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Monitoring and analyses of consequences of accepting the Law of Ukraine

"On ensuring the rights and freedoms of internally displaced persons"

(February – September 2016)

Luhansk Regional Human Rights Center "Alternativa"



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Content

The List of the abbreviations.....	3
The focus of the report.....	4
The purpose of the report.....	4
Executive summary.....	4
Recommendations.....	6
Methodology.....	9
1. Social Services	11
1.1 Registration as IDP.....	11
1.2 The “opposite effect” of the new revision of the law	13
1.3 The contradictions in the legislation of defining the list of localities of the ATO zone.....	14
1.4 The uniform informational database about IDPs	15
1.5 Monthly targeted assistance for IDP	17
1.6 Authorized bank in terms of drawing the monthly targeted assistance and pensions to IDPs.....	19
1.7 The role of territorial subdivisions of the Migration Service in accepting an IDP card as valid one	20
1.8. Cancel of validity of the IDP card	22
1.9 Perpetuity of the IDP card.....	23
1.10 Changes to the decree of CMU №509.....	23
1.11 The lists of SSU	23
1.12 Compensation of travel for IDP.....	26
1.13 Amendments to the Decree of CMU from 05.11.2014 №637 “Some issues of implementation of social payments to IDPs”.....	26
2. Higher education	28
3. Employment	32
3.1 Statistical information.....	32
3.2 Analysis of the legislation in the part of IDPs employment.....	34
3.3 Events in regions regarding increasing of employment of IDP	37
4. Medical Care	39
5. Accommodation	43
The obtained results and international legislation.....	48

THE LIST of the ABBREVIATION

ATO	Anti-Terrorist Operation
ATC	Anti-Terrorist Center
VRU	The Verkhovna Rada of Ukraine (The Supreme Council of Ukraine)
IDP	Internally displaced persons
SMS	The State Migration Service
CMU	The Cabinet of Ministers of Ukraine
MIA	The Ministry of Internal Affairs
DES	Department of Education and Science
MSP	Ministry of Social Policy
SSU	The Security Service of Ukraine
DLSP	The Department of Labor and Social Protection of Population
CSSFCY	The Center of Social Services for Family, Children and Youth

THE FOCUS OF THE REPORT

The given report is considering the situation with observing rights of internally displaced persons according to the Law of Ukraine "On ensuring the rights and freedoms of internally displaced persons" by practical accomplishment of its standards on regional level.

During the research of monitoring at the territory of Donetsk region, Luhansk region, Kharkiv region, Dnepropetrovsk region and Kiev region, controlled by Ukraine, was collected and analyzed information, interested people were interviewed in the following areas of implementation of the Law:

1. Social Services
2. Higher Education
3. Employment
4. Medical Care
5. Accommodation

THE PURPOSE OF THE REPORT

The given report doesn't claim to have absolute completeness and inclusiveness, first of all because the areas of the survey have been researched in turns during the term of reaching and in some areas new facts and circumstances came up, which were not included in the report. Secondly, researching has been conducted in five areas and not in all territory of Ukraine. It may also not cover all possible aspects in the chosen subject.

The aim of the report is not criticism for criticism. The purpose is constructive influence on the situation through the analyses of legislation and executing of the Law in practice. Competent authorities of Ukraine must fulfill accumulated recommendations in future.

The point of view that contains in report is not official position of Office for Democratic Institutions and Human Rights of the Organization of Security and Cooperation in Europe (OSCE/ODIHR)

EXECUTIVE SUMMARY

During February-September 2016 the fulfilling of the project "Participation of immigrants in monitoring and analyses of consequences of acceptance of the Law of Ukraine "On ensuring the rights and freedoms of internally displaced persons" was conducted with support of Office for Democratic Institutions and Human Rights of the Organization of Security and Cooperation in Europe (OSCE/ODIHR). The regions in Ukraine of fulfilling of the project are Kyiv, Kharkiv, Luhansk, Donetsk and Dnepropetrovsk regions.

During fulfilling the project gathering and analyses information regarding implementation of the Law (including the subject of accordance with international standards) was being collected. The visits with monitoring to the Health Care Institution were done, as well as to the Department of Labor and Social protection, to the State Centrals of Employment, higher educational institutions, places of compact dwelling of IDP and five regions of Ukraine pointed above (in

total 25 places like this). Also 100 IDPs and persons who gave them services guaranteed with Law were interviewed.

In the context of researching current state of implementation of the Law in the area of Medical Care, higher education, enforcement of the Right of getting accommodation, social services and employment was estimated.

It should be noted that every field of investigating has its own problems and peculiarities of fulfilling that specified by the Law of standards. Practice of implementation of the Law contains the most number of problems, which can be occurred in enforcement of the Right of getting accommodation and social services.

Direct relation between receiving pension of citizen of Ukraine from ATO zone and a reference and taking an account of IDP, what is creating of an additional condition for fulfilling obligations by the Government to provide citizen of Ukraine with pensions. Citizen of Ukraine that live in a place that is temporary not under control the Government of Ukraine are forced to cheat, presenting deliberately false information regarding dwelling in the territory controlled by Ukraine with a goal to receive pension guaranteed by the Law.

Limited rights for choice of account bank by the national bank “State Savings Bank” what is anti-competitive and discriminatory standard. It creates additional complexities for immigrants in order to receive social aid.

Empowerment the Department of Labor and social protection uncharacteristic authority by establishing a fact of actual residence, who is absent with proper registration, in ATO zone, without presenting necessary recommendations and staff training, what in fact blocks these functions or creates conditions for absence similarly practice.

The absence of warranted by the Law uniform working IDP database doesn't allow to conduct proper account of structure and needs of IDP and form proper state policy towards them.

Currently there is absence of integrated state target-oriented program by purchasing and building accommodation for IDPs with definition source and volume of funding, as well as regional long-term programs in target financing of building and purchasing accommodation for IDPs, which are specified by the Law.

For the moment of preparing a present report, a register of social and temporary accommodation for obliged immigrants, which is specified by the Law has not been created.

Effective legal mechanisms with possibility refunding of expenses of building or returning percentage by paid credit of IDPs, that are specified by the Law, were also not developed; this means the IDPs who got disability, lost a breadwinner or were left without proper guarding and trusty sheet (orphaned children, single parents or pensioners) as a result of the military conflict.

The absence of social control of distribution of means of international funders, aiming for providing needs of IDPs, that brings itself inefficiency of their spending and can be a bases for abusing.

The situation in sanatorium «Pobeda» (page 47) was discovered with monitoring during the visit, where monthly payment for immigrants (most part of it is covered by means of donor's support of European Union) for using rooms in the sanatorium with minimum standard, the state that demands repairing. It can exceed the cost of rent for one-room apartment in central districts

of Kyiv. It clearly shows creating conditions for participating citizens (included obliged immigrants) in making decision regarding distribution donor's assistance, forming and implementation of national policy concerning IDP.

In the area of higher education package of problems must be noticed, which higher educational institutions who moved from the ATO zone to the territory controlled by Ukraine faced with. Most of students and teachers of mentioned institutions are internally displaced persons.

The educational institutions have problems of material-technically basis with the reasons of forced displacement in order to avoid war that don't depend on them. In its turn, it creates difficulties with passage of accreditation of specialties and observation of license conditions.

The measures that take state powers are not enough for a full existence of this category of institutions. The absence of national program by restoration of material-technically basis present category of institutes challenges extension of their existence.

The academic and teaching structure of the named institutions also demand particular attention and support from members of state authority and local government, in resolving questions with their dwelling and social problems.

In the part of accordance of practical implementation of standards of the Law with international legal norm, one should point negative estimation of actions of Government of Ukraine from the side of the United Nations in the part of practice of discontinuing of social payouts to the immigrants.

The absence of registers of social and temporary accommodations, applications programs that are aimed at purchasing and building accommodation for IDPs can point at breaching of rights for suitable living standard, as well as at breaching obligations by the Government concerning providing with fundamental conditions for displaced persons.

RECOMMENDATIONS

1. Verkhovna Rada of Ukraine should:

- amend the Act in regard to section 4, where paragraph 10 shall be amended as follows: "The certificate issue or survival can be denied to the applicant, or it can be annulled" (to return the form of this paragraph as amended by the Act of 27.03.2015);

- amend the Law of Ukraine "On Higher Education" in terms of secure of special status for Higher Educational Institutions and academic institutions which were moved from territories that are temporary not controlled by Ukrainian government;

- amend the Tax Code of Ukraine relating to residential rent income taxation for IDP;

- amend the Law of Ukraine "On ensuring the rights and freedoms of internally displaced persons" relating to public and local authorities cooperation in assistance for exercise of IDP rights.

2. Cabinet of Ministers of Ukraine should:

- consider the feasibility of Order of the Cabinet of Ministers overturn of 15.06.2015 №427 "Concerning the Introduction of Amendments to Order of the Cabinet of Ministers of 01.10.2014

№ 505” insofar as it refers to incapacity for Internally Displaced Persons (IDP) to choose the authorised bank for getting monthly targeted social assistance;

- ensure the divorce of pension payments for Internally Displaced Persons from furnishing the registration certificate;

- improve the information exchange system within the executive authorities, local executive authorities, local self-government authorities regarding Internally Displaced Persons studies;

- adopt a regulation “On Approval of the Order of Creation, Maintenance and Access to the Common Database of Information on Internally Displaced Persons”, which provides the responsive information display according to the Law, and information on disabled people in particular;

- emendate within the law enforcement practice the definitions of population centers, movement from which allows to acquire Internally Displaced Person status;

- adopt a regulation “On Approval of the Order for the Local State Administration to Supply Internally Displaced Persons with Free Travel by Rail and Road to the Abandoned Place of Residence” in execution of portion 15 paragraph 8 section 11 of the Act;

- submit for the Verkhovna Rada of Ukraine to consider the proposal of the Act amendments for monthly targeted social assistance payments recovery for Internally Displaced Persons in case of their rehabilitation;

- consider the exemption of IDP from notary costs in notarization of employment agreements termination with employers on the occupied territories;

- submit for the consideration by Verkhovna Rada of Ukraine the proposal of support mechanisms determination (tax pressure reduction, concessional lending and targeted financial assistance introduction, etc.) for IDP to run small and medium-sized businesses including rural business;

- submit for the consideration by Verkhovna Rada of Ukraine the proposal of settlement for medical transfer from the state budget to Luhansk region and Donetsk region local budgets, that is to make provision against the increase in expenses because of IDP who actually get an equal services within these territories (out of the appropriate fund on the territories that are not controlled by Ukrainian government in Anti-Terrorist Operation zone);

- approve integrated government target housing construction and buying program for IDP with sources and amount of financing determination;

- adopt public controls of budget and donor funds allocated for meeting the IDP needs, to make a contribution to arrangement of conditions for citizens participation (IDP included) in such decision making process, in national policy formation and implementation process on the question of TDP;

- provide the possibility of rental payment support by public funds of the relevant territorial communities for displaced governmental authorities employees, to amend budget legislation accordingly if required.

3. Cabinet of Ministers of Ukraine and National Bank of Ukraine should develop legal arrangements for building costs refinancing or interest on paid credits recovery for IDP, who are

declared an invalid, survivor, or without proper guardianship and custody (orphaned children, lonely elderly) as a result of military conflict.

4. Cabinet of Ministers of Ukraine, Ministry of Social Policies of Ukraine should develop utilities and communal payments recovery arrangement for IDP, in case they get an appropriate benefit and live in facilities of government and communal property.

5. Ministry of Social Policies should:

- ensure access to the Common Database of Information on Internally Displaced Persons for all services concerned (law enforcement agencies, migration service, employment centers, Pension Fund, etc.); foresee the possibility for all services to update the database in online mode;

- carry out sensitization campaign with reference to major amendments of Act for central and local executive authorities, self-governing authorities, Labor and Social Protection Department in particular, and for IDP;

- organize the practice for IDP registration, who doesn't have residence certificate from the not controlled territories; establish and submit recommendations on the matter to Labor and Social Protection Departments.

6. Ministry of Social Policies, Human-Rights Ombudsman for the Verkhovna Rada of Ukraine should carry out sensitization campaign with reference to responsibility for violation of The Act of Ukraine "On Personal Information Protection" when it comes to dissemination of IDP personal data by Labor and Social Protection Departments.

7. Ministry of Education and Science of Ukraine should:

- adopt special procedure of accreditation for higher education institutions moved from Anti-Terrorist Operation zone, and which due to external factors are unable to obtain accreditation according to the standard procedure;

- establish facilities and resources base recovery program for higher education institutions moved from Anti-Terrorist Operation zone;

- establish state support program for academics and non-teachers moved from Anti-Terrorist Operation zone;

- make a decision for displaced students to live in dormitories of other education institutions in places of concessional education, to support displaced students with targeted aid assistance.

8. Ministry of regional development and housing and communal services of Ukraine, local administrations should create public and temporary housing registry for IDP, work out local communities development projects in housing construction for IDP with their needs included, improve information records for all categories of IDP who need housing improvements.

9. Regional public administrations should:

- submit requested information in full and on time in line with The Act of Ukraine "On Access to Public Information";

- establish integrated target regional programs on IDP support and social integration with source and amount of financing definition;

- draw up local programs on investment potential of the regions, to arrange favorable conditions for doing business.

10. Luhansk regional civil-military administration should organize and take actions by the assistance of the employees of the Employment Center of Luhansk Region, placement officers of the Luhansk region, entrepreneurships and social organizations who deal with IDPs issues to increase the level of employment by compensation the expenses of employers for paying salary and expenses for the employment of registered unemployed IDPs.

11. Local self-government authorities should make resolutions on medicines purchase budgeting for IDPs with special diseases (such as diabetes or kidney failure), as for the territorial community members.

12. Public and local authorities in cooperation with state banking institutions should develop long-term regional home loan programs for IDPs, provided by Law “About Internally Displaced Persons’ Rights and Freedoms”.

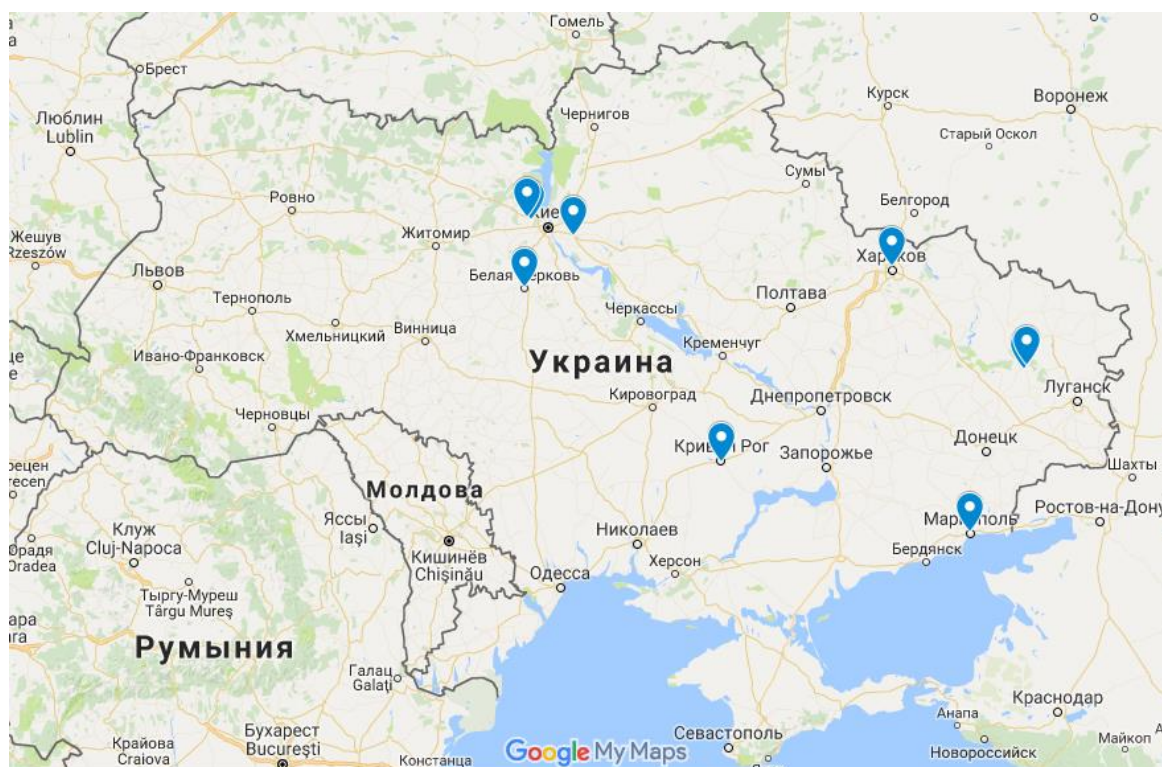
METHODOLOGY

During the fulfilling the project (in February-March 2016) by participants of the project gathering and analyses of information was being collected. It regarded regulations and standards in the area of implementation of the Law approved by Governmental authorities and local Government. Collecting of information was being made by directing of information requests and using open sources of information.

During March-September 2016 the group of monitors of regional human-rights center “Alternativa” of Luhansk made up of 2 persons with higher legal education, who have been trained in courses of monitoring and Human Rights protection, had visits of monitoring to 5 regions of Ukraine (Luhansk, Donestk, Kharkiv, Dnepropetrivsk and Kyiv regions).

The aim of monitoring visits was studying of the situation with practical implementation of the Law in the regions with the biggest number of IDPs, receiving a feedback from them and from persons who give them guaranteed services by the Law. The purpose was also on the subject of implementation of the Law in the area of Medical Care, higher education, enforcement of the Right for receiving accommodation, social services and employment.

The visited places where internally displaced persons receive guaranteed by the Law services, to be exact, places of compact living, health care institution and higher educational institutions, the Administration of Social Protection and State Centers of Employment. The total number of places providing to the immigrants with guaranteed services by the Law visited by the group of monitors - 25.



The map of the places of monitoring research mentioned in the report

In terms of monitoring visits, with using prepared application forms, interviewing of 100 internally displaced persons and persons who gave them services guaranteed by the Law was made.

According the results received by conducted research of information, the analyses of accordance of conditions of enforcement of the Rights of the internally displaced persons in Ukraine with standards of international right was made, in particular, The Main Principals of the Issue of Internal Displacement Inside the Country, from February 11, 1998.

The given investigation is part of practice of implementation of the Law in the certain areas and spheres, it doesn't claim to have comprehensiveness, the collected information in the investigation allows to find out presence of problems and their display, which gives opportunity to interested persons to look for ways of their resolution.

1. SOCIAL SERVICES

Lysychansk (Luhansk region), Mariupol (Donetsk region), Kharkiv (Kharkiv region), Kriviy Rig (Dnipropetrovsk region), Bila Tserkva (Kyiv region)

1.1 Registration as IDP

According to the new revision of the Law, besides the citizens of Ukraine, internally displaced persons can also be foreigners and persons without citizenship who legally stay at the territory of Ukraine and have the right for permanent residence in Ukraine. All the interviewed employees of the ALSPP admitted that the application of such persons took place in all five regions. All the persons got the registration card.

Now the reason for the registration as an IDP is the fact of living at the territory which the person displaced from, but not the registration of the permanent residence at this territory.

If there is a mark about the registration of the location at the territory where the ATO is carried out in the document which ascertains the personality and proves the citizenship of Ukraine, the IDP registration card or refusing resolution about giving this card is got by the applicant on the same day of the application.

In case when such a mark is absent in the document, the applicant must provide the evidence which proves the fact of living at this territory (military ID, employment history, a document which proves the ownership for movables or real estate, the basic general secondary education certificate, the complete secondary education certificate, vocational education documents, high school certificate (the science degree), the certificate which proves the place of studying, medical records, photos, videos, etc.). The Social Protection Administration must consider the application of getting the registration card within 15 weekdays and make the decision about giving or refusing to give the card to the applicant.

The list of the evidences which can be provided, according to the Law is not full, this fact makes the decision about accepting these evidences as the reasonable ones rather subjective. Actually, the State gave the function of the judges in making the decision about accepting the provided evidences as the proper ones to the ALSPP. In most cases, giving the IDP card entails giving the monetary compensation from the state budget, that's why employees of some administrations avoid the responsibility for making such a decision.

There was a case at ALSPP of the Executive Committee of Ternivsk District Council in Kriviy Rig when the citizen of Ukraine who lived in Donetsk, but as a place of registration had Dnipropetrovsk, applied for IDP card. He provided his photos with the destroyed buildings at the background. The employees of the administration refused to give the card to him explaining that the town and the time when the photo was taken was unknown.

At the same time, in Bila Tserkva the similar case happened, photos were provided as the evidence by a person, but the employees accepted them and gave him the IDP card.

There is also one more case.

According to the words of the employee of the Family, Children and Youth Social Service Centre (FCYSSC) of Zhovtnevyi district of Mariupol Town Council:

“A woman lived in Sloviansk, but the place of her registration was Donetsk. She had the IDP registration card and her pension was drawn. Then she moved to Mariupol. According to the Law (section 9, part 2, p.3) an IDP must inform the Department of Social Protection of the Population about changing the place of residence within 10 days from the date of arriving to the new location. On the same day the term of the woman's old IDP card expired that's why she applied to the Social Protection Department where she must be given the NEW one (because she moved to another town). According to the Law, the woman had to provide the evidence of her living in Donetsk. But the employees of the ALSPP of Zhovtneviy district of Mariupol Town Council declared the evidence provided in Sloviansk as unacceptable. That's why she was refused to give the card. Suddenly, she got to hospital – she was operated. As a result, the woman doesn't get the pension and the IDP monetary compensation...”

The similar fact was described in Kriviy Rig.

Bohdan, a journalist, the IDP from Horlivka:

“They refused to register me as an IDP referring to the fact that I didn't have the registration at the locality of the ATO zone, although there was a mark about my registration in Horlivka recruitment office on January 19,2014 in my military ID...”

As for Social Protection Administrations in Lisichansk, their employees admitted that they don't have any difficulties in this situation and the IDP cards are given to the persons who don't have the registration mark in the zone of ATO according to the Law with proving the evidence of their living at currently occupied territories.

According to the words of the interviewed IDPs in Kharkiv region, some of the ALSPP of the districts of Kharkiv still don't register people who don't have the registration of the place of residence at the temporary uncontrolled territory. Although when the ALSPP employees of Kyivskiy district of Kharkiv were interviewed they stated the absence of such cases.

Among the evidences which are the most often provided by the IDPs were observed:

- education certificate or diploma;
- real estate sale contract, certificate of proprietorship;
- employment history or certificate of release;
- certificate of inheritance;
- registration card given by the village council;
- military ID.

During the research in Mariupol in Donetsk region, the respondents observed the facts of illegitimate demand of additional documents by the employees of the ALSPP and the local department of migration service which were unprovided by the current legislation for the registration as an IDP and stamping the place of residence.

Evgenyi, the IDP from Donetsk:

“The employees of migration service of Zhovtnevyi district in Mariupol demanded the presence of the owner of the rented flat with all the documents for this flat for stamping the IDP card...”

Nadezhda, the IDP from Snezhnoe:

“At my first application to the ALSPP for getting the IDP status I was asked to provide the house-register for the house where I temporary lived. Besides, I was said that the owner of the house had to come to the administration...”

1.2 The “opposite effect” of the new revision of the law

It is necessary to admit that the revision of any new law is stated after its practicing for improving contradictory norms. During this research the so called “opposite effect” was discovered, when the norms of the new revision after its changing caused the problems which were solved by the old one. First of all, let’s have a look at the change of the formulation of Article 4 in the table below.

Old revision of the Law (March 27,2015)	New revision of the Law (January 13,2016)
<p>11. Applicant can be refused to give the card, <u>to prolong it or the card can become invalid</u> , if:</p> <p>1) there are no circumstances which caused the internal displacement, which are stated in section 1 of the current Law, or the circumstances which took place earlier changed significantly...</p>	<p>10. Applicant can be refused to give the IDP registration card, if :</p> <p>1) there are no circumstances which caused the internal displacement, which are stated in section 1 of the current Law...</p>

Let’s imagine the situation. During the occupation of Sloviansk its citizen arrived to the liberated territory, got the IDP card and drew the monetary compensation. Sloviansk was liberated, the man returned to his native town and, according to the old revision of the Law, if he applied to the ALSPP for the prolongation of the card validity, he would be refused. Now the provision which states that the applicant can be refused to prolong the card validity or its validity can be cancelled if the definite circumstances changed (in this case the place of residence is meant) is deleted from the Law. It means that all ex-IDPs from the towns which are already liberated (for example, Sloviansk, Kramatorsk) can apply to social protection administrations at their former places of residence and demand to prolong the validity of their cards, giving the reason that Law states only the circumstances of refusing of giving the card FOR THE FIRST TIME, but there isn’t any provision of the current Law which states in what case they can be refused to PROLONG the card validity.

It’s obvious that this can be followed by applications of these people for monetary compensation for IDPs and if the manager of the social protection administration decides to refuse to meet their requirements, the applicants can sue and the court will decide in their favor because the provision of Law wasn’t written thoroughly. This will be followed by unreasonable use of state budget.

It is also necessary to admit that only one such case happened during the monitoring, the employees of the ALSPP in Bila Tserkva interfered it. A man with the registration in Kramatorsk was refused to prolong the validity of the card according to the old revision of the Law, but after the inuring of the changes to the Law on January 13, 2016 this citizen started demanding to

prolong the validity of his card. After getting the refuse he applied with complaint to the superior authorities, the correspondence is still going on.

1.3 The contradictions in the legislation of defining the list of localities of the ATO zone

The manager of the ALSPP in Bila Tserkva says that the biggest problem connected with work with the IDPs is that the localities which the displaced persons come from and apply for getting the IDP card are not defined clearly. On October 7, 2014 the Counterterrorism Center of USS issued the order №33/6/a “About defining the area of the anti-terrorist operation and the term of its realization», which is still in force. According to it the following regions and the terms of the realization of the ATO are defined:

- Donetsk and Luhansk regions – from April 7, 2014
- Kharkiv region – from April 7 to September 14, 2014.

So, this regulatory legal act gives the employees of the Administrations of Social Protection the right to give the IDP card (and then to draw the monetary compensation as for IDP) to any citizen of Ukraine who has the registration in Luhansk or Donetsk region even if IN FACT the ATO wasn't held in his locality. This also causes the unreasonable use of state budget.

But at the same time the decree of the CMU №1085-r from November 7, 2014 “About stating the list of the localities where the government departments temporarily don't exercise the powers and the list of the localities which are situated at the contact line” in the revision from December 2, 2015 is in force. In this decree the concrete localities which are not controlled by Ukrainian government and situated at the demarcation line are already defined.

This legal act gives the employees of the Administrations of Social Protection the reason to refuse to give the card to the applicant if he arrived from any locality of Luhansk or Donetsk region which doesn't belong to the list mentioned above.

Although, beside of already existing concrete lists of uncontrolled cities and villages, the ATO zone stays unchanged and it's defined by the Decree of the Counterterrorism Center (CTC) of USS №33/6/a where it's clearly stated that it's also the whole Luhansk and Donetsk regions without any exception.

According to the words of the manager of the ALSPP in Bila Tserkva:

“We had a problem with the man from Sloviansk. According to the old revision we refused to prolong the validity of his card, according to the new one – we did it for him, he applied to the Ministry of Social Policy for explanation and they replayed that they are guided by the order of the CTC of the USS...”

It is necessary to admit that there are some cases when people whose localities are already liberated, but their houses are destroyed without having any funds for their reconstruction and compensation apply for IDP cards and proper monetary compensation. In fact, these people cannot live at the place of their registration and have to move to another residence, but without getting the IDP card they can't make bids for every monthly targeted help for IDPS. And in this case, what should the employees of the ALSPPs be guided by – the order of the CTC of USS №33/6/a or the decree of the UCM №1085-p? Because of the inconsistency of legal acts and the

absence of the clear and understandable sequence of actions all the responsibility for making such decisions (which are often subjective) lays on the managers of the Administrations of Social Protection, on the one hand, it makes them to make a choice of which depends if the applicant gets the monetary compensation or not, but on the other hand – it gives them an opportunity to get the corruption benefit.

At the ALSPP of Zhovtnevyi district in Mariupol there were some cases of the application by citizens of Ukraine because the manager of the Administration of Social Protection refused to give the IDP card to a person because the locality which the person arrived from was absent at the list according to the decree of the UCM №1085-r which was mentioned above. All the court cases were succeeded by IDPs.

1.4 The uniform informational database about IDPs

In the new revision of the Law the provision about the uniform informational database for IDPs is placed to the separate section 4. The order of its establishment, conducting and the access to it is determined by the decree of the UCM №509 from October 1, 2014. According to these legal acts the following information must be introduced in the Uniform Database:

- Surname, first name, patronymic, citizenship;
- Date and place of birth;
- Sex;
- Identity document;
- Number of the card, the date of issue and the name of the establishment which issued it;
- The information about the last place of registration of the IDP where the circumstances which were mentioned in section 1 of the Law took place and the current place of residence;
- The information about accommodation, social, medical, educational and other needs of IDPs, the status of their provision;
- The information about the funds paid to a person;
- The information about the place of study / upbringing of a child (the name of the institution);
- The information about the employment, education, specialization according to the vocational education, the position, occupation;
- The information about disability and the need in technical or other ways of rehabilitation;
- The other information.

At the moment of holding the survey at the local Administrations of Social Protection the only database of the IDPS who are registered at the territory of the definite political unit functions. It was proved by the employees of all the ALSPPs under investigation. As such the “uniform” database of the IDPs doesn’t exist in Ukraine.

As the employees of the ALSPP of Ternivskiy district of Kriviy Rig admit, they can “see” only the IDPs of their district.

According to the words of the manager of the administration:

“When the IDP changes the place of residence, he must give his old IDP card to the new ALSPP. But in fact it doesn’t happen. Every day we send the information about IDPs to regional administration. Two times a month we get the list of “doubles”, who have registered at our administration and somewhere else. They get the pecuniary aid there and here. But the “doubles” come to us according to the REGISTRATION base, we call a person and he says that

he didn't draw anything but he just forgot to deregister. When the person draws the card, we accept his documents for financial compensation for an IDP and we must draw the aid for him within 10 days. The benefit can be already paid and the person can go away before we get the list of "doubles". It's impossible to chase the person with lawsuits through the whole Ukraine. Moreover, where and who to sue for at the court? We'd like to see the uniform database of the whole Ukraine which we would have the access to. We would be able to watch at once at the registration if the person is registered somewhere else or gets the help..."

As the manager of the ALSPP of Bila Tserkva admits, the uniform database of Ukraine in which the "doubles" are compared and then their lists are sent to the administrations exists. But their administration has never got such lists.

On February 17, 2016 the parliamentary hearings of the theme «The status of the rights of the internally displaced persons and citizens of Ukraine who live at the temporarily occupied territory of Ukraine and at the temporarily uncontrolled territory at the zone of conducting anti-terrorist operation» took place. The participants of these hearings admitted that for 2 years the Ministry of Social Policy of Ukraine didn't establish the Uniform Database about IDPs which is provided by the Law of Ukraine "About providing the rights and freedoms for the internally displaced persons". The existing system of registering the internally displaced persons doesn't provide the data collection about the level of education and economical activity of such people, about their professional structure, readiness for education (or re-education), taking part in social work. According to the results of the parliamentary hearings there was adopted the Resolution VRU №1074-VIII from March 31, 2016 where the number of recommendations were for CMU were marked, in particular "to provide the formation and conducting the Uniform database of IDP according to the Law of Ukraine "About providing the rights and freedoms for the internally displaced persons", particularly with adding there the information about people with disabilities".

On April 22, 2016 the official explanation about the work of the Uniform database of IDP was received from the Ministry of Social Policy of Ukraine:

"As for Uniform database of IDP (below – database), such a database was commissioned as a test mode in structural departments of social protection of district state administrations in Kyiv, City Executive Authorities, District Councils in cities. At the moment the database is being upgraded by social, humanitarian organizations and concerned central executive authorities with financial support of International Organization of Migration. In the upgraded version the issues of the possibility to organize the work of remote (external) users will be considered, and the usage of proper hardware authorized access and data protection will be provided there.

At the same time, we'd like to admit that in order to provide the uniform state records of individuals who are the IDPs the Ministry of Social Policy worked out the project of the decree of the Ukrainian Cabinet of Ministers "About the stating the Order of formation, conducting and access to the information of the Uniform database of IDPs", which now is being processed at the proper structural departments of Ministry of Social Policy.

In future the mentioned project of the act will be sent to be agreed with concerned central executive authorities."

It's possible to make the conclusion that the state still doesn't implement the effective modern control of the internal displacement and registration of IDPs. The uniform register which different competent public authorities could have access to isn't still formed. The exchange of

the information between such authorities is still made by sending paper documents or electronic ones on USB. Moreover, the procedure of the exchange the information between different public authorities and the local government isn't approved, this creates additional hazards for displaced persons because their personal information is unprotected.

On the official site of the Ministry of Social Policy the following information was placed:

“On August 1 the Ministry of Social Policy ran the uniform register of internally displaced persons in test mode. Before this, it was limited by regional forms: each separate social protection body of administrative territorial unit had its own registry. They worked independently what made it impossible to have the general idea about number of displaced people, their location, real situation of payments, etc.

The uniform register of IDPs is created for providing electronic informational cooperation of the Ministry of Social Policy of Ukraine with citizens, volunteers, organizations which solve the issues of IDPs in Ukraine.”

According to the words of the minister of social policy A. Reva:

«We ran the uniform register of IDPs in test mode for the present. It gives the possibility for electronic registration of all the IDPs. Now we can observe if, for example, the displaced person is registered in two localities. We'll be able to see it at once. It also gives the opportunity to exchange the information between the appropriate departments: State Border Service, bodies of the Pension Fund, Security Service of Ukraine and others to have the full information about each displaced person because different “interested” people can mask under the guise of IDP. This register is created to help the law enforcement authorities. If the displaced person stays more than two month at the territory not controlled by Ukraine, the State Border Service will see it due to the uniform register, etc. All these processes become more controlled and the possibility of trespass becomes less. Our aim was to establish payments for IDPs, but not for those who just pretend to seem IDPs to try to get them. Besides, according to the information of SSU, which was provided at the beginning of this year, more than 400 000 citizens who got social payments have never crossed the demarcation line. And according to the information of the Pension Fund, after the pension payments were stopped, from 460 800 IDP they were renewed only for 143 thousand, the others were refused. Obviously, the pensions were paid on their names but today it's impossible to say who really got them.»

1.5 Monthly targeted assistance for IDP

For two years according to the decree of the UCM №505 from October 1, 2014 “About providing monthly targeted assistance for IDP for covering the accommodation expenses including payment for housing services” IDP have the right to get the financial compensation.

The following sums were established for monthly assistance:

- for disabled persons (retirees, children) – 884 UAH;
- for invalids – living wage as for people lost the earning capacity;
- for able-bodied persons – 442 UAH.

If an able-bodied person hasn't placed in a job within two months from the date when the monetary assistance was appointed, the sum of the pension reduces on 50% next two months,

and next period - it stops. In this case next period the monetary assistance isn't appointed. So, according to this provision of the decree, if IDP placed in a job later than in 4 month from the date when the monetary assistance was appointed, he will never have right for getting the financial compensation again.

Maxim, the internally displaced person from Alchevsk, lives in Lisichansk:

"I've spent six month to find the job which can give me the opportunity to pay for renting not really cheap flat, for housing services and to provide simple living conditions for my family. Why the state deprives me, who is less lucky than that one who succeeded to find a job in a stated by the Law period, monthly targeted assistance? If this law is oriented not to let the displaced persons to become dependents, why in the case of employment this payments are not recommenced? What is this four month limitation for?"

Practically, it happens that such legislation puts the IDP who didn't issue the official labor relations within 4 months after the forced displacement and those who managed to find a job in unequal conditions. Besides, the government reduces IDPs' motivation to be employed officially if provided 4 months have already passed.

The benefit ISN'T DRAWN if:

- any of the family members have their own accommodation situated at the territory controlled by Ukrainian government;
- any of the family members have funds on deposit bank account in the amount which is more than 10 times the size of a living wage which is established for able-bodied persons.

At the application for this monetary help the IDP indicates information about having/ not having the accommodation and deposits in his family; he confirms the same information each 6 month when extends monetary aid payments. According to the words of the employees of ALSPP of 5 regions under investigation there was often a fact of concealment of property outside of the zone of ATO, in this connection payment of monthly targeted assistance was stopped.

According to the information of the Ministry of Finance of Ukraine:

- the number of IDP who drew the monthly targeted assistance who have been identified in the deposit bank account funds in the amount of more than 10 times the size of a living wage from the beginning of 2016 to August 1 is 22507 persons;
- the number of IDP who drew the monthly targeted assistance who have been identified in having the living room property located in the areas different from the temporary occupied territory of Ukraine, the areas of ATO, settlements located on the demarcation line, from the beginning of 2016 to August 1 is 10139 persons.

The lists of people mentioned above with the appropriate recommendations on pause or stop of the payments were sent by the Ministry of Finance to the Ministry of Social Policy (as to the main funds manager and the responsible executor of relevant budget program) with the use of electronic digital signature and encryption using the enhanced certificate key of Accredited key certification center of the State Treasury Service of Ukraine. As for the information about the number of IDP who were stopped payments because of the reasons mentioned above there was no answer from the Ministry of Social Policy.

By the Law of Ukraine “About the state budget for the year 2015” by the budget program “Providing the monthly targeted assistance for the persons who moved from the temporary occupied territory of Ukraine and the areas of ATO, to cover living expenses including housing and communal services” 3.36 millions UAH were allocated to the Ministry of Social Policy. In 2016 by the Law of Ukraine “About the state budget for the year 2016” according to the mentioned budget program 2886992,7 thousand UAH were allocated to the Ministry of Social Policy.

1.6 Authorized bank in terms of drawing the monthly targeted assistance and pensions to IDPs

Till June 2015 the IDP could choose themselves the bank which they were paid the monthly targeted assistance by. On 10.07.2015 new (for that time) revision of the decree №505 was adopted which section 3 was added to. According to it the only bank authorized for opening and maintaining accounts on which targeted assistance will be transferred to, became PC “State Savings Bank of Ukraine”.

Soon also pension payments to displaced persons became implemented only by “State Savings Bank”. According to the new revision of the decree of UCM №637 from November 5, 2014 “About the implementation of social payments to internally displaced persons” payment (continued payments) of pensions is implemented only by accounts and a network of institutions and devices of PC “State Savings Bank of Ukraine”.

- from May 1,2016 - for newly appointed social payments for IDP;
- from June 1,2016 - for all continuing social payments.

These changes were explained by the Ministry of Social Policy as the necessity of additional protection of financial rights of displaced persons, although all other recipients of social benefits weren't limited to choose the bank. But at the same time in the answer of the Ministry of Finance to the Human Rights Commissioner of VRU it was mentioned that these changes were adopted “in order to provide pension payments at the actual place of residence, to prevent illegal actions of the third persons at the moment of implementation of such payments, and also in order to prevent pension payments to IDPs at the controlled territories and at the territories of so called LPR and DPR at the same time. One of the key aspects of the adopted changes was introduction of a single authorized bank for IDP which had the aim of repeated physical identification of recipients of social benefits and pension. It will give an opportunity to neutralize the risk of illegal acquisition of funds by the receivers of the payments mentioned above and also to get the updated information about their real place of residence”.

So, public authorities even do not deny the fact that the compulsory imposition the service of the state bank to the displaced persons is done for more effective control of receiving money by IDP. And this is the direct discrimination of displaced persons.

After “State Savings Bank” has become the monopolist in the opening and maintenance of accounts, it doesn't purpose to compete with other banks and to improve the quality of services. Most of the interviewed respondents-IDPs who get social payments expressed their dissatisfaction by forced service in “State Savings Bank”. Among the reasons is absence of the right to choose a bank, huge queues in the departments, limited choice of services.

Svetlana, the displaced person from Enakievo, lives in Kharkiv:

“I can’t understand why all other pensioners of Ukraine can choose a bank which they will enter into a contract with, but I’m forced to choose the bank whose quality of services I’m absolutely not satisfied with! To get my deserved pension I have not only to stay in a queue in the Social Security Administration to get the card, but also there are introduced additional checks with the help of the banking system...”

From August 1, 2016 for the identification of recipients of social payments who are IDPs, and for providing paying of social payments to them, the emission of payment cards is made with indicating graphic and electronic information about the owner and his electronic digital signature on them. It is also a pension certificate for those who gets pension.

Term of validity of the cards is installed up to three years in condition of passing the physical identification of the client in the PAC “State Savings Bank” departments the first 2 times every six months and then every 12 months. After the card expires it is reproduced at the expense of “State Savings Bank”. Without having passed physical identification by the receivers of social payments” State Savings Bank” stops debit transactions on the current account and not later than the next day informs ALSPP about this decision.

Renewal or termination of paying social benefits is made by “State Savings Bank” according to the decision of the Committee on the appointment (renewal) of social benefits to IDPs according to the Procedure of control for carrying out social payments to IDPs at the place of their actual residence/staying approved by Resolution of Cabinet of Ministers from June 8, 2016 № 365.

1.7 The role of territorial subdivisions of the Migration Service in accepting an IDP card as valid one

According to the provisions of the Law amended on January 13, 2016 the necessity to put on stamps on the IDP cards by territorial bodies of the State Migration Service was cancelled. But at the same time remained in force the decision of Cabinet of Ministers №505 (point 7), according to it an IDP card is not valid without putting the registration mark on its back side by the territorial department of migration service. From October 2014 all the cards were given only according to this decree. Now these regulations contradict each other. There is a provision of the Law that Cabinet of Ministers must put in order all its regulations within three months term. But in the transitional provisions is not explained what the Administrations of Social Protection should be ordered by during these three month – the Law or the decree.

The inconsistency of rules of the Law resulted in the situation when some of the social protection bodies are guided in their work only by the Law and don’t demand the mark of the Migration Service, the others consider decree №505 more foreground (although the Law has supreme legal force) and continue collaborating with the Migration Service in this issue.

A few respondents from Kharkiv and Kriviy Rig said the same thing - it’s better to comply with the requirement of the employees of ALSPP, to put a stamp in the department of Migration Service and to get the social and pension payments which depend on the presence of the registration IDP card and its “validity”.

But on April 4, 2016 the Law of Ukraine “About the amendments of some legislative acts of Ukraine as for the empowerment of local government and optimization of provided service” came into force from December 10, 2015 № 888 which made the significant changes to the Law

of Ukraine “About the freedom of movement and free choice of the place of residence in Ukraine” (below – the Law on freedom of movement).

Particularly, from April 4, 2016 The State Migration Service (SMS) resigned on registration and deregistration of the place of residence/ location of individuals. Now this function is made by the executive bodies of village, town or city councils, village heads. By the way, section 3 of the Law about the freedom of movement was supplemented by Paragraph ten, according to it a card of registration of internally displaced persons was added to the list of documents where the information about the place of location must be added to. Now local councils have legitimate reasons to work with IDPs and on their demand to mark the place of location. But in fact, from April 4 the new authorities of registration the place of residence/ location haven't started working yet. Besides, sometimes registration authorities at executive committees don't have enough information about their powers and refuse IDPs to affix a mark of the place of residence and sometimes the employees of ALSPP refuse to accept the IDP card with the stamp made by the executive committee of the local council, continuing to require the certificate with the stamp of SMS. IDPs became hostages of the situation again: because of the inconsistency of the regulations they cannot get the social assistance and pension payments.

According to the interview of the employees of Departments of Social Protection in 5 regions of Ukraine there were cases of absolutely different Ukrainian law interpretation of the issue of accepting the validity of IDPs certificate. On the one hand, the lawyers in ALSPP said that the Law has the supreme legal force in relation to the decree and that's why it isn't necessary to require the stamps of the registration the place of location from displaced persons. On the other hand – the employees of ALSPP paid attention to the fact that the Decree regulates the implementation of the Law, and because the new decree or the new order is not provided by the current Law they are not ready to be responsible for accepting the validity of the IDP cards, which do not meet the requirements of decree №509.

The employees of ALSPP and CSSFCY of Zhovtneviy district of Mariupol:

“Now the duties of registration the place of residence are being transferred from the departments of SMS to the local government. SMS don't affix stamps any more, but without their stamp the validity of IDP certificate can't be prolonged, consequently, payment of benefits isn't extended. The problem isn't solved...”

ALSPP of Ternovskiy district of Kriviy Rig in Dnepropetrovsk region:

“Now we haven't difficulties with migration service, Executive Committee affix stamps. We were given the explanation from the top – to work according to the decree №509. We expect it should be changed but still we're guided by it”.

ALSPP of Kyiskiy district of Kharkiv:

“Because of the contradictions in regulatory legal acts we had to apply for explanation to the Ministry of Social Policy. The answer was got – to be guided by the decree №509, because of this, hundreds of displaced persons had to lose their social payments.”

Natalya, mother of two children, (Kharkiv):

“I moved from Luhansk to Kharkiv to give a birth to a baby at the territory controlled by Ukrainian government. After childbirth I applied to ALSPP for social help guaranteed by the government. But because the Migration Service stopped affixing the stamps, my card was invalidated. For two months I can’t get neither social help for child nor monthly targeted assistance for IDPs.”

According to the words of the managers of ALSPP in Lisichansk Luhansk region and Bila Tserkva Kyiv region, in their work they are guided by the Law and don’t require the stamp of the registration of IDPs.

1.8 Cancel of validity of the IDP card

By the Law of Ukraine from 24.12.2015 №921-VIII “About amendments to some Laws of Ukraine as for reinforcement of guarantee of respecting the rights and freedoms of IDPs” the amendments were made to section 12 of the Law which makes clear the procedure of invalidity of registration IDP card, particularly, in connection with the return to the previous place of residence.

Now the decision about the invalidity of the card is made by a manager of the appropriate ALSPP and is provided to IDP within three day from the date of making this decision.

If IDP doesn’t inform about his return to the previous place of residence the mentioned department makes decision about the invalidity of the card if there is the information about long absence (more than 60 days) of the person at the place of residence, what gives the reason to think that the person went back to the previous place of residence.

The information which is considered as giving the reason to think that IDP returned to the previous place of residence is:

- the information got from proper State Registers;
- the information got as a result of exchanging the information between ALSPP and other executive authorities and local government;
- the information got as a result of exchanging the information between ALSPP and social unions, volunteer, charitable organizations, other legal entities and individuals who help the internally displaced persons.

If IDP has reasons to prolong the period of absence at the place of residence more than 60 days, this person applies with proper written application to the ALSPP at the place of residence. In this case the term of absence can be prolonged up to 90 days.

Among the most frequent reasons to invalid the certificate which were mentioned by the employees of ALSPP from 5 cities under the survey were – the end of the validity of IDP card, moving to the other location, the application of IDP to deregister him, return of IDP to the territory uncontrolled by Ukraine, death of IDP.

The manager of Ternivskiy district of Kriviy Rig about the way of finding out the changes of circumstances connected with moving of IDP:

“There were some cases of deregistration. At the moment of registration as IDP we ask them to come to us and inform or call us if they move to another city or return home, we even give them our phone numbers. That’s why they call/come and inform. Because of the absence of

the Uniform database in Ukraine we communicate with other administrations, -when we take the card of previous ALSPP we inform this administration that this IDP came to our department and ask to mark it in their documents. Unscrupulous IDPs who didn't inform us about their new residence we find in the list of "doubles". There are marked the dates of registration. If the date of registration in other city is later we understand that the person left our town..."

1.9 Perpetuity of the IDP card

Perpetuity of the IDP cards became the key amendment to the Law. Now the displaced persons can get perpetual cards of the IDP status. Earlier such documents have been valid only for six months. Now it's not necessary to prove the status every six months.

On the one hand, it's a good innovation – it's not necessary to wait in a queue every six months, but as a rule the IDPs are more interested not in the replacement card itself, but in the targeted material assistance which is stated by the decree of UCM №505 "About providing the monthly targeted assistance to the displaced persons". And it is still must be drawn again. In other words, the card became perpetual, but the payments didn't become perpetual.

According to the words of Ludmila from Lisicansk, Luhansk region:

"Mostly all of us drew the monthly targeted assistance getting when we drew the card. And when the time to prolong the validity of the card came at the same time the payments were prolonged too. The only advantage for me is that it's not necessary to go to the Pension Fund to provide them the prolonged card".

1.10 Changes to the decree of CMU №509

On June 11, 2016 so expected amendments were made to the decree of the UCM №509 which made this legal act to correspond with the Law. The key moments:

- the IDP card became perpetual, except the cases of cancel the validity of the card;
- the mark made by the territorial migration service for the validity of the card is not needed any more;
- the cards given before June 20, 2016 have not been canceled, and the validity of which has not expired, continue to operate, and are perpetual;
- the cards given before June 20, 2016 where the address of actual residence is stated ALSPP, territorial department of migration service, any other government departments or local authority where the IDPs don't actually live must be reregistered till June 20, 2016. The term of change can be prolonged up to 60 days, in condition of the application to ALSPP about the reasons (for example, looking for new accommodation). At the change of the card the previous one is withdrawn. The cards which aren't changed at the expiry of mentioned term become invalid.

1.11 The lists of SSU

Form the second part of February 2016 the social payments were stopped for IDPs in Donetsk, Luhansk, Dnipropetrovsk, Kharkiv and Zaporizhya regions. It was connected with fact

of passing by SSU to the Ministry of Social Policy the lists of displaced persons who are under suspicion if they really live at the territory controlled by Ukrainian government and legally get social payments. On February 16 the Ministry of Social Policy promulgated the letter, according to it all 5 regional administrations of MSP had to suspend social payments until the address of their residence is checked by the State Migration Service of Ukraine or proved by personal visit to ALSPP. The system of making the lists of IDPs whose payments were suspended is unknown. The lists weren't published, the displaced persons weren't informed that's why IDPs couldn't know if they were included to the lists or not. Mostly they found out it in fact when the payment weren't given on time.

According to the words of SSU V. Gritsak:

“There were a lot of cases of drawing pension and social payments based on false information about places of residence of IDPs. For example, 7500 displaced persons were registered in Severodonetsk Luhansk region at the address: 15-B Novikov St, 3293 displaced persons were registered at the address ap.29, 2-A Proletarska St in Izum Kharkiv region, 1300 displaced persons – at the address 59 Radchenko St in Druzhkivka in Donetsk region. In most cases, payments were drawn without the presence of displaced persons. There were also some payments drawn for people who died or disappeared without a trace. 24 criminal cases were started because of these facts.”

In fact, the chief of SSU kept silent that the address mentioned above in Severodonetsk – 15-B Novikov St – is the address of the ALSPP in this town, and the old revision of the decree №509 didn't prohibit the IDPs to register at the address of the departments of social protection.

The Deputy Prime Minister P. Rosenko (at that moment he was the Minister of Social Policy) informed that “if you are included to list by mistake, it's not a problem. It's possible to resume the payments within 5 minutes – just come to the Social Security Service and show yourself. If you're a disabled person not able to walk, the employees of social service or police will certainly help you.” But in fact it doesn't happen.

In the whole Ukraine there isn't any procedure of recommencing the payments. For instance, in Dnipropetrovsk the displaced person whose payments were suspended, must come to the ALSPP where it should be checked if this person is added to the list. In such case the IDP has to write an application form about the place of his residence and after this the payments should be recommenced. The spot checks of the place registered residence are restarted; they are provided by the departments of social protection, State Migration Service and some other social services. If the place of residence is proved during the spot check the payments can be recommenced but the period of time that can pass between proving the place of residence and recommencing the payments is still indefinite. In Kharkiv IDPs must provide their passports, the IDP status card and “sufficient” evidence of living at this territory. Such evidence can consist of neighbors' statements, officials', people's keeping in touch with the IDP and also register documents from kindergartens and Housing office which it's difficult (and sometimes impossible) to get.

All these measures made a real strain to the work of Social Protection Departments which doesn't have enough staff and resources for providing and making the necessary spot checks. It causes long queues in the departments and always “busy” telephone lines.

Although it's obvious that the government of Ukraine must defend the fraud, but the unclear procedures and the absence of certain prove for decision (the criterias of its making) for persons who it's connected with make to concern.

Verification of IDPs by SSU is unclear and illegal procedure. There is a certain list of reasons stated by the Law, according to which the IDP certificate validity can be cancelled. It's possible if the displaced person:

- 1) Applied for refuse of the card;
- 2) Made a crime;
- 3) Returned to the left place of residence;
- 4) Moved abroad;
- 5) Gave the wrong information intentionally.

In the Ukrainian legislation there isn't such term as "suspension" of payments and the validity of IDP card. It's clearly stated in the Law that the decision about the cancelling the validity of the certificate is made by the head of the structural department of social protection at the place of residence (but not by SSU!) and it must be provided to the IDP within three days from the date of making the decision.

The survey of the implementation of the legislation of Ukraine about providing the rights and freedoms for IDPs was made after checking the lists of IDPs which were provided by SSU by social protection departments. In all four ALSPP (except Bila Tserkva Kyiv region) it was confirmed that they got such lists at the end of February 2016 and the payments were suspended to persons who were included in them until their physical identification.

ALSPP of Ternivskiy district of Kriviy Rig Dnipropetrisk region:

"According to the lists by SSU there were 132 people. Within two days we've work with each of them individually. We deregistered 6 persons because they confirmed that they moved to the occupied territory."

The employees of ALSPP of Zhovtneviy district of Mariupol:

"According to the lists which we got we stopped paying of monthly targeted assistance to IDPs until their personal application to our department".

Galina, Lisichansk:

"My child goes to the kindergarten in Lisichansk. But it didn't prevent me from getting to the list by SSU. I found out it when I didn't get the payment for March. I went to the Social Security Service. When I've waited the huge queue I was proved that I was "under control". How could it happen? I don't mind defending the frauds but isn't it possible to create reasonable and clear criterias of checking..."

Maria, Kharkiv region:

"I and my husband are pensioners. Pension and payments for IDPs is the only our income. Because of these lists we were deprived it. Moreover in Social Security Service they require us to prove that we live here. How could it happen? We went away from the war to our country and now it causes us such troubles! We're lucky that our neighbor agreed to confirm that I live here and didn't go anywhere..."

1.12 Compensation of travel for IDP

According to the p.5 part 8 section 11 of the Law “according to their powers local governments provide free fare by railway and motor transport for IDPs to get to their left place of residence by the procedure established by the Cabinet of Ministers of Ukraine.” Practically this system doesn’t work, the CMU didn’t enact the proper legal acts.

ALSP of Ternivskiy district of Kriviy Rig Dnipropetrivsk region:

“According to the provision of Law, the fund must be given if people want to come back home. It doesn’t work here, perhaps, it does in Regional Council? We took people, who went back home to the trains to the territorial center. We even chipped money for tickets for them...”

According to the information of the Ministry of Infrastructure:

“The CMU draft resolution “About stating the Procedure of providing by local state administrations free fares for railway and motor transport for IDPs to get to their left place of residence.” At the moment the draft resolution is being coordinated in State Regulatory Service of Ukraine. After getting all coordination the draft resolution will be filed to the government by the prescribed procedure.”

1.13 Amendments to the Decree of CMU from 05.11.2014 №637 “Some issues of implementation of social payments to IDPs”

The amendments given below were made after the monitoring survey; their use hasn’t been studied in practice.

At the government meeting on June 8 the amendments were made to the Decree of CMU from 5.11.2014 №637 “Some issues of implementation of social payments to IDPs” (the Decree is below). Particularly, procedure of assigning (renewal) of social payments to IDPs and providing control for social payments to IDPs at the place of their actual residence/stay is stated by the proposed amendments.

The amendments mentioned above significantly make the situation worse for people who had to leave their homes because of armed conflict at the East of the country, they make additional discriminatory mechanisms of renewal the social benefits and their control by the government.

The adoption of amendments to the Resolution of Cabinet of Ministers №637 provides:

1. Introduction of the inspection system of places of actual IDP’s residence / stay as the condition for assigning (renewal) or refuse to assign (renew) of all types of social benefits even if such verification of residence is not provided for all citizens of Ukraine in general (for example, for drawing pension).

2. According to the p.10 of the Procedure of assigning (renewal) of social payments to IDPs as the result of made inspection the Act of examining material and living conditions of the family must be compiled in the prescribed form, which must be signed by all adult legally competent IDPs, and in some cases determined by the legislation in force – it must be done by their legal representatives. It means that at the time of inspection all the family members-IDPs must be present at the place of residence/stay (but as a rule such inspections are made without warning and during business hours when the displaced persons, as any other citizens of Ukraine,

can be at work or, for instance, at any other place). This requirement itself restricts the freedom of movement of persons guaranteed by Sect. 33 of the Constitution of Ukraine and directly contradicts a provision of Section 12 of the Law of Ukraine “About ensuring the rights and freedoms of IDPs” which finds that the ground for cancellation of a certificate of IDPs is absence of IDP at his place of residence up to 60 days (and in some cases – 90 days).

3. Creating additional body - the Committee for the assigning (renewal) IDP social payments which, judging by its name, will have authority to assign and renew social payments only for displaced people which can cause unjustified delay of the process of assigning and the renewal of social payments. Besides, it isn't still clear how authorities will be subdivided between ALSPP, Pension Fund of Ukraine, etc. which assign the payments to all the citizens of Ukraine in accordance with the current legislation and new created Committees.

4. Discriminatory by itself additional ground for refusing assigning (renewal) of social benefits to displaced persons in case of their absence at the actual place of residence/stay mentioned in a statement of their assigning (renewal), provided by p. 16 of the Procedure for assigning (renewal) IDP social benefits. Besides, the certain term of absence isn't stated (for example, the term of long absence provided by the Law). In practice it may result in situation when the absence of the displaced person at home at the moment of examining material and living conditions of the family will be considered as the fact of absence of the IDP at the place of residence/ stay in general and can become the reason for refuse to assign (renewal) of benefits.

5. The government proposes to control social payments to displaced persons by carrying out periodic inspections of place of residence/stay by affords of ALSPP employees (one time every six month) and also by additional inspections by, so called, “mobile groups” with the involvement of representatives of territorial units of MIA, SMS, SSU, National Police and Pension Fund. But there are some reasons to be more concerned about such as grounds for additional checks, the list of which is contained in paragraphs 3.1-3.5 of the new Procedure for monitoring the social benefit of IDPs. In particular, it can be so called “own information” of ALSPP or the information of public authorities (including MIA, SSU, State Border Service, National Police, SSU), local government bodies, public associations, volunteer, charitable organizations etc. which may indicate a massive collection of personal data of displaced persons and exchanging it not according to the established procedures that violates the right of privacy and the provisions of the Law of Ukraine “About the protection of personal data”.

2. HIGHER EDUCATION

Lysychansk (Luhansk region), Mariupol (Donetsk region), Kharkiv (Kharkiv region), Kriviy Rig (Dnipropetrovsk region), Irpin (Kyiv region)

A registered internally displaced person is guaranteed the continuation of the acquisition of a certain educational level in other regions of Ukraine by the state budget or other sources of funding under the Law of Ukraine "On ensuring the rights and freedoms of internally displaced persons" (sect. 7). Financing procedure for this category of persons is determined by the Cabinet of Ministers of Ukraine.

The Ministry of Education and Science of Ukraine as a central executive body that implements policies in the field of Education and Science is entrusted by the Law (part 4, Sect. 11) to create conditions and coordinate activities of the state authorities and local self-government bodies for gaining higher education by internally displaced persons, formation of the annual proposals for the state order for training specialists with regard to the number of internally displaced persons.

In pursuance of the Law, the Ukrainian Ministry of Education and Science adopted a temporary procedure of transfer of students, graduate students and doctoral students from universities and research institutions located in the temporarily occupied territory of Ukraine (order No. 556 of May 07, 2014) to other educational institutions; the procedure of ordering and issuance of documents on higher education to students of higher education institutions located in the occupied territories (order No. 779 of July 01, 2014), were developed letters of recommendation on issues of submitting documents and enrolling Ukrainian citizens of Donetsk and Luhansk regions and the Autonomous Republic of Crimea, their training and accommodation in dormitories, peculiarities of issuance the documents which confirm the postponement of military service.

In order to fulfill the norms of the Law on the formation of the state order considering internally displaced persons, the Cabinet of Ministers of Ukraine adopted a decision of September 17, 2014 year No. 450 "Some questions on provision (offering) additional places of the state order for training of specialists, scientific, and pedagogical staff for citizens of Ukraine, residing in the temporarily occupied territory, or moved out of it."

Ministry of Education and Science of Ukraine has drafted a bill to amend Sect. 7 of the Law of Ukraine "On ensuring the rights and freedoms of internally displaced persons." The bill provides for the replacement of documents on education received in the temporarily uncontrolled territories, certification and verification of specialists, creation of quotas within which the citizens of the temporarily occupied territories could enter higher educational institutions in other regions of Ukraine. At the time of the report the bill has not passed the procedure of consideration by the Verkhovna Rada of Ukraine.

As of December 30, 2015, the number of students who moved from Luhansk and Donetsk regions and are trained at the universities of Ukraine makes 144,326 including from Donetsk – 93,956, Luhansk – 50,370, of the Autonomous Republic of Crimea and Sevastopol – 7,482. 81,434 students of intramural form and 7,237 - of extramural form of study using budget funds.

In the course of the project there were carried out monitoring trips to 5 universities of Luhansk (Donbass State Technical University), Donetsk (Mariupol State University),

Dnipropetrovsk (Donetsk National University of Economics and Trade named after Tugan-Baranovsky), Kiev (University of the State Fiscal Service of Ukraine), Kharkiv (Luhansk National Agrarian University) regions of Ukraine.

All universities are training students from the part of internally displaced persons. The greatest number of students enrolled in institutions of higher education - migrants which were transferred from the ATO area according to the Ministry of Education and Science of Ukraine.

For example, Luhansk National Agrarian University - 1943, Donetsk National University of Economics and Trade named after M. Tugan-Baranovskiy - 1600, Donbass State Technical University - 960. According to the data of the Coordination Center of the internally displaced higher education institutions the total number of students in the 18 displaced universities is about 40,000.

In case of adopting a decision on the continuation of higher education on the territory controlled by the Government of Ukraine, the students would have certain difficulties with the confirmation of the received training and passing of prescribed curriculum exams.

These difficulties are associated with leaving archives in the ATO zone (Donetsk National University of Economics and Trade named after M. Tugan-Baranovskiy, Luhansk National Agrarian University), or failure to provide the students with supporting documents on the part of the ATO zone universities. In general, we can note a loyal approach of the universities' management to positive solutions of these problems on the basis of available documents of the students (record book) and for the passing of existing academic differences.

The essential problem for the conservation of specialties for students - IDPs is a continuation of the end of certificates for accreditation of specialties. This problem is acute for the universities, which have been forced to move from the ATO area - Donetsk National University of Economics and Trade named after M. Tugan-Baranovskiy, Luhansk National Agrarian University, Donbass State Technical University. The loss of a significant part of the material and technical base, teaching staff, library fund entails a lack of objective possibilities to comply with licensing requirements to receive a special certificate for accreditation. Students will have to be transferred to other universities to continue their studies in the specialty.

On the part of the Ministry of Education and Science of Ukraine at the time of monitoring there was no special position in respect of this category of educational institutions. In the future, this may void the universities of the license for educational activity.

It was also noted a disproportionate number of students who have moved and are trained in a particular specialty, and the number of teachers of this specialty, the load of students and teachers (Donbass State Technical University). More than half of teachers of the Luhansk National Agrarian University and 2/3 of the Donbass State Technical University remained in the ATO zone and/or moved together with universities to the new location.

Lack of support and adaptation programs for higher education teaching personnel of this category significantly affects the educational process and contributes to the "brain drain" from the science to other industries, they move abroad or work in the so-called "high schools" of the terrorist formations in the East of Ukraine.

In general, there are no problems with the preservation of budget places for students - IDPs. Tuition paying students were enrolled at some universities (Donetsk National University

of Economics and Trade named after M. Tugan-Baranovskiy) to the budget places vacated as a result of movement of the university.

Regarding the preservation of education form, the main problem for students - IDPs is provision of accommodation (beds in dormitories). In particular, this problem concerns of students and university teachers who have been displaced from the ATO area.

In particular, the lack of own housing is an acute problem for the students and teachers of the Donetsk National University of Economics and Trade named after M. Tugan-Baranovskiy located in Kriviy Rih, Dnepropetrovsk region.

Students and teachers of the Luhansk National Agrarian University have been placed in dormitories of different districts of the city of Kharkiv which creates certain difficulties for rapid solutions to their problems.

Students and teachers of the Donbass State Technical University are forced to rent accommodation. They have the opportunity to reside in a dormitory of the Lysychanskyi Mountain College, but it is in a non-residential status and can accommodate a maximum of 40 people.

In some cases, students who actually live in the ATO area and are not able to rent accommodation, so universities' management offers them to switch over to an extramural form of study (Donbass State Technical University).

Taking into account that students are forced to live in the dormitories of other universities, the rate for them can be 1.5-2 times higher than for students of higher education institutions – dormitories asset holders.

One of the main causes of the problem is the lack of interaction of the state power bodies and local self-government bodies at the universities locations to seek and provide accommodations for students and teachers.

The basis for enrolling an applicant from the ATO zone in the 2015/2016 school year was the passage of an external independent evaluation. Having an appropriate certificate the applicant enrollment took place at the general procedure.

In the academic year 2016/2017 applicants from the ATO area are eligible to enter higher education institutions without an external independent evaluation, on the basis of entrance examinations, but their results will be included in the overall competition.

Applications of higher educational institutions for the period of 2015-2016 academic year are 80- 100% satisfied by the Ministry of Education and Science of Ukraine for the state order for training of specialists considering internally displaced persons.

During the monitoring the Management of higher educational institutions noted problems with the filling of groups in the field in which IDPs students are learning. In some cases, when fullness of a group makes 5-6 people (Donetsk National University of Economics and Trade named after M. Tugan-Baranovskiy) students are transferred to a consulting training. Higher educational institutions are actively working with students on their professional orientation.

Universities that have moved from the ATO area have an urgent need for material and technical support of the educational process - the restoration of technical facilities and equipment of the sports hall, textbooks, monographs and other educational and methodical literature were not transported.

Luhansk National Agrarian University uses a database of partner-universities, companies, clinics.

Donbass State Technical University notes the absence in the region and low level of technical equipment of industrial enterprises on the profile of the university, which does not allow students to take a full practice.

Assistance from international non-governmental organizations can partially solve these problems.

The lack of targeted public assistance programs in the reconstruction of material and technical base is noted by all heads of the universities displaced from the ATO zone.

Relating to the amendments to the Law of Ukraine "On ensuring the rights and freedoms of internally displaced persons", the respondents noted the need for granting the status of internally displaced persons to students who registered in universities dormitories for the purpose of studying.

Norms of part 5 Art. 4 of the Law regarding the possibility of obtaining a status of an internally displaced person by a student registered in a dormitory prior to the ATO, in the event of removal from the dormitory, according to respondents, this category of students is not given the opportunity to receive social assistance from the state, and that puts them at a disadvantage with students which received the status of internally displaced persons and have privileges of a settlement in the student dormitories.

Respondents also need to address relationship between entities that have re-registered on the territory controlled by the Government of Ukraine and the individuals who were in the ATO zone without documents; there is a need to make additions to the consolidation of the special status of a higher educational institution which was forced to begin the educational process in the new conditions of existence.

They also note the necessity in provision of targeted assistance with employment to students from the number of internally displaced persons. One of possible solutions to the problem with the material and technical provision is to carry out an inventory of the property of the Ministry of Education and Science of Ukraine and the reallocation of assets among the displaced higher educational institutions.

3. EMPLOYMENT

Lisichansk (Luhansk region), Mariupol (Donetsk region), Kharkiv (Kharkiv region), Kriviy Rig (Dnipropetrovsk region), Boryspil (Kyiv region)

3.1 Statistical information

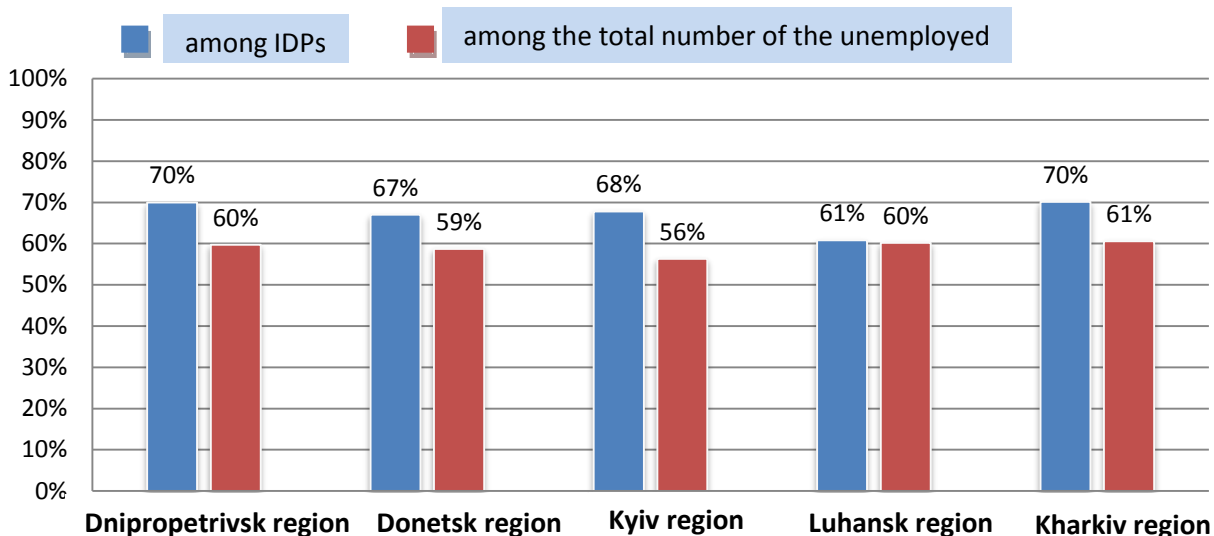
According to the State Employment Service information IDPs applied for services to the Employment Centers in all regions of Ukraine. The greatest number of them are concentrated in Donetsk, Dnipropetrovsk, Kharkiv, Zaporizhzhya, Poltava, Luhansk regions and in Kyiv. In period from March 1, 2014 to July 31, 2016 the State Employment Service promoted the employment of 21,3 thousand IDPs, in particular, 17,9 thousand of them had the IDP card. According to the situation on August 1, 2016 5,9 thousand IDPs continued to receive employment services, 5,4 thousand of them had the status of unemployed.

Information about the provision of services by the State Employment Service to persons with IDP cards in five regions under the survey from March 1, 2014 to July 31, 2016 is given in the table below.

Region	Got the services of Employment Center	Had the status of unemployed	Received the payments as unemployed	All the employed	Attended vocational training	Took part in social and other temporary work	The situation on 01.08.16	
							The number of IDPs who have cards	Those who have the status of unemployed
Dnipropetrovsk	4771	3889	2872	1624	273	409	383	348
Donetsk	11357	10404	8324	2444	982	1216	1703	1580
Kyiv	2598	2122	1700	799	135	184	208	181
Luhansk	3583	3167	2398	1232	178	346	498	445
Kharkiv	5396	4388	3295	2123	606	988	422	395

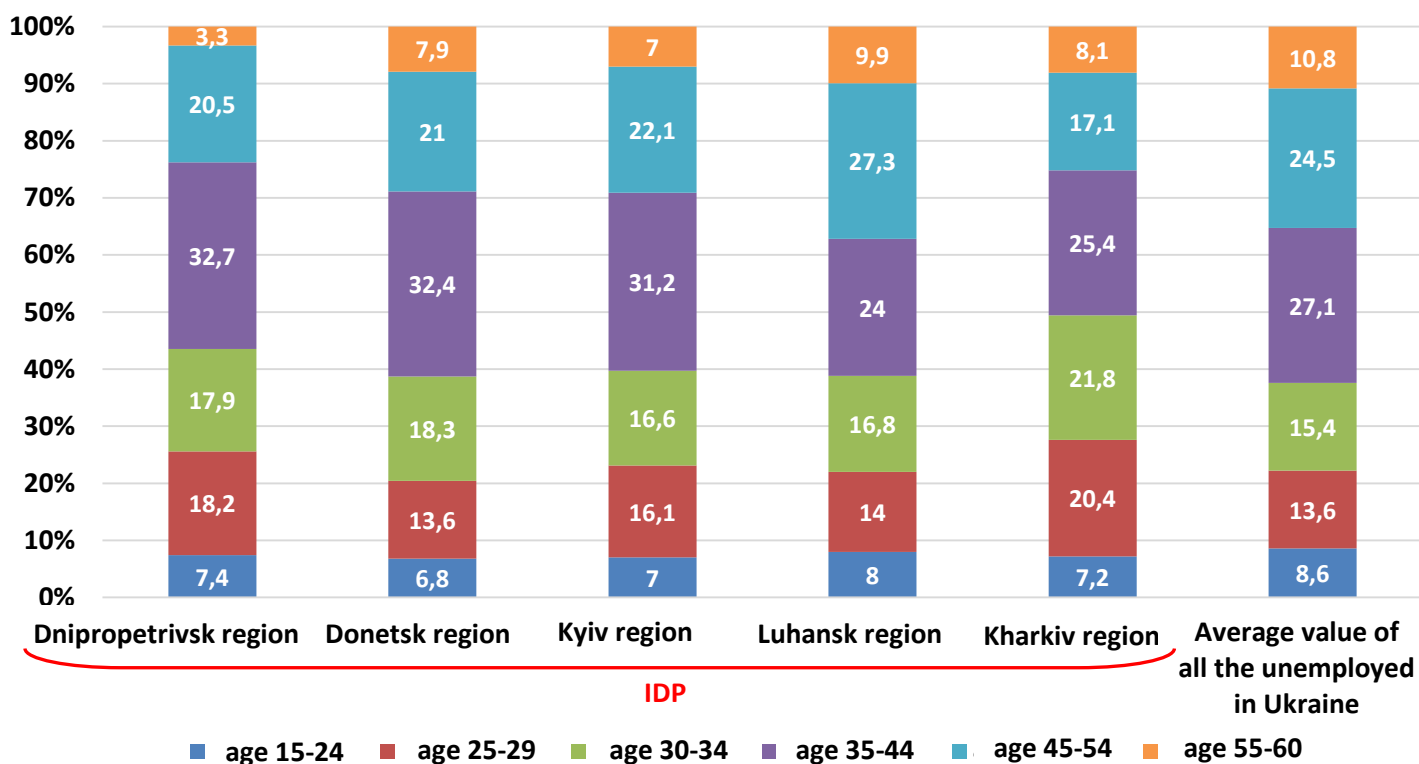
Most of displaced persons who are unemployed are women. From the general number of registered unemployed persons of all categories the average number of women was 59,2%, but from the number of unemployed IDPs – 67,2%.

Proportion of women (%) in the total number of unemployed including IDPs as of July 1, 2016



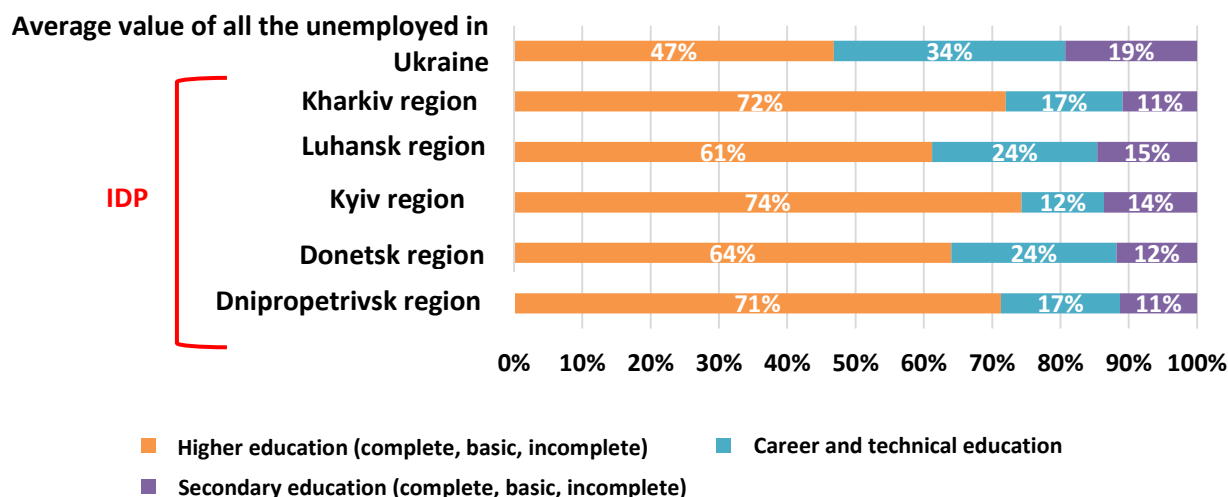
The information about the distribution of the unemployed by age is given below.

Distribution of the unemployed by age (%) as of July 1, 2016



The age structure of the unemployed among IDPs is different from the structure of the unemployed of other categories. In particular, the percentage of youth under 35 years old among the IDPs make 42% what is more than the percentage among the total number of unemployed (37,6%). The proportion of people aged over 45 years is 28,8 % what is less than among the total number of the unemployed which make 35%. As for the number of persons aged from 35 to 44 the average value among IDPs make 29,1 % what practically corresponds to the average number of the unemployed in Ukraine (27.1%).

Distribution of the unemployed by education (%) as of July 1, 2016



The distribution of IDPs by education differs from the distribution among the total number of the unemployed persons and is as follows: people with higher education on average make 68.4%, with career and technical education - 18.8%, with primary and secondary - 12.6%. At the same time, the share of all the unemployed persons with higher education is 47%, with career and technical - 34%, with secondary - more than 19%.

3.2 Analysis of the legislation in the part of IDPs employment

September 08, 2015 to ensure the social protection of internally displaced persons Cabinet of Ministers adopted a resolution No. 696 "On approval of the employment promotion measures, the return of funds directed to the financing of such measures, in the event of breach of employment security for internally displaced persons", which entered into force on 25 September 2015. According to paragraph 3 of the Procedure for employment promotion measures include:

1. compensation of actual transportation costs for moving to another administrative and territorial unit of the registered unemployed IDPs to explore employment opportunities;
2. compensation of expenses for a preliminary medical and drug examination, if it is necessary for the employment of the registered unemployed IDPs;
3. compensation of the employer's expenses that employs a registered unemployed IDP for retraining and advanced training of such persons.
4. compensation of the employer's labor costs for employment of the registered unemployed IDPs under fixed-term contracts of employment.

Information on the implementation of the Decree No. 696 in 5 areas under the study provided by the State Employment Service is presented in the table below.

Region	Number of Cases from September 25, 2015 till May 31, 2016	Allocated Funds from September 25, 2015 till May 31, 2016, thousands UAH
<i>Compensation of expenses for a preliminary medical and drug examination, if it is necessary for the employment of a registered unemployed IDP</i>		
Kyiv	-	-
Kharkiv	4	0.6
Dnipropetrovsk	-	-
Donetsk	16	2.3
Luhansk	-	-
<i>Compensation of the employer's labor costs for employment of a registered unemployed IDP under a fixed-term contract of employment.</i>		
Kyiv	19	174.9
Kharkiv	133	981.6
Dnipropetrovsk	46	332.6
Donets	264	1994.4
Luhans	36	236.1
<i>As of June 14, 2016 there are no requests from regional employment centers on the need for compensation of actual transportation costs for moving to another administrative and territorial unit of the registered unemployed IDPs to explore employment opportunities and compensation of the employer's expenses that employs registered unemployed IDPs for retraining and advanced training of such persons.</i>		

As can be seen, the situation with compensation of employers' labor costs for employment of the unemployed IDPs totally differs in 5 regions of Ukraine. Leading positions are occupied by Donetsk and Kharkiv Regions. As for Luhansk Region which is one of the territories where the largest number of displaced persons has been registered, this measure of the employment facilitation has practically not been applied.

According to the Director of the Lisichansk City Employment Center:

"We have no practice to pay compensation of expenses for the IDPs labor to employers. According to the Order, if the employer is in arrears with the single fee payment for obligatory state social insurance, the compensation is not carried out. And we, here in Lisichansk, practically have no companies without debts..."

But at the same time the situation in Kriviy Rih is completely different. According to the employment center's director of Ternivsky district:

"Employers are actively using this opportunity and refer to us asking to pick up an employee among the displaced people. There were no problems with the procedure of labor costs compensation."

Deputy Director of the Kharkiv City Employment Center tells about financial verification of companies-potential employers:

"... It is usually employers with whom the contact has been established. First, an employer gives a position, we select a person, and then the employer submits documents according to the Order. We check them; then there are verifications with the Pension Fund, with the Tax Authorities. Their requests can be rejected. Decisions are taken by the director. Since the beginning of 2016 (the time of the study - note.) 67 employers have referred to us and 8 in 2015..."

Regarding the compensation of expenses to the employer in the city of Boryspil at the moment of the study 2 applications from employers were under consideration.

An important change was made in the new version of the Law concerning the termination of IDPs procedures of employment at the previous places of residence. Previously, to obtain a status of an unemployed and obtain corresponding benefits at the new place of residence, IDPs could stop the former employment relationships by providing to the employment center a notarially certified written application on termination of the employment relationships with the employee confirming that this application had been directed to the employer by registered mail by that citizen. Displaced people faced problems related to the cessation of acceptance of mail items to/from the occupied territories. Due to impossibility of sending such applications and, accordingly, failure to submit the necessary documents, territorial employment centers denied to register IDPs. The only solution for IDPs was to break employment relationships in court. Now, such an application can be submitted to a relevant employment center at the place of residence of a displaced person.

In 4 researched centers of employment: Boryspil (Kyiv region), Lysychansk (Luhansk region), Kriviy Rih (Dnipropetrovsk region), Mariupol (Donetsk region) it was confirmed by the employees of the territorial employment centers that at the moment there were no problems with IDPs registration without termination of previous employment relationships there. *"If a person has not broken off his labor relations, he writes an application addressed to his former employer, certifies notarially and gives us, as the post does not work", - says the Director of the Lisichansk City Employment Center.*

Regarding the Kharkiv City Employment Center, deputy director noted the preservation of the practice of employment termination in court. *"The mechanism (of IDPs registration without stopping their former employment relationships - note) has been developed by the Law, but it does not work, because a person cannot give a receipt for a postal order fulfillment due to the failure to take appropriate registered letters. If one lacks necessary documents - we have already accumulated the practice. Before registration we help IDPs to break their employment relationships, and then give the status of unemployed. There are cases of termination of employment by the courts. We help people, we have a legal department, have an example of claim on the break of employment relationships, we accompany IDPs in courts. The only obstacle is the moral one - people are not ready to go to the court ..."*

Thus, in the course of the study there were fixed different approaches to solving the problem of IDPs registration without stopping their former employment relationships.

3.3 Events in regions regarding increasing of employment of IDP

According to the employees of the Kriviy Rih city center of employment one of the effective ways to solve the problem of the displaced people employment is their involvement in business activities. 75 people from among the IDPs in Kriviy Rih, including 48 unemployed people participated in the UNDP training program "Development of entrepreneurship skills among IDPs and the local population of Donetsk and Lugansk regions." 250 people in Donetsk region have received an analogous training, 100 – in Mariupol, 150 – in Kramatorsk. In the course of training qualified trainers familiarized the audience with the features of managing and development of own business, opportunities to gain practical experience in the creation of business ideas and writing a business plan. Training sessions have contributed to raising the confidence of participants in their own abilities and the formation of entrepreneurial thinking.

According to the Donetsk regional military and civilian administration, employment service specialists actively conduct information and consulting work on motivation of IDP individuals towards self-organization of personal employment, the implementation of their own business ideas. Employment service activities system provides real opportunities for self-employment, actively supports entrepreneurial initiatives. An important place is occupied by the provision of appropriate information and consulting and career guidance services, and organization of vocational training towards entrepreneurial activity, providing a one-time payment of unemployment benefits for its organization. In order to promote good practices of successful entrepreneurs, an employment service introduced the formation of the bank's business ideas. As of January 01, 2016 year, it's been created more than 100 successful and promising ideas.

The majority of respondents in all surveyed regions noted the lack of problems with registration at employment centers, a large number of workshops, information sessions to provide IDPs legal assistance, round tables and re-qualification courses organized by the staff of employment centers.

Yulia, a lawyer, migrant from the Lugansk region, lives in Mariupol:

"Employment Center's employees conduct round tables with participation of IDPs, provide information on grant programs to people who can not find job, received assistance from donors ..."

Features of work with the unemployed IDPs by the employment centers' staff in five regions were:

- non-perception of the local labor market, existing salaries - often migrants, moving from industrial or mining towns of Donbass where they received a fairly high wages, noted that it is more profitable to be registered at the employment center with the original preservation of the salary that they had than look for a job.

- passivity in finding a job – after interviews with IDPs in a modular campus in the city of Kriviy Rih and staff of the city employment center, it was found that the displaced people were not ready to look for work, take retraining, to obtain additional profession. "We organized in the modular campus a field action of the city employment service with the involvement of the educational institutions' teachers of "Kriviy Rih Training and Production Center", which was organized in the framework of cooperation of the German Society for International Cooperation GIZ and Employment Services of the city, and hairdressers courses for residents of modular campus. And attracted employers engaged in sewing denim clothes, which were ready to hire

IDPs. The conditions that they offered included a full benefits package for employees, travel arrangements from the compact settlement to the place of work and back. Wages - from 2 to 4 thousand UAH. We were able to organize retraining courses for IDPs in turn; we have provided the means for this. But, unfortunately, people living in the modular campus, were not satisfied with the offer - they were satisfied with life on social benefits ... ", - says the Director of the Kriviy Rih city employment center.

- lack of confidence in the duration of residence in the region does not encourage IDPs to seek a permanent job. Often employment centers offer their employees participate in public works, seasonal employment in the field of entrepreneurship. "In the popular profession with a good salary (machine-tool, for example, for men) training lasts 6-9 months. It does not suit IDPs – too long-term plans. How do they should support their families, pay rent and utilities during the training?"- Says the deputy director of the Kharkiv city employment center. On the other hand, employers are not willing to invest in workers who are not sure how long they linger on the new place of residence, especially when you need a long period of initial training.

4. MEDICAL CARE

Lisichansk (Luhansk region), Mariupol (Donetsk region), Kharkiv (Kharkiv region), Kriviy Rig (Dnipropetrovsk region), Boryspil (Kyiv region)

The Law of Ukraine "On ensuring the rights and freedoms of internally displaced persons," says in general about the organization of medical care for IDPs, in particular, the law specifies that IDPs have the right to provision with medicines in cases and manner prescribed by law, as well as providing the necessary medical care in state and municipal health care institutions. The Law also defines the powers of the following authorities:

- Ministry of Health - provides arrangement of medical care and health services, implementation of comprehensive measures for the sanitary-epidemiological security of the population and quarantine measures at the places of actual residence of internally displaced persons;

- Local state administration - ensures the provision of medical and psychological assistance to internally displaced persons, if necessary, organization of health facilities' work on providing the necessary assistance to the population, taking into account temporary residence/stay of internally displaced persons in the respective territories;

- Local authorities - ensure the provision of medical assistance in municipal health care institutions, taking into account information on internally displaced persons, temporarily residing (located) in the respective locality.

"Integrated state program on the support of social adaptation and reintegration of Ukrainian citizens who moved from the temporarily occupied territory of Ukraine and the regions of the anti-terrorist operation in other regions of Ukraine for the period up to 2017" and an action plan for the organization of its implementation were approved by the decision of Cabinet of Ministers No. 1094 of December 16 2015 in order to implement the Law of Ukraine "On ensuring the rights and freedoms of internally displaced persons".

The medical direction of the Program is being implemented by providing the displaced people with needed medical care (Par. 9.1 of the Action Plan). Paragraph 15 of the Plan defined the "growth compensation load in the infrastructure of local communities for social services and social welfare of displaced people" and assumed "additional funding to provide health care to displaced citizens from among the group of dispensary registration at their place of actual residence; provision decreed population groups with drugs."

According to the Ministry of Health information:

"Pursuant to the Cabinet of Ministers' order dd. June 11, 2014 No. 588-p "Issues of social security of Ukrainian citizens who moved from the temporarily occupied territories and regions of the ATO" and protocol decisions of the government on the issue of IDPs' health care, Ukraine's Ministry of Health constantly monitors applications of temporarily displaced citizens of Ukraine and the Crimea, Sevastopol and the ATO area. As of April 14 2016 for medical help appealed 235073 adults and 122,252 children from IDPs, of them 144,000 adults and 68,099 children were registered in medical records, 55,047 adults and 30,691 children were hospitalized. 314 829 medical instrument examinations and research surveys were conducted of IDPs. Women of this category gave birth to 6181 children."

During the study, the situation with medical service of IDPs in 5 regions of Ukraine on the results of interviews with health care institutions' staff and the survey respondents-IDPs, it can be concluded that in general there are no features of migrants' medical services - they all have access to public health care system, are served along with residents of the corresponding territorial communities. The majority of respondents noted that in the state and municipal health care facilities visits to physicians, provision of standard medical services were free, and the purchase of necessary medicines and preparations they carried out at their own expense, as did every other patient. Two persons of those surveyed said that they faced discrimination of IDPs.

Yulia, a lawyer, migrant from Donbass, lives in Mariupol:

"They never implement the right to a free public health care in Mariupol. To this demand they give contacts of the social center services of a particular rayon of the city. Refuse to accept a person to a hospital when they learn that he is an IDP..."

Olga, disabled person of group II, retired, moved from Donetsk, lives in Mariupol:

"When I was taken by ambulance to the city hospital No.2, the doctor who took me said, "I hate the refugees and will not come to you and will render any assistance". I was forced to go to another doctor ... A nurse at the nephrologist's office said: "Do not explain that you are a refugee - it is clear, take a look at yourself."

Although IDPs have the right for access to the free health care system, this system does not cover the cost of drugs. Since the displaced people have lost sources of livelihood, many people can not afford to buy necessary drugs. Persons who need expensive treatment regularly are in the most difficult situation. The regional health authorities are allocated funds for these types of treatment according to the number of patients in the respective field. In these cases, regional state administrations apply to the Ministry of Health for the redistribution of medical subsidy.

In order to ensure IDPs medicines and medical products, the Ministry of Health of Ukraine and the Government developed and adopted the following orders:

in 2014:

- of October 30 2014 No. 1070-p "On the allocation of funds from the reserve fund of the state budget" (Dnipropetrovsk, Kharkiv, Chernihiv Regional State Administration and the Department of Health of the executive body of the Kyiv City Council (Kyiv City State Administration) - allocated UAH 10,530.0.

- of November 12 2014 No. 1094-p "On the allocation of funds from the reserve state budget fund" (Kharkiv region) - allocated UAH 25 471.42.

in 2015:

- March 18, 2015 No. 219-p "On the redistribution of the volume of medical subventions from the state budget to local budgets in 2015" (Donetsk Oblast) - redistributed UAH 225,837.2;

- of July 17, 2015 No. 717-p "On the redistribution of the volume of medical subventions from the state budget to local budgets in 2015" (Luhansk region) - redistributed 65,495.1 UAH;

- of October 28, 2015 No. 1107-p "On the redistribution of the volume of medical subventions from the state budget to local budgets in 2015" (Donetsk region) - redistributed 86,181.8 UAH;

- of November 11, 2015 No. 1154-p "On the redistribution of the volume of medical subventions from the state budget to local budgets in 2015" (Donetsk region) - redistributed 8,601.3 UAH.

Information on the orders of the Cabinet of Ministers of November 11, 2015 No. 1178-p "On the redistribution of some disbursements of the state budget provided for the Ministry of Education and Science (national expenditure) for 2015, and redistribution of the volume of educational and medical subsidies from the state budget to local budgets in 2015" regarding 5 study areas is presented in the table below.

Budget Code	Name of the Local Budget of the Administrative and Territorial Unit	Amount of Subvention (General Fund), thousand UAH.		
		volume reduction (consumption expenditure)	increase in volume (consumption expenditure)	costs associated with the increase of IDPs that receive medical care
05100000000	Regional budget of Donetsk region	210314,6	6710	-
12100000000	Regional budget of Luhansk region	106507,4	5777,5	-
04100000000	Regional budget of Dnipropetrovsk region	-	18012,3	6760,1
10100000000	Regional budget of Kyiv region	-	18137,6	4021,9
20100000000	Regional budget of Kharkiv region	-	31381,5	17666,8

Information on the orders of the Cabinet of Ministers of December 16, 2015 No. 1340-p "On the redistribution of some disbursements of the state budget provided for the Ministry of Education and Science in 2015, and redistribution of the volume of educational and medical subsidies from the state budget to local budgets in 2015," regarding 5 study areas is represented in the table below.

Budget Code	Name of the Local Budget of the Administrative and Territorial Unit	Amount of Subvention (General Fund), thousand UAH.			
		volume reduction (consumption expenditure)	increase in volume (consumption expenditure)	Among them: labor costs with charges	target costs for the treatment of patients with diabetes and diabetes insipidus and for the hemodialysis treatment method
05100000000	Regional budget of Donetsk region	1132221,2	221394,9	20330,9	153398,7

12100000000	Regional budget of Luhansk region	573378,6	69709,4	7192,4	45654,6
04100000000	Regional budget of Dnipropetrovsk region	-	177593,3	33261,5	66351
10100000000	Regional budget of Kyiv region	-	96703,2	16817,2	40458,7
20100000000	Regional budget of Kharkiv region	-	143357,1	27293,1	52076

In order to ensure IDPs medicines and medical products, Ukrainian Ministry of Health due to the cooperation with international organizations and companies received humanitarian aid in the form of medicines, medical products and vaccines, which were distributed by the relevant orders (38 orders issued).

When forming indicators of the state budget for 2016 the Ministry of Finance adjusted the maximum volume of budget allocations for the budget program "Medical subvention from the state budget to local budgets" in the amount of 44.3 billion UAH.

Increase of medical subvention volume is possible due to the reserve fund medical subvention expenses in the amount of 443 165.9 thousand UAH, as well as expenses for the territories of Donetsk and Luhansk regions, where the public authorities temporarily cannot exercise their powers, in the amount of 868 735.6 thousand UAH.

However, according to Kharkiv Regional State Administration Health Department the situation with the provision of medical care to residents of Kharkiv region deteriorates with untimely and incomplete centralized procurement of the Ukrainian Ministry of Health with drugs and medical products, acquired from the state budget pursuant to the medical activities of individual government programs and complex programmatic activities.

In Luhansk region the study was conducted in the Luhansk Regional Children's Clinical Hospital, which moved in Lisichansk. According to the chief physician of the hospital, the provision of the state hospital has improved several-folds:

"This hospital was formed on the basis of the city children's hospital of Lisichansk, which gave us the premises. All that is needed for the treatment protocol - everything is provided. There are problems with syringes –we need 800 syringes a day. We are not given so much, we provide children from IDPs, the rest we ask to buy at their own expense. In all my years of practice it is the best provision - even medical overalls are free from the state, and personnel from among the IDPs get even 2 medical overalls + shoes. Sometimes, parents ask to postpone the discharge of children, because they have no money to treat them at home, and here children get also food..."

5. ACCOMMODATION

Lysychansk (Luhansk region), Mariupol (Donetsk region), Kharkiv (Kharkiv region), Kriviy Rig (Dnipropetrovsk region), Vorzel (Kyiv region)

Law of Ukraine "On ensuring the rights and freedoms of internally displaced persons" (Art. 9) guarantees the rights of the internally displaced persons for the creation of appropriate conditions for permanent and temporary residence, opportunities of free temporary residence (subject to payment of the cost of utilities) within six months from the date of the internally displaced persons registration (for large families, disabled, elderly, this period may be extended). The law also guarantees the right to assistance in moving the movable property of the internally displaced persons.

In accordance with the Law (Art. 10) the Cabinet of Ministers of Ukraine is authorized to coordinate and control ensuring of the internally displaced persons' rights from the side of state executive bodies. In the event of circumstances that led to the massive (more than 100,000) movement of citizens of Ukraine, or in case of the continuation of such circumstances for longer than 6 months, the Cabinet of Ministers of Ukraine approves the comprehensive state target programs for support and social adaptation of internally displaced persons with the definition of sources and financing volumes.

Decree No. 1094 of 16 December 2015 (7 months after the statutory period) the Cabinet of Ministers of Ukraine adopted a comprehensive state program of support, social adaptation and reintegration of displaced persons until 2017.

As to the housing this regulation provides for the establishment of a real estate register for renting at the reduced rent for IDPs, development of local community projects for the construction of housing for displaced people according to their needs and use of the latest building and energy-saving technologies. It is supposed to ensure the allocation of land for the displaced persons housing, the creation of social housing in urban areas (hostel) for lease by the displaced citizens on favorable terms, financing the development of infrastructure of the village from the state budget subject to the allocation of land plots for housing to the displaced, revival for persons with housing. It is also planned to construct cottage towns for migrants and introduction of technologies of rapid construction of housing from local building materials with the assistance of independent persons to housing construction.

In its content the document bears a declarative, formal nature, provides for the development of targeted programs by the relevant ministries and agencies without specifying the financial support (the program was adopted in the second half of December 2015, which prevented the introduction of the cost for its implementation to the 2016budget).

The law (Part 8, Art. 11) imposed the duty on local state administrations to provide information to IDPs on possible locations and conditions for their temporary residence, free meals for this category of persons for not more than one month before receiving an unemployment status or employment, the provision of premises or social housing for temporary use, subject to payment of utility services.

The fund of social and temporary housing for the internally displaced persons has never been established in Ukraine at the time of the report.

As to ensuring the housing rights for internally displaced persons, local governments in accordance with the law have the authority to provide temporary use of premises or social housing, subject to payment of utility services; address issues on the acquisition of rights to land in the place of actual residence by the internally displaced persons.

Law (Sect. 17) also provides assistance in the provision the internally displaced persons with loans for land acquisition, purchase and construction of housing. The local government authorities and local self-government in cooperation with the state banking institutions are charged with the formation of long-term regional programs on the target lending of construction and acquisition of housing for internally displaced persons. The Cabinet of Ministers of Ukraine and the National Bank of Ukraine are developing legal mechanisms of refinancing opportunities of expenditures on construction or return of interest under paid credits to internally displaced persons, who have acquired a disability, lost their breadwinner or without proper care and guardianship (orphans, single parents or seniors) as a result of military conflict.

At the time of this monitoring study, according to the available information, in particular check the statement of the Minister for the Occupied Territories and internally displaced persons by Vadim Chernysh of August 03, 2016 (<http://112.ua/obshchestvo/v-ukraine-seychas-net-programm-predusmatrivayushhih-stroitelstvo-zhilya-dlya-pereselencev-chernysh-329251.html>), there are no programs for the construction and acquisition of tenants for internally displaced persons at the regional and national level in Ukraine. Development and implementation of the programs provided by the Law is the key to solving housing problems and social adaptation of the internally displaced persons.

During the project implementation there were carried out monitoring trips to 5 places of compact residence of the internally displaced persons in Luhansk (sanatorium "Zorya" Severodonetsk), Donetsk (the Christian community "Vozrozhdeniye" Mariupol), Dnipropetrovsk (Modular town of Kryvyi Rih), Kiev (sanatorium "Pobeda", the Vorzel), Kharkiv (Kharkiv modular campus).

The owners of the places of compact residence were the local communities (modular towns in KryvyiRih and Kharkiv), legal entities ("Pobeda" and "Zorya") and an individual ("Vozrozhdeniye").

At the time of the monitoring visit, the number of internally displaced persons in places of compact residence was: Kharkiv - 398 people (including 189 persons under 18 years, 35 persons with disabilities, 12 older than 70 years), Kriviy Rih - 227 people, 90 families (of them: 86 under 18, 23 under 3 years), Severodonetsk - about 100 people, Vorzel - 42 people (including 6 juvenile, 20 – of retirement age, 7 with special needs), Mariupol - 15 people, 4 families.

The grounds for placement in modular cities (Kharkiv, Kriviy Rih) are the direction of the Kriviy Rih City Department for Family and Youth Affairs and the Ministry of Emergency Measures in the Kharkiv region. Subsequently, an internally displaced person enters into a residential lease agreement (asset holder). In sanatorium "Pobeda" IDPs are directed by the Kyiv regional state administration, followed by the conclusion of the agreement between the migrant and the sanatorium. In the sanatorium "Zorya" resides displaced staff of Luhansk Regional State Administration and law enforcement agencies of Luhansk region. In the Christian community "Vozrozhdeniye" live members of community from the occupied regions of Luhansk and Donetsk regions. The sanatorium "Zorya" and the Christian community "Vozrozhdeniye" do not sign agreements with the internally displaced persons.

In addition to providing directions for the settlement in the model town in Kriviy Rih, the internally displaced persons are also required a passport, an identification number and a medical reference.

According to the respondents - the administrations of places of compact residence, the practice of refusing to grant the possibility of accommodation in places of compact residence is absent.

Modular town in Kharkiv is almost filled up. The occupancy rate in Kriviy Rih is about 55%. There is possibility of additional accommodation of the internally displaced persons in other places of compact residence.

It was noted 2 cases of eviction of the internally displaced persons for violations of internal regulations in Kharkiv.

The time for accommodation in the modular campuses should not exceed 3 months according to the projects. In fact, at the time of monitoring, some internally displaced persons lived there for over a year. The term of accommodation in the modular town (Kharkiv) is determined by the regional headquarters for the placement of the internally displaced persons. In Kriviy Rih the agreement is concluded for one year with subsequent prolongation.

In Vorzel agreement has been concluded till July 2, 2016. Remaining of the internally displaced persons in the resort was not settled at the time of the visit to the resort. According to the letter of the Kyiv Regional State Administration the migrants must find a new place of residence after the expiry of the agreement.

In other places of the monitoring visits terms of remaining were not specified.

Living conditions.

Direct hosting of the internally displaced persons depend on the availability of rooms and composition of the family (up to 4 persons in a room, up to 8 - in the houses of family type in modular campuses), 2-3 people in rooms in sanatoriums and in the Christian community.

General condition of the buildings and premises of places of compact residence depends on the year of construction and/or carrying out repair works. Modular towns in Kharkiv and Kriviy Rih were built with the support of German foundation GIZ in 2014-2015, so their general condition is satisfactory. Condition of the premises of the Christian community "Vozrozhdeniye" is satisfactory as a whole. Buildings and facilities of the sanatorium "Zorya" before the IDPs settlement have not been used for 6 years so the state of communications and housing does not meet the requirements. Premises for accommodation of the internally displaced persons of the sanatorium "Pobeda" are also in an extremely unsatisfying condition, the rooms require repairs and are not suitable for longer stays.

Water supply in modular towns in Kharkiv and Kriviy Rih, in the Christian community in Mariupol is centralized without restriction. The sanatorium "Zorya" in Severodonetsk the centralized water supply system requires repair, and there is no hot water for two years already. The sanatorium in Vorzel has its own well, UNHCR has acquired a solid fuel boiler, hot water is supplied for 4 hours daily.

The state of electrical power supply in general is satisfactory, there are problems with wiring and sockets in Severodonetsk (migrants made partial replacement of wiring and electrical equipment at their own expense).

There is no problem with the export of household waste as well in the places of compact residence.

Free meals are not provided in the places of compact residence.

There is a possibility of self-cooking in the rooms of modular towns. The Christian community and sanatorium in Lisichansk have a common equipped area for cooking. The sanatorium "Pobeda" a common equipped area for cooking is absent; rooms are not equipped for cooking either. The settlers have adapted to prepare food in the rooms with the help of electrical appliances.

Depending on the room type modular campuses have individual or shared equipped bathrooms (WC, shower). In sanatoriums every room is equipped with bathroom and toilet. The Christian community has a common bathroom on the ground floor.

Space heating in winter in modular camps is carried out due to the modern electrical appliances. The sanatorium "Pobeda" in the Christian community in Mariupol carries out space heating by its own boiler. The sanatorium "Zorya" central heating in winter is insufficient, the residents are forced to heat the rooms using their own household appliances but in conditions of poor wiring that leads to frequent emergencies.

Washing of personal belongings in modular towns is carried out in a common industrial laundry equipped with washing machines without restrictions in Kharkiv, and once a week in Kriviy Rih. In Severodonetsk people wash in 6 household washing machines, which is not enough. In Vorzel a charitable foundation has acquired 2 household washing machines that are used by settlers and their number is insufficient. In Mariupol laundry also occurs with the help of household washing machines.

Beds in modular campuses are provided in a proper manner (blankets, pillows, mattresses, bed linen). In Mariupol and Vorzel the immigrants are also provided with bedding for the expense of the administration. In Severodonetsk the sanatorium partially secured migrants with linen and mattresses, residents also received humanitarian assistance and purchased at their own expense.

In Mariupol, displaced people have access to the Internet. In modular towns of Kriviy Rih and Kharkiv Internet access is possible on the basis of contracts concluded by the settlers with telecommunications service providers. The sanatorium "Zorya" and "Pobeda" access to the Internet is not available.

In modular campus in Kharkiv stay for immigrants free of charge, except for payment of utility services in the amount of 110.24 hryvnia per person per month (water and sanitation). 632.92 hryvnia per month per person is compensated by the city budget of Kharkiv.

In Kriviy Rih 150 hryvnia per month per person, children under 3 years old stay for free.

In Severodonetsk stay is free, immigrants collect money 50-100 hryvnia per person per 3 months for maintenance.

In Mariupol accommodation for immigrants is free of charge.

2,296,792 hryvnia was spent by the European Union within the framework of the project "Social integration and reconciliation of internally displaced families and children in the Kiev region" over the entire period of existence of the place of compact residence - the sanatorium "Pobeda" (less than 2 years at the time of the monitoring visit) stay of immigrants in conditions that are far from adequate living standards (see accommodation above).

The sanatorium accommodation costs 122 hryvnia/day for one person. 112 hryvnia pays Kiev Regional State Administration (due to the received European Union donor assistance), 10 hryvnia/day – an immigrant (previously 20).

Thus, the cost of one month of residence in the room that needs repair and windows replacement for 2 persons is 7,320 hryvnia, 3 – 10,980 hryvnia (for comparison - month of stay in a one-room apartment in Kiev with all the facilities and a minimum set of furniture at the time of writing a report is about 3,500 hryvnia!).

This situation is a consequence of the lack of legislation provided for the distribution mechanism of public control of donor funds and conditions for the participation of citizens (including immigrants) in such decisions.

During the interview, respondents drew attention to the need to amend the legislation on internally displaced persons, protection of rights, the need for state housing programs addressing issues on compensation of immigrants expenses for housing.

Payment for housing of the displaced staff of public authorities is available from the budgets of the territorial communities that require changes to the budget law.

According to the respondents - administrative staff of places of compact residence, it is necessary to develop an effective mechanism for collecting rent (utilities) from persons, compensation which they receive from the state, but these payments do not actually arrive to the destination.

According to the observations of the report authors, to date the modular campuses have a situation that has created an internal closed environment, prevents the social and economic activity of immigrants, their integration into the new colossus, promotes the growth of dependent moods. In the future, in case a decision on the construction of such facilities for the displaced people is made, one should consider these circumstances.



КИЇВСЬКА ОБЛАСНА ДЕРЖАВНА АДМІНІСТРАЦІЯ
СЛУЖБА У СПРАВАХ ДІТЕЙ ТА СІМ'І

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від 01.08.2016 № 1832/01-12
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Управління інформації та зв'язків
з громадськістю Київської ОДА
Сектор доступу до публічної
інформації

Про доступ до
публічної інформації

Служба у справах дітей та сім'ї Київської обласної державної адміністрації розглянувши запит про доступ до публічної інформації громадянської організації «Луганський обласний правозахисний центр «Альтернатива» від 28.07.2016 року № 46 надає наступну інформацію.

В рамках реалізації проекту «Соціальна інтеграція та примирення внутрішньо переміщених сімей та дітей Київської області, що фінансується Європейським Союзом, на компенсацію тимчасово проживання ВПО службою у справах дітей та сім'ї Київської облдержадміністрації був підписаний один договір з Колективним підприємством санаторій «Перемога». Термін дії договору з 03 березня 2015 року по 30 червня 2016 року. За даний період в рамках проекту було перераховано Колективному підприємству санаторій «Перемога» 2 296 792 грн. (два мільйона двісті дев'яносто шість тисяч сімсот дев'яносто дві гривні).

Вартість на одне койко-місце складала з 03 березня по 01 листопада 2015 року, для дорослих - 76,00 грн., для дитини, - 60,00 грн. З 01 листопада 2015 року по 30 червня 2016 року для дорослих та дітей вартість складала 112,00 грн.

В.о. начальника служби

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В.О.Лощев

*The answer of Kyiv Regional State Administration
on request LRHRC "Alternativa"*

THE OBTAINED RESULTS AND INTERNATIONAL LEGISLATION

Guiding Principles on Internal Displacement, the UN High Commissioner for Refugees, adopted July 22, 1998 year («UNHCR - Guiding Principles on Internal Displacement»), address the specific needs of internally displaced persons. They identify rights and guarantees relevant to the protection of persons from forced displacement and to their protection and assistance during displacement, and during return or resettlement and reintegration.

Internally displaced persons enjoy, in full equality, the same rights and freedoms under international and national law, which other persons enjoy in their country (Principle 1).

National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction (Principle 3).

The difficulties associated with obtaining social benefits for internally displaced persons have received a negative assessment from international organizations. For example, "the UN considers the suspension of payments to settlers a breach of international standards and guidelines of the United Nations" (<http://vchasnoua.com/donbass/35148-oon-schitaet-priostanovlenie-vyplat-pereselentsam-narusheniem-mezhdunarodnykh-norm-i-rukovodyashchikh-printsipov-organizatsii-ob-edinjonnykh-natsij>).

All internally displaced persons have the right to an adequate standard of living, access to medical services and first aid (Principle 18).

The absence of the state target program of assistance in the acquisition and construction of housing, described in the report, and the living conditions in the places of compact residence (problems with water and electricity supply, cooking, washing clothes and so on.), may indicate a violation of the state's obligation to provide basic, elementary conditions of the displaced persons residence.

Everyone has the right to education. Internally displaced persons, in particular adolescents and women, regardless of whether they live in camps or not, as soon as conditions permit, are provided with educational opportunities and vocational trainings (principle 22).

Practical implementation of this principle requires the authorities of Ukraine to improve public policy, development of practical mechanisms for implementation in the field of higher education legislation (see Recommendations to the report).

Internally displaced persons shall not be subject to any discrimination as a result of their displacement in the enjoyment of the right to seek freely opportunities for employment and participation in economic activities (principle 22).

Activities of employment centers on the implementation of the Recommendation principles and national legislation in the field of employment of persons requires greater intensification for inclusion in the local labor market, conducting outreach to employers and displaced job seekers.

The practical implementation of national legislation regulating the situation of internally displaced persons considering international law is an essential element to guarantee the rights, freedoms and interests of this category of persons and part of the implementation of international obligations of Ukraine.