if the need arose. It is also of concern that 25% also reported that they were asked to pay the government lawyer (27% said they did pay the government lawyer), indicating that additional oversight of the service may be warranted.

**16% of the respondents in reported that they knew their local administration was available to answer legal questions. This was particularly the case in rural communities (31%).**

Care should be taken, however, to ensure that such advisers are acting within agreed standards and are appropriately trained and supervised.

Community groups were also identified as an option for legal advice services by 13% of respondents, and particularly so for individuals who identified as IDPs (23%). This indicates that NGOs and CSOs might already be actively working with certain at-risk groups, and could play a critical role in the effort to expand primary legal aid coverage.

Those who have heard of the hotline have confidence that if they used it they would be treated with respect (97%) and the advice given would be useful (93%). Eighty-eight percent (88%) of the 34 individuals who have used the hotline said that they would use it again if they had another question.

Nineteen percent (19%) respondents were aware government lawyers were available to members of their



PRIMARY LEGAL AID



A total of 101 respondents needed to register a birth or death in the past year; 76% of the male respondents went on to register the event, while 92% of female respondents did so. It is not clear why women were more likely to try to register a birth or death certificate than men, but it might be because they are more responsible for running the administrative needs of the family. All respondents who identified as IDPs or who lived within 20 km of the contact line reported that they tried to register the birth or death to obtain a certificate

**There was a 94.2% satisfaction rate among those who tried to register a birth or death.**

they were not paid government benefits they believed they were due in the past year: 19 of these people lived within 20 km of the contact line and seven of them identified as IDPs. This indicates that IDPs and individuals living closer to the contact line might have more challenges obtaining government benefits than the general population. Of those with problems, 56% of men and 96% of women had tried to resolve it.

**Of the respondents who tried to resolve the problem, 37% reported that they were satisfied with the results, indicating a need for increased legal assistance for individuals attempting to obtain government benefits.**



ADMINISTRATIVE ISSUES



COMMUNICATION PREFERENCES



The most useful way to reach the population in Luhansk appears to be through websites: 42% of the respondents said it was a very useful way by which to get them information, and 19% somewhat useful. Caution should be taken when using this approach, however, especially when considering the intended population. More specifically, 66% of respondents stated that a website would not be useful to them, as did 59% of respondents over 60. Other means that were highly popular were phone calls (21% very useful and 39% somewhat useful) and Ukrainian TV (18% very useful and 44% somewhat useful).



# 07 ZHYTOMYR

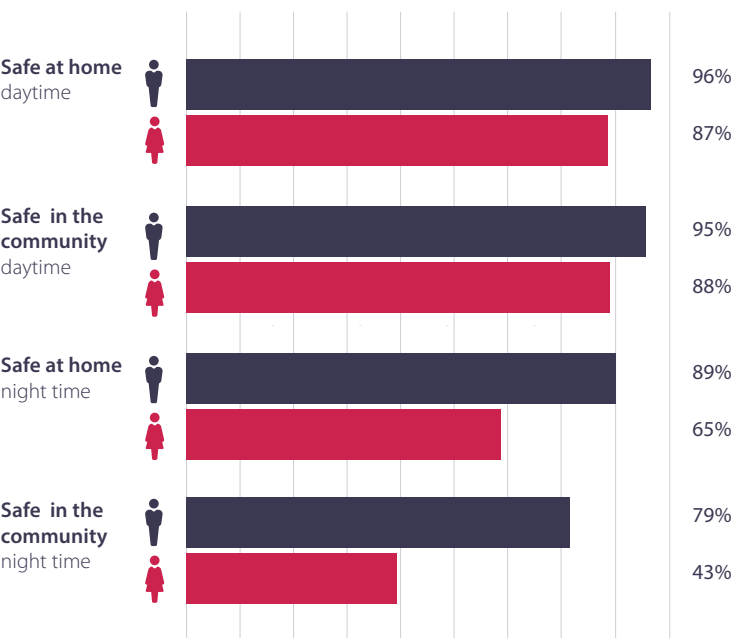


## PERCEPTIONS OF SAFETY

### 6.1. Security Concerns

As the graph shows, most people said that they felt safe at home and in their community in daytime.

But the figure drops noticeably at night, especially for females even at home.



People from lower income brackets tended to feel less safe than those in higher brackets:

**48% of respondents from the poorest households reported feeling safe during the day in their communities, compared to 61% among the richest.**

Respondents from rural communities are less likely to feel safe (50%) than urban (27%) in their communities at night.







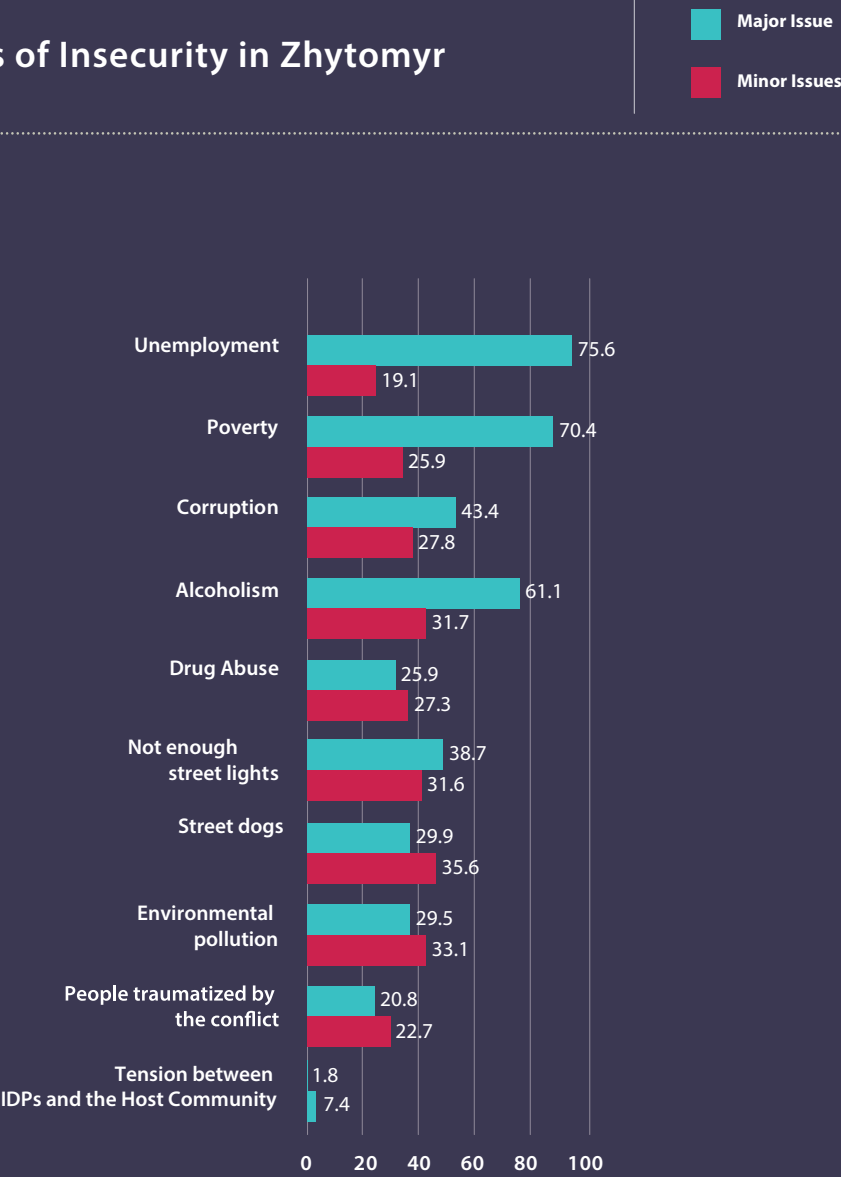
REASONS FOR FEELING INSECURE

Zhytomyr oblast, while not close to the conflict zone, is home to a high number of military bases and therefore likely to see the impact of the conflict indirectly. This is illustrated by the relatively high number of people stating that people traumatized by the conflict was a major concern. The top four issues people

considered as major concerns were unemployment (76%), poverty (71%), and alcoholism (61%), while 21% of the respondents thought people traumatized by the conflict was a major concern and 2% thought tension between IDPs and the host community was a major concern.



Underlying Causes of Insecurity in Zhytomyr



Respondents believed the most common crimes/disputes in their oblast to be: petty theft (55%), house burglary (40%), and corruption<sup>7</sup> (22%). It is interesting that all three are economic issues rather than violent offenses which emphasizes the importance or strengthening the economic security for residents of the Oblast.

Respondents stated that the crimes/disputes which concerned them most were ) burglary (21%), serious violent crime (13%) and petty theft (12%). Nineteen percent (19%) of the respondents said they were not worried about any crimes or disputes.

<sup>7</sup> Being asked to pay a bribe

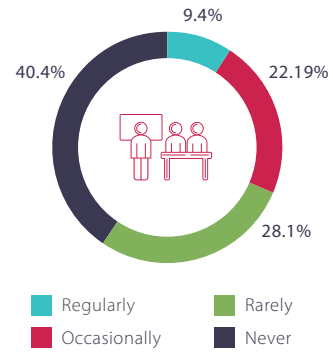




COMMUNITY SECURITY

Far more people in urban areas of Zhytomyr oblast (76%) reported that the police are in their communities regularly or often compared to those in rural areas

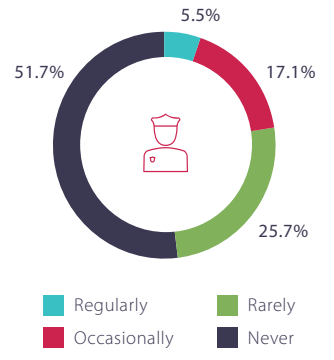
LOCAL ADMINISTRATION HOLDS MEETINGS WITH COMMUNITY ABOUT SAFETY



\*Percentages may not total 100 due to rounding

(43%). Meetings with the community about safety concerns are not commonly held as shown in the chart below

POLICE HOLD MEETINGS WITH COMMUNITY ABOUT SAFETY



\*Percentages may not total 100 due to rounding



PERCEPTIONS OF INTIMATE PARTNER VIOLENCE

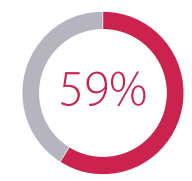
One possible reason for the finding that 35% of woman do not feel safe in their homes at night is that they are afraid of others who reside in their home. For ethical and safety reasons respondents



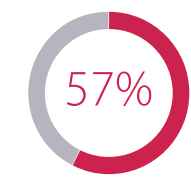
of respondents said that women in their community were seriously injured from domestic violence

This indicates the need for comprehensive prevention interventions and safe, accessible protection services.

Eighty-eight percent (88%) of male respondents and 91% of female



said physical fights occurred between husband and wife in their community



said wives were threatened with physical violence by their husbands in their community

respondents recommended that a woman who was seriously injured by her husband should seek outside assistance, such as go to the police or get a divorce.

<sup>8</sup> The survey questions were not asked in a private location hence other members of the household could hear the answers.



PERCEPTIONS OF THE JUSTICE SYSTEM

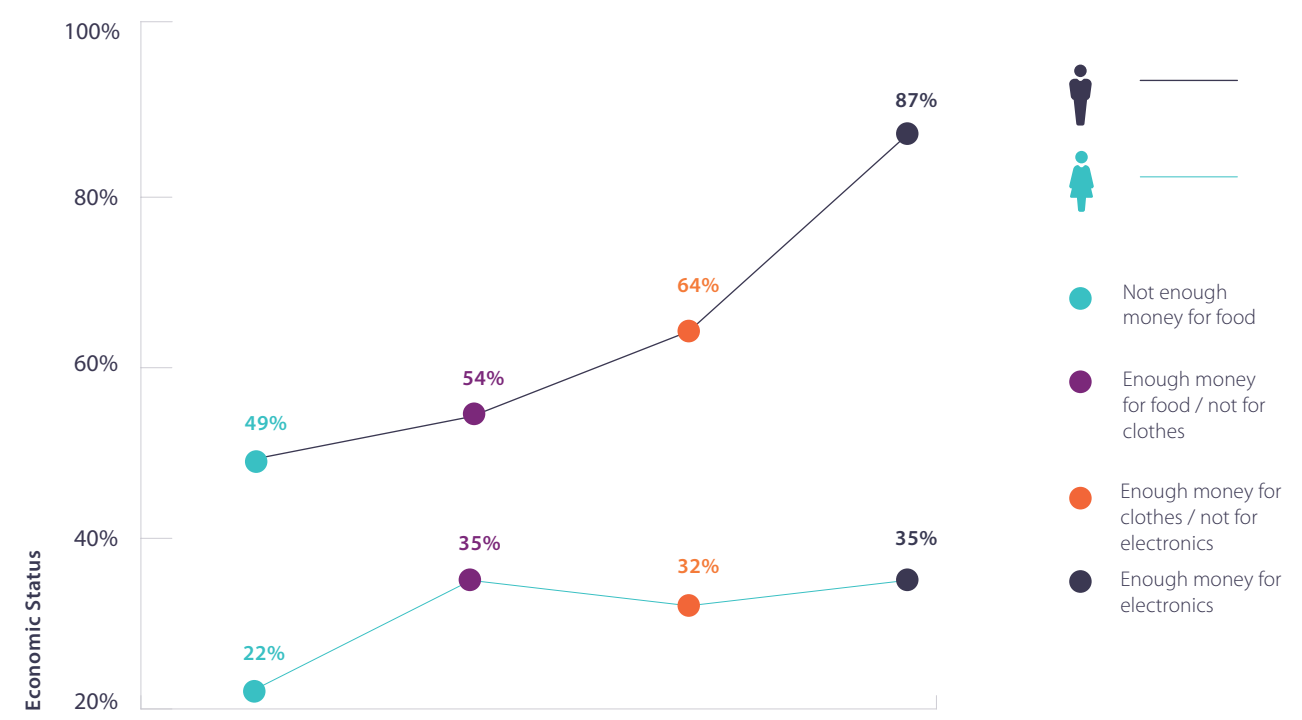
6.2. Access to Justice

Respondents in Zhytomyr believed that the formal justice system, especially the police, is the most appropriate means by which to resolve most problems. More specifically, 88% of respondents thought a victim of burglary should go to the police and 83% thought a victim of property damage should do so. Land disputes, however, were seen as best resolved outside of the formal justice system; 55% of the respondents thought a person with this grievance should go to the local administration. This indicates that while most citizens are dependent on the formal justice system to resolve their problems, alternatives do exist, and are used, in some appropriate cases. It also indicates that most respondents prefer to resolve matters through the justice system rather than take matters into their own hands.

When asked whether they thought they would get justice if a victim of a crime, 10% of respondents thought that they would definitely get justice, 35% that it was likely, 34% that it was unlikely, and 26% that they would definitely not get justice.<sup>9</sup>


As shown in the graph below, people in higher income brackets were more likely to think they would get justice than the lower income brackets, and males more likely than females. This indicates that most residents, particularly women and the poor, do not have confidence in the justice system.

WILL GET JUSTICE IN VICTIM OF CRIME



<sup>9</sup> 2.5% refused to answer





*“I advise my clients not to give domestic violence as the reason for divorce as most judges will tell her to reconcile with her husband...many clients refuse to seek alimony or child support payments because they do not want him to have her address.”*

- Lawyer in Donetsk oblast



The main reasons given for why a person did not think they would get justice was that they were not rich enough (77%) and not powerful enough (70%).

**A high proportion of female respondents said a main reason why they would not get justice was that they would fear for their safety if a victim of crime : 47%, compared with 27% of male respondents.**

This raises the questions of what support services and protections are available for victims who pursue justice, particularly for women.

**Secondary Legal Aid:** Most respondents (73%) knew that if they were accused of a crime, but were not able to afford a lawyer, the government would appoint one for them but 43% thought that the government lawyer would expect them to pay and 60% that the government lawyer would not represent them as well as a private lawyer. This indicates that there is a need to improve the perception and services of the government legal aid scheme.

**Police:** Respondents were generally not fearful of the police, but were skeptical whether going to the police would produce a fair result. More specifically, 91% of respondents thought it would be easy to find the police if needed and 89% that the police would treat them with respect. However, 61% thought the police would resolve the problem fairly, with 65% thinking the police would side with the person who could pay the most and 78% with the most powerful. Almost all respondents, (97%) thought the police would help them for free; but 44% thought the police were more likely to help them if they paid. Another concern was the speed at which the police are perceived to work, with 39% saying that the police would not resolve the problem quickly.

**Prosecutor's Office:**

**Seventy-seven percent (77%) of respondents stated that they thought the Prosecutor's Office would treat them with respect, but 69% thought that the Prosecutor's Office would be more likely to help if they were paid.**

This shows the majority of the population thinks that payment is necessary in order to have the support of the Prosecutor's Office.

**Private lawyers:** Respondents had a generally high opinion of lawyers, and almost all respondents thought a lawyer would treat them with respect (94%), listen (96%), and represent their best interest (93%). Most (85%) also thought they could find a lawyer if they needed one, but there was concern, however, about whether a lawyer was affordable (34%).

**Courts:**

**The survey found that 28% of the respondents did not think it would be easy to start a case in court and 62% thought they would not understand the procedures of the court.**

This underscores the need for legal education to help residents understand the judicial process. Fifty five percent (55%) of respondents thought they would not be able to afford the court fees, with a marked difference between men and women (m – 60%; f – 50%). Respondents tended to have a positive perception of the court if they were able to access it: 82% thought the court staff would treat them with respect and 91% did not think they would have to pay anything more than the official court fees (though 64% thought they would be more likely to be helped if they did).



**Judges:** Almost all respondents thought a judge would treat them with respect (83%) and listen to their side of the story (95%). Thirty-nine (39%) of respondents thought that a judge would resolve a problem quickly and 62% fairly. Despite this positive response, 72% of respondents agreed that a judge is likely to side with the person who can pay the most, while 81% agreed a judge is likely to side with the most powerful. Court users had a better perception of judges than the general population, but there is still room for improvement: 27% of current court users did not have confidence that the judge would resolve the problem fairly, 50% thought the judge was more likely to side with the person

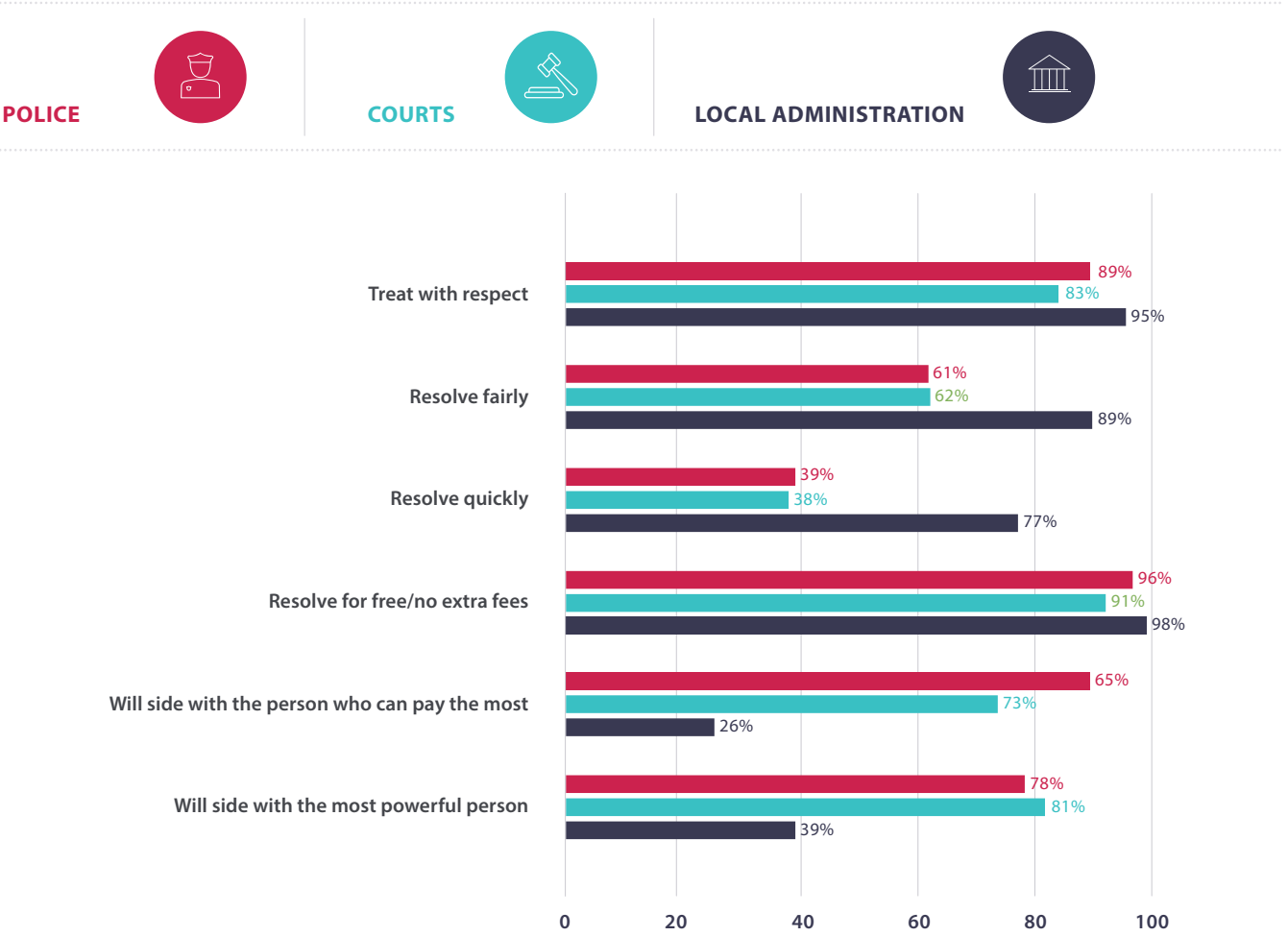
who could pay the most and 61% the one who most powerful. Similarly, 68% of the court users did not think that a judge would resolve the matter quickly.

**Local Administration:** Local administrations in some, but not all, communities resolve some crimes and disputes, such as disputes between neighbours and petty theft. A total of 544 respondents claimed the local administration for their community assisted with resolving crimes and disputes. These respondents were asked what they thought of the local administration for resolving disputes, and most provided a positive response: 95% thought they would be treated

with respect, 77% that the problem would be resolved quickly, and 89% fairly. Twenty-six percent (26%) stated that they would side with the person who could pay the most money and 39% that they would side with the most powerful. This indicates that there might be benefits in increasing the number of local administrations that resolve petty disputes.

*The graph below summarizes this section by comparing the treatment respondents expected, by six key factors, across the police, courts, and local administration.*

Perception of Treatment by Local Actors in Zhytomyr







EXPERIENCES OF THE JUSTICE SYSTEM

The number of respondents who reported that they had experienced a crime or dispute within the past year was 133 (combined numbers from the household and court user surveys). Ninety-one (91) people said that they had been victim of a crime: 80 of whom (88%) indicated that they attempted to pursue justice and 33 (36%) reported that they got justice.

**Most people who seek assistance from the justice system for a crime or dispute of their own are not satisfied with the results.**

The reason why people were not satisfied with the results is not clear, especially in light of the fact that the actual experiences with the justice actors was relatively positive.

The survey found that 20% of respondents in Zhytomyr were aware of the government legal aid hotline, with less awareness among those from rural communities (12%) and respondents who had not completed secondary education (8%). Those who have heard of the hotline have confidence that if they used it they would be treated with respect (96%) and the advice given would be useful (92%).

**Six of the 24 respondents who have used the hotline said it was difficult to use, indicating a need to make it more user-friendly.**

Thirty-three percent (33%) of respondents were aware government lawyers were available to members of their community with a legal question, but there was a lower level of knowledge among those from rural communities (18%) and people who had not completed secondary education (25%). Awareness-raising campaigns for primary legal aid services targeted these groups are evidently still needed. Again, those who were aware of the service had a positive perception; 87% of the 61 respondents who had gone to a government lawyer with a legal question would return if the need arose. However, 15% also reported that they had been asked to pay the government lawyer and 20% said that they had paid the government lawyer, indicating that additional oversight of the service may be warranted.

Thirty five percent (35%) of the respondents in Zhytomyr oblast reported that they knew their local administration was available to answer legal questions. This was particularly the case in rural communities (38%), indicating that this could be a good method to increase legal aid to these generally less accessible areas. Care should be taken, however, to ensure that the local administration is properly trained on the laws of Ukraine and human rights.

Around 19% of the population is aware of the availability of legal advice services from civil society or community groups. This awareness is higher among groups such as for respondents who had family members who served as a combatant in Donbas the ATO (30%).



A total of 103 respondents needed to register a birth or death in the past year; 90% of them did so. Of the rural male respondents who needed to register a birth or death only 65% actually did so, suggesting that this is not a task that rural men are generally engaged in – in other oblasts it appears that this tasks falls largely to women and this pattern seems strong in rural parts of Zhytomyr as well.

Thirty-nine (39) respondents stated that they were not paid government benefits they believed they were due in the past year, and 67% attempted to resolve the problem. Forty-two percent (42%) of those who tried to resolve the problem stated that they were satisfied with the results. This indicates that increased legal advice and assistance may be necessary for the oblast to help them deal with the government benefits system.



ADMINISTRATIVE ISSUES



COMMUNICATION PREFERENCES



The most useful way to reach the population appears to be Ukrainian TV, with 40% of the respondents stating that it is “very useful” and 44% that it is “somewhat useful”. Other means that were highly popular were newspapers (23% “very useful” and 45% “somewhat useful”); public meetings (22% “very useful” and 43% “somewhat useful”) and phone calls (23% “very useful” and 38% “somewhat useful”).



# 08 CONCLUSIONS

*The assessment showed a high degree of convergence of knowledge, attitudes and perceptions across all three regions surveyed but sometimes quite distinct differences based on age, economic status or gender. This suggests the need to tailor policies carefully to respond to these differences.*

» **A large proportion of citizens do not feel safe, even in their homes.** While most people feel safe during the day, perceptions of safety drop noticeably at night, especially for those in the lowest economic bracket. Intimate Partner Violence is perceived to occur in many communities however, there is still a high degree of denial about the existence of such violence. Women report greater insecurity in their homes at night than do men.

» **Police and members of the local administration do not regularly hold open meetings with communities regarding security concerns.** Rural communities do not have regular police presence, likely due to a shortage of resources and staffing.

» **Economic hardship is the dominant underlying cause of insecurity.** Unemployment and poverty are the two most significant concerns faced by communities, more than direct conflict related issues, such as shelling and tension with IDPs, even in communities close to the contact line.

» **Low-value economic crime is common.** Theft and burglary are perceived to be more common than violent crime, but the lowest value

thefts are purely administrative offences and are largely not being resolved through law enforcement mechanisms.

» **Justice actors are perceived as accessible, but justice itself reserved for the rich and powerful.** The majority of people believe the police are the most appropriate means for resolving almost all criminal disputes, but most, especially women and the poor, do not think that they would get justice if they were a victim of a crime. Similarly, most victims of crime who reported a case through the formal justice system do not feel that they got justice. Justice actors are perceived to be respectful and willing to work without payment, but are also commonly believed to be more likely to help the rich and powerful than ordinary citizen. In contrast, the local administration, which resolves petty disputes in some communities, has a much more positive reputation.

» **Government legal aid initiatives intended to promote equal access to justice could have far greater impact.** Most people are aware of secondary legal aid from the government, but few thought that they would receive justice if accused

of a crime they did not commit. Few people, particularly the poor and less educated, were aware of free primary legal aid services, but were optimistic that they would be useful if available. Many people, especially women, are concerned that they would not be able to afford the fees or file a case if needed, especially due to the recent increase in court fees and elimination of waivers.

» **There are in some areas very significant differences between attitudes and perceptions of men and women.** Understanding the causes of these differences could lead to better policy-making and increase access to justice for all. For example, the proportion of women who would not feel safe to report a case if they were a victim of crime is strikingly high, and suggests that this could be a serious barrier to women's access to justice. Collection and publication of gender-disaggregated data would also help improve policy-making.







# APPENDIX 1

## ASSESSMENT METHODOLOGY

The household survey methodology was designed to allow statistical comparison between successive independent samples through the three-year course of the Program. The sample consisted of 1,200 in-person household interviews in each Oblast, allowing for a margin of error of 2.87% at a 95% confidence level (4%<sup>10</sup> when disaggregated by gender). Using a stratified, multi-staged, cluster sampling technique, respondents were drawn from one-third of the Rayons in each Oblast and one-third of the settlements in each Rayon (maximum of five rural)<sup>11</sup> chosen with a proportionality to the population based on 2014 data from the State Statistic Service.<sup>12</sup> In Donetsk and Luhansk Oblasts, only areas controlled by the Government of Ukraine were included in the survey, but efforts were made to reach communities living in close proximity to the contact line.

In addition, a survey of 100 court users (litigants, witnesses, and observers) was conducted to ensure the inclusion of respondents with recent exposure to the formal justice system. The margin of error for the court user surveys is 9.8% at a 95% confidence level. Court users

were sampled through a quota sampling technique for all courts in the general survey sampling framework. The data collected from the court user survey was analyzed separately from the general household survey, and not included in the final results unless specified.

The survey tool was prepared in English, translated directly into both Russian and Ukrainian, and independently back-translated into English. Both the Russian and Ukrainian version of the survey tool were piloted in Kharkiv on July 25 and 26, 2016 and field tested in Kramatorsk on August 10 and 11, 2016.

Fieldwork was conducted between August 25 and November 8, 2016<sup>13</sup> by sociological research firm GFK through a team of 32 bi-lingual enumerators (f – 21; m – 11) and six supervisors (f – 3; m – 3), all of whom underwent five days of training and passed a rigorous written and oral examination regarding ethics and the research methodology. Interviews were conducted in the respondent's choice of language (Russian or Ukrainian) and were same-gender. GFK conducted a total of 473 back-checks, all of which had an error

rate less than 10%. UNDP also conducted independent verification of the data collection process. All respondents were at least eighteen years of age and gave informed consent.<sup>14</sup> Data was collected through tablets and uploaded daily; analysis was conducted using STATA statistical software package.

Key informant interviews with justice actors were also conducted at the Oblast level to inform the development of the survey tool and provide context for the survey findings. The interviews were semi-structured and conducted through a professional translator. The duration of the interviews ranged from thirty to ninety minutes.

Similarly, focus group discussions were held with traditionally under-represented groups whose voices were likely to not be captured through a quantitative study, such as IDPs, youth, and people living with disabilities. The focus group discussions were all semi-structured and conducted through translation. The duration of the interviews ranged from one to two hours.

<sup>10</sup> Female = 3.68% and male = 4.03%

<sup>11</sup> Donetsk: 62 settlements across 9 Rayons, 16 of the settlements were pre-selected because they are areas where the Project will be directly working and 8 settlements were reselected due to safety concerns in the field; Luhansk: 35 settlements across 6 Rayons, 12 of the 35 settlements were pre-selected; Zhytomyr: 56 settlements across Rayons, 17 of the 56 settlements were pre-selected

<sup>12</sup> Annex X contains the sampling framework

<sup>13</sup> Fieldwork in Donetsk and Zhytomyr was completed by October 16, 2016

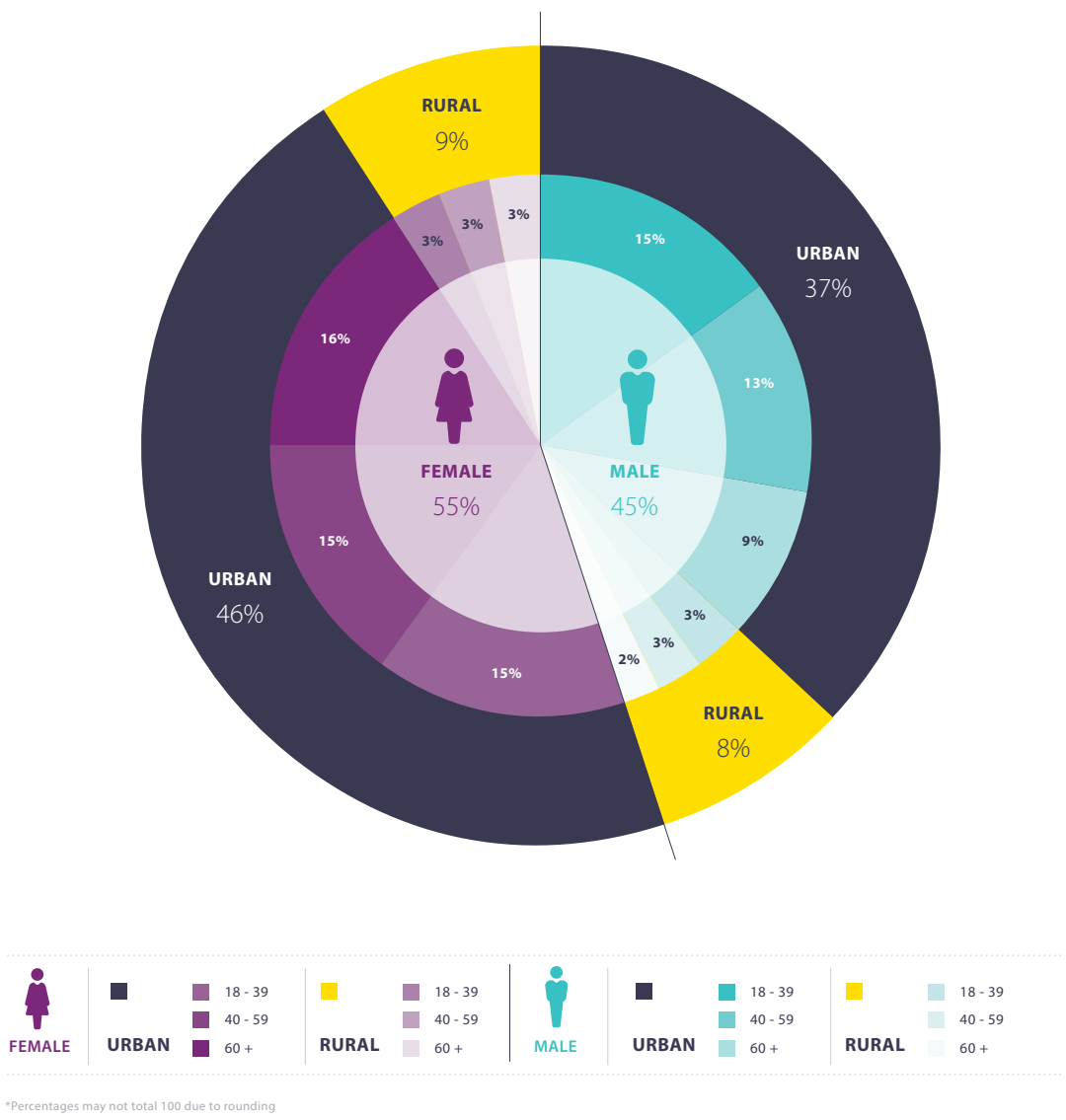
<sup>14</sup> The response rate was 71% in Donetsk; 69% in Zhytomyr; and 71% in Luhansk



# APPENDIX 2

## DEMOGRAPHIC DATA

### DONETSK



**Education** Sixty four percent of respondents had completed secondary education but had no higher education; 33% had completed at least some higher education, while 3% had not completed secondary education.

**Economic Status** Twenty six percent (26%) identified that they lacked money even for food; 43% percent that they had money for food, but not for clothes; 27% percent that they had money for food and clothes, but not for luxury items like electronics; and 4% stated that they had money for luxury goods, like electronics.

**Marital status** The majority of the respondents were married (m – 72%; f – 62%). A greater proportion of the female respondents were widowed (m – 5%; f – 20 %) and male respondents were more likely to be never married (m – 16% and f – 7%).

**Religious affiliation** Ninety-two percent (92%) of the respondents stated that they were a denomination of Christianity and 7% stated that they were not religious.

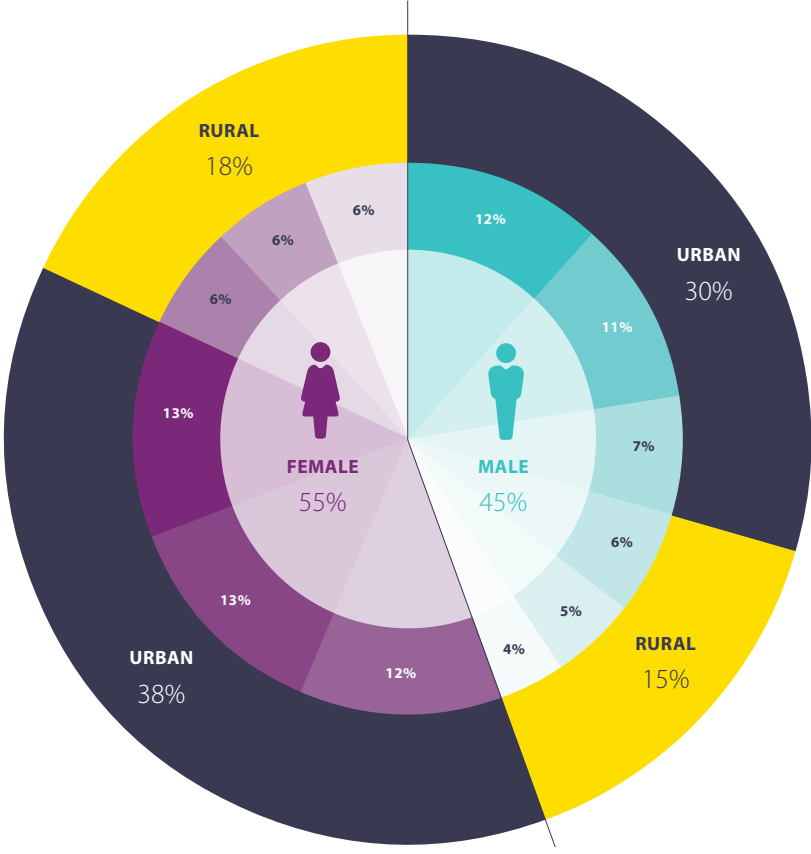
**Conflict effects** Six percent of respondents considered themselves to be an Internally Displaced Person (“IDP”).<sup>15</sup>

Two percent (2%) of respondents stated that they had personally been a combatant during the conflict in Donbas while another 2% stated that an immediate family member had been a combatant in the conflict.

<sup>15</sup> The decision was made to only interview IDPs living in host communities, as opposed to IDP-only communities supported by NGOs and donors, in order to capture the situation of IDPs who were not direct beneficiaries of these assistance programs.



LUHANSK



\*Percentages may not total 100 due to rounding

**Education** The population surveyed was well educated: 69% completed secondary education (but had no higher education), 26% completed at least some higher education, and 5% had not completed secondary education.

**Economic Status** Twenty-three percent (23%) said that they lacked money even for food; 47 % percent that they had money for food, but not for clothes; 27% percent that they had money for food and clothes, but not for luxury items like electronics; and 3% stated that they had money for luxury goods, like electronics.

**Marital status** The majority of the respondents were married (m – 72 %; f – 60%). A greater proportion of the female respondents were widowed (m – 4%; f – 21%) and male respondents were more likely to be never married (m – 12% and f – 9%).

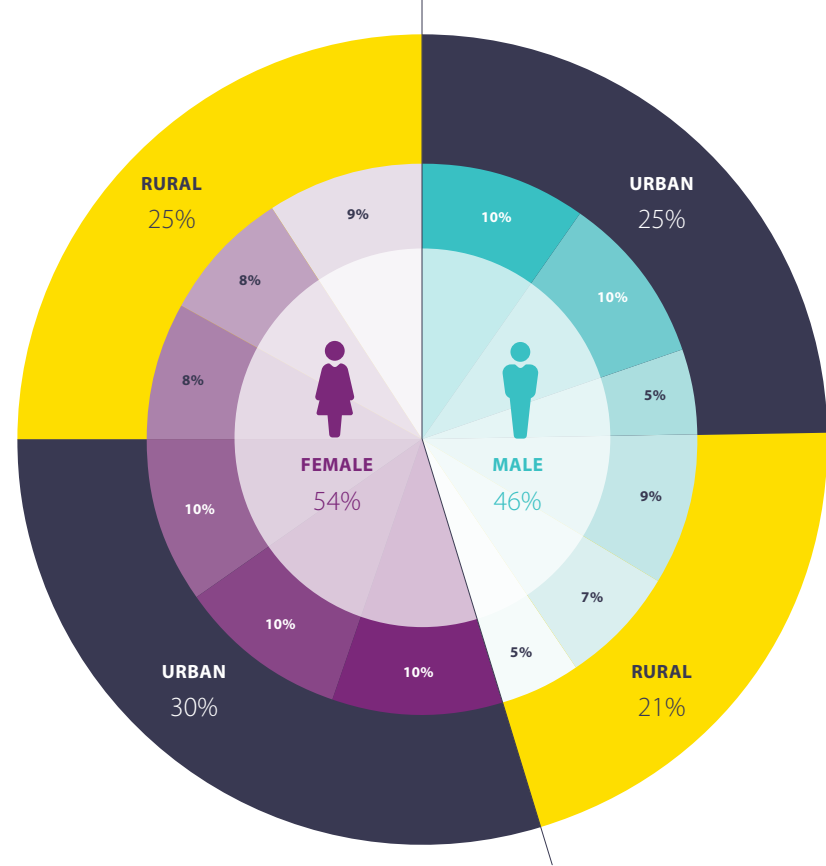
**Religious affiliation** Ninety-two percent (92%) of the respondents stated that they were a denomination of Christianity and 6% stated that they were not religious.

**Conflict effects** Five percent of respondents considered themselves to be IDPs.<sup>16</sup>

Less than 1% of the respondents (0.8%) also stated that they had personally been a combatant during the conflict in Donbas and another 2% stated that an immediate family member had been a combatant in the conflict.

<sup>16</sup> The survey did not target IDP-only communities supported by NGOs and donors, in order to reflect the situation of IDPs who were living in host communities, and not direct beneficiaries of assistance programs.

ZHYTOMYR



\*Percentages may not total 100 due to rounding

**Education** 71% of the respondents completed secondary education (but had no higher education), 23% percent completed at least some higher education, and 6% had not completed secondary education.

**Economic Status** Ten percent (10%) identified that they lacked money even for food; 40% percent that they had money for food, but not for clothes; 44% percent that they had money for food and clothes, but not for luxury items like electronics; and 5% stated that they had money for luxury goods, like electronics.

**Marital status** The majority of the respondents were married (m – 76%; f – 67%). A greater proportion of the female respondents were widowed (m – 4%; f – 21%) and men more likely to be never married (m – 13% and f – 5%).

**Religious affiliation** Ninety-eight percent (98%) of the respondents stated that they were a denomination of Christianity and 1% stated that they were not religious.

**Conflict effects** Less than one percent (0.42%) stated that they were an IDP. Two percent (2%) of the respondents stated that they had personally been a combatant during the conflict in Donbas and another 15% stated that an immediate family member had been a combatant in the conflict.





Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

SDG 16 has been identified in several nationwide surveys as the priority goal for Ukraine among the global Sustainable Development Goals.

This survey aims to inform the debate about measuring the baseline situation with regard to this Goal, and suggests measures to increase access to justice and community security.

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Full results of this survey and UNDP's rule of law related activities can be found at

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