

Key Messages on Internal Displacement

January 2019

- **UNHCR calls on the Government of Ukraine to ensure that internally displaced persons (IDPs) enjoy full access to their pensions and social benefits.** Currently, citizens of non-government controlled areas are required to register as IDPs in order to continue to access their rightful benefits, and the authorities regularly re-verify IDPs' continuing eligibility for pensions and social benefits. Other Ukrainian citizens are not subject to this level of scrutiny. The procedures for issuing benefits for IDPs should be simplified, so that IDPs do not face a discriminatory burden in accessing support. Even more than other citizens, IDPs who have lost homes and jobs rely on this support to cover their basic needs. Furthermore, UNHCR calls on Ukraine to adopt all possible measures to facilitate the protection of persons living in non-government controlled areas. This includes de-linking the payment of pensions and social assistance from IDP registration. Pensions are an acquired right of all citizens of Ukraine and should not be linked to IDP registration; social assistance is linked to an individual's vulnerability and not the fact of displacement.
- **The checkpoints must facilitate movement across the contact line in safety and dignity.** Movement through the checkpoints promotes social cohesion and protection of rights, as people cross the contact line to visit friends and relatives or access services. The checkpoints are busy: during 2018, there was a monthly average of 1.1 mn crossings through the five checkpoints in the east and additional 210,000 through the three checkpoints at the administrative boundary with Crimea. The authorities upgraded conditions at the checkpoints in the east in 2018, while those with Crimea are awaiting improvements in 2019. To build on that progress, there should be further steps to maintain infrastructure (e.g., waiting areas, toilets, and medical services) and expedite the crossings, which on average continue to take several hours, according to survey data. Since the authorities have plans to revise the regulatory framework regarding the checkpoints, UNHCR would urge an approach that simplifies crossings and improves the conditions, such as by reconsidering the current system of electronic permits in the east. The new regulation should permit people to carry personal goods (except for a specific list of prohibited items) across the contact line.
- **Civilians living near the line of contact deserve protection.** Fighting continues to affect many communities near the line of contact. Civilians suffer death, injury and property damage. Fighting damages vital civilian infrastructure like water, electricity and heating systems, causing great hardship. Mines and unexploded ordnance pose a daily danger, and may inhibit economic recovery. The military has occupied civilian property, and in many cases, these civilian residents do not have documentation regarding the requisition of their property. To address these issues, it is critical to

separate military positions from civilian areas. Furthermore, it is recommended to implement the recently adopted legislation on humanitarian mine action and to clarify and communicate the framework for military requisition of civilian property, which would include compensation for utilities and any damage, where this is necessary and proportionate.

- **The Government should adopt a procedure for birth registration that is responsive to the specific needs of families in the non-government controlled areas, as well as Crimea.** Without birth registration, children born in NGCA are at risk of statelessness. Currently parents can obtain registration of their child's birth only after a court proceeding. While courts accelerate consideration of these cases, the procedure imposes additional cost and waiting time for new parents.
- **Vulnerable IDPs must have access to social and affordable housing.** Housing needs for IDPs are becoming increasingly acute as prolonged displacement outlasts available assistance and individual savings. The Government should protect IDPs against forced evictions from collective centers and provide reasonable alternatives. IDPs with disabilities and other specific needs should receive priority for temporary and social housing.
- **Many IDPs have been displaced for five years and want to find a durable solution.** The Government has adopted a durable solutions strategy and action plan for its implementation. These include measures to promote long-term legal, economic and social integration for IDPs. To ensure implementation of this plan, the authorities are encouraged to allocate sufficient resources, coordinate the activities, and include direct participation of IDPs in monitoring. Links to development and recovery programs will be critical. To ensure the possibility of voluntary returns, the authorities should adopt legislation to protect IDPs' property rights and to introduce a long-term program for compensation of damaged housing, land and property.
- **IDPs must have the right to vote in both national and local elections.** They cannot vote in local elections, and they cannot vote for half the parliamentary seats (majoritarian seats). While IDPs have the right to vote in presidential elections, they must follow a special procedure to get access to their right to vote; only 31 per cent report being aware of these procedures. To integrate in new communities, IDPs must have a voice regarding their future. Parliament should adopt legislation to guarantee IDPs' right to vote, and the authorities should conduct public campaigns to inform IDPs about how to exercise their right to vote in presidential and parliamentary elections.

UNHCR stands ready to support the Ukrainian authorities and civil society partners with the implementation of these recommendations.

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