

Item 3: Statelessness resulting from conflicts, forced population movements and migration affecting minorities: main challenges and possible solutions
NGO «Zaporizhzhia Roma Center «Lacho Drome»

Thank you, Madam chair. My name is Anzhelika Kruhliak.

I speak on behalf of the NGO «Zaporizhzhia Roma Center «Lacho Drome», which represents and protects the interests of the local Roma communities of Zaporizhzhia and Dnipropetrovsk regions of Ukraine.

In my statement I would like to focus on the influence of the annexation of Crimea and the armed conflict in the east of Ukraine on the situation of Roma national minority with regard to the right to nationality.

As a result of the crisis situation, massive internal displacement, with many Roma among the displaced persons, has unfolded. According to the UNHCR, the estimated number of Roma IDPs in Ukraine is 9,000 people, some of whom experience significant challenges in accessing personal documents. While even in times of stability Roma are rather vulnerable, since the crisis has started they have become particularly vulnerable. According to a needs assessment of Roma IDPs in Kharkiv, Luhansk, and Odessa, the vast majority of respondents had lost their personal documents as a result of the conflict, while many had never had any.

While a judicial procedure allowing children from the non-government controlled areas (NGCA) to obtain birth certificates has been introduced, the procedures remain cumbersome and expensive. A positive step has been the recent adoption of amendments to the law on court fees whereby it has exempted residents of the temporarily occupied territories from court fees in cases related to the establishment of facts that have legal impact, which include cases on recognition of facts of birth and death. However, NGCA residents still have to travel to the government controlled areas for several days in order to obtain the certificates, which can be burdensome, especially for vulnerable families.

Most of the problems that Roma IDPs experience are related to their lack of personal documents that prevents them from enjoying basic economic and social rights and services such as social assistance, right to medicine, education, employment opportunities, and housing support.

Recalling the recommendations of Roma NGOs in Ukraine and other stakeholders:

1. We recommend providing free legal aid for vulnerable Roma IDPs and allow for alternative forms of evidence of identity to clarify the legal status of a person.
2. The Ukrainian Government should engage in necessary law reform to bring Ukraine's legal framework into full compliance with its obligations under the 1954 and 1961 Conventions. In particular, Ukraine should introduce a procedure in law to identify and protect stateless persons in line with the 1954 Convention and UNHCR's Handbook on Protection of Stateless Persons.
3. We recommend ensuring support for displaced Roma from the non-government controlled areas conflict region and for their IDP including for access to humanitarian aid without discrimination.
4. We urge national and local authorities taking responsibility and addressing without delay, lack of personal and identification documents, legal status/citizenship faced by vulnerable Roma to ensure that access to rights and services as citizens of Ukraine.

5. The State Migration Service of Ukraine should be addressing statelessness in Ukraine by leading and coordinating efforts to identify and protect stateless persons and prevent and reduce statelessness in Ukraine.
6. The Ukrainian Government should ensure that stateless and undocumented Roma are able to exercise their rights such as access to healthcare, education, freedom of movement, liberty and security of the person and to equally participate in the social and political life of the country.
7. The Ministry of Justice of Ukraine should establish a computerised system for birth registrations, which enables the direct reporting of births from healthcare centers to the registry, thereby eliminating underreporting and the risk of human error.
8. The Ukrainian Government should strengthen disaggregated data collection and monitoring, including by conducting comprehensive mapping, on statelessness, the risk of statelessness and Roma populations.