

APPROVED
by Regulation of the Cabinet of Ministers of Ukraine
No. 1364-p of 28 October 2021

STRATEGY
for the Integration of Internally Displaced Persons and
Implementation of Medium-Term Solutions to
Internal Displacement until 2024*

General provisions

The armed aggression of the Russian Federation against Ukraine and temporary occupation of part of its territory have resulted in the destruction of a significant number of Ukrainian citizens' houses and the violation of other fundamental human rights, such as life and health, honour and dignity, inviolability and security.

It is precise because of the ongoing armed aggression of the Russian Federation against Ukraine that internal displacement has lasted for years and has already become protracted for a large part of internally displaced persons. However, most of the responsive measures taken by the State so far are somehow out of whack with reality. In the near future, the policy aimed at protecting the rights of internally displaced persons should focus on the adoption of medium-term solutions directed at providing housing, employment, social protection of internally displaced persons, access to education, medical care, identity documents and documents certifying Ukrainian citizenship, involvement in decision-making at the local level and the use of local democracy tools, the implementation of which would greatly facilitate the integration of internally displaced persons in the host communities.

The Strategy is designed to improve the state policy in the field of protection of internally displaced persons' rights and assist the State in implementing all appropriate and accessible measures to address the negative consequences of internal displacement resulting from the armed aggression of the Russian Federation against Ukraine.

The Strategy is part of a medium-term State policy aimed at creating an environment in which internally displaced persons will not need any special assistance and protection in relation to their

* Переклад здійснений за підтримки Проєкту Ради Європи «Внутрішнє переміщення в Україні: розробка тривалих рішень. Фаза II» на запит Міністерства з питань реінтеграції тимчасово окупованих територій України.

Translation supported by the Council of Europe Project "Internal Displacement in Ukraine: Building Solutions. Phase II" upon request of the Ministry for Reintegration of the Temporarily Occupied Territories of Ukraine.

displacement and will be able to fully enjoy their constitutional rights without discrimination on the grounds of internal displacement.

The Strategy is consistent with the legislation of Ukraine (Laws of Ukraine “On Ensuring the Rights and Freedoms of Internally Displaced Persons”, “On Fundamentals of Domestic and Foreign Policy”, Resolution of the Cabinet of Ministers of Ukraine “On Approval of the Priority Action Plan for the Government for 2021” No. 276 of 24 March 2021 (The Official Bulletin of Ukraine, 2021, No. 31, Art. 1801) and principles of international law, primarily international standards regulating internal displacement, in particular, the UN Guiding Principles on Internal Displacement, relevant recommendations and resolutions of the Committee of Ministers and the Parliamentary Assembly of the Council of Europe concerning the rights and freedoms of internally displaced persons, and fundamental human rights instruments, in particular, the Convention for the Protection of Human Rights and Fundamental Freedoms and the case-law of the European Court of Human Rights, the International Covenant on Civil and Political Rights ratified by Decree of the Presidium of the Verkhovna Rada of the UkrSSR No. 2148-VIII of 19 October 1973, etc. The Strategy is based on the Inter-Agency Standing Committee Framework on Durable Solutions for Internally Displaced Persons established by the UN General Assembly resolution.

The Strategy also seeks to achieve the Sustainable Development Goal — Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels — as defined by Decree of the President of Ukraine “On Sustainable Development Goals of Ukraine until 2030” No. 722 of 30 September 2019.

Key challenges to the integration of internally displaced persons and the implementation of medium-term solutions to internal displacement

According to the Unified Information Database of Internally Displaced Persons (hereinafter — the Unified Database), as of 30 June 2021, there were 1,461,992 people from the temporarily occupied territories in Donetsk and Luhansk oblasts, the Autonomous Republic of Crimea and Sevastopol registered as internally displaced persons. However, the data in the Unified Database do not reflect the real number of displaced persons actually residing in the government-controlled areas. The main reason for this discrepancy is that persons with registered place of residence in the temporarily occupied territories can have access to most social benefits, administrative services and other legally guaranteed rights only after being registered as internally displaced persons. Persons living in or having left the temporarily occupied territories even before the armed aggression of the Russian Federation against Ukraine are, therefore, forced to obtain certificates of registration as internally displaced persons regardless of the actual internal displacement as defined by Ukrainian legislation, norms and standards of international law. On the other hand, some internally

displaced persons who have no immediate need for social assistance but require other forms of support do not register as internally displaced as they are not aware of their rights. However, obtaining information on the real number of internally displaced persons is a prerequisite for implementing the Strategy.

According to the first National Monitoring System Report on the Situation of Internally Displaced Persons (March 2016), the majority of interviewed internally displaced persons did not own housing (76%) and lived in rented housing or with relatives or host families. According to the financial situation assessment, over 90% of internally displaced persons noted that their total income only covered food, necessary clothing, shoes and primary needs. Only 30.6% of internally displaced persons had full or part-time employment.

Compared to the first period monitored, the number of internally displaced persons living in rented housing is 60%, and the employment rate among internally displaced persons is 46% (June 2020). The main conditions for successful integration cited by internally displaced persons were housing (89%), permanent income (80%) and employment (48%).

The high spread of acute respiratory disease COVID-19 caused by the coronavirus SARS-CoV-2 made internally displaced persons even more vulnerable. The social protection of internally displaced persons, in particular regarding the possibility of receiving a pension, depends on the availability of a certificate of registration as internally displaced persons, even if the payments are not related to internal displacement.

There are still some key issues regarding the integration of internally displaced persons and the implementation of medium-term solutions to internal displacement, in particular in the context of the absence of a unified state assessment of their level of integration, that requires a comprehensive and systematic approach to the State policy in this field based on coordinated actions of all responsible public authorities.

Goal and principles of the Strategy

The Strategy aims at facilitating further integration of internally displaced persons by removing the obstacles to the exercise of their rights and fundamental freedoms, ensuring full access to administrative, social, cultural and other services, and creating an environment for capacity building and empowering internally displaced persons in the host communities.

The Strategy is based on the following principles:

the rule of law;

respect for and protection of human rights in the context of internal displacement, taking into account the norms and standards of international law and the case-law of the European Court of Human Rights;

non-discrimination on any grounds;

combating violence in the context of internal displacement, in particular, gender-based violence;

engaging the capacities of internally displaced persons for the development of territorial communities;

supporting the self-organisation of internally displaced persons;

openness and transparency in the Strategy implementation to maximise the involvement of all stakeholders in its implementation and monitoring;

specific, achievable objectives and measurable outcomes of the Strategy implementation;

ensuring constructive interaction between internally displaced persons, host communities, local state authorities and local self-government bodies;

promoting the inclusion of internally displaced persons in shaping and implementing national, regional and local policies;

integration and adaptation of internally displaced children in the social environment in the territory where they live.

The Strategy will be implemented through a set of tasks and measures of the operational plan during 2021—2024 in order to achieve medium-term solutions to the problem of internal displacement.

Strategic objectives and ways of problem-solving

The definition of the Strategy objectives is based on criteria that can be used to assess the level of integration of internally displaced persons and the outcomes of the medium-term solutions to internal displacement.

Strategic objective 1. Exercise of the housing and property rights of internally displaced persons.

The basic condition for the integration of internally displaced persons is housing.

While legislation provides for the right of internally displaced persons to social or temporary housing and to be accommodated in social dormitories, the exercise of this right in practice is complicated by insufficient or non-existent housing stock in settlements of host communities.

There is also a need to consolidate official data on the housing needs of internally displaced persons and official information on the number of internally displaced persons who were provided with housing by the State and/or local self-government bodies, in particular, with the involvement of donor resources.

The problem of compact settlements of internally displaced persons in Ukraine, where some 7,000 people currently live, remains urgent. The living

conditions in the compact settlements of internally displaced persons are largely unsatisfactory.

The main tasks for solving the problems are:

- expanding credit and investment mechanisms for the provision of housing to internally displaced persons;

- providing internally displaced persons with permanent and affordable housing, taking into account a social dimension;

- ensuring the establishment of social housing stocks, temporary housing stocks and the provision of such housing to internally displaced persons;

- phased resettlement of internally displaced persons from compact settlements, taking into account vulnerability, gender and the principle of family unity;

- identifying the housing needs of internally displaced persons in order to exercise the right to housing.

Key performance indicators are:

- conducting at least three consultations to raise awareness among international partners and potential donors on existing challenges in housing for internally displaced persons, agree on joint actions, identify areas requiring additional funding and attract international technical and donor assistance to fund housing programmes for internally displaced persons;

- conducting at least ten outreach activities per year to encourage local self-government bodies to participate in the allocation of subventions for temporary housing stocks for internally displaced persons and possible participation of internally displaced persons in temporary housing programmes to raise their awareness of the existence of such programmes;

- introducing at least one new investment vehicle for the provision of housing to internally displaced persons;

- introducing standardised conditions and a unified approach for the operation of housing programmes for internally displaced persons;

- ensuring the development of regional resettlement programmes for internally displaced persons living in compact settlements;

- ensuring resettlement of at least three compact settlements by 2024;

- providing at least 680 internally displaced families with permanent housing through preferential mortgages;

- ensuring the formation of temporary housing stock for internally displaced persons in at least 40 territorial communities as part of the allocation of subventions from the State budget to local budgets for measures to support territories negatively affected by the armed conflict in eastern Ukraine.

Strategic objective 2. Employment and education of internally displaced persons.

An important condition for the integration of internally displaced persons is to ensure that they are employed in order to generate sufficient livelihoods in the host communities. However, the high level of unemployment in territorial communities, the need to retrain and/or improve skills of internally displaced persons, the insufficient quality and volume of funding for local employment programmes for internally displaced persons result in limited access to employment in the host communities.

Internally displaced women face increased risks of poverty, especially in times of crisis, due to the additional burden of household chores and the need to care for children.

Education is closely linked to employment. Internally displaced children are eligible for targeted support for vocational (technical), higher professional and higher education, but such targeted support cannot be fully provided due to the lack of funding.

Leaving the temporarily occupied territories of Ukraine to study and live in government-controlled areas is associated with numerous obstacles. The spread of acute respiratory disease COVID-19 caused by the coronavirus SARS-CoV-2 and the activities of the Russian Federation occupation administration limit access to education for entrants.

Prolonged stay outside the Ukrainian cultural and information field makes it difficult for children to integrate into the host communities.

The main tasks for solving the problems are:

- developing and implementing local employment programmes for internally displaced persons in a gender-sensitive manner, including with the involvement of socially responsible businesses;

- introducing effective mechanisms to support and stimulate businesses of internally displaced persons, including by taking into account vulnerability criteria and a gender dimension;

- providing internally displaced persons with access to education documents;

- creating conditions for internally displaced persons to exercise their right to education.

Key performance indicators are:

- providing funding for targeted support for internally displaced children to obtain vocational (technical), professional higher and higher education;

- introducing mechanisms for certification to recognise learning outcomes and periods of studies in the temporarily occupied territories to obtain documents on basic secondary and complete secondary education;

ensuring the development and implementation of local employment programmes for internally displaced persons;

introducing cooperation between regional employment centres to increase the number of unemployed internally displaced persons involved in existing employment programmes.

Strategic objective 3. Exercise of the right to social protection of internally displaced persons.

The exercise of the right to social protection of internally displaced persons (benefits and services such as unemployment benefits, a driver's licence, registration as a proper transport user and other services not related to internal displacement) depends on a certificate of registration as internally displaced persons.

The existing system of assignment (reinstatement) of and control over social benefits and pensions of internally displaced persons creates additional burdens (including in the form of restrictions on freedom of movement, selection of an authorised bank, undergoing additional identification procedures).

Existing restrictions on freedom of movement (related to quarantine established on the territory of Ukraine and restrictive anti-epidemic measures introduced to prevent the spread of acute respiratory disease COVID-19 caused by coronavirus SARS-CoV-2; activities of the Russian Federation occupation administration in temporarily occupied territories) hinder the exercise of the right to social benefits and pensions by internally displaced persons and require the development of remote identification tools.

The State provides targeted assistance to internally displaced persons to cover living expenses, in particular housing and communal services, but its amount and assignment approaches do not meet the actual needs of families. The existing mechanism for assigning targeted assistance may cause the dependence of a person on such assistance, irrespective of his/her actual needs.

The insufficient level of accessible psychological assistance and rehabilitation for internally displaced persons, especially children affected by the armed aggression of the Russian Federation against Ukraine, exacerbates the integration and adaptation of students in the new educational environment after internal displacement.

The existing procedure for granting the status of a child affected by hostilities and armed conflicts requires improvement, in particular in terms of the definition of persons eligible to such status and the list of necessary supporting documents.

The main tasks for solving the problems are:

ensuring full and timely accrual and payment of social benefits and pensions to internally displaced persons;

strengthening social support for internally displaced persons;

simplifying the mechanism for ensuring pensions and social payments to internally displaced persons;

ensuring conditions for social integration of children affected by the armed aggression of the Russian Federation against Ukraine.

Key performance indicators are:

introducing a mechanism to pay pensions (monthly life-long allowance) that have not been paid for the period up to the month of their reinstatement;

introducing a procedure for the remote identification of recipients of pensions and social benefits;

improving the mechanism for obtaining monthly targeted assistance by internally displaced persons;

simplifying the mechanism for obtaining a certificate of registration as internally displaced persons.

Strategic objective 4. Medical care for internally displaced persons.

The Cabinet of Ministers of Ukraine has resolved the issue of equal access to health services for internally displaced persons and members of host communities.

The armed aggression of the Russian Federation against Ukraine that began in 2014 disrupted the territory of administrative and territorial units and led to a significant destruction of health care facilities in Donetsk and Luhansk oblasts: about 35% of health care facilities providing primary health care were damaged, while health care facilities providing tertiary (highly specialised) health care remained in the temporarily occupied territories. Medical workers left the region, permanent patient routes were disrupted, and the population had difficulties accessing primary and secondary (specialised) health care facilities.

The Ukrainian-controlled territories of Donetsk and Luhansk oblasts hosted the largest number of internally displaced persons (513,066 and 284,245 respectively as of 30 June 2021), which critically increased the burden on the medical infrastructure of these oblasts that was damaged due to the armed aggression of the Russian Federation. As a result, according to organisations operating in Donetsk and Luhansk oblasts, 38% of households living within 20 kilometres of the contact line have difficulties accessing medical care. In the 5-km zone, this number increases to 57%.

The main tasks for solving the problems are:

ensuring that internally displaced persons have access to quality health care by way of implementing a medical guarantee programme;

establishing effective mechanisms to ensure adequate care for internally displaced persons in health care facilities, particularly in Donetsk and Luhansk oblasts.

Key performance indicators are:

introducing development plans for hospital districts in Donetsk and Luhansk oblasts;

ensuring the development and implementation of local incentive programmes to attract staff to health care facilities in Donetsk and Luhansk oblasts;

expanding the network of pharmacies participating in the Affordable Medicines Programme in Donetsk and Luhansk oblasts.

Strategic objective 5. Access to documents.

Internally displaced persons who do not have valid identity documents and documents certifying Ukrainian citizenship, in particular a valid passport of a citizen of Ukraine, and apply for one are forced to go to court to establish their identity due to the absence of necessary documents or witnesses. The law does not provide for the right of such persons to free secondary legal aid, and the fact they do not have a passport of a citizen of Ukraine deprives them of the possibility to exercise their rights, in particular the right to judicial protection.

The existing judicial procedure for establishing legally relevant facts for issuing birth and death certificates in the temporarily occupied territories requires the payment of a court fee and entails additional financial costs exceeding those required for issuing birth and death certificates in the government-controlled areas.

Internally displaced children obtaining a Ukrainian passport for the first time can register their place of residence neither at the address of their abandoned place of residence in the temporarily occupied territories nor at the address of their place of residence in the government-controlled areas. Subsequently, due to the lack of data on registered place of residence, internally displaced children face obstacles in exercising their rights, particularly in obtaining a certificate of internally displaced persons, social scholarships and administrative services.

When moving to a new place of residence, people receive a certificate of registration as internally displaced persons at the new address. While data on internally displaced persons are already entered into the database of internally displaced persons and kept in personal files, the existing procedure requires establishing the fact of internal displacement during each application.

The main tasks for solving the problems are:

ensuring access of internally displaced persons to identity documents and documents certifying birth, death and citizenship of Ukraine;

introducing a mechanism for entering data on the registration of a place of residence in the temporarily occupied territories into the passport of a citizen of Ukraine.

Key performance indicators are:

introducing an administrative procedure for state registration of births and deaths occurred in the temporarily occupied territories;

improving the provision on the exemption from court fees for internally displaced persons when applying to courts to establish legally relevant facts filed in connection with armed aggression, armed conflict or temporary occupation of the territory of Ukraine;

listing of internally displaced persons who have no identity documents due to the armed aggression of the Russian Federation and the temporary occupation of the territory of Ukraine as persons eligible to free secondary legal aid;

granting the right to enter information on registration of the place of residence of internally displaced persons in the temporarily occupied territories into the passport of a citizen of Ukraine.

Strategic objective 6. Creating conditions for the integration of internally displaced persons in the host communities.

Displacement put internally displaced persons in particularly vulnerable conditions, which resulted in additional needs that must be addressed by the State and territorial communities. The basic issue for the integration of internally displaced persons in host communities is the ability of such territorial communities to receive timely and comprehensive reliable information on the number of internally displaced persons residing there and on their needs. The existing system of registration of internally displaced persons makes it impossible to take account of internally displaced persons and their needs in the planning of activities and development of territorial communities and to assess the level of their integration.

The opportunity of internally displaced persons to participate in the social life of territorial communities is still limited. Internally displaced persons often do not participate in making managerial decisions of local executive authorities and local self-government bodies, which makes it impossible for them to participate in local programmes or receive local benefits since they are not considered members of territorial communities.

The successful integration of internally displaced persons in the host communities will depend not only on the policies and work implemented by local executive authorities and local self-government bodies but also on the attitude of territorial community members towards internally displaced persons and ensuring mutual understanding between internally displaced persons and territorial community members.

The lack of a common vision of peace, together with social polarisation and entrenched negative stereotypes of “otherness” (e.g. exclusionary rhetoric, stigmatisation of those who do not share the prevailing ideas, as well as members of minorities and vulnerable groups), undermines the development of national unity based on shared common values and prevents the full integration of internally displaced persons by depriving them the opportunity to effect changes.

The main tasks for solving the problems are:

- developing and implementing a system to regularly assess the needs of internally displaced persons and a mechanism for referring persons from one institution and organisation to another and timely responding to the needs of internally displaced persons;

- introducing a mechanism for measuring the level of integration of internally displaced persons and a mechanism for annual monitoring and evaluation of the state of integration of internally displaced persons in host communities;

- enhancing interregional cooperation, programmes and activities for youth aimed at promoting social cohesion, national unity and a culture of peace through thematic activities within the dialogue and joint actions;

- supporting the creation of advisory mechanisms to involve internally displaced persons in the decision-making process of local executive authorities and local self-government bodies;

- creating public space in territorial communities to ensure equal access to creative development, quality leisure activities and cultural rights of internally displaced persons and enhance social cohesion and full integration of internally displaced persons.

Key performance indicators are:

- ensuring the functioning of the Unified Social Information System with the possibility to enter information on the needs of internally displaced persons through the Unified State Web Portal of e-Services;

- introducing the mechanism for assessing needs of internally displaced persons in order to ensure that such needs are met;

- conducting at least one event per year involving internally displaced youth;

- developing and approving model regulations on advisory bodies for internally displaced persons;

- developing methodological guidelines for the establishment of cultural service centres, taking into account the needs for the full integration of internally displaced persons and ensuring their cultural rights and needs;

- conducting a series of national events on the culture of dialogue, social cohesion, barrier-free and multifunctional cultural space.

Expected outcomes of the Strategy

The Strategy will improve the quality of life of internally displaced persons by strengthening their capacities and social sustainability, stimulating their economic activity and ensuring the exercise of their fundamental rights and freedoms, in particular:

- meeting economic, cultural and social needs of internally displaced persons;
- reducing social tensions in the host communities;

- developing social cohesion, enhancing the socio-economic development and sustainability of territorial communities;

- exercising the civil and political rights of internally displaced persons, particularly the right to freedom of movement and free choice of the place of residence, the right to legal personality;

- ensuring the right to housing, health, social protection, employment, education, access to information, etc.;

- strengthening the active role of internally displaced persons in the life of territorial communities.

Financial support for the Strategy

Funding sources for the Strategy activities are the State and local budgets and other sources not prohibited by law.

Financial support for the Strategy will be provided through financial and technical assistance provided to Ukraine by international institutions and foreign countries. Technical assistance may be attracted in the form of expert assistance, necessary material resources or funds allocated for targeted needs.

The distribution of financial resources to achieve results should be based on the principle of balance between both the humanitarian and reconstruction and development sectors.
