

Legislative Update

UNHCR update on displacement-related legislation | March 2021

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Adopted Legislation

Legal response to the COVID-19 outbreak in Ukraine

On 1 March 2021, the Government of Ukraine adopted its Regulation #154-p¹ on distribution of express tests for COVID-19 antibodies to oblast administrations. Their quantity will depend on the oblast population as of 1 February 2021 and the average number of persons arriving from the non-governmental controlled areas (NGCA) of the Donetsk and Luhansk oblasts and Crimea, who travelled to the governmental-controlled area (GCA) within the last three months. This is a positive development, since it may contribute to an increased number of tests available at the Entry-Exit Checkpoints (EECPs) in the line of contact (LoC) and the administrative boundary with Crimea to cover the needs of those who cross².

¹ The full text available online (in Ukrainian): <https://www.kmu.gov.ua/npas/pro-vnesennya-zmin-do-postanovi-kabinetu-ministriv-ukrayini-vid-9-grudnya-2020-r-t50120>

² Please see more details in UNHCR January Legislative Update available online: https://www.unhcr.org/ua/wp-content/uploads/sites/38/2021/02/2021-01-Legislative-Update_FIN.pdf

On 22 March 2021 the Government adopted its Resolution #230³ introducing amendments to the Resolution #1236⁴ of 9 December 2020 on quarantine and restrictive measures⁵ for preventing the further spread of the COVID-19 in Ukraine. Foreigners and stateless persons are allowed to enter Ukraine only with proof of an insurance covering COVID-19 related treatment and observation and/or negative polymerase chain reaction (PCR) testing for COVID-19 conducted maximum 72 hours before crossing the Ukrainian state border. As previously, 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. Foreigners and stateless persons permanently residing in Ukraine, staff of international and humanitarian missions accredited in Ukraine can cross the LoC in the east and the administrative boundary with Crimea without an insurance covering COVID-19 related treatment and observation. The previous rule did not contain such exemption.

Ukrainian nationals who return from abroad shall undergo self-isolation unless they provide negative PCR testing for COVID-19 undertaken maximum 48 hours before crossing. They should install the “Vdoma” mobile application. If, for any reason, travelers do not manage to install the application, they shall stay in an observation facility. Ukrainian citizens aged below 12, those bringing hematopoietic stem cells for transplantation and drivers of international cargoes and public transport for inter-state connections are exempted from this requirement.

Individuals arriving from NGCA/Crimea shall undergo self-isolation. They should install the “Vdoma” mobile application. If, for any reason, travelers do not manage to install the application, they shall stay in an observation facility. The exceptions to this rule remain the same, with the following categories being exempted from these requirements: individuals aged below 12, staff of international and humanitarian missions accredited in Ukraine, graduates and students studying in GCA and their accompanying adults. The Government added one more exception: Ukrainian citizens from NGCA/Crimea who want to be vaccinated against COVID-19 in GCA. This should be confirmed by an invitation for vaccination from an accredited institution.

Access of residents of Crimea to courts in Kherson oblast

On 4 March 2021, the Parliament of Ukraine adopted law #1319-IX⁶ introducing amendments to Article 12 of the Law on the legal regime of the temporarily occupied territory of Crimea⁷. This Article regulates access of Crimean residents to courts in GCA. Previously judicial cases with participation of Crimean residents were considered in Kyiv. The adopted law now allows Crimean residents to request civil proceedings in the Kherson oblast and select a first-instance court to examine their civil case. For administrative cases, the Kherson Court of Appeal will be the competent court. The law will facilitate access to justice and reduce associated costs for Crimean residents. However, this will most likely increase the burden on courts in Kherson.

Action Plan to the National Strategy on execution of court decisions by state authorities and institutions

On 17 March 2021, the Government of Ukraine adopted its Regulation #210-p⁸ introducing the Action Plan to the National Strategy on execution of court decisions by state authorities and institutions. The Plan is valid until the end of 2022. It has two main purposes: (1) to establish an effective control mechanism over the execution

³ The full text available online (in Ukrainian): <https://www.kmu.gov.ua/npas/pro-vnesennya-zmin-do-postanovi-kabinetu-ministriv-ukrayini-vid-9-grudnya-2020-r-1220321>

⁴ The full text available online (in Ukrainian): <https://www.kmu.gov.ua/npas/pro-vstanovlennya-karantynu-ta-zaprovadzheniya-obmezhuvalnih-protiepidemichnih-zahodiv-1236-091220>

⁵ 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

⁶ The full text available online (in Ukrainian): <https://zakon.rada.gov.ua/laws/show/1319-IX#Text>

⁷ The full text available online (in Ukrainian): <https://zakon.rada.gov.ua/laws/show/1207-18#Text>

⁸ The full text available online (in Ukrainian): <https://www.kmu.gov.ua/npas/pro-zatverdzhennya-planu-zahodiv-shchodo-realizaciyi-nacionalnoyi-strategiyi-rozvyazannya-problemi-nevikonannya-rishen-sudiv-borzhnikami-za-yakimi-ye-derzhavnij-organ-i170321-210>

of judgements and (2) to improve the existing procedure for establishing/changing the way of such execution. As a result, a draft law shall be elaborated to ensure proper budgetary allocations for the execution of judgements where state authorities bear financial responsibilities towards citizens.

The adoption of the Action Plan is a positive step towards the implementation of the National Strategy on execution of court decisions by state authorities and institutions. Nevertheless, its provisions remain very general and lack clarity over certain cases. For example, it is not clear whether cases related to accumulated pensions debts to be paid by the state to individuals registered as IDPs are covered by the Action Plan.

Draft legislation

Foreigners and stateless persons affected by political persecution

On 2 March 2021, MPs registered in the Parliament two draft initiatives on protection to be extended to foreigners and stateless persons affected by political persecution in their country of origin. Draft law #5194⁹ introduces specific benefits for such individuals. The Government of Ukraine should define the list of countries “temporarily lacking democratic governance”. Citizens or permanent residents of these countries are automatically considered as affected by political persecution, without additional requirements. These persons will benefit from simplified procedure for immigration to Ukraine and for access to Ukrainian citizenship, employment, education, entrepreneurship opportunities and tax benefits. Draft law #5195¹⁰ further specifies taxation related benefits and rules of exemption from taxation for foreigners and stateless persons affected by political persecution.

If adopted, these initiatives may create a system parallel to the current asylum procedure and possibly undermine it.

Amendments to the Budget Code on taxation in oblasts adjacent to the Russian Federation

On 1 March 2021, MPs registered [draft law #5174](#)¹¹ proposing amendments to the Budget Code on taxation in oblasts adjacent to the Russian Federation. The authors suggest recalculating the amount of taxes paid to the State Budget and local budgets: 5% of personal income tax to the State Budget instead of the current 25% and 80% of personal income tax to local budgets instead of the current 60%. If adopted, this may support local budgets of settlements and amalgamated territorial communities across the LoC in the east. Currently they face difficulties in accessing budget funds which translates into 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, disburse salaries for the state-employed personnel.

Restitution and compensation for all movable and immovable property damaged/destroyed as a result of hostilities

On 1 March 2021, MPs registered in the Parliament [draft law #5177](#)¹² on the protection of property rights affected by military aggression¹³. The authors introduce a possibility of restitution and compensation for all types of property lost, damaged or destroyed as a result of hostilities. Potentially, the draft can be applicable to any armed conflict with active hostilities occurring on the Ukrainian territory. Data on such property shall be stored in a special database to be maintained by the MinReintegration.

⁹ The full text available online (in Ukrainian): [Офіційний портал Верховної Ради України \(rada.gov.ua\)](#)

¹⁰ The full text available online (in Ukrainian): [Офіційний портал Верховної Ради України \(rada.gov.ua\)](#)

¹¹ The full text available online (in Ukrainian): http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1 https://www.unhcr.org/ua/wp-content/uploads/sites/38/2021/02/2021-01-Legislative-Update_FIN.pdf?pf3511=70807

¹² The full text available online (in Ukrainian): [Офіційний портал Верховної Ради України \(rada.gov.ua\)](#)

¹³ The terminology is quoted from the official legal act and does not reflect UNHCR position

If located in GCA, such property may be restituted or compensated depending on the availability of resources for restitution or compensation. Whenever possible, restitution will be the primary measure to ensure property rights. Compensation may be granted in four forms: (1) monetary assistance, (2) in-kind (other immovable property), (3) other assets or (4) other actions aimed to provide affected person with housing. Destroyed and damaged housing in GCA is prioritized for compensation. The procedure for granting compensation in form of monetary assistance mirrors the approach set out in Government Resolution #767¹⁴ on compensation for destroyed housing. The same model shall be applicable to NGCA after Ukraine restores control over that part of the territory.

If adopted, this initiative will be an important step towards protection of property rights of conflict-affected persons. However, the draft requires further elaboration to ensure its proper implementation. UNHCR and partners advocate for its adoption in first reading with amendments to be introduced before the second reading in the Parliament.

On 17 March 2021, MPs registered in the Parliament an alternative [draft law #5177-1](#)¹⁵ on protection of property rights affected by Anti-Terrorist Operation (ATO) and/or Joint Forces Operation (JFO). It mirrors the structure of the draft #5177, but uses different terminology, including regarding the qualification of conflict. There is no restitution though. To receive compensation, an applicant needs to submit an act of assessment issued by a local assessment commission. No further screening of applications is envisaged. Local commissions download the act into a database. After this, the compensation is assigned automatically.

[Amendments to the Law on temporary measures for the ATO period](#)

On 4 March 2021, MPs registered [draft law #5199](#)¹⁶ proposing amendments to the Law on temporary measures during the ATO period (the Law). The authors suggest abolishing penalties under credit and loan agreements concluded with Ukrainian citizens residing in the ATO zone of the GCA of Donetsk and Luhansk oblasts¹⁷ after 1 May 2021. This shall also be applicable to agreements amended after 1 May 2021 if such amendments concern prolongation of their implementation and/or decrease of penalties. The draft also suggests abolishing protection measures for immovable property in mortgage for Ukrainian citizens, individual entrepreneurs and legal entities holding small and medium business in the ATO zone. The time framework is the same: the respective agreements should be concluded after 1 May 2021 or amended after 1 May 2021 if such amendments concern prolongation of their implementation and/or decrease of penalties.

The impact of the draft law is not clear. The authors declare that such abolishing would facilitate access to housing loans for residents and entrepreneurs in the GCA of the Donetsk and Luhansk oblasts. However, the concrete procedures for receiving loans are not set out. It is also not clear how the draft may affect suspension of the fines for loans and other financial obligations that were set out in 2014-2015 as protection measures for individuals and small businesses.

[Draft legal framework on critical infrastructure](#)

On 9 March 2021, MPs registered [draft law #5219](#)¹⁸ suggesting introducing a consolidated legal framework for the protection of critical infrastructure during peacetime and in emergencies. It does not cover situations of

¹⁴ Please see more details in UNHCR 2020 September Legislative Update available online: <https://www.unhcr.org/ua/wp-content/uploads/sites/38/2020/11/2020-09-Legislative-Update.pdf>

¹⁵ The full text available online (in Ukrainian): http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=71431

¹⁶ The full text available online (in Ukrainian): [Офіційний портал Верховної Ради України \(rada.gov.ua\)](http://rada.gov.ua)

¹⁷ This is not applicable to NGCA of Donetsk and Luhansk oblasts and settlement across the LoC

¹⁸ The full text available online (in Ukrainian): [Офіційний портал Верховної Ради України \(rada.gov.ua\)](http://rada.gov.ua)

martial law/armed conflicts. The draft mirrors the Government's initiative #10328¹⁹ of 28 May 2019, which was revoked on 29 August 2019. It specifies coordination of state and local authorities through the National commission on protection of critical infrastructure – a specialized central executive body. The draft outlines responsibilities and actions required at all levels and includes cooperation with the non-governmental sector. Positively, the draft contains different modes of operation for the state authorities, which include risk mitigation, threats prevention, addressing emergency and restoring normal operations. This draft may contribute to a clearer emergency response in Ukraine and potentially contributing to a greater level of protection of residents of hazardous areas, including in conflict zones.

On 18 March 2021, the Government registered in the Parliament an alternative [draft law #5219-1](#)²⁰. This initiative combines suggestions of both previous drafts. The main difference with the draft law #5219 is a larger number of state and local authorities involved in the protection of civilian infrastructure. The alternative draft does not specify the title, the structure and decision-making process of the specialized coordination body.

[State policy on addressing the consequences of the military aggression of the Russian Federation against the state sovereignty of Ukraine](#)

On 18 March 2021, MPs registered [draft law #5271](#)²¹ suggesting to define the state policy on addressing the consequences of the Russian Federation military aggression²² against the state sovereignty of Ukraine. The draft declares non-government-controlled areas of the Donetsk and Luhansk oblast as temporarily occupied territories (TOTs)²³. It identifies the Russian Federation as an aggressor state and occupying power²⁴. The TOTs are an integral part of Ukraine. However, Ukraine is declared to bear no responsibility for the protection of civilians and property in these territories. The Russian Federation is said to be responsible for the payment of pensions and social insurance of all TOT residents. All acts and documents issued by the occupying administrations²⁵ are not recognized except for birth, death and marriage related documents. Passports and other ID documents issued by the occupying administrations and several state bodies of the Russian Federation²⁶ are considered invalid. People cannot use them for crossing the Ukrainian state border, the LoC in the east and the administrative boundary with Crimea. Ukraine bears no responsibility for illegal actions of the occupying power and the occupying administrations. The Ukrainian state bodies can establish ties and cooperation with the occupying power and the occupying administrations only for the protection of Ukrainian national interests and human rights protection; any other cooperation is prohibited. Public denial of the temporary occupation by Ukrainian authorities or recognition of its legitimacy is considered a crime. The Government should create remote military-civil administrations in exile. These administrations should facilitate the restoring of the state social guarantees for TOT residents. They also conduct human rights monitoring and document human rights violations in TOTs. This information will be used for preparing the consolidated claim to charge the Russian Federation²⁷. The draft foresees a so called “convalidation of legal acts” done in the TOTs except for those linked to state and communal property and financial debts to occupying administrations. Individuals who were engaged in work with the occupying administrations shall undergo lustration – a specific type of punishment in form of life-long prohibition to hold posts of civil servants. No elections and referendums

¹⁹ Please see more details in UNHCR 2019 May Legislative Update available online: <https://www.unhcr.org/ua/wp-content/uploads/sites/38/2020/07/2019-05-Legislative-Update.pdf>

²⁰ The full text available online (in Ukrainian): [Офіційний портал Верховної Ради України \(rada.gov.ua\)](http://rada.gov.ua)

²¹ The full text available online (in Ukrainian): http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=71472

²² The terminology is quoted from the official legal act and does not reflect UNHCR position

²³ The terminology is quoted from the official legal act and does not reflect UNHCR position

²⁴ The terminology is quoted from the official legal act and does not reflect UNHCR position

²⁵ The terminology is quoted from the official legal act and does not reflect UNHCR position

²⁶ Their list should be defined by the Government

²⁷ The terminology is quoted from the official legal act and does not reflect UNHCR position

can be held in TOTs. After Ukraine restores its control over these territories, elections will be organized in accordance with OSCE standards.

If adopted, the draft initiative may raise multiple human rights concerns. The provisions on exempting Ukraine from all its international obligations on human rights protection of the TOT residents do not correspond to international standards.

Lack of funds as a reason for non-execution of court decisions

On 29 March 2021, MPs registered [draft law #5310](#)²⁸ introducing amendments to the Code of administrative proceedings. The authors suggest exempting heads/acting heads of state institutions from paying fines for non-execution of court decisions in administrative proceedings in case their respective institution has insufficient budget. A head/acting head of state institution should refer to a court with supporting documents to confirm the lack of funds. Lack of funds may be considered a valid reason for postponing the execution of court decisions.

If adopted, the draft may seriously affect the execution of court decisions on payment of state benefits and in particular pensions to IDPs and to conflict-affected persons. For IDPs, a judicial decision is the only way of restoring payments they are entitled to and receiving any accumulated debts. Currently, an important number of the court decisions on pensions or state benefits adopted in 2016-2020 are not executed.

Other developments

Housing solutions for IDPs

On 15 March 2021, the MinReintegration informed²⁹ that 1,500 IDPs can benefit from the rent-to-own housing programme in Kramatorsk (GCA of the Donetsk oblast) and Sievierodonetsk (GCA of the Luhansk oblast). The construction work is possible within the framework of the KfW funded project (agreement signed between the Cabinet of Ministers of Ukraine and the Government of Germany³⁰). The start of the construction work in Kramatorsk is planned for September 2021 and in Sievierodonetsk in October 2021.

On 16 March 2021, the MinReintegration provided an update³¹ on housing solutions for displaced Crimean Tatars. This initiative will be implemented in cooperation with Turkey. It foresees the construction of 1,000 apartments. The parties already agreed on building 500 apartments in the Kherson, Mykolaiv and Kyiv oblasts. Location for another 500 apartments is under consideration.

Pilot project on priority development of the territories in GCA of Donetsk oblast

On 18 March 2021, the MinReintegration informed³² that communities of Svyatohirsk and Lyman (GCA of the Donetsk oblast) have initiated a project aimed at reintegration of NGCA and economic growth of GCA of the Donetsk and Luhansk oblasts. They suggested to create a contemporary educational space in Svyatohirsk, to contribute to the development of the IT sphere in Svyatohirsk and Lyman and to facilitate tourist infrastructure

²⁸ The full text available online (in Ukrainian): http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=71535

²⁹ The full text of news available online (in Ukrainian): <https://mtot.gov.ua/ua/1500-vpo-otrimajut-nove-jitto-u-kramatorsku-ta-severodonecku-do-2025-roku?fbclid=IwAR1Jq19L1gqPt8VvjOUHosEgH8gBjB0aQpB2WEX28qFQKYiHRuzcgi9J68>

³⁰ Please see more details in UNHCR 2020 April, September, November and December Legislative Updates available online: <https://www.unhcr.org/ua/en/resources>

³¹ The full text of news available online (in Ukrainian): <https://mtot.gov.ua/ua/oleksi-reznikov-obgovoriv-z-poslom-turechchini-proekt-z-budivnictva-jitla-dlja-krimskih-tatar?fbclid=IwAR39tyrwaK1ZG3GuvG2kfPYk3gtdPVd9bdJRziMhcXC-EVsJzN75QVid3Q>

³² The full text of news available online (in Ukrainian): <https://mtot.gov.ua/ua/na-donechchini-planujut-zapustiti-pilotni-proekt-z-rozbudovi-teritori-prioritetnogo-rozvitku?fbclid=IwAR1aA1cF25F9pvtwiYrxSLTYj95ep-HNQJQ5qcLNIWJQL473cFlfUbe4Xs>

to increase the number of tourists in both communities. This initiative is in line with the Government Concept for the economic development of the Donetsk and Luhansk oblasts³³.

Strategy of de-occupation of Crimea

On 24 March 2021 the President signed his [Order #117/2021](#)³⁴, introducing the National Strategy on de-occupation and reintegration of Crimea. The Strategy is based on the following principles:

- Ukraine does not recognize any unlawful “referendums” and legal acts committed in violation of Ukrainian legislation on the territory of Crimea
- Ukraine does not recognize the Russian citizenship forcibly or automatically granted to Crimean residents who are citizens of Ukraine
- Adherence to transitional justice principles
- Demilitarization and denuclearization of Crimea (after restoring Ukrainian control over Crimea)
- Collecting evidence on human rights and international humanitarian law violations, crimes against humanity and war crimes in Crimea; material and moral damages caused to Ukraine, its citizens and legal entities as a result of the armed conflict/temporary occupation
- Legal support to Ukrainian citizens affected by the armed conflict/temporary occupation
- Reimbursing damages caused by the armed conflict/temporary occupation
- Elaborating grounds for bringing to individual criminal liability those who were involved into the armed conflict/temporary occupation
- Special procedure for entering and exiting Crimea to guarantee safety of individuals and of critical infrastructure, prevention of terrorism and related threats
- Monitoring of the Ukrainian state border and the administrative boundary with Crimea; bringing to administrative liability those who illegally enter Crimea
- Undertaking all social, humanitarian, communicational, legal, medical and other related measures to allow Crimean residents to exercise in full their rights in GCA. Undertaking measures in the same directions to protect Ukrainian citizens affected by the armed conflict/occupation and restore their violated rights

De-occupation and reintegration of Crimea should respect the following principles: human rights protection; legal protection of Ukrainian citizens and legal entities affected by the armed conflict/temporary occupation; economic policy; social and humanitarian policy; environmental protection policy; strengthening national cohesion; international cooperation; defense and security policy. The suggested measures include facilitation of access of Crimean residents to administrative services in GCA. This should be done through establishing service zones at the EECs and centers for providing administrative services (TSNAPs) in close proximity to the administrative boundary with Crimea. In service zones, Crimean residents should be able to obtain qualified e-signature and benefit from health care system opportunities. The Strategy supports ongoing digitalization of administrative services, as this makes them available for Crimean residents. Rights and freedoms of IDPs are guaranteed according to the Constitution, the Law on IDPs and other relevant legislation. Graduates from Crimea shall have access to education in the controlled territory of Ukraine.

³³ 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

³⁴ The full text available online (in Ukrainian): https://www.president.gov.ua/documents/1172021-37533?fbclid=IwAR3UGxyIwaj0aw6pFxcbymfmbcNAmGFB__6A2Z_aPduCHKYjrI6zg0KK-DU

National Human Rights Strategy

On 24 March 2021, the President of Ukraine signed his [Order #119/2021](#)³⁵, introducing the updated National Human Rights Strategy. This is a complex document covering all issues related to human rights protection in Ukraine. It specifies measures relevant for the protection of UNHCR's persons of concern:

- Refugees, persons in need of complimentary protection, asylum-seekers, and stateless persons

The strategic goal is to provide these persons with the opportunity to exercise their rights and freedoms according to international standards. The key issues to be addressed include access to employment and health care services, the need to adjust procedures of deportation/forced expulsion and return to international standards, the protection of persons staying in temporary accommodation centres for asylum-seekers (TACs). These issues should be solved by introducing amendments to the Ukrainian legal framework.

- IDPs

The strategic goal is to create conditions for their equal access to human rights and integration to host communities. The key issues to be addressed include the current absence of durable solutions for IDPs, the IDP housing needs, the impeded access to state services and social protection for IDPs. These issues should be solved through implementation of durable solutions, ensured payment of pensions and social benefits in GCA and full IDPs' participation in local affairs. IDPs should be aware of the situation in their home communities to decide whether they want to return. IDPs should have access to administrative, social, educational and other state services, also remotely through digital solutions.

- Conflict-affected persons residing in NGCA/Crimea

The strategic goal is to allow these persons to exercise in full their human rights in GCA. The key issues to be addressed include unequal access to public, social, health care, educational and other services in GCA, limitations of freedom of movement, violation of economic rights in NGCA/Crimea, large-scale and systematic human rights violations in NGCA/Crimea. These issues should be solved through introducing opportunities for conflict-affected persons to exercise their human rights and access the needed services in GCA, through remote access to education, through ensured payment of pensions for NGCA residents in GCA, and payment of social benefits for NGCA residents in GCA upon verification, through access to documentation in any location where the person refers for such service, through unified extrajudicial mechanism for recognition and state registration of civil acts of NGCA residents (which includes birth, death and marriage registration), and through access to administrative services and to justice. Conflict-affected persons should be duly informed of their rights and opportunities in GCA.

- Persons residing in close proximity to the Line of Contact (LoC)

The strategic goal is to create the conditions for their safe access to human rights in settlements in close proximity to the LoC and eliminate human rights violations. The key issues to be addressed include vulnerability of these persons and the security threats they face, their impeded access to health care, social, administrative and other services, food, water and medicines. These issues should be solved through voluntary relocation opportunities, ensured access to health care, social and administrative services, compensation for military use of civilian property in settlements in close proximity to the LoC.

- Addressing the negative consequences of the armed conflict

³⁵ The full text available online (in Ukrainian): <https://www.president.gov.ua/documents/1192021-37537?fbclid=IwAR0KkuOdtRxamSenC1lvBEIgyLPyVjyRe2IGwh1J6mhs9-x-fz-4C7QJXDI>

The strategic goal is to introduce access of conflict-affected civilians to legal and social protection, reimbursement of damages caused by the conflict, and effective state policy on addressing the negative consequences of the conflict. The key issue to be addressed is the lack of effective legal and social remedies for conflict-affected civilians. These issues should be solved through complex state policy on legal and social protection of conflict-affected civilians, effective mechanisms for their access to justice, compensation for damages caused to life and health, and to damaged/destroyed property, national transitional justice mechanism, systematic documentation of human rights violations during the conflict, effective investigation of crimes committed in NGCA/Crimea and bringing perpetrators to criminal liability.

The adoption of this Strategy is a positive development. The Strategy addresses new challenges to exercising human rights, including the consequences of the armed conflict. The approach towards addressing issues and measuring results has been changed: each Strategy's direction enshrines its strategic goal, tasks to be undertaken for its achievement, expected results and criteria to measure developments. This will allow for a better assessment of the Strategy's implementation and its impact on individuals in need of protection of their human rights. The Action Plan to the Strategy should be adopted every three years, while the Strategy is adopted for an unlimited period of time.

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