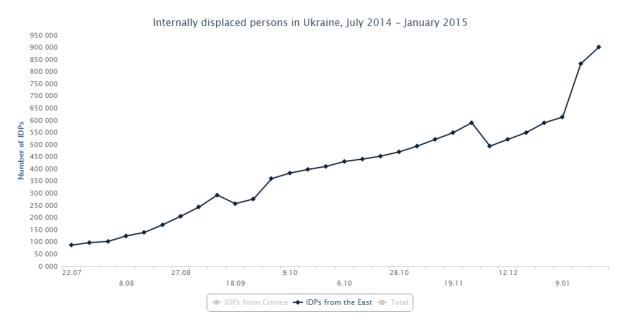


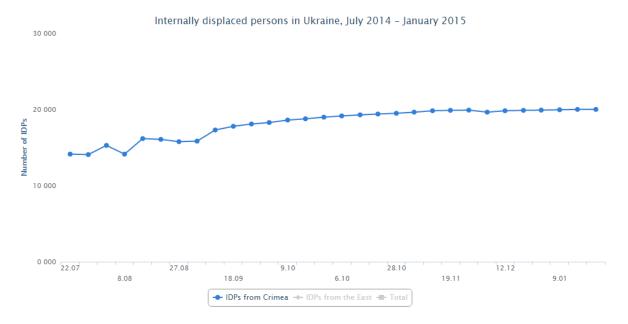
INTERNALLY DISPLACED PERSON IN UKRAINE: POLICY REVIEW (JANUARY, 2015)

Taras Doroniuk, Andriy Solodko



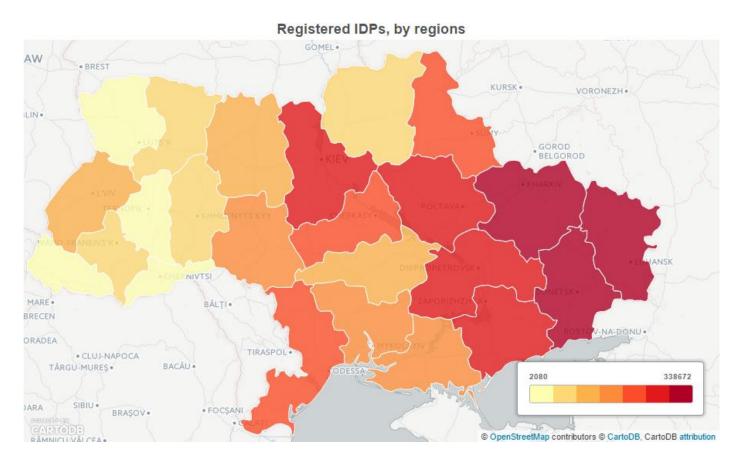




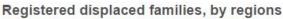


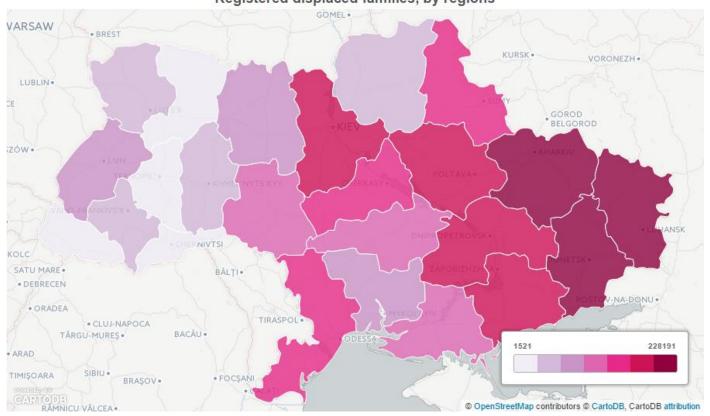
Data from Interagency coordination staff and UNHCR

The State Budget 2015 includes UAH 510 million for the needs of the Ministry of Social Policy to "provide monthly targeted aid for the persons who are displaced from the temporarily occupied territories of Ukraine and the regions of the Anti-Terrorist Operation, to cover their living costs, including the communal utilities bills"

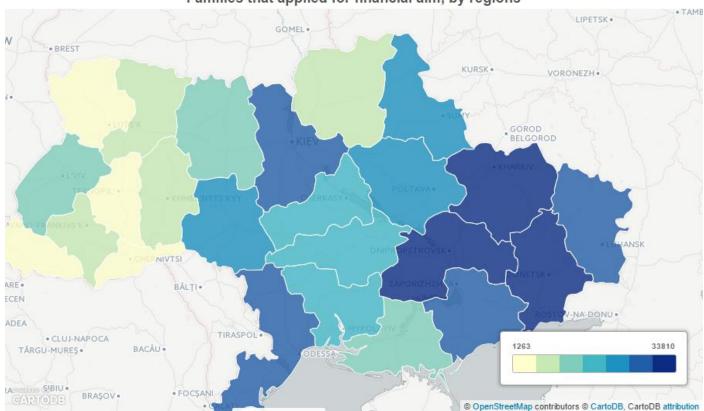




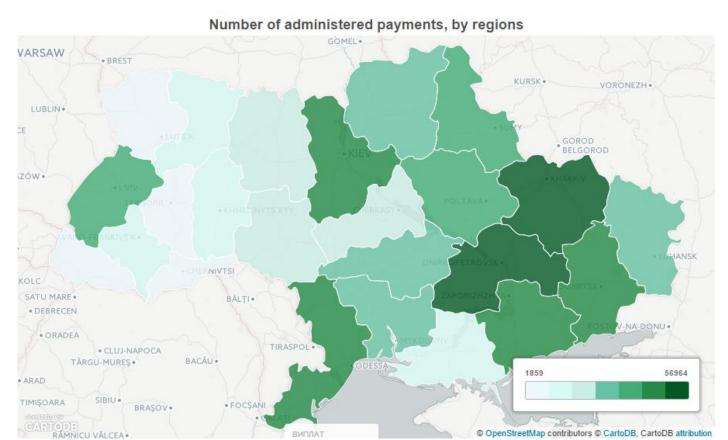




Families that applied for financial aim, by regions







Data from the Ministry of social policy

It must be noted that, according to the sociological poll carried out by the Ukrainian Institute for Social Research named after Oleksandr Yaremenko, 53.5 percent of citizens do not think that the state aid is sufficient, and 50.1 percent think that it should be increased (46.5 and 49.9 percent, accordingly, think the opposite). In this sense, the position of respondents is ambiguous, although the opinion prevails that more funds from the state budget should be involved. On the other hand, the majority of the respondents, namely 80.8 percent, think that such aid should not be decreased. It is necessary to understand that we are talking here not only about monetary aid, but also about the provision of essentials, temporary accommodation, employment assistance, etc., for IDPs.

© OpenStreetMap contributors © CartoDB, CartoDB attribution

On January 22, a decree by Security Service of Ukraine #27 "About the approval of the Temporary order of control over the movement of persons, vehicles and cargoes along the front line within Donetsk and Luhansk regions" came into effect. The decree secures the limitation of movement for persons and goods, de facto provided by Section 2 of Article 14 of Ukrainian Law "On fighting terrorism", which states that



temporary limitations of citizens' rights and freedoms can be set in the region of the Anti-Terrorist Operation.

Although the content of the decree itself does not contradict the law, but the way it was publicized questions its validity. According to Article 57 of the Constitution of Ukraine, laws and other normative legal acts that determine the rights and duties of citizens shall be brought to the notice of the population by the procedure established by law. Laws and other normative legal acts that determine the rights and duties of citizens, but that are not brought to the notice of the population by the procedure established by law, are not in force. By January 2, 2015, the Decree was not published in official outlets, and was published only on the website of the Security Service of Ukraine and the State Fiscal Service.

From now on, crossing is allowed only in one of the 7 active checkpoints, and only if a permit is provided. The permit can be issued in one of the 4 police departments in Debaltsevo, Starobilsk, Mariupol and Velyka Novosilka. Moreover, the permit is issued only to adults, and the information about children is written in their parents' permits; this means that the persons of less than 18 cannot move by themselves.

In order to receive the permit, one needs to justify the need for their travel and indicate their route and destination. Obviously, this will put obstacles for citizens in realization of their rights, because very often they cannot prove the "need for their travel" because they have lost their IDs or property certificates, in addition the papers issued by the bodies on the uncontrolled territories are not recognized by Ukrainian State.

As for the goods, according to paragraph 1.14 of the Decree, the movement of goods is allowed exclusively for the economic agents who are on the lists of the State Fiscal Service of Ukraine and pay taxes to the State Budget of Ukraine. As of today, according to the Appendices 5 and 6 of the Decree #27, these list only 30 enterprises, 25 from Donetsk region and 6 from Luhansk region, which produce mostly industrial products. In order to import or export food which costs more than UAH 5000, other enterprises or private persons must receive a special permission, the issuing of which is considered for 30 days. Thus, only humanitarian aid can be imported to the uncontrolled territories today, because the permission to transport it can be issued in a special 3-day term.



According to the UNHCR, the introduction of the limitations of movement will have negative consequences first of all for the civilians, complicating their already difficult situation and deepening the humanitarian crisis.

**

In January, three documents by international organizations on IDPs were published. It was the first time that the chapter on this topic was included in the <u>annual report</u> of the international organization Human Rights Watch. On January 27, 2015, the UNHCR published the updated <u>Position on International Protection, related to the events in Ukraine</u>. UNHCR requested that Ukraine is excluded from the list of the "safe countries for residence" and addressed the third party governments to ask them to support Ukrainians in prolonging their legal residence permits.

The Parliamentary Assembly of the Council of Europe in its <u>Resolution 2028</u> (2015) addressed the sides of the conflict, urging them to respect the rights of IDPs, and to take measures to provide them opportunities to leave safely the area of military hostilities. The resolution urges the Ukrainian side to facilitate the prevention of the cases of discrimination against IDPs, to investigate the violations of their rights and to simplify the bureaucratic procedures, especially those that prevent the international humanitarian aid from reaching its targets.

Prepared with financial support by



(Ukraine)

Contact person:

Andrii Solodko andriy.solodko@gmail.com







