Human Rights First

NEW RECRUITS

Ukraine's military conscription laws threaten humanitarian efforts

August 2024

Introduction

According to activists, Ukrainian men are being pulled away from lifesaving humanitarian work and drafted into the military under new conscription laws.

Human Rights Defenders (HRDs) based in Kharkiv have rescued thousands of civilians from communities under intense fire in recent months. From June to August 2024, Human Rights First went with some of these HRDs to evacuate people in severe danger from Velyki Burluk, Kivsharivka, Kupiansk, and Prykolotne with other volunteers who provide humanitarian aid to people in need.

NGOs in the northeastern region of Kharkiv told Human Rights First how some HRDs have already been conscripted, and that a new drive for recruits means many men previously doing humanitarian work are now staying at home out of fear they will be stopped at a military checkpoint and forced into the army.

Russian invasions of Ukraine in 2014 and 2022 have resulted in a protracted war being fought along a front line stretching over several hundred miles. In August 2024 Ukraine opened a new line of attack when it pushed into Russia's Kursk region with reports estimating Ukraine could commit as many as 10,000 troops to the attack. Despite the widespread use of new technology on the battlefield, much of the war is being fought by more traditional means, with large numbers of soldiers armed with rifles defending the country from trenches.

One of the challenges facing Ukraine's war effort is a shortage of conscripts. Kyiv hopes new laws passed in April 2024 aimed at recruiting many more soldiers will help it get on the front foot militarily, particularly after a fresh wave of attacks from Russia in May 2024 in the northeast.

The new laws aim to reinforce Ukraine's tiring military and lower the age of conscription from 27 to 25, although volunteers over 18 are still accepted.

An initial target of conscripting 450,000 to 500,000 new recruits has been lowered, but it is not clear what the new number is. Human Rights First has been regularly reporting from the front line in and around Kharkiv, the country's second biggest city, over the last two years, and it is clear that Ukraine's military is running short of personnel.

Ukraine has for a decade been successfully pressing the United States government and leaders in Europe for weapons to defend itself against Russian aggression, but having enough soldiers to use them is a significant challenge.

Many men have gone into hiding to avoid the draft, or paid a bribe to buy a medical exception certificate, putting more pressure on the authorities to find the men they say the country requires to continue to fight. Some anti-corruption activists say they are being threatened with conscription into the military in an attempt to silence their work.

In their determination to find more soldiers, Ukrainian officials are now conscripting many men of military age who are currently undertaking vital humanitarian work, including those evacuating civilians from communities under fire, repairing bombed-out homes, and distributing food and medicine.

While there are some exemptions from the draft for male NGO staff of military age, these are difficult to obtain, and some activists in Kharkiv complain there is a lack of clarity in the new laws including exactly who is exempt.

Kharkiv NGOs told Human Rights First the rules on men who should not be required to join the army should be extended to those providing vital humanitarian work. They say many of these are volunteers and will be difficult to replace if they are recruited into the military.

Those doing humanitarian work in Kharkiv also say the reluctance of some international NGOs and embassies to visit the region limits their understanding of the vital work volunteers are doing.

Local activists complain that Kharkiv has become something of a blind spot for international actors, including NGOs and diplomats, and that much of their work goes unrecognized. The U.S. government has not sent any officials to Kharkiv since before the February 2022 invasion. As Kharkiv Mayor Igor Terekhov has noted, **"We have many people supporting us, but they do not have the courage to come to Kharkiv."**

Human Rights First's history of working in Kharkiv

Human Rights First has reported from the city of Kharkiv since 2017 and has made over a dozen research trips to the Kharkiv region since Russia's full-scale invasion in 2022. We have produced numerous reports and dozens of articles on how local human rights defenders are documenting war crimes and providing aid to communities in the Kharkiv region, despite facing intense Russian aggression and immense dangers to their lives.[1] We have closely monitored the new conscription laws that came into effect in April 2024. In a July 2024 report on disinformation in Kharkiv, Human Rights detailed how many Russian-backed lies and conspiracies aimed to create confusion and panic around conscription.

Human Rights First visited Kharkiv in June, July, and August 2024 to document the impact of the new conscription law on the humanitarian work of HRDs.

Pressure to find more soldiers

Ukraine's determination to carry on fighting despite the hardship of the conflict still appears strong. A recent survey of public opinion in the country showed 73 percent saying they're ready to endure the war "for as long as it takes," a slight increase from the 71 percent who expressed that view in May 2022. However, in that same time period, there has been a drop in the number who believe Ukraine "will definitely win the war" from 80 percent to 60 percent.

For Ukraine's military to replace casualty losses, and to continue the fight this year and possibly for years to come, it requires more soldiers. The new recruitment drive is evident on the streets of Kharkiv, where Brian Dooley, one of Human Rights First's researchers, has been stopped multiple times by groups of soldiers and police from the "Mobilization Units," looking for military-aged men avoiding conscription.

These units roam the streets of Ukraine's big cities, ready to instantly put men into the notorious "White Bus," and take them into the army. Social media posts are being widely shared of men resisting being taken.

[1] In May 2023, Human Rights First reported on how Tsyrkuny, a village north of Kharkiv, survived Russian occupation. We released another report in June 2023 on the Russian occupation of the city of Izyum and surrounding villages in the Kharkiv Oblast. In July 2023, we worked with local NGO the Kharkiv Anti-Corruption Center to report on dubious contracts for the reconstruction of public buildings awarded by Kharkiv's authorities. In August 2023, we published a report from the frontline city of Kupiansk on how locals were holding out against the threat of a Russian re-occupation. In November 2023, we returned to the region and issued a report on how civilians in Kharkiv prepared for a bitter winter war as Russia renewed its bombing attacks on Ukraine's heating infrastructure. In January 2024 we reported from Kharkiv on the need for greater psychological support for civilians, and in March 2024 we returned to the region to report on demining efforts. In June 2024, we reported from Kharkiv on how HRDs are undertaking evacuations from villages under fire, and how the latest Russian advances have impacted the work of local activists. In July 2024, we reported on how HRDs in Kharkiv are battling Russian-backed disinformation, and in August 2024 produced a report on how Ukraine is dealing with the issue of those suspected of collaborating with Russian forces.

Many men are evading the draft, saying they fear they will be poorly equipped and trained, and that many military commanders are unfit to lead. Some suggest it is not fair they should fight while others are bribing their way out of military service. One survey in March suggested only 35 percent of men would join the army if called up.

Many families across Ukraine have someone who is hiding from the military call-up. Men who are reluctant to join say they are afraid they won't be trained well to fight, that supplies are bad, that others are bribing their way out of service, and that their lives won't be properly valued. One said, "**We see that in the army you are treated like shit; many people see on the internet and have stories how people are caught in the streets and brought to the army, so why would there be a better attitude in the army itself?"**

Many men avoid using public transport, especially between major cities, and have gone into hiding or have fled to the Carpathian Mountains to try and sit out the war. The issue of some men hiding while others are fighting is opening painful fissures in Ukrainian families and across society.

Activists targeted

There are also reports that the draft is being used to target activists who expose corruption or ask uncomfortable questions about the Ukrainian authorities. **"They can always threaten to ship you off to the front lines,"** said one investigative reporter. In January 2024 anti-corruption journalist Yuriy Nikolov said masked men tried to force their way into his apartment and threatened him with being forcibly enlisted into the army.

Prominent journalist Olexandr Salizhenko is known for his work exposing corruption in Ukraine. He has stage-four cancer but said in March 2024 he was summoned to a military commission to explain why he had not turned up for military duty.

In April 2024, Ukrainian investigative journalist Yevhenii Shulhat said he was about to publish a story alleging corruption in the Security Service of Ukraine (SBU) when uniformed soldiers approached him in his local grocery store and attempted to present him with conscription papers for the Ukrainian military. He saw it as an effort to intimidate him and suppress his reporting.

Avoiding the draft

Earlier this year an experienced foreign soldier volunteering for the Ukrainian military told Human Rights First that the Ukrainian soldiers he fought alongside were committed but under-resourced, and dedicated but poorly led. Another foreign soldier told Human Rights First that he would stay fighting for the Ukrainian army despite problems receiving his salary.

One man from Kharkiv in his 30s waiting to be called up told Human Rights First in early August that **he expects to be put on the front line after a month**, probably by the end of September. He said he would report for duty despite fears that he would be assigned to an incompetent commander. He described how recently, one of the mobilization units stopped his close friend on the street in Kharkiv, and after a rushed medical exam, he was placed in a military training camp.

Ukrainian soldiers have also approached Human Rights First's researcher Brian Dooley after finding out he is from a foreign NGO, saying they are too ill or disabled to stay in the army, and asking for help to leave the military.

In early April 2024, Ukraine announced it would establish a Military Ombudsman to "address complaints of servicemen, providing primary legal assistance, conducting inspections, and investigating violations of the rights of servicemen and their family members."

Common complaints include insufficient medical care, gender discrimination, the denial of the right to go on leave, problems with wages and pensions, and abuses by commanders. Others complain that the training they received emphasizes how to fight in gun battles, whereas, for many soldiers, everyday pressures are about avoiding detection by Russian drones and navigating their way around minefields.

Corruption continues to undermine recruitment efforts. Many men bribe their way out of military service, even out of the country, where the general rule is that males aged 18-60 are not allowed to leave Ukraine. Some told Human Rights First of relatives paying $5,000 for a fake medical certificate that will excuse them from duty, but this is also risky— if the doctor providing the fake certs is busted, those with his certs will be called up.

In August 2024, police detained a man in Kharkiv on suspicion of charging men $1000 to alter their paperwork to show they have an illness, giving them a 12-month deferment from military conscription.

Getting out of Ukraine is much more expensive, said to cost around $20,000. Last year President Zelenskyy fired all the regional heads of military recruitment after widespread reports of corruption in conscription, but stories of bribes to evade the draft are common.

In recent weeks, in an attempt to attract fresh recruits, the authorities have changed their approach and offered those volunteering to enlist greater say in which units they join. A very high-profile public ad campaign has been rolled out across the major cities, urging men to join up.

Military recruitment posters are now all over public transportation in Ukraine's major cities.

The Ukrainian authorities are scouring every sector of society to enlist new recruits. Like Russia, Ukraine is now offering prisoners the option of joining the army, something it had refused to do before. Nearly 4,000 male prisoners in Ukraine are believed to have taken up the option, including convicted killers (although the offer is not extended to those convicted of rape or mass murder.) Prisoners who are accepted have their sentences quashed after a year but must stay in the army until the authorities decide they can leave. If they desert, they get an extra five to ten years on their existing prison sentences.

The offer is also available to women prisoners, and the Ukrainian authorities reported in July that seven female prisoners had taken up the offer. Several women prisoners from St Petersburg jails are also said to have joined the Russian army.

Meanwhile, Russian propaganda is claiming Ukrainian women are being drafted and sent to the battlefront, and that a senior military official in Kharkiv is proposing the draft laws be applied to 17-year-old boys. While neither of these or other fake Russian messages about the new conscription laws are true, Ukraine is reaching deep into the voluntary sector and civil society to find new soldiers.

Taking men from the humanitarian sector

The United Nations Office for the Coordination of Humanitarian Affairs operating in Ukraine predicted that the new conscription laws were **"likely to present more challenges to humanitarian operators,"** and that **"incidents involving conscription of humanitarian workers and volunteers are believed to be underreported."**

A range of humanitarian work is threatened by the new laws, say activists. Dina Urich is Head of Direct Aid for the Ukrainian NGO Helping to Leave (H2L) which helps provide people with humanitarian aid. It also evacuates civilians from active combat zones, and those living under Russian occupation, and helps Ukrainians forcibly deported to Russia.

Since the full-scale February invasion of 2022, H2L estimates 45,000 people have received some kind of assistance from the NGO, including financial, humanitarian, or psychological. It also reports having evacuated 19,000 people from occupied territories of Ukraine and from Russia, where Ukrainians had been deported.

H2L is very active in the Kharkiv region, organizing and carrying out evacuations of civilians living in communities under fire. Vitaly Dmitruk works closely with H2L in organizing evacuations of civilians around Kharkiv, and estimates his team have rescued between 300 and 350 people in recent months from communities under fire.

Urich told Human Rights First that the new conscription law is **"a huge issue that affects most of the humanitarian personnel doing the evacuations because most are men of military age."**

A regulation came out at the end of May permitting Ukrainian NGOs to apply to be recognized as "critically important," which would allow their full-time male staff to be exempt from military conscription. The difficulty for most medium and small organizations is that they have very few staff, and most of those who work with them are either volunteers or on short-term project contracts.

"It's really super unfair in terms of the advantages larger NGOs have compared to smaller ones. Absorbing costs to put people on staff is feasible for bigger organizations, it's impossible for many others," said Urich.

She pointed out the major international NGOs don't do front-line evacuation work. **"Those who are doing that dangerous work are at best getting sub grants of sub grants, many are pure volunteers - they're actually doing the work but aren't exempt from conscription."**

In July Human Rights First accompanied H2L driver Bogdan from Kharkiv city to evacuate a woman from the small front line town of Kivsharivka, close to the city of Kupiansk in Kharkiv. It is highly dangerous work, and those doing it not only risk being injured or killed by missiles but there is a danger of abduction and torture by Russian forces.

Most funding for smaller NGOs in Ukraine doing vital humanitarian work is in the form of project grants, time-limited and relatively small. Finding core funding to support longer-term staff salaries is much more difficult to secure.

"If those doing evacuations are removed from that work it's not easy to replace them. They're certified, trained in first aid, and in how to talk to people they're evacuating - you can't just grab a [flak] jacket and do it," said Urich.

Those doing evacuations say that sometimes they have to carry people who weigh over 100 kilos (220lbs) down many flights of steps when the village is under fire. Most often it is military-aged men who do that, as it can be challenging for men over 60 and some women.

Many women are bringing humanitarian and medical aid into front-line communities but in terms of those doing evacuations, it is overwhelmingly men.

Urich says H2L is applying to be recognized with the status of critically important, but part of what the exhaustive bureaucracy requires is to secure letters from international donors endorsing the applications. **"Two said they would, but one said it couldn't do that sort of thing," she explained. "Even if we get the status we can probably only protect four of our staff from being conscripted."**

Many of those doing the hazardous evacuations get no renumeration at all or receive an occasional stipend of about $200 once every six months. Some volunteer a day or two a week but have other jobs that pay their bills. If they were to somehow register as official employees of H2L, they would have to forfeit their other jobs and receive virtually no pay.

Some of those saving lives near the battlefront are registered as private entrepreneurs— it is a perfectly legal status, but it will not protect them from the call-up because they are not officially staff of an NGO recognized as "critically important."

The regulation of the system for exemptions from recruitment falls under several ministries, making the bureaucratic challenge even greater. **"We were glad when an opening was made for Ukrainian NGOs to apply to be listed as critically important, but we never thought it would be this difficult,"** said Urich.

Like many now playing a key role in volunteer efforts, Yevhen Koliada's life was very different before Russia's full-scale invasion of February 2022. He used to work in the X-ray industry but immediately responded to the humanitarian crisis in Kharkiv city caused by the Russian attacks, getting people to the railway station to escape, and distributing thousands of meals to those who stayed.

Now he's Chairman of Kharkiv's Board of the Relief Coordination Center (RCC). **"Things snowballed,"** he told Human Rights First, with some understatement. The amateur volunteers from the spring of 2022 are now funded by international, national and local donors, and run an impressively professional operation across the region, co-ordinating 477 organizations that provide a range of vital services, including evacuating civilians from places under fire, distributing medical aid and food, finding people shelter, repairing homes and many other projects.

Yevhen Koliada, Chairman of Kharkiv's Board of the Relief Coordination Center (RCC).

The RCC offers the organizations advice, analysis, and equipment, and coordinates their work on a massive scale. There is an emphasis on supporting organizations with long-term sustainability and courses on how to develop, apply for grants, and network with others.

One of the many services the RCC provides is a 24-hour hotline for people wanting to be evacuated out of danger. When someone calls they're asked for the vital details: *Are children with them? How much stuff will they be bringing? Do they or anyone with them have a disability? What about any pets? Can they go to relatives after they are rescued, or do they need accommodation in a hostel?*

Then the word goes out to the evacuation teams to see who can get to those who need help, and the responses are coordinated so that several people are picked up by the same vehicle when possible. By 9 pm every night, the schedule is set for who is doing what the next day. Koliada says they've been operating this centralized call system for a year, and have never failed to make their target of rescuing people within 24 hours of getting a call.

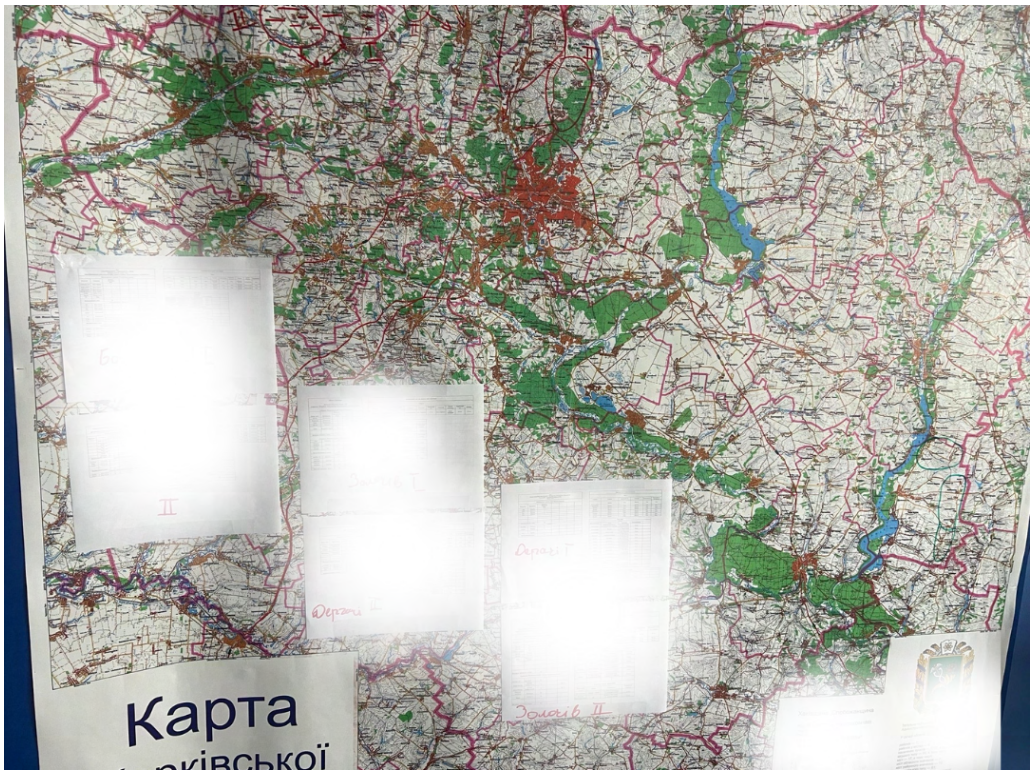
Most of the evacuations are done by volunteers. He says in the recent crisis, beginning on 10 May, 37 organizations were involved in evacuating around 12,000 civilians, and 90 percent of those carrying them out were volunteers.

While they may be volunteers, they are not amateurs. The RCC provides regular training on tactical medicine, mining safety, and how to cope under pressure. Their Public Development Center supports NGOs with funding for vehicle maintenance, petrol supply, stipends, and insurance programs.

However, the new military mobilization laws are creating difficulties for many of the organizations. **"Every week I get calls from NGOs we work with saying a few of their guys have been called to the army. It's possible to replace these volunteers but the quality of the work will suffer,"** Koliada said.

He says not everyone working in an NGO should be exempt from the draft. There are 45,000 registered NGOs in the country and to exclude everyone isn't feasible, but Koliada has proposed to the government that there be some allowance made for volunteers who do this sort of rescue work full-time or have been registered as volunteers for 12 months or so.

The RCC is now focused on drawing up plans for a possible mass evacuation from the areas around Kupiansk if the Russians make more gains there, and because many people live on the far side of the Oskil River, it will make things even more challenging.



The RCC organizes daily evacuations of vulnerable people from villages under fire.

Koliada says he is an optimist despite the struggles, and can now point to several years of real success. **"We've saved so many lives, and the work here doesn't get enough attention,"** he said. **"We're very cheap, much cheaper than the international organizations, we're flexible and we understand the local mentalities."** He says the network of those doing this work is a good investment not just for Ukraine but for future international humanitarian crises in conflict. They have developed an impressive level of expertise that could benefit many other countries in years to come.

In July and August, Human Rights First went with volunteers from the Kharkiv-based Rose on Hand organization to evacuate civilians living in villages and towns under heavy shelling. The organization also helps the police and other responders when missiles hit Kharkiv city. Alksander, Founder of Rose on Hand, estimates they have rescued about 500 people since early May, but that he and nearly all of his team of around 60 volunteers are liable to be called up for military duty.

Alksander (left) from Rose on Hand
with the family rescued from Prykolotne.

He says he doesn't know who will do this work if his team is drafted into the military because they are experienced and qualified activists who cannot be easily replaced.

One solution, says Urich from H2L, would be to distinguish between those doing evacuation work versus those providing other support and make an exemption for those doing evacuations, especially if they could show they had been registered with a local organization, for example, for the last six months.

Another, she suggests, would be to consider those who are registered as private entrepreneurs in the same category as full-time staff.

Ada Wordsworth told Human Rights First the new laws have hampered the work of her NGO Kharpp, which helps to restore buildings in communities near Kharkiv city damaged by war.

"We mostly specialize in doors and windows, repairing people's homes, though we have also helped restore some clinics," she said.

Shortly after the full-scale invasion of February 2022, Wordsworth left the UK to volunteer on the Ukraine-Poland border, helping people who had been forced to leave Ukraine because of the invasion. Then she shifted her focus to the Kharkiv area.

"People know best what they need, so we're guided by local views," she said. **"There was and is a great need for windows and roof repairs. We do some roofs, but mostly other organizations do that. We can't build a house from scratch, but we can make a place liveable. We've helped about 800 homes so far."**

One of the areas of focus is the town of Tsyrkuny. Human Rights First reported from there in 2023 and documented the community's experience during occupation and under intense shelling. Kharpp buys materials locally from Kharkiv and uses local labor. Most of those they employ are men who are contracted according to project funding, with between five and 20 hired at any time.

Although none have yet been taken into the military, Wordsworth said the new conscription laws **"have complicated and disrupted everything."**

Military checkpoints or block points on roads where soldiers ask to see ID are common places for men to be stopped and taken into the army. **"Since the Russian offensive in May, there are more block posts on the roads around Kharkiv, and between the communities we serve,"** Wordsworth said. **"Our guys are reluctant to travel through them, and so can't oversee the work that's being done in these villages."** This means she now has to personally visit every home they are working on.

Vasyl Malikov is the Kharkiv coordinator of Alliance.Global. The NGO provides a wide range of services to the LGBTQ+ community in the Kharkiv region, including HIV prevention and testing, psychosocial help, and medical and humanitarian aid.

He told Human Rights First that most of the men who work for the organization to provide these services as well as their volunteers are liable to be called up for military service under the new conscription drive.

Some have already been called into the army, and are hard to replace. **"Good international practice is that many of the services we provide to LGBTQ people are best done by social workers and volunteers who come from the communities they serve (peer-to-peer),"** he said. **"We do an enormous amount of work providing vital social and other support to gay men and bisexual men in and around Kharkiv. Trust is important in the outreach to these communities, and if men from our team are taken**

for the army you can't just get anyone to replace them. These are experienced professionals, committed to this work."

A few of the Alliance.Global team are exempt from the military draft on medical grounds or for some other reason. Malikov is himself currently exempt because he is also a university professor, but this academic certificate has to be renewed every three months—a long bureaucratic process, he says, which can involve him queueing for five hours at a time.

"And any man in Ukraine could find himself in the military in a matter of weeks from now, because it's a civic duty of Ukrainian men during wartime, including any number of the 80 or more men who are part of the Alliance.Global network," he said. **"It makes things very difficult to plan. We don't know who will be called up, or when, and it's another layer of unpredictability to an already uncertain future."**

Leaders of the Lutheran World Federation visited Kharkiv, where their organization is very active, to request that their clergy be exempt from the military call-up. Most of their pastors, said the leaders, serve more than one congregation and support other vulnerable people in Kharkiv. They said some pastors had been asked to provide details to the conscription office and risked being drafted to serve on the frontlines of the conflict.

Inna Simakina, a lawyer from the human rights advocacy organization Yurydychna Sotnya, said that her organization had been flooded with questions from men concerned about the legislation long before it was passed.

"We need not only transparent rules but also carefully crafted supplementary legal acts," she said. **"I am also worried that men will find it difficult to exercise their rights in courts given the short time limits for appeals."**

Kharkiv as an international blind spot

Many local activists say that because diplomats and representatives of major international NGOs rarely visit Kharkiv, much of their work goes unrecognized and unappreciated. They say this lack of attention makes accessing resources harder, and that more officials of foreign governments and NGOs should visit more often to assess the work and needs of local HRDs.

With a better understanding of the day-to-day realities of HRD work in Kharkiv, they say, funding for projects and other support can be better tailored for maximum benefit.

Civil society in Ukraine is playing an enormous part in protecting civilian lives during the conflict. Local activists deserve greater national and international recognition of their efforts, and more exemptions from military service should be afforded to HRDs, allowing them to continue their dangerous but essential work without being drafted into the army.

Recommendations

The United States government should urge the Ukrainian authorities to:

- Review and amend the rules around conscription to grant more exemptions to HRDs engaged in vital humanitarian and human rights work.
- Not use the threat of being drafted into the military to intimidate HRDs from exposing corruption or from carrying out other human rights work.
- The U.S. government should send representatives regularly to Kharkiv to meet with local HRDs and assess and respond to their needs.

International donors and international NGOs should:

- Regularly visit Kharkiv to assess the work of local HRDs firsthand.
- Urge the government of Ukraine to grant more exemptions from military conscription to HRDs.
- Fund small organizations doing vital humanitarian work, including long-term core funding.

Mission Statement

Human Rights First works to create a just world in which every person's intrinsic human rights are respected and protected, to build societies that value and invest in all their people. To reach that goal demands assisting victims of injustice, bringing perpetrators of abuse to justice, and building institutions that ensure universal rights.

Human Rights First is a nonprofit, nonpartisan international human rights organization based in Los Angeles, New York, and Washington D.C.

Acknowledgments

This report was researched and written by Brian Dooley and Maya Fernandez-Powell and edited and formatted by Camila Rice-Aguilar.

Human Rights First is grateful to the donors and foundations who provide invaluable support for the organization's work on human rights defenders and addressing authoritarianism.

Cover photo: New military conscription drive across Ukraine urges men to join the army.

The report is available online at humanrightsfirst.org