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**Social Security**

The Cabinet of Ministers of Ukraine’ issued decrees in [2014](http://zakon2.rada.gov.ua/laws/show/637-2014-%D0%BF) and [2016](http://zakon3.rada.gov.ua/laws/show/365-2016-%D0%BF) requiring people from separatist-controlled areas of Ukraine to prove and maintain residency in government-controlled territories to receive pensions and other social payments and established state inspections and other systems to ensure that pensioners live at these addresses.

In August 2018, Human Rights Watch [documented](https://www.hrw.org/news/2018/08/31/ukraine-ensure-all-pensioners-have-access-benefits) that older people living in the separatist-controlled areas of Donetsk and Luhansk of Ukraine face undue burdens to access their pensions from the Ukrainian government. Since 2014, the Ukrainian government has required pensioners from separatist-controlled areas to register as internally displaced persons in government-controlled areas of Ukraine in order to receive pensions and other entitlements. If a person spends more than 60 consecutive days at home in separatist-controlled territories, he or she risks losing displaced person registration and pensions.

In practice, this means older people who want to receive their pensions face repeated, often long journeys across the separation line that [expose them to health and safety risks](https://www.hrw.org/news/2017/02/17/ukraine-dangers-unnecessary-delays-crossing-points). In other cases people have felt compelled to leave their homes for the foreseeable future and relocate to a government-controlled location where they can more easily access their pensions.

Unlike older people living elsewhere in Ukraine, those living in separatist-controlled areas may not appoint an authorized representative to collect their pensions at the state bank.

Ukraine is a party to the European Convention on Human Rights (ECHR) and [pension rights are protected property rights](http://ceere.eu/wp-content/uploads/2016/03/CASE-OF-CARSON-AND-OTHERS-v.-THE-UNITED-KINGDOM.pdf) under article 1 of Protocol 1 of the Convention. Accordingly, interferences with pension rights must have a proper legal basis, pursue a legitimate aim and must not be discriminatory, or impose an excessive and disproportionate burden on individuals. As the government does not exercise control over parts of eastern Ukraine, it is within its rights to amend the process by which pensioners in non-government-controlled areas can collect their pensions. However, the process which Ukraine has introduced treats pensioners in Donetsk and Luhansk differently, imposes an excessive burden that creates hardship for them, and therefore falls outside the scope of permitted interferences. It is also unjustified in that it violates other rights, such as family and home life, protected under article 8 of the ECHR.