

# Legislative Update

UNHCR update on displacement-related legislation | February 2021

## Adopted Legislation

- Legal response to the COVID-19 outbreak in Ukraine
- National web platform for centers providing administrative services (TsNAPs)
- State social assistance to persons with disabilities since childhood and children with disabilities
- Pension Fund budget for 2021
- Expanding the use of eMalyatko to NGCA and Crimea residents
- Facilitating the freedom of movement through the line of contact in the east of Ukraine and the administrative boundary with Crimea

## Draft legislation

- Amendments to the legal framework on the Ombudsperson
- Draft law on de-occupation
- Amendments to the legal framework on free legal aid
- Introducing the crime of collaborationism into the Ukrainian legal framework

## Other developments

- Simplified registration of humanitarian assistance
- Ratification of the agreement on financial cooperation aimed at finding housing solutions for IDPs
- Establishing military-civil administrations in the Donetsk and Luhansk oblasts
- Housing for IDPs supported by local subventions from the State Budget

## Adopted Legislation

### Legal response to the COVID-19 outbreak in Ukraine

In February, the Government of Ukraine gradually lifted the restrictions adopted in response to the COVID-19 outbreak. On 5 February 2021, the Government adopted its Resolution #83<sup>1</sup> introducing an amendment to Resolution #1236<sup>2</sup> of 9 December 2020 on the quarantine and other restrictive measures<sup>3</sup> for preventing the further spread of the COVID-19 in Ukraine. The Government revised the prohibitions to attend cinemas, theatres, museums, exhibitions and galleries. It allowed to attend all types of cultural facilities, scientific and educational events with occupancy below 50% or if there is maximum one person per 5 sq. meters. On 17 February 2021, the Government adopted its Resolution #104<sup>4</sup> introducing an updated algorithm of adaptive quarantine measures to be implemented from 24 February 2021. The reviewed modality preserves the

<sup>1</sup> The full text available online (in Ukrainian): <https://www.kmu.gov.ua/npas/pro-vnesennya-zmini-do-punktu-2-postanovi-kabinetu-ministriv-ukrayini-vid-9-grudnya-s50221>

<sup>2</sup> The full text available online (in Ukrainian): <https://www.kmu.gov.ua/npas/pro-vstanovlennya-karantinu-ta-zaprovadzheniya-obmezhuvalnih-protiepidemichnih-zahodiv-1236-091220>

<sup>3</sup> Please see more details in UNHCR 2020 December Legislative Update available online: [https://www.unhcr.org/ua/wp-content/uploads/sites/38/2021/01/2020-12-Legislative-Update\\_ENG.pdf](https://www.unhcr.org/ua/wp-content/uploads/sites/38/2021/01/2020-12-Legislative-Update_ENG.pdf)

<sup>4</sup> The full text available online (in Ukrainian): <https://www.kmu.gov.ua/npas/pro-vnesennya-zmin-do-deyakih-akt-iv-kabinetu-ministriv-ukrayini-104-170221>

distinction between “green”, “yellow”, “orange” or “red” zones which shall serve as an indication of the spread of COVID-19 against resources available in a particular region/settlement. The “green”, “yellow” or “orange” level is determined by the State Commission on technological and ecological security (the Commission) and promulgated on the Government<sup>5</sup> and the Ministry of Health<sup>6</sup> websites. The “green” level will be declared countrywide if the following criteria are satisfied: the number of patients with confirmed flu/related illnesses in at least 13 regions of Ukraine does not exceed 50% of epidemiological thresholds defined for every such region and the number of patients with confirmed COVID-19 does not exceed 5%. The “yellow” level was declared countrywide since 24 February 2021. The list of prohibitions includes:

- Staying without face masks in public places and public transport;
- Staying outside without ID documents;
- Leaving self-isolation/observation facilities;
- Crossing the international border of Ukraine for foreigners and stateless persons without insurance covering COVID-19 related treatment and observation. This is not applicable to individuals permanently residing in Ukraine, refugees and those in need of complimentary protection, staff of international and humanitarian missions accredited in Ukraine and their family members, military instructors from NATO Member States and Partnership for Peace;
- Crossing the line of contact (LoC) in the east of the country and the administrative boundary with Crimea for foreigners and stateless persons without health insurance covering COVID-19-related treatment and observation;
- Conducting public events if there is more than one person per 4 sq. meters or with occupancy over 50% except when necessary for the functioning of the state and local authorities or for the training of Ukrainian national sport teams;
- Attending cinemas and theatres with occupancy over 50%;
- Attending gyms if there is more than one person per 10 sq. meters;
- In public transport, drivers should ensure that the number of passengers equals the total number of seats. Passengers shall wear facial masks;
- Attending dance and night clubs, other festive events;
- Functioning of cafes and restaurants is prohibited from 0:00 a.m. till 7:00 a.m. except takeaway and delivery options;
- Benefitting from hosting services (except hotels and rehabilitation centres);
- Attending educational institutions in case 50% or more of teachers and learners are potentially contaminated and therefore will stay in self-isolation after contacting those infected with COVID-19;
- Planned medical operations are prohibited (except for pregnancy and labour, oncology, palliative care and urgent operations). Visits to facilities providing palliative care and social protection to vulnerable individuals (apart for emergency workers, including health and fire workers) also fall under those

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<sup>5</sup> The full text available online (in Ukrainian): <http://covid19.gov.ua>

<sup>6</sup> The full text available online (in Ukrainian): <https://moz.gov.ua>

prohibitions. Visits to temporary accommodation centres (TACs) for refugees and migrant custody centres (MCC) for irregular migrants are allowed for legal aid workers only.

The “yellow” level shall be introduced in case one of the below criteria is satisfied in the respective region(s). The “red” level will be announced if two or more of the below criteria are met for three consecutive days in the respective region(s):

- Exceeding the epidemiological threshold<sup>7</sup> for flu and related illnesses in particular region(s);
- the number of patients with confirmed COVID-19 is higher than 65% of the capacity of the medical institutions (number of beds available for placing patients);
- the total number of PCR tests for RNA of COVID-19 and express tests for COVID-19 antibodies and/or antigens is lower than 300 per 100 thousand persons during the last seven days;
- the total number of newly identified, confirmed and alleged COVID-19 cases is higher than 60 per 100 thousand persons during the last seven days and the percentage of newly identified cases exceeds 20%.
- the increase in an overall number of hospitalizations with confirmed and alleged COVID-19 cases during the last seven days exceeds 50% in comparison with the previous period.

On 24 February 2021, by its Resolution #154<sup>8</sup>, the Government introduced additional restrictions for the “red” level. All internal, inter-city and inter-oblast transport connections will be prohibited except transit carriages, private vehicles with maximum five passengers (except children aged below 14), rented and corporate vehicles where the number of passengers equals the total number of seats and all occupants should wear a face mask. Transport routes should be agreed with the National Police at least two days in advance. Oblast administrations may decide on functioning of internal railway connections. This shall be agreed in each case by the Ministry of Infrastructure and the Ministry of Health. Oblast administrations may adopt decisions on inter-city railway connections.

#### National web platform for centers providing administrative services (TSNAPs)

On 3 February 2021, the Government of Ukraine adopted its Resolution #72<sup>9</sup> introducing a national web platform for TsNAPs. The platform<sup>10</sup> is maintained by the Ministry for Digital Transformation. It is accessible free of charge. While the Resolution focuses on technical details, it is important that individuals can access information related to TsNAPs and available services in one source. This may facilitate access of IDPs and conflict-affected persons to state services. They may plan their visits to TsNAPs close to their place of residence or arrange longer visits if necessary.

#### State social assistance to persons with disabilities since childhood and children with disabilities

On 3 February 2021, the Government of Ukraine adopted its Resolution #79<sup>11</sup> establishing the procedure for providing state social assistance to persons with disabilities since childhood and children with disabilities. It is available for citizens of Ukraine, foreigners and stateless persons, refugees and persons in need of complimentary protection permanently residing in Ukraine. Their disability and term for providing state assistance should be defined by a medical social commission (known as MSEC). Persons concerned should

<sup>7</sup> It is defined by the Ministry of Health

<sup>8</sup> The full text available online (in Ukrainian): <https://www.kmu.gov.ua/npas/pro-vnesennya-zmini-do-punktu-35-p-a154>

<sup>9</sup> The full text available online (in Ukrainian): <https://www.kmu.gov.ua/npas/pro-nacionalnu-veb-platformu-centriv-a72>

<sup>10</sup> It is available here: [center.dii.gov.ua](https://center.dii.gov.ua)

<sup>11</sup> The full text available online (in Ukrainian): <https://www.kmu.gov.ua/npas/deyaki-pitannya-priznachennya-i-vipla-a79>

submit an electronic or paper application to a social protection department of their choice<sup>12</sup>. From 1<sup>st</sup> March 2021, e-applications may be submitted through TsNAPs. Applicants should also provide supporting documents<sup>13</sup> to complete the application process. If needed, missing documents may be submitted within three months. After all documents are received, social protection departments examine the case within ten days. If the decision is positive, state social assistance is granted for the duration defined by the MSEC.

This resolution may facilitate access to social benefits for children with disabilities and persons with disabilities since childhood.

### [Pension Fund budget for 2021](#)

On 17 February, the Government of Ukraine adopted its Resolution #126<sup>14</sup> defining the budget of the Pension Fund for 2021. The budget provides 360 million UAH to cover pension-related payments ordered by court decisions, with IDPs being one category of applicants. The Government still has not adopted a resolution on the payment of accumulated debts to IDPs following court decisions, as it was expected since 2018.

### [Expanding the use of eMalyatko to NGCA and Crimea residents](#)

On 24 February 2021, the Government of Ukraine adopted its Resolution #155<sup>15</sup> introducing the eMalyatko<sup>16</sup> option for residents of NGCA of the Donetsk and Luhansk oblasts and Crimea. This will allow registering babies born on these territories remotely via the Diya mobile phone application. The legal basis for birth registration remains the same: it is a court decision. When an electronic court decision is uploaded to the State unified database on court decisions, it will be accessible in the Diya application. The procedure will be defined jointly by the Ministry for Digital Transformation and State Court Administration.

This initiative is a positive step towards simplifying the procedure for birth registration of babies born in NGCA and Crimea. However, it does not abolish and/or replace court procedure for birth registration. While this initiative introduces the possibility of remote birth registration, there is still a need to come to the government-controlled part of the territory (GCA) to complete the preliminary steps, including obtaining a document proving rejection of the civil registry office to issue a birth certificate as a precondition for applying to the court. Installing the Diya application requires an e-key or verification through a Bank ID<sup>17</sup>, while submitting documents for e-malyatko requires an e-signature. To obtain them, a person needs to come to the accredited centre of e-key certification in the GCA.

Thus, to become fully accessible remotely, the procedure still requires fine tuning.

### [Facilitating the freedom of movement through the line of contact in the east of Ukraine and the administrative boundary with Crimea](#)

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<sup>12</sup> To be submitted via post

<sup>13</sup> Those are ID document/certificate (for foreigners and stateless persons, refugees and persons in need of complimentary protection), application for state social assistance, copy of the birth certificate of a child with disability aged below 18, documents confirming existence or absence of full state financial support. If the set of documents is submitted by custodian, (s)he should provide copies of supporting court decisions

<sup>14</sup> The full text available online (in Ukrainian): <https://www.kmu.gov.ua/npas/pro-zatverdzhennya-byudzhetu-pensijnogo-fondu-ukrayini-na-2021-rik-s170221>

<sup>15</sup> The full text available online (in Ukrainian): <https://www.kmu.gov.ua/npas/pro-vnesennya-zmin-do-poryadku-nadannya-kompleksnoyi-poslugi-yemalyatko-i240221-155>

<sup>16</sup> The eMalyatko initiative allows to obtain 9 state services linked to birth in a single window. This takes approximately 30 minutes. It is an integral part of the Presidential Order #558/2019, obliging the Government to ensure access to public e-services. The Order aims at establishing a unified e-platform that would accumulate all types of administrative services, accessible through different types of digital devices. Please see more details in UNHCR 2019 July Legislative Update available online: <https://www.unhcr.org/ua/wp-content/uploads/sites/38/2020/07/2019-07-Legislative-Update.pdf>

<sup>17</sup> This includes Oshchadbank

- On 24 February 2021, the Government of Ukraine adopted its Resolution #153<sup>18</sup> allocating funds from the State budget to the state enterprise “Reintegration and restoring”<sup>19</sup>, as well as public transport for persons crossing the Line of Contact in the east of Ukraine (LoC)/administrative boundary with Crimea, maintenance of the respective Entry-Exit Checkpoints (EECPs) and their further technical improvement, and procurement of relevant goods, works and services. This is a positive development that will improve the crossing conditions at the EECPs.
- On 24 February 2021, the Government of Ukraine adopted Regulation #145-p<sup>20</sup> introducing amendments to the National Strategy on integrated border management<sup>21</sup>. The updated Strategy will contain a provision on preparations to restore the management of the Ukrainian-Russian border in NGCA of the Donetsk and Luhansk oblasts after Ukraine regains control over these territories.

## Draft legislation

### Amendments to the legal framework on the Ombudsperson

On 4 February 2021, MPs registered [draft law #5019](#)<sup>22</sup> introducing amendments to the legal framework on the Ombudsperson’s mandate and activities. While the draft initiative is mainly focused on the procedure of his/her appointment and on the treatment of claims of human rights violations, the authors suggest to specify the Ombudsperson’s functions on human rights protection in non-international and/or international armed conflict in the territory of Ukraine. Those include addressing human rights violations committed by any party to the conflict, impartial assessment of human rights observance in accordance with international humanitarian law during/after the conflict, cooperation with international organizations and NGOs to establish communication with parties to the conflict/their representatives on human rights observance and protection of IDPs, facilitating dialogue between parties to the conflict, transitional justice and the right for truth. The Ombudsperson should also prepare annual reports on human rights observance during/after the conflict. These reports should be publicly available.

If adopted, the draft may enhance the mandate of the Ombudsperson as an impartial state actor in charge of human rights protection. The specific functions during the conflict may contribute to state support to IDPs and conflict-affected persons who experienced human rights violations. The implementation of these provisions may require specific monitoring by the humanitarian community.

### Draft law on de-occupation

On 18 February 2021, MPs registered [draft law #5093](#)<sup>23</sup> suggesting a legal formula for de-occupation of the temporarily occupied territories<sup>24</sup> (TOTs) of the Donetsk and Luhansk oblasts and Crimea. It consists of three stages: regaining control over the TOTs, creation of military-civil administrations on these territories and reintegration of former TOTs. Regaining control of the territories should be done in accordance with the plan on restoring state sovereignty and territorial integrity of Ukraine. It should be elaborated by the National Security

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<sup>18</sup> The full text available online (in Ukrainian): <https://www.kmu.gov.ua/npas/pro-zatverdzhennya-poryadku-vikoristannya-koshtiv-peredbachenih-u-derzhavnomu-s240221>

<sup>19</sup> Please see more details in UNHCR 2020 December Legislative Update available online: [https://www.unhcr.org/ua/wp-content/uploads/sites/38/2021/01/2020-12-Legislative-Update\\_ENG.pdf](https://www.unhcr.org/ua/wp-content/uploads/sites/38/2021/01/2020-12-Legislative-Update_ENG.pdf)

<sup>20</sup> The full text available online (in Ukrainian): <https://www.kmu.gov.ua/npas/pro-vnesennya-zmin-do-strategiyi-integrovano-go-upravlinnya-kordonami-na-period-do-s240221>

<sup>21</sup> Please see more details in UNHCR 2019 July Legislative Update available online: <https://www.unhcr.org/ua/wp-content/uploads/sites/38/2020/07/2019-07-Legislative-Update.pdf>

<sup>22</sup> The full text available online (in Ukrainian): [http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_1?pf3511=71010](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=71010)

<sup>23</sup> The full text available online (in Ukrainian): [http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_1?pf3511=71132](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=71132)

<sup>24</sup> The terminology is quoted from an official legal act and does not reflect UNHCR position

and Defense Council. This stage also includes the introduction of martial law in the TOTs and adjacent territories, total blockade<sup>25</sup> of TOTs before their full de-occupation, full interruption of diplomatic relations with the Russian Federation and termination of all international treaties with this state. The de-occupation will be considered completed after control has been restored by Ukraine over the TOTs and the latter have been excluded from the list of settlements considered as temporarily occupied. The reintegration measures include registration and documentation with an Ukrainian passport (“re-passportization”) of the TOT residents by the Ministry of Interior and the State Migration Service, assessment of the damages caused to civilians and their property, referring to international courts with claims on compensation for the damages caused by the Russian Federation to Ukraine and its citizens and creating the conditions for return of IDPs to these territories. The TOT residents who decided to leave the Ukrainian territory after the de-occupation shall be deprived of Ukrainian citizenship and the right to return to Ukraine for 50 years. Elections in the de-occupied territories should take place after re-passportization of their residents and at least 10 years after de-occupation. The Government should adopt a state targeted programme for economical, transport, cultural, informational and educational reintegration. The draft also introduces individual criminal liability for those who committed crimes in the TOT (proceedings may also be exercised in absentia).

If adopted, the draft initiative may raise serious concerns. The suggested de-occupation and reintegration measures do not correspond to international standards. Some provisions of the draft linked to citizenship and passportization violate international human rights law as well as the obligation to prevent statelessness. The provision on IDPs’ voluntarily return to their home communities is formulated broadly with no mention of an informed decision. This may put all persons with an IDP certificate under the risk of forced return, even if they chose for themselves local integration into host communities.

#### Amendments to legal framework on free legal aid

On 4 February 2021, the Government registered in the Parliament [draft law #5019](#)<sup>26</sup> introducing amendments to legal framework on free legal aid. It suggested to specify the procedure for access to primary and secondary FLA to Free Legal Aid Centers (FLAC) and to introduce a peer review mechanism for assessing the quality of services. Persons can apply for primary legal aid with oral inquires or in writing to any FLAC and the assistance should be provided within three working days. Persons eligible for receiving secondary free legal aid (representation in courts and other state institutions) should refer to a FLAC in their factual place of residence and the provision of legal assistance will start after the relevant FLAC issues a decision on taking on the case.

The Government suggested to review the list of recipients of secondary free legal aid. It revised the criteria for defining low income as a precondition for eligibility: low income is considered whenever an applicant receives a pension or assistance equivalent to a pension amounting to two minimum living wages for able-bodied persons<sup>27</sup>. Secondary free legal aid should be provided to all persons applying for an IDP certificate, not only for Ukrainian citizens. Children, legally incapable persons and persons with limited legal capacity, victims of trafficking of human beings or of domestic violence and gender-based violence survivors, persons applying for the stateless determination procedure will also be included in the list of beneficiaries of secondary free legal aid. Foreigners and stateless persons permanently residing in Ukraine should have the same right as Ukrainian citizens to secondary free legal aid if they meet the criteria unless the Constitution and international treaties state otherwise. The FLAC can provide free of charge interpretation services which should be covered by the State Budget funds. If adopted, this initiative shall facilitate access to free legal assistance for UNHCR’s persons

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<sup>25</sup> This includes full economic, grocery, energy, resource and transport blockade

<sup>26</sup> The full text available online (in Ukrainian): [http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_1?pf3511=71159](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=71159)

<sup>27</sup> Currently this legal formula is linked to two minimum living wages for disabled persons

of concern, persons applying for IDP certificates and vulnerable conflict-affected persons with low income, who do not possess IDP certificates.

### Introducing the crime of collaborationism into the Ukrainian legal framework

In February 2021, MPs registered in the Parliament two draft initiatives on prosecuting collaborationism. The [draft law #5143](#)<sup>28</sup> which suggests amendments to different legal acts would prohibit persons convicted of collaborationism from participating in the work of electoral committees, from being elected to local councils, accessing state classified information and serving in the Armed Forces of Ukraine. The activities of political parties, civil society, trade unions, religious and charitable organizations should be prohibited in case their members were involved into collaborationism. The crime itself is defined by the [draft law #5144](#)<sup>29</sup> as a special form of a state treason in multiple forms, including:

- public denial of the armed aggression<sup>30</sup> against Ukraine and/or of its partial temporary occupation<sup>31</sup>;
- supporting the actions of the aggressor state<sup>32</sup>, the de facto authorities and denial of Ukrainian sovereignty over NGCA/Crimea;
- serving in decision making positions in NGCA/Crimea;
- propaganda of the aggressor state in educational facilities;
- transfer of materials to the aggressor state and/or the de facto authorities to support their activity in NGCA/Crimea;
- voluntary occupation of administrative posts with the de facto authorities;
- organization of political events jointly with the aggressor state/de facto authorities;
- voluntary occupation of posts in “courts”, “law enforcement bodies” or military groups in NGCA/Crimea and/or supporting such “bodies”/groups.

The suggested criminalization is excessive and goes beyond UN recommendations in the area of transitional justice. If adopted, this draft initiative may result in a significant number of indiscriminate court decisions against civilians residing in territories outside of the Government control who do not take part in hostilities. It does not take into account the situations of forced involvement with the de facto authorities or clandestine resistance. In its current format, the draft may impede efforts related to establishing and implementing the comprehensive model of transitional justice and may put barriers to the process of reintegrating NGCA and Crimea and strengthening ties with their residents.

## Other developments

### Simplified registration of humanitarian assistance

On 12 February 2021, the Ministry for Social Policy promulgated<sup>33</sup> its [order on simplifying requirements for registration of humanitarian assistance](#). If linked to the response to the COVID-19 outbreak in Ukraine, such assistance is exempted from the VAT. The same simplification applies to goods, cargoes, cash or services to

<sup>28</sup> The full text available online (in Ukrainian): [http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_1?pf3511=71219](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=71219)

<sup>29</sup> The full text available online (in Ukrainian): [http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_1?pf3511=71220](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=71220)

<sup>30</sup> The terminology is quoted from an official legal act and does not reflect UNHCR position

<sup>31</sup> The terminology is quoted from an official legal act and does not reflect UNHCR position

<sup>32</sup> The terminology is quoted from an official legal act and does not reflect UNHCR position

<sup>33</sup> The full text available online (in Ukrainian): [http://search.ligazakon.ua/l\\_doc2.nsf/link1/RE35808.html](http://search.ligazakon.ua/l_doc2.nsf/link1/RE35808.html)

be recognized as humanitarian assistance<sup>34</sup> by the working group headed by the Ministry for Social Policy. Decisions on recognition should be adopted within one day after humanitarian assistance providers submitted their applications<sup>35</sup>.

#### [Ratification of the agreement on financial cooperation aimed at finding housing solutions for IDPs](#)

On 15 February 2021, the MinReintegration announced<sup>36</sup> that it **signed a financing contract** with the State Youth Fund. This was done in accordance with the procedure of transferring funds from the Ministry being identified as the project beneficiary to the Fund, identified as the project implementer of the agreement between the Cabinet of Ministers of Ukraine and the Government of Germany on financial cooperation aimed at finding housing solutions for IDPs. Details are available in the UNHCR Legislative Updates for September<sup>37</sup>, November<sup>38</sup> and December<sup>39</sup> 2020.

To ensure project implementation, the Government is expected to elaborate a mechanism for using grant funds to be provided by the German bank *Kreditanstalt für Wiederaufbau (KfW)*. The MinReintegration, the State Youth Fund and *KfW* are expected to announce the conditions for participation in this program for IDPs.

#### [Establishing military-civil administrations in the Donetsk and Luhansk oblasts](#)

On 19 February, the President of Ukraine **established military-civil administrations** in 18 settlements situated in the government-controlled parts (GCA) of the Donetsk and Luhansk oblasts. This figure includes ten settlements of the Donetsk oblast<sup>40</sup>: Svitlodarsk, Toretsk, Volnovakha, Vuhledar, Myrne, Olginka, Sartana, Avdiivka, Maryinka and Ocheretyno, and eight settlements of the Luhansk oblast<sup>41</sup>: Hirske, Lysychansk, Popasna, Sieverodonetsk, Shchastya, Stanytsya Luhanska, Nyzhnoteple and Shyroke. According to the Law on military-civil administrations<sup>42</sup>, such administrations are coordinated by the ATO/JFO command and are established in settlements of the Donetsk and Luhansk oblasts where relevant local authorities do not exercise their functions<sup>43</sup>. The aim of the establishment of such administration is to restore safety, security and public order, counter terrorism and prevent humanitarian disasters in the ATO/JFO area. As the local elections<sup>44</sup> were not held in these localities in 2020 and the heads of the military-civil administrations were not appointed, the communities faced multiple administrative and financial difficulties. This resulted in additional protection gaps in already affected areas, as some settlements reported lack of funds to cover municipal utilities, such as street electricity, pay for meals in schools and kindergartens, disbursement of salaries for the state-employed personnel. Thus, establishing military-civil administrations is a step towards ensuring proper functioning of the legitimate local authorities.

#### [Housing for IDPs supported by local subventions from the State Budget](#)

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<sup>34</sup> This is enshrined in Article 5 of the Law on humanitarian assistance. The full text available online (in Ukrainian): <https://zakon.rada.gov.ua/laws/show/1192-14#Text>

<sup>35</sup> These applications can also be submitted digitally. Please see more details in UNHCR 2020 October Legislative Update available online: <https://www.unhcr.org/ua/wp-content/uploads/sites/38/2020/11/2020-10-Legislative-Update.pdf>

<sup>36</sup> The full text of news available online (in Ukrainian): <https://mtot.gov.ua/ua/vregulovano-proceduru-sprjamuvannja-grantovih-koshtiv-vid-kfw-na-jitlo-dlja-vpo?fbclid=IwAR3WV51-1FNU8kNTgxK33TxVKFcg2o7DA9JDzaecMghISYoOi6j027nKHw>

<sup>37</sup> The full text available online: <https://www.unhcr.org/ua/wp-content/uploads/sites/38/2020/11/2020-09-Legislative-Update.pdf>

<sup>38</sup> The full text available online: [https://www.unhcr.org/ua/wp-content/uploads/sites/38/2020/12/2020-11-Legislative-Update\\_ENG.pdf](https://www.unhcr.org/ua/wp-content/uploads/sites/38/2020/12/2020-11-Legislative-Update_ENG.pdf)

<sup>39</sup> The full text available online: [https://www.unhcr.org/ua/wp-content/uploads/sites/38/2021/01/2020-12-Legislative-Update\\_ENG.pdf](https://www.unhcr.org/ua/wp-content/uploads/sites/38/2021/01/2020-12-Legislative-Update_ENG.pdf)

<sup>40</sup> The full text available online (in Ukrainian): <https://www.president.gov.ua/documents/612021-36741>

<sup>41</sup> The full text available online (in Ukrainian): <https://www.president.gov.ua/documents/622021-36745>

<sup>42</sup> The full text available online (in Ukrainian): <https://zakon.rada.gov.ua/laws/show/141-19#Text>

<sup>43</sup> These reasons include their factual dissolution or withdrawal from exercising their functions or their non-fulfilment

<sup>44</sup> Please see more details in UNHCR 2020 August Legislative Update available online: [https://www.unhcr.org/ua/wp-content/uploads/sites/38/2020/09/2020-08-Legislative-Update\\_final.pdf](https://www.unhcr.org/ua/wp-content/uploads/sites/38/2020/09/2020-08-Legislative-Update_final.pdf)



On 24 February 2021, the MinReintegration announced<sup>45</sup> that 412 IDPs may obtain housing in certain territorial communities of the oblasts of Vinnytsya, Dnipropetrovsk, GCA Donetsk, Zhytomyr, Zaporizhzhya, Ivano-Frankivsk, GCA Luhansk, Mykolaiv, Poltava, Sumy, Kharkiv, Khmelnytsky and Chernihiv. This shall become possible through allocation of subventions based on applications by the respective local authorities.

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## **LINKS**

UNHCR Ukraine:[www.unhcr.org.ua/en](http://www.unhcr.org.ua/en) - Twitter:[www.twitter.com/UNHCRUkraine](https://www.twitter.com/UNHCRUkraine)

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<sup>45</sup> The full text of news available online (in Ukrainian): [https://mtot.gov.ua/ua/ponad-400-vpo-otrimajut-jitlo-za-rahunok-subvencii-z-derjavnogo-bjudjetu?fbclid=IwAR39k7zSONcCV7WyEdl144gsuGQoeXcZ8gdkaa\\_yFebldrPI2agU6mL9SKM](https://mtot.gov.ua/ua/ponad-400-vpo-otrimajut-jitlo-za-rahunok-subvencii-z-derjavnogo-bjudjetu?fbclid=IwAR39k7zSONcCV7WyEdl144gsuGQoeXcZ8gdkaa_yFebldrPI2agU6mL9SKM)