

# Guidance on Provision of Protection Assistance to ex-Combatants<sup>1</sup>

## Background

*The purpose of this Guidance is to provide recommendations to Protection Cluster partners regarding protection service provision to ex-combatants, and was developed to respond to requests received from Protection Cluster partners.<sup>2</sup> This Guidance briefly describes humanitarian principles, aligns International Humanitarian Law terminology on combatants with domestic law, identifies the point at which an individual is no longer considered a combatant, describes the documents that confirm that a person is discharged from military service and is therefore a civilian that can be eligible for protection assistance, and provides a list of services for veterans and their families that should be used by humanitarian protection partners for referrals. This Guidance will be updated on a regular basis in order to reflect changes in legislation and lessons learned from its implementation.*

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## Humanitarian principles

The humanitarian principles of humanity, neutrality, impartiality and independence provide the foundation for humanitarian action. They are central to establishing and maintaining access and delivering humanitarian assistance to affected people, whether in a disaster or a complex emergency, such as armed conflict. Since humanitarian protection actors must abide by the humanitarian principles of **independence and neutrality**, they should not provide humanitarian protection services to combatants. This does not preclude civilian family members of combatants from receiving protection assistance, provided that they meet the protection/vulnerability eligibility or prioritization criteria established by the

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<sup>1</sup> In Ukraine, the term ‘veteran’ is often used to refer to a category of persons who are no longer in active military services or who are former combatants. However, under the provisions of the current legislation of Ukraine, ‘veteran’ is a social status, meaning that a ‘veteran’ can be either an ex-combatant (discharged serviceman or servicewoman) or a combatant (remaining in active military service). As such, this Guidance uses the term “civilian”, “combatant” and “ex-combatant”. In order to comply with humanitarian principles, in particular those of impartiality and neutrality, humanitarian organizations should look to international humanitarian (IHL) and international human rights law (IHRL) in order to verify that a person is not a combatant (i.e. that they are “hors de combat”) and are eligible to receive humanitarian services.

<sup>2</sup> This Guidance Note was initiated by the Case Management Task Force of the Ukraine Protection Cluster, co-led by UNHCR and IOM.

Protection Cluster or the humanitarian organization. Once a combatant is discharged from military service, (s)he may become eligible for protection assistance, if they meet the protection/vulnerability eligibility or prioritization criteria.

### **Verification**

To determine the eligibility of an individual who claims to be a civilian or an ex-combatant for protection assistance, protection partners should conduct an independent assessment to identify that both of the following conditions are met:

- (1) the individual is internally displaced, is war-affected or is a returnee, and meets the criteria for receiving protection assistance, due to being at-risk or vulnerable; and
- (2) the individual has been formally discharged from military service.

Being an ex-combatant, or a relative of a combatant, or of a missing or fallen combatant is not itself considered to be a vulnerability criteria that makes an individual eligible for receiving protection assistance.

### **Definition**

From the perspective of International Humanitarian Law, a combatant is a person who:

- is a member of a national army or an irregular military;
- or is actively participating in military activities and hostilities;
- or is involved in recruiting or training military personnel;
- or holds a command or decision-making position within a national army or an armed organization;
- or arrived in a host country carrying arms or in military uniform or as part of a military structure;
- or having arrived in a host country as an ordinary civilian, thereafter assumes, or shows determination to assume, any of the above attributes.<sup>3</sup>

For the purpose of this Guidance, considering the provisions of the **current legislation** of Ukraine, **combatants** are military personnel serving in the Armed Forces of Ukraine (AFU), the National Guard of Ukraine (NGU), the State Border Service of Ukraine (SBSU), or and the

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<sup>3</sup> Page 24 of the [Operational Guide to the IDDRS](#): Level 2 Concepts, Policy and Strategy of the Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS).

Security Service of Ukraine (SSU).<sup>4</sup> This involves men and women with the status of full time, part time, on leave, as well as other men and woman, serving as conscripts, mobilized, contract services or on a volunteer capacity.

Not all servicemen/servicewomen in the above-mentioned security structures are combatants. When determining whether a person is a (non-)combatant, one should not limit the analysis to whether an individual is employed by a certain security structure (i.e. the Armed Forces of Ukraine, the National Guard of Ukraine, the State Border Service of Ukraine, the Security Service of Ukraine), but should also consider whether the person directly participates in the measures necessary to ensure the defense of Ukraine, the protection of the safety of the population and the interests of the state in connection with the international armed conflict.

It is also important to note that within **current legislative framework**, possession of the status of war veteran under the Law of Ukraine “On the Status of War Veterans, Guarantees of their Social Protection” **does not determine** whether a person is a combatant or an ex-combatant,<sup>5</sup>

Humanitarian partners should be aware that medically discharged veterans may be eligible for certain entitlements, benefits, and assistance through the Ministry of Veterans Affairs (hereinafter – MoVA). However, to obtain these benefits, some veterans may need support from caseworkers to including obtain the status of ‘a person with a disability as a result of war’. This support should be provided only to individuals who are ex-combatants, i. e., who have been formally discharged.

### **Discharge from Military Service**

Under Ukrainian legislation, a serviceman/servicewoman must be discharged in order to be considered an ex-combatant. In order for a member or volunteer of the aforementioned security structures to be discharged, they must meet certain criteria (as set forth in Article 26, Law of Ukraine on Military Duty, and Military Service No. 2232),<sup>6</sup>

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<sup>4</sup> According to the extended interpretation, combatants can be recognized as persons defined by Article 4 of the Law of Ukraine “On the Status of Veterans, Guarantees of Their Social Protection”, who are in service in the structures of the security and defense sector (defined by the Article 1 of the Law of Ukraine “On the National Security”).

<sup>5</sup> At the time of writing of this Guidance, the legislative concept of a war veteran is under revision. In case legislative amendments are adopted, this Guidance will be updated accordingly.

<sup>6</sup> [Article 26 of the Law of Ukraine on Military Duty, and Military Service No. 2232.](#)

Under martial law, discharge from military service is possible under limited circumstances, including but not limited to, the following:

- Demobilization – in the terms defined by the Presidential Decree;
- Age – the maximum service age is 60 years old;
- Health status – based on a conclusion of the military medical commission regarding fitness for military service;
- Legal circumstances – following a guilty verdict by a court of law, resulting in imprisonment, restriction of liberty, or deprivation of a military rank;
- Family circumstances – care of dependents or relatives with disabilities, severe medical conditions; female service personnel during pregnancy and care of young children.

After discharge from military service, a person may remain in the legal field of the Law of Ukraine “On the Status of Veterans, Guarantees of Their Social Protection” in accordance with the certificate of a participant in hostilities, the certificate of a person with a disability as a result of the war or war participant, and from the moment of discharge from service can be considered as an ex-combatant.

### **Documentary Evidence of Discharge**

When an individual is discharged from active service, a specific **discharge order** is issued for the individual, and a record is made into his/her Military ID or (Temporary) Officer’s certificate (of the reserve). For the discharge of foreigners or stateless persons, an Agreement of Contract Termination must be signed. The following documents can be provided as confirmation that an individual is an ex-combatant (the below list is not exhaustive):

1. **Extract from the Discharge Order** indicating the reasons for the discharge of a person from service. Combatants, who served in the Armed Forces of Ukraine, upon discharge from service should receive an Extract from the Discharge Order issued by the military unit where the person served. However, individuals may not always receive the extract, and they may possess only a photocopy (certified or not certified), or a photo of the document on their phone or not have a copy.  
*Note: example is available [here](#).*
2. **Military ID** - with a record of discharge from military service, sealed with the round seal of the military unit.  
*Note: example is available [here](#).*

3. **(Temporary) Officer's certificate (of the reserve)** - a document issued for officers. In this document, a record is made that the person is registered with the relevant Military Office.

*Note: example is [similar](#) to the record into the Military ID.*

4. **Agreement of Contract Termination** of military service of foreign citizens and stateless persons in the Armed Forces of Ukraine.

*Note: examples are available [here](#).*

**Important!** All documents must contain signatures of officials and seals of institutions that provided the relevant documents.

In the event that a person does not have the above-mentioned documents, but claims that (s)he is an ex-combatant, humanitarian aid organizations can accept alternative circumstantial documents that would support their claim.

It should be noted that the presence of documentary evidence of discharge at the time of application does not prevent an individual from becoming a combatant again in the future. If an individual resumes their combatant status, the humanitarian partner should inform the individual that (s)he is no longer eligible for humanitarian assistance.

### **Confidentiality**

Considering the sensitivity of information, it is recommended that humanitarian actors should refrain from collecting hard copies, or photocopies of the documents that a beneficiary may submit confirming their status as an ex-combatant.

### **Referrals**

Humanitarian protection partners who identify an individual from the UAF, NGU, SBSU or SSU who are in need of protection assistance should refer the individual to the Ministry of Veterans' Affairs (MoVA). The caseworker should refer the individual to MoVA (the MoVA hotline **0 800 505 217**) and the electronic platform '[E-Veteran](https://eveteran.gov.ua/)' ( <https://eveteran.gov.ua/>).

### **Mapping of Services for Veterans and their Families**

Humanitarian actors can make referrals to the below list of NGOs providing services to veterans and their families:

### **Legal Hundred NGO**

<https://legal100.org.ua/>

Hotline number: **0 800 308 100**

Legal Hundred NGO is a dedicated Ukrainian non-profit organization committed to offering comprehensive social and legal protection services to veterans and their families. It focuses on advocating for veterans' rights, providing legal advice, and supporting social integration efforts to ensure that veterans and their families receive the support and recognition they deserve.

### **Veteran Hub**

<https://veteranhub.com.ua/>

Hotline: **+38 067 348 28 68**

Veteran Hub is an organization that delivers a wide range of support services to Ukrainian veterans. These services include legal assistance, psychological support, and help with administrative issues. The organization aims to facilitate the successful reintegration of veterans into civilian life by offering access to resources and support networks that address their unique needs.

**VA (Volunteer Association) Vesta** - support of veterans and their family members.

VA "Vesta" provides various support to the veterans, military personnel and their families. They offer legal advice and support on various issues, as well as psychological support with free consultations.

**Telegram:** [https://t.me/vesta\\_vo](https://t.me/vesta_vo).

**Instagram:** @vo\_vesta

**E-mail:** [charity.vo.vesta@gmail.com](mailto:charity.vo.vesta@gmail.com)

**Other links:** [@vo\\_vesta Lnk.Bio](#) · [link in bio](#)

### **NGO «Vil'nyy vybir» (“Free Choice”)**

**Phone:** (063) 646-49-91

**Web:** <https://www.vvybir.org.ua/>

In addition to the main activity - providing individual psychological counseling to veterans and members of their families, as well as group ones – NGO also operates in the areas of education for specialists in the field of veteran affairs and psychoeducation for society as a whole.

NGO "Free Choice" with the support of IREX has also released an application for psychological support for the veterans and their family members, called BAZA. The app is available on [Android](#) and [IOS](#) platforms. It is also available for civilians.

### **Ukraine Women Veterans Movement**

Telephone number: **+38 067 576 72 07**

Ukraine Women Veterans Movement is an organization focused on addressing the specific challenges faced by female veterans. Offering psychological support, medical support, and

rehabilitation services, this organization works to empower women veterans by providing them with the necessary tools and resources to overcome the obstacles they face.

### **“Divchata” («Girls»)**

Web: <https://divchata.org/uk/>

“Divchata” (“Girls”) is a non-profit organization that supports women and children in Ukraine. It strives to encourage and advance the rights and lives of girls and women on all the fronts.

They also provide psychological support to all who might need it, including veterans (both male and female).

For psychological support, email: [help@divchata.org](mailto:help@divchata.org)  
(you will receive a form to fill in after contacting)

Phone: [+38 073 460 38 60](tel:+380734603860)

### **Free Legal Aid Center**

<https://legalaid.gov.ua/kliyentam/chy-mayu-ya-pravo-na-bezoplatnu-vtorynnu-pravovu-dopomogu/ya-uchasnyk-ato/>

Telephone number: **0 800 213 103**

The Free Legal Aid Center is an essential resource for veterans and their family members, providing free legal aid to those in need. This center ensures veterans have access to legal assistance for various issues, helping them navigate the difficulties of legal processes.

### **The Ukrainian Veterans Fund**

Web: <https://veteranfund.com.ua/>

**Hotline:** 0 800 332 029 (a crisis support hotline; psychologists help to overcome fears associated with war, it works 24/7 and is anonymous).

### **IOM Hotline (MHPSS)**

Telephone number: **0 800 211 444**

IOM psychological support hotline 0-800-211-444 for consultations from professional psychologists. The hotline works free of charge and anonymously from 10:00 a.m. to 8:00 p.m. every day (Kyiv time).