



BRIEFING PAPER

Time to act: internal displacement on the rise in Ukraine

22 OCTOBER 2014

The conflict in Ukraine has forced more than 417,000 people to flee their homes since March 2014. Given, however, that a centralised registration system for internally displaced people (IDPs) was only launched on 15 October and no single agency has a comprehensive overview of their number, the true figure could be twice as high. The vast majority have fled the eastern regions of Donetsk and Luhansk, and the remainder were displaced from Crimea. Women and children make up most of the displaced population, because many men stayed behind, either to protect property or because armed groups prevented them from leaving. Humanitarian corridors were established to ensure the safe passage of those fleeing, but they have been subject to shelling and fighting. There has been significant damage and destruction in the Donetsk and Luhansk regions, the current ceasefire remains fragile and displacement continues.

The vast majority of IDPs live in private accommodation that they rent, share or own, but around 20 per cent live in collective centres, some of which do not provide adequate living conditions or sufficient protection from winter weather. Many IDPs are unemployed, have depleted their savings or have been unable to withdraw them and are waiting to receive social benefits.

As such, their basic needs are increasing, and the situation is particularly dire in the Donetsk and Luhansk regions. Access to health care, including psychosocial support, is critical for many IDPs, but they tend to have trouble accessing their economic and social rights because they have been unable to replace or transfer the personal documents required. Around 70,000 internally displaced children were attending school in September. Roma IDPs have faced discrimination in exercising their rights, for which they lack information and documentation.

Civil society groups have spearheaded the response to displacement, but their efforts are reaching their limits as a result of volunteer fatigue and limited financial resources and technical capacity. Many individuals, including building owners, have also been generous to IDPs, but patience is wearing thin in the absence of a clear allocation of responsibilities and resources national and local institutions. The international response has been underwhelming, though a preliminary plan and corresponding appeal is slowly drawing increased funding and improving efforts to address IDPs' needs. The draft law "On ensuring rights and freedoms of internally displaced persons" was adopted by the parliament on 20 October 2014. While several provisions in the bill will require clarification, the law provides the necessary basis for protection of IDPs.

Recommendations

The following recommendations are intended for national and local authorities, and where relevant the self-proclaimed authorities in Donetsk, Luhansk and Crimea.

Conflict resolution

Authorities should:

- Redouble efforts, with support from the international community, to identify and secure lasting political solutions to the conflict
- Conduct effective investigations into allegations of human rights abuses and ensure that the perpetrators are brought to justice
- Comply with international humanitarian and human rights law and in particular respect the international humanitarian principles of distinction between combatants and civilians, and proportionality

Freedom of movement and choice of residence

Authorities should:

- Allow and facilitate the rapid and unimpeded safe passage of civilians wishing to flee areas of conflict and violence
- Ensure that internally displaced people (IDPs) and returnees are not subject to harassment, intimidation, persecution or any other form of punitive treatment when they return to their home areas or settle elsewhere in the country

Access for aid delivery

Authorities should:

- Facilitate safe and unrestricted access for humanitarian and development organisations, both national and international, so as to enable the conduct of needs assessments, the timely and effective delivery of assistance and early recovery programmes, and the monitoring of returns

Economic and social rights

Authorities should:

- Ensure that all IDPs have swift access to housing that provides protection from winter weather in locations that allow them access to services and employment
- Ensure that IDPs, and in particular Roma, are able to obtain the personal documents they need to access their rights, including health care, employment and social benefits
- Undertake a comprehensive needs assessment of all IDPs, including updated and disaggregated statistics on those living in collective centres and private accommodation and the needs of host communities
- Work in partnership with local civil society organisations and international partners to ensure the data is analysed and given due consideration in policy-making and programme development, implementation and evaluation

Legislative framework

Authorities should:

- Develop a national action plan for implementation of the law “On ensuring the rights and freedoms of internally displaced persons” in accordance with international standards, particularly the UN Guiding Principles on Internal Displacement
- Provide IDPs with transparent information on the assistance available within the framework of the law
- Register all IDPs without delay, so as to better assist them with their specific needs related to their displacement and facilitate the identification and achievement of durable solutions

- Designate and announce roles and responsibilities for displacement issues among national and local institutions

Durable solutions

Authorities should:

- Ensure that IDPs and returnees are able to access their homes in safety and dignity, and that they are provided with adequate information on prospects for regaining access to their land so they can assess their options and make informed choices
- Guarantee physical security and an adequate standard of living for returned IDPs by promoting assistance and investment in return areas, particularly in infrastructure, services and utilities and food security
- Facilitate integration of IDPs at their current residence while protecting their right to voluntary return

The following recommendations are intended for international donors and humanitarian and development actors.

- Continue and improve monitoring, information analysis and advocacy activities in relation to IDPs' and returnees' human rights, so as to increase funding to meet their needs and address the consequences of their displacement
- Support activities to strengthen national capacities and frameworks for the protection of IDPs' human rights at every stage of displacement in line with international standards and humanitarian principles
- Support the government of Ukraine and provide it with technical assistance in the development of a national strategy on durable solutions
- Actively engage in initiatives to encourage long-term capacity building on institutional, human rights, rule of law and governance issues, and to ensure that allegations of human rights abuses are effectively investigated
- Actively encourage a more diverse group of international donors to support and engage with the government on both rapid impact and long-term projects aimed at improving IDPs' situations and the protection of human rights

Background

The current armed conflict in Ukraine started in spring 2014. It followed the Euromaidan protests that began in November 2013 when Kiev suspended preparation for its EU Association Agreement. Following prolonged mass demonstrations and significant violence, the protesters succeeded in removing President Viktor Yanukovich and his government in late February.

By mid-March 2014, Russia had annexed the autonomous republic of Crimea. The move followed a referendum in which the Crimean authorities reported that more than 96 per cent of voters favoured the republic becoming part of Russia.¹ The Council of Europe's Venice Commission concluded that the referendum was not permissible under Ukraine's constitution and that it had not been conducted in accordance with international standards.² The UN General Assembly, the European Council, NATO and the G7 were among others to condemn

1 Krim Online Obshegokrimskii Referendum, [Gorsovnet Sevastopolya prinial reshenie o vstuplenii v sostav Rossii v kachestve otdelnogo subekta federatsii – goroda federalnogo statusa](#) (17 March 2014)

2 Council of Europe, Venice Commission, [Opinion on “whether the decision taken by the Supreme Council of the Autonomous Republic of Crimea in Ukraine to organise a referendum on becoming a constituent territory of the Russian Federation or restoring Crimea's 1992 constitutions is compatible with constitutional principles](#) (21 March 2014)

the referendum.³

Protests and fighting in the eastern Donetsk and Luhansk regions that border Russia were followed by referendums on self-rule in May 2014. Pro-Russia separatist leaders in Donetsk reported that 89 per cent of voters were in favour, while their counterparts in Luhansk said 96 per cent of voters were. During the vote, separatist forces apparently made up of both Ukrainian and Russian citizens attacked and took over strategic sites such as regional administration offices, police stations and army barracks.⁴

Only South Ossetia, which but a few states recognise itself, has acknowledged the self-proclaimed People's Republics of Donetsk and Luhansk as independent entities.⁵ Even before the referendums, which were also widely criticised, separatist forces largely controlled the two regions, and were receiving increasing support from elements of the Russian military and political establishment.⁶

The Ukrainian army launched a so-called Anti-Terrorist Operation (ATO) on 15 April 2014 in response to separatist activity,⁷ and it was stepped up after Petro Poroshenko was elected president in late May. By August, the Ukrainian army had recaptured 65 towns and villages, but as of September armed groups still controlled around 100 kilometres of territory along the Ukraine-Russia border.⁸

All parties to the conflict have shown disregard for civilian lives. They have carried out indiscriminate shelling, arbitrary detentions, abductions, ill treatment, torture and killings, and have violated the international humanitarian principles of distinction between combatants and civilians, and proportionality.⁹ At least 3,600 deaths and 8,800 casualties have been recorded¹⁰ and hostages are still being held.¹¹ All parties are also thought to have perpetrated sexual violence in the conflict areas. Abuses, however, are under-reported and go largely unaddressed because of weak law enforcement and the difficulties victims face in accessing medical, psychological, legal and social services.¹²

Violence and attacks decreased after Kiev, Moscow and separatist leaders signed a ceasefire agreement and a memorandum on its implementation under the auspices of the OSCE on 5 September 2014.¹³ However, serious ceasefire violations

have been reported daily since the ceasefire, as have deaths of civilian and military personnel, and shelling has intensified in some areas¹⁴. People are still being displaced as a result. The conflict is draining Kiev of its sparse financial resources and depriving it of access to industrial regions in the east.

Displacement figures

To date, the UN Refugee Agency (UNHCR) has been the only organisation to collect and publish estimates of the number of IDPs in Ukraine. It reported on 16 October 2014 that the armed conflict and Russia's annexation of Crimea had internally displaced at least 417,000 people. Around 398,000, or more than 95 per cent, fled their homes in the east of the country, and around 19,000 did so in Crimea. The number of IDPs increased dramatically from around 155,000 in August as fighting in the east intensified as well as due to registration of previously displaced persons.¹⁵

The UNHCR figure represents people who have approached the authorities or NGOs with requests for assistance, be it for accommodation, social benefits, pensions, employment or personal documents. UNHCR collects data from each region, and verifies and validates it by engaging with IDPs, local authorities and NGOs. The number of IDPs for the Donetsk region is an estimate based on information provided by local mayors whose towns experience an influx of displaced people.¹⁶ The figure does not include some 17,000 IDPs displaced within Crimea as estimated by confidential sources.¹⁷

The displaced population is overwhelmingly made up of women and children, because men often stay behind either to protect their family's property or because armed groups prevent them from leaving. Disaggregated data published in October 2014 showed that 66 per cent of adult IDPs were women, 31 per cent were children and 19 per cent were older people and people with disabilities. Most IDPs are ethnic Ukrainian, but they also include ethnic Russians, Roma, Meskhetian Turks and foreign students. Many of those displaced in Crimea are Crimean Tatars.¹⁸

The true number of IDPs in Ukraine is likely to be higher than reported, given that not all come forward to the authorities or NGOs.¹⁹ Some do not seek help because they have the means to address their situations on their own or they lack information about available assistance, while others fear that doing so may lead to reprisals against family members who stayed behind in the conflict area, that their property may be confiscated or that they may be persecuted when they return.²⁰ Others still hope their displacement will be temporary or do not have the documents required to access assistance. It is also possible that IDPs who move around the regions have approached the authorities in various places, and so may have been counted more than once.

3 European Council, [G7 The Hague Declaration](#) EUCO 73/14 (24 March 2014), NATO, [Statement by the North Atlantic Council on the so-called referendum in Crimea](#) (17 March 2014), European Council, [Conclusions EUCO 7/14](#) (21 March 2014); United Nations General Assembly, Territorial integrity of Ukraine, [A/RES/68/262](#) (1 April 2014).

4 BBC, [East Ukraine separatists seek union with Russia](#) (12 May 2014)

5 Eurasianet, [Donetsk, Don't Cry, the South Ossetians are here](#) (28 July 2014)

6 HRW, [Eastern Ukraine: Questions and Answers about the Laws of War](#) (11 September 2014); US Department of State, [Remarks at Security Council Session on Ukraine](#) (28 August 2014), [OSCE parliamentary assembly president calls for cancellation of 'absurd' referendums in eastern Ukraine](#) (10 May 2014)

7 BBC, [Ukraine says Donetsk 'anti-terror operation' under way](#) (15 April 2014)

8 OHCHR, [Report on the human rights situation in Ukraine](#) (17 August 2014)

9 OHCHR, [Report on the human rights situation in Ukraine](#) (8 October 2014); Amnesty International, [Ukraine: Mounting evidence of war crimes and Russian involvement](#) (7 September 2014); HRW, [Ukraine: Rebel Forces Detain, Torture Civilians](#) (28 August 2014); HRW, [Ukraine: Rising Civilian Toll in Luhansk](#) (1 September 2014); OHCHR, [Report on the human rights situation in Ukraine](#) (17 August 2014)

10 OCHA, [Situation Report 15](#) (10 October 2014)

11 Kyiv Post, [Poroshenko urging European parliamentary speakers to help free Ukrainian hostages](#) (10 October 2014)

12 UNFPA, [Humanitarian Situation in Ukraine: IASC Briefing](#) (10 September 2014); OCHA, [Situation Report 13](#) (26 September 2014)

13 OCHA, [Situation Report No. 13](#), 26 September 2014; OCHA, [Situation Report No. 12](#) (19 September 2014); OSCE Special Monitoring Mission, [Information received as of 18:00 \(Kyiv time\) 9 September 2014](#); AFP, [Ukraine says Russia withdrawing, EU delays sanctions](#) (10 September 2014)

14 OCHA, [Situation Report 15](#) (10 October 2014); OCHA, [Situation Report 16](#) (17 October 2014)

15 UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (17 October 2014)

16 IDMC interview with UNHCR Ukraine (24 July 2014)

17 IDMC interview with UNHCR Ukraine (3 September 2014); UNHCR, [Overview of Population Displacement](#) (16 October 2014)

18 UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (17 October 2014)

19 UNHCR, [Humanitarian Situation in Ukraine: IASC Briefing](#) (10 September 2014); OSCE, [Internal Displacement in Ukraine, SEC.FR/473/14](#) (13 August 2014)

20 OCHA, [Situation Report 15](#) (10 October 2014); OHCHR, [Report on the human rights situation in Ukraine](#) (15 July 2014) p.26; UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons \(IDPs\)](#) (21 July 2014) p.7.

IDPs have been returning since the displacement caused by the current conflict began, but there are varying assessments of the number of people involved. On 26 September 2014 the State Emergency Services reported that 61,000 IDPs had returned to their homes,²¹ while another report in mid-September put the number at around 50,000.²² Local authorities in Slavyansk said that 90 per cent of IDPs from the city had returned,²³ and the OSCE reported in mid-August that 40 per cent of the people displaced from the city of Kramatorsk had done so.²⁴

UNHCR reported on 16 October 2014 that more than 203,000 Ukrainian citizens had sought asylum and more than 236,000 has requested other forms of stay in other countries since the start of the year.²⁵ The vast majority have done so in Russia. Russian authorities report that around 814,000 Ukrainians have entered Russia since 1 January.²⁶

Displacement patterns and locations

IDPs have mainly fled from the Luhansk region to Donetsk city and within the Donetsk region, and from Donetsk, Luhansk and Crimea to other areas in Ukraine, mostly in the west. Estimates suggest that about half the populations of Donetsk and Luhansk have left, and that many IDPs have moved two or three times in their search for suitable and longer term accommodation as winter approaches.²⁷ The Kharkiv and Donetsk regions have the highest numbers of IDPs, hosting more than 110,800 and 59,000 respectively.²⁸



Krasnyi Lyman, Ukraine: "He received this warm hat here at the IDP centre," says this mother of a four-month old Sasha. "We need diapers but all else is good. My husband found work and tomorrow he will have a bicycle to commute." Photo credit: OCHA / Z. Nurmukhambetova, October 2014

Returns have mainly been to the cities of Kramatorsk and Slavyansk in Donetsk region, but some IDPs sheltering in Kiev and Kharkiv have also started to go back to their homes. Some IDPs have gone back temporarily to collect household items needed for winter or to check on their property. Others have felt compelled to return to their insecure places of origin since they had nowhere else to go.

- 21 Unian, [На Донбасс вернулись свыше 61 тысяч переселенцев](#) (26 September 2014)
- 22 ACAPS, [Eastern Ukraine: Ongoing Conflict](#) (29 September 2014)
- 23 OHCHR, [Report on the human rights situation in Ukraine](#) (17 August 2014) p.26
- 24 OSCE, [Latest from OSCE Special Monitoring Mission](#) (10 August 2014)
- 25 UNHCR, [Ukraine: Overview of Population Displacement](#) (16 October 2014)
- 26 UNHCR, [Number of displaced inside Ukraine more than doubles since early August to 260,000](#) (2 September 2014)
- 27 UNHCR, [Humanitarian Situation in Ukraine: IASC Briefing](#) (10 September 2014); AFP, [Ukraine's displaced just want to go home](#) (11 September 2014)
- 28 UNHCR, [Overview of Population Displacement](#) (16 October 2014)

IDPs continue to leave the east and the number fleeing Crimea has increased since August. Some people leaving Crimea are political activists and journalists who fear harassment, while others fear religious persecution.²⁹ Moscow has also issued a directive to treat residents of Crimea who do not take up Russian citizenship as "foreigners".³⁰

Protection issues

Freedom of movement

People fleeing the conflict zone by road must pass a number of government and separatist checkpoints. Separatists have harassed and robbed people at theirs, and have fired at civilian convoys.³¹ They have also swept trains heading west in search of possible IDPs.³² They have taken men and forced them to join the rebel forces and do work such as digging trenches.³³ Many fleeing from the east have done so with as little luggage as possible, for fear their belongings may give them away as IDPs.

By late July 2014, Ukrainian forces had established humanitarian corridors in Donetsk, Luhansk and Horlivka to allow civilians to leave safely. The exact number of people to have used them is not known, but the Luhansk regional administration reported that more than 7,000 people had done so by mid-August.³⁴ The corridors have not, however, ensured safe passage for all those fleeing the hostilities. They have been shelled and have witnessed fighting and casualties. Fewer people have been using them since.³⁵

The administrative border between Crimea and mainland Ukraine remains difficult to cross for Ukrainian citizens and foreigners. Ukrainian border guards create obstacles citing a special order of the Ukrainian border police.³⁶

Basic necessities

IDPs continue to require assistance to meet their basic needs. Many fled with few if any belongings, have lost their jobs and have been unable to collect pensions and benefits or withdraw their savings in their places of refuge.³⁷ Others have depleted their resources completely.³⁸ IDPs' need for food, warm clothing, hygiene kits and medicines has increased since displacement began and will only do so more over the winter.³⁹ The upcoming cold weather will present an additional

- 29 UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (17 October 2014)
- 30 KHRPG, [Russian or else: On how Russia is foisting its citizenship in Crimea](#) (22 September 2014)
- 31 OHCHR, [Report on the human rights situation in Ukraine](#) (17 August 2014) p.3; UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (18 August 2014)
- 32 OSCE, [Thematic report: Internal displacement in Ukraine](#) (12 August 2014) p.5; HRW, [Ukraine: Rebels Subject Civilians to Forced Labour](#) (5 September 2014)
- 33 OHCHR, [Report on the human rights situation in Ukraine](#) (15 July 2014) p.26 and OSCE, [Thematic report: Internal displacement in Ukraine](#) (12 August 2014) p.5; UNHCR, [Humanitarian Situation in Ukraine: IASC Briefing](#) (10 September 2014)
- 34 UNHCR, [Ukraine conflict pushes more people from their homes](#) (2 September 2014); OHCHR, [Report on the human rights situation in Ukraine](#) (17 August 2014); Censor.net.ua, [Three transit corridors were created](#) (11 July 2014)
- 35 OHCHR, [Report on the human rights situation in Ukraine](#) (17 August 2014) p.4; UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (18 August 2014)
- 36 OCHA, [Situation Report 16](#) (17 October 2014)
- 37 UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (18 August 2014)
- 38 UN Special Rapporteur on human rights of IDPs, [Ukraine: UN expert calls for swift response to growing internal displacement plight as winter closes in](#) (25 September 2014)
- 39 UNHCR, [Humanitarian situation in Ukraine: IASC Briefing](#) (10 September 2014)

expense for IDPs as they will have to pay for heating.

IDPs displaced within the Donetsk and Luhansk regions have particularly urgent humanitarian needs. Power cuts, shortages of food, water and medicines, lack of access to social allowances and banks accounts, as well as fears for their physical safety, have paralysed the people in these areas. People living in Luhansk had no access to water, electricity or communications throughout the month of August, and the lack of reliable energy supplies as winter approaches is a serious concern.⁴⁰ Elderly and disabled IDPs are in particular need of food, medicines, mattresses, bed linens and hygienic items.⁴¹

Volunteer organisations, religious groups, host communities, international organisations, UN agencies and the national Red Cross have all been working to address IDPs' subsistence needs, sometimes in cooperation with local authorities. They have distributed food, medicines and clothing,⁴² but as the UN Office for the Coordination of Humanitarian Affairs (OCHA) observed in August, the "capacity and willingness of civil society [including volunteers] to sustain support to IDPs were [already] starting to wane. Volunteers are working very long hours, and will not be able to sustain their level of effort".⁴³

Health care

Access to health care is a critical issue. Around 45 health facilities in conflict areas have been damaged or closed as a result of sustained fighting.⁴⁴ Facilities that continue to operate do so without water and electricity and a shortage of food, essential medicines, equipment and other medical supplies. Surgical and obstetric capacity in the east is at 30 per cent.⁴⁵ Some health workers have returned, while others are likely to leave due to wage arrears and because they are perceived as taking sides in the conflict. With the lowest immunisation rate in Europe and vaccines in short supply, population movements coupled with intermittent water supplies could create conditions for the spread of communicable diseases, particularly polio.

According to UNHCR, IDPs are struggling to meet their health care needs across the country as a whole.⁴⁶ As of 8 October 2014 around 79,000 IDPs from the east had requested health care assistance and half were children. Some IDPs struggle to obtain the medicines they need because they cannot afford them, others lack the personal documents required and the health service is severely overstretched. The health needs of the most vulnerable IDPs, including Roma, pregnant women and disabled and elderly people need to be adequately addressed.

The situation has taken a heavy toll on IDPs' mental health, given the violence they have suffered and witnessed, the loss of family, friends, jobs and property, and the ongoing conflict and uncertainty. Many who hoped to return by the end of the summer have since realised that they need to prepare

for longer-term displacement. An assessment of the mental health services IDPs receive was to be carried out in late September. Internally displaced children who have witnessed fighting especially require psychosocial assistance.

Housing

Around 20 per cent of IDPs live in collective centres established in dormitories, sanatoriums, monasteries and summer camp facilities.⁴⁷ They may be privately or state owned and in adequate or substandard condition. Around ten per cent of IDPs are living in collective centres that have been deemed unsuitable for winter occupation.⁴⁸ A government website lists the accommodation available to IDPs and the government is working to identify additional buildings suitable for temporary housing.⁴⁹ Shelter activities to prepare for the winter are being implemented.⁵⁰

IDPs receive living space in collective centres free of charge, but they do not sign contracts or receive guarantees. Many private owners of collective centres cover a lot of expenses themselves, because the central government is still to provide funds for regional authorities to help pay for such accommodation. The government's financial support to date has been limited to compensating owners for the operating costs involved in accommodating IDPs from Crimea, which it did until 1 July 2014.⁵²

Little is known about situation of the majority IDPs who live in private accommodation. Most are housed with friends and relatives, or by business, religious and civic groups. Some rent apartments, but how many is not known. Some IDPs in private accommodation are under pressure from their hosts, who volunteered rooms and apartments for short stays only. Many IDPs can no longer afford to pay rent and are increasingly approaching the authorities for assistance with accommodation.⁵³

Other IDPs have purchased housing with their own funds. Residents of the Donetsk, Luhansk, Odessa, Kharkiv and Crimea regions purchased 40 per cent of all apartments sold in Kiev during the summer. Not all buyers were IDPs, but the percentage would tend to indicate that a significant number of people are leaving the east and the surrounding areas on a permanent basis. Whether they are being forced to leave or are doing so as a preventive measure, this testifies to the ability of some IDPs to improve their situation on their own.⁵⁴

Employment

There are no statistics on the employment rate among IDPs, but nearly 40,000 businesses in Donetsk and Luhansk have closed due to fighting⁵⁵. Someone wishing to change the location of a private enterprise must first register their new residence, which requires a document such as a rental agreement as confirmation. Some IDPs have opened new businesses,⁵⁶ but others have struggled to transfer their existing ones because of red tape.⁵⁷

IDPs living in private accommodation are more likely to be

2014); OCHA, *Situation Report 13* (26 September 2014)

40 Unian.net, [Luhansk already a month without light, water and communication](#) (03 September 2014); HRW, *The Dead and Living in Luhansk* (4 September 2014); OSCE, [Latest from the Special Monitoring Mission](#) (9 September 2014)

41 OCHA, [Situation Report 15](#) (10 October 2014); UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (18 August 2014)

42 OCHA, [Ukraine Situation Report Number 4 as of 25th July](#), p.6 and OHCHR, [Report on the human rights situation in Ukraine](#) (15 July 2014) p.26

43 OCHA, [Ukraine Situation Report Number 5 as of 1st August](#), p.3

44 OCHA, [Situation Report 15](#) (10 October 2014)

45 WHO, *Humanitarian Situation in Ukraine: IASC Briefing* (10 September 2014)

46 UNHCR, *Humanitarian Situation in Ukraine: IASC Briefing* (10 September 2014)

47 ACAPS, *Eastern Ukraine: Ongoing Conflict* (26 September 2014)

48 UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (17 October 2014)

49 <http://www.migrants.gov.ua/>

50 UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (18 August 2014)

51 OCHA, [Situation Report 16](#) (17 October 2014)

52 OSCE, *Internal Displacement in Ukraine* (13 August 2014)

53 OCHA, [Situation Report 15](#) (10 October 2014)

54 Unian.net, [Displaced from the east and from Crimea are actively purchasing housing in Kyiv](#) (21 August 2014).

55 OCHA, [Situation Report 15](#) (10 October 2014)

56 Unian.net, [Переселенці – не значить нахлебники](#) (18 July 2014)

57 OCHA, [Situation Report 16](#) (17 October 2014)

employed than those in collective centres.⁵⁸ This is because IDPs in private accommodation tend to live in cities, and they know that their housing arrangements are only short-term. Collective centres are generally outside urban areas, with poor transport links and few opportunities to earn an income.⁵⁹

IDPs face bureaucratic barriers to securing employment and unemployment assistance. Some fled without their labour booklet, which details their work history and is needed to access official jobs and unemployment benefits. Others were unable to take their booklet because their employer refused to accept their resignation, and obtaining a duplicate is difficult. A ministerial instruction is being drafted to resolve this problem.⁶⁰

Other barriers to work include the weak labour market, lack of information about employment opportunities⁶¹ and the belief of prospective employers that IDPs will leave soon or that they are supporting the anti-government forces.⁶²

Social benefits

Some IDPs continue to struggle to register their residence in their areas of displacement, without which they are unable to access social and economic rights such as business registration, employment, medical care and social benefits. There is no facilitated system for IDPs to register their temporary residence, meaning that they have to present a housing order, ownership certificate or rental agreement to do so. Landlords, however, are not always willing to provide such documents because of the tax implications involved. IDPs must also deregister from their previous place of residence, but there are no procedures to do so in absentia.⁶³ This also means that some babies born to IDPs do not have birth certificates.⁶⁴

Many IDPs are still waiting to receive the pensions and disability and unemployment benefits they were entitled to before their displacement.⁶⁵ Payments are not linked to individuals, but to their residence, meaning that officials demand confirmation of IDPs' former address in conflict zones or Crimea, which not all IDPs have.

The issue is slowly being resolved. Social benefit and pension payments have been restored in Slovyansk, which returned IDPs can now access.⁶⁶ The Pension Fund simplified the procedure to transfer pensions to other regions⁶⁷ and the Ministry of Social Policy was also adapting procedures to allow IDPs prompt access to their benefits and pensions. The Cabinet of Ministers also facilitated IDPs' access to unemployment benefits.⁶⁸

Some IDPs from the east did not receive their benefits in the months leading up to their displacement because of the fighting. The continued disruption to these payments has prompted them to register as IDPs in government-controlled areas and regularly travel there in order to receive payments.⁶⁹

With no electronic registry of past payments, the records must be checked manually. As a result it will be difficult for IDPs to receive outstanding payments.

In order to finance security operations and reconstruction in the Donetsk and Luhansk regions, the Ukrainian parliament has approved cuts to social programmes, pensions and unemployment and disability benefits.⁷⁰ IDPs who depend on their pensions and social benefits as their main source of income are likely to find themselves worse off still as a result. The children's allowance was reduced as of 1 July 2014, and some displaced families have said the cut has made it more difficult for them to make ends meet.⁷¹

Education

The Ministry of Education has allowed schools to accept internally displaced pupils based on a written request from their parents. The ministry reported that 70,000 displaced children were attending school or pre-school as of mid-September and this number remained the same in October.⁷² There were sufficient teachers to accommodate the increased number of students, but there was insufficient budget to cover their salaries⁷³.

In separatist-held areas authorities announced the beginning of the school year on 1 October after repairing damaged schools and infrastructure. However, the number of children attending school in those areas is unconfirmed⁷⁴, and 57 out of 169 schools were not operating because of ongoing shelling.⁷⁵ The number of internally displaced children not in school is unknown, though some parents have not enrolled their children in school because they hope to return home soon.⁷⁶

To cut waiting times for kindergarten places, the president signed a law on 8 August allowing state property to be transferred for the creation of new facilities.⁷⁷ Internally displaced children were given preference for enrolment in kindergartens.⁷⁸ People in or displaced from territories not under the control of the Ukrainian government are also entitled to begin or continue their university education free of charge, with dormitory housing provided, anywhere in Ukraine. It is not clear, however, if they will continue to receive stipends.

Roma

Roma civil society groups report there are around 6,000 Roma people displaced from Crimea, Donetsk and Luhansk.⁷⁹ With limited awareness about available assistance, they have had difficulty finding accommodation and have been discouraged from settling in some towns and villages. The majority lack personal documentation, mainly birth certificates and residence registration, and therefore cannot register with the authorities to access aid, education, jobs and health care.⁸⁰ Some also lack documents proving ownership of property that they fled and fear that they may not be able to repossess.

There is limited awareness of the specific factors that

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58 IDMC interview with Crimea SOS (25 July 2014)

59 UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (18 August 2014); OSCE, [Internal Displacement in Ukraine](#) (13 August 2014)

60 OCHA, [Situation Report 16](#) (17 October 2014)

61 OCHA, [Situation Report 16](#) (17 October 2014)

62 UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (17 October 2014)

63 OCHA, [Situation Report 13](#) (26 September 2014); UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (18 August 2014)

64 UNHCR, [Ukraine: Baby Born in Conflict](#) (22 September 2014)

65 IDMC interview with Crimea SOS (25 July 2014)

66 OHCHR, [Report on the human rights situation in Ukraine](#) (8 October 2014)

67 OSCE [Situation Assessment Report: On Roma in Ukraine and the Impact of the Current Crisis](#) (August 2014)

68 UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (17 October 2014)

69 OCHA, [Situation Report 15](#) (10 October 2014); UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons \(IDPs\)](#) (21 July 2014)

70 OHCHR, [Report on the human rights situation in Ukraine](#) (17 August 2014)

71 UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (18 August 2014)

72 OCHA, [Situation Report 13](#) (26 September 2014); OCHA, [Situation Report 16](#) (17 October 2014)

73 OCHA, [Situation Report 16](#) (17 October 2014)

74 OCHA, [Situation Report 15](#) (10 October 2014)

75 OCHA, [Situation Report 16](#) (17 October 2014)

76 OHCHR, [Report on the human rights situation in Ukraine](#) (8 October 2014)

77 OHCHR, [Report on the human rights situation in Ukraine](#) (17 August 2014)

78 UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (17 October 2014)

79 OSCE [Situation Assessment Report: On Roma in Ukraine and the Impact of the Current Crisis](#) (August 2014)

80 OHCHR, [Report on the human rights situation in Ukraine](#) (8 October 2014)

contribute to the vulnerability of the Roma and insufficient outreach by relevant actors to address their situation. Their situation is made worse by the fact that host communities, authorities and police often discriminate against them, and do not always grant them the same level of assistance as other IDPs.⁸¹ As a result, they are wary of identifying themselves as IDPs. One group from Slavyansk in Kharkiv took refuge in a forest, and others from Crimea simply returned to their homes.⁸² Others still have identified themselves as Greeks or Moldovans in the hope of avoiding stigma and having a better chance of receiving assistance.

Property and savings

It is currently not possible to legitimately sell property such as houses, apartments or cars in Crimea, because following the change of authority the Russian registry is not yet fully operational. It is not clear whether a mechanism will be put in place for IDPs to conduct such transactions from elsewhere in Ukraine, but it is needed because they may not wish to return to do so, given their fears for their physical security.⁸³

There is no information on measures taken to protect the property and possessions that IDPs have left behind. Some have reported that their homes and other property have been looted, damaged or destroyed, which suggests that significant reconstruction will be needed. Minor reconstruction of houses is occurring in conflict-affected areas. IDPs from the east have also had difficulty withdrawing their savings because banks have been raided and services suspended.⁸⁴ However, bank accounts held by IDPs from Crimea at Oschadbank and Privatbank have been unlocked, allowing them to access funds⁸⁵.

Relations with host communities

Reports of tensions between IDPs and their host communities have been on the rise, often the result of competition over scarce and dwindling resources, and differing views on the conflict.⁸⁶ For example, some local parents who had been waiting months to enrol their children in kindergarten were angered that internally displaced children were given preferential access.⁸⁷ During his visit to the country, the UN Special Rapporteur on the human rights of IDPs heard reports of stigmatisation and discrimination of IDPs on account of their being displaced.⁸⁸ UNHCR also reported a pattern of discrimination against IDPs from the east on political grounds.⁸⁹ Some IDPs have also reported landlords refusing to rent to them because they are from the east of the country.⁹⁰



Elena, holding UNHCR aid items after a distribution, stands in the ruins of her family's house on Artema Street in Sloviansk. The house was hit by an artillery shell in early July, when Elena and her husband were staying at a state-owned temporary accommodation facility in the nearby town of Sviatogorsk, where thousands of people sought shelter. Photo credit: UNHCR / Iva Zimova, July 2014

Legislation on IDPs

The Ukrainian parliament adopted the law "On ensuring rights and freedoms of internally displaced persons" on 20 October 2014.⁹¹ It was elaborated by Presidential administration staff in cooperation with the UN, OSCE, the State Migration Service, Ministry of Justice and NGOs. There was significant advocacy to ensure the bill was passed ahead of parliamentary elections on 26 October. The passage of the law on internal displacement is important because it enables the allocation of budgets to systematically address IDPs' needs in line with state obligations.

The law contains numerous provisions essential for IDP protection. These include prevention of displacement, non-discrimination of IDPs, the right to return and reintegration and the rights to vote, employment, education, pension, social security and social services. It also provides for the registration of IDPs, issuance of basic personal documentation at the factual place of residence and the right to appeal against a decision affecting the rights of IDPs. The distribution of tasks and competencies of central and local bodies are also outlined.

There are several areas where the law could be improved. The definition of an IDP in the law is limited to Ukrainian citizens, which is narrower than stipulated in the UN Guiding Principles on Internal Displacement. IDPs without citizenship, such as Roma and foreign students, may therefore not be eligible for assistance and protection provided under the law⁹². The law also does not expressly foresee the right for IDPs to access and enjoy their property or to be compensated for dispossession of their property.⁹³ Other rights that are absent include the right to know the fate and whereabouts of their missing relatives and the right to family unity.

81 OSCE, [Situation Assessment Report: On Roma in Ukraine and the Impact of the Current Crisis](#) (August 2014)

82 OSCE, [Situation Assessment Report: On Roma in Ukraine and the Impact of the Current Crisis](#) (August 2014); UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (21 July 2014) pp.7,13; OHCHR, [Report on the human rights situation in Ukraine](#) (15 July 2014) p.28

83 IDMC interview with Crimea SOS (25 July 2014)

84 OCHA, [Ukraine Situation Report Number 5 as of 1st August](#), p.3 (1 August 2014)

85 OCHA, [Situation Report 15](#) (10 October 2014)

86 UNHCR, [Humanitarian Situation in Ukraine: IASC Briefing](#) (10 September 2014); OSCE, [Latest from Special Monitoring Mission to Ukraine](#) (20 September 2014)

87 UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (17 October 2014)

88 UN Special Rapporteur on the human rights of IDPs, [Ukraine: UN expert calls for swift response to growing internal displacement plight as winter closes in](#) (25 September 2014)

89 UNHCR, [Profiling and Needs Assessment of Internally Displaced Persons](#) (17 October 2014)

90 OHCHR, [Report on the human rights situation in Ukraine](#) (15 July 2014) p.28; OHCHR, [Report on the human rights situation in Ukraine](#) (17 August 2014) p.27; OSCE, [Internal Displacement in Ukraine, SEC.FR/473/14](#) (13 August 2014)

91 Verkhovna Rada, [The Verkhovna Rada of Ukraine adopted the Law "On ensuring rights and freedoms of internally displaced persons"](#) (20 October 2014)

92 CoE, Directorate General Human Rights and Rule of Law, [Opinion of DGI, Directorate of Human Rights on the draft Law of Ukraine "On ensuring of rights and freedoms of internally displaced persons"](#) (10 October 2014)

93 CoE, Directorate General Human Rights and Rule of Law, [Opinion of DGI, Directorate of Human Rights on the draft Law of Ukraine "On ensuring of rights and freedoms of internally displaced persons"](#) (10 October 2014)

Response to displacement

National response

Local organisations, churches, volunteers and host communities have responded in an exemplary way to the internal displacement situation.⁹⁴ They have organised donations of food, clothing, medicines and other essential items, and provided legal assistance and help with finding employment. This was done quickly and throughout the country with only limited resources and guidance from central government. The number of local volunteers is decreasing, however, under the pressure of fatigue, psychological burnout, a lack of resources and return to university following the summer break.⁹⁵

The government has prioritised regaining control of Crimea and the east to the detriment of addressing IDPs' needs.⁹⁶ On 11 June 2014, the Cabinet of Ministers tasked the State Emergency Services to lead the humanitarian response to internal displacement, which it handed over to the Ministry of Social Policy on 1 October 2014.⁹⁷ Regional authorities and mayors have taken the lead in their jurisdictions, with the Ministry for Social Policy acting as the focal point for displacement issues, directing assistance at the regional level and overseeing benefit pay-outs.

The government has taken other measures to facilitate IDPs' access to their rights. The Cabinet of Ministers approved resolution 509 to establish an IDP registration system, which the Ministry of Social Policy launched on 15 October.⁹⁸ The Cabinet of Ministers also passed Resolution No 505 to provide IDPs with monthly financial assistance.⁹⁹ The Central Electoral Commission has instituted simplified voting procedures for IDPs from eastern Ukraine. This will facilitate their participation in the parliamentary elections scheduled for 26 October. These IDPs may temporarily register to vote at a new address without changing their permanent electoral address.¹⁰⁰

94 UN Special Rapporteur on the human rights of IDPs, [Ukraine: UN expert calls for swift response to growing internal displacement plight as winter closes in](#) (25 September 2014)

95 OCHA, [Situation Report 13](#) (26 September 2014)

96 OSCE, [Internal Displacement in Ukraine](#) (13 August 2014); UNHCR, [Ukraine: Displacement Trauma](#) (18 September 2014)

97 OCHA, [Situation Report 15](#) (10 October 2014)

98 UNICEF, [Humanitarian Situation Report 19](#) (7 October 2014); OCHA, [Situation Report 16](#) (17 October 2014)

99 Government of Ukraine, [On providing monthly targeted financial support to internally displaced persons from the temporarily occupied territory of Ukraine and anti-terrorist operation area to cover livelihood, including housing and utilities](#) (1 October 2014)

100 OCHA, [Situation Report 15](#) (10 October 2014)

International response

The international response to displacement in Ukraine has been growing. Many international organisations are active in the country, including UNHCR, UN OCHA, the UN Development Programme (UNDP), the UN Children's Fund (UNICEF), the UN Population Fund (UNFPA), the Office of the High Commissioner for Human Rights (OHCHR), the World Health Organisation (WHO), the International Organization for Migration (IOM), the International Committee of the Red Cross (ICRC) and Médecins Sans Frontières (MSF). Others, such as the Danish Refugee Council, are preparing to start operations.

The humanitarian response is hampered by bureaucratic, security and financial constraints.¹⁰¹ Insecurity constrains the delivery of basic commodities in Donetsk and Luhansk, including food.¹⁰² At the beginning of October an ICRC delegate was killed as a result of shelling, as were civilians.¹⁰³ The government of Ukraine was reviewing the UN Resident Coordinator's request for UN humanitarian assistance operations in separatist-controlled areas in October.¹⁰⁴ An inter-agency working group on the delivery of humanitarian assistance facilitated by the UN OCHA and led by the Ministry of Social Policy aims to remedy ongoing obstacles to the delivery of humanitarian assistance.¹⁰⁵

In August, nine UN agencies issued a preliminary response plan to cover the remainder of 2014 and appealed for \$33.3 million in funding.¹⁰⁶ The UN Resident Coordinator led a high-level donor mission to Ukraine in mid-September. As of 17 October donors had provided \$23.7 million to international aid organisations, though the situation has deteriorated and needs have further risen since the plan was published.¹⁰⁷ OCHA is coordinating a multi-sector inter-agency humanitarian security assessment. As winter approaches, IDPs' needs will increase and assistance will have to be scaled up.¹⁰⁸

101 ACAPS, [Eastern Ukraine: Ongoing conflict](#) (29 September 2014)

102 OHCHR, [Report on the human rights situation in Ukraine](#) (08 October 2014)

103 ICRC, [Ukraine: ICRC delegate killed in Donetsk](#) (02 October 2014)

104 OCHA, [Situation Report 13](#) (26 September 2014); OCHA, [Situation Report 16](#) (17 October 2014)

105 OCHA, [Situation Report 16](#) (17 October 2014)

106 UN Ukraine, [UN Funding Requirements for humanitarian preparedness and response in Ukraine](#) (15 August 2014); UNCT Ukraine, [Preliminary Response Plan](#) (15 August 2014)

107 OCHA, [Situation Report 16](#) (17 October 2014)

108 IOM, [Born Displaced: IOM Supports Conflict-Affected People in Ukraine](#) (23 September 2014)

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