



**KFW**



# **IMPLEMENTATION OF THE PROGRAMME "LEGAL SUPPORT FOR IDPS AND LOCAL SELF-GOVERNMENT BODIES" IN THE FRAMEWORK OF THE "PROMOTION OF SOCIAL INFRASTRUCTURE DEVELOPMENT, USIF VI" PROJECT**

**REPORT BY CHARITABLE FUND  
"RIGHT TO PROTECTION"**



# **INTRODUCTION**

<b>Introduction</b> . . . . .	<b>2</b>
<b>Review of housing programmes for IDPs</b> . . . . .	<b>5</b>
<b>Legal regulation of providing IDPs with temporary housing</b> . . . . .	<b>12</b>
<b>Programme Overview</b> . . . . .	<b>20</b>
<b>Information about the results of “Legal support for IDPs and local self-government bodies” programme implementation</b> . . . . .	<b>22</b>
<b>Programme summary</b> . . . . .	<b>28</b>
<b>Success stories of solving IDPs' housing problems</b> . . . . .	<b>30</b>

# INTRODUCTION

Seven years have passed since the beginning of the occupation of Crimea and the armed aggression of the Russian Federation in Donetsk and Luhansk oblasts.

However, the forced movement of the population of Donetsk and Luhansk oblasts of Ukraine from the dangerous zone of the armed conflict still continues.

Today, 1,473,650 internally displaced persons (hereinafter referred to as IDPs) from the temporarily occupied territories of Donetsk and Luhansk oblasts and the Autonomous Republic of Crimea have been officially registered in Ukraine.<sup>1</sup> The largest numbers of IDPs have been registered in Donetsk and Luhansk oblasts, Kyiv city, as well as in Kyiv, Kharkiv, Dnipropetrovsk and Zaporizhia oblasts.

The ability of IDPs to integrate into the host community depends significantly not only on national policy but also on local programmes, as it is the host party that, through the efforts of local self-government bodies, has the opportunity to create favourable conditions under which IDPs can reveal their potential and truly become a part of the community. This includes both the infrastructural and financial capacity of local communities and the availability of specific programmes, plans and strategies in IDP policies and the direct interaction with and involvement of IDPs in decision-making.

An important place among such special programmes is occupied by housing programmes for IDPs, as they are aimed at solving one of the most pressing issues for displaced people.

Ensuring the right to housing has been and remains one of the key issues for IDPs, which is highlighted, in particular, in the National Monitoring System Report, September 2019 (IOM, September 2019, p. 20)<sup>2</sup>.

The special report "Implementation of the right of internally displaced persons to housing" of the Verkhovna Rada Commissioner for Human Rights states that 70 percent of IDPs still need housing<sup>3</sup>.

---

<sup>1</sup> Information as of July 6, 2021 according to the Ministry of Social Policy of Ukraine. <https://www.msp.gov.ua/news/20309.html>

<sup>2</sup> Report of the National Monitoring System on the Situation of Internally Displaced Persons, September 2019. [https://iom.org.ua/sites/default/files/nms\\_round\\_15\\_ukr\\_screen.pdf](https://iom.org.ua/sites/default/files/nms_round_15_ukr_screen.pdf)

<sup>3</sup> The special report "Implementation of the right of internally displaced persons for housing" of the Verkhovna Rada Commissioner for Human Rights. <https://ombudsman.gov.ua/ua/all-news/pr/specz%D1%96alna-dopov%D1%96d-upovnovazhenogo-real%D1%96zacz%D1%96ya-prava-vnutr%D1%96shno-perem%D1%96shhenix-os%D1%96b-na-zhitlo/>

According to the Ministry for Reintegration of the Temporarily Occupied Territories of Ukraine (hereinafter, the Ministry of Reintegration):

1. 1,996 IDPs are registered as citizens in need of housing from the stock of temporary housing;
2. approximately 1,000 IDPs are registered in the social housing register;
3. 21,516 IDPs are on the waiting list for permanent housing provided through preferential mortgage credit programmes for IDPs financed by the German government through the KfW Development Bank;
4. approximately 11,000 IDPs are on the waiting list for receiving state support under the "Affordable housing" State Socio-Economic Programme;
5. a total of 79,800 people, when filling out the IDP registration applications, stated they needed to have their housing issues solved in some way.

At the same time, IDPs' awareness of housing programmes is insufficient. Not all IDPs are aware of the free housing programmes that exist for certain IDP groups. For example, according to the IOM National Monitoring Report for June 2020, only 42% of internally displaced persons have heard of housing programmes that provide housing on favourable terms, while among people over 60, the figure is even lower, standing at just 32% (IOM, June 2020 p. 22)<sup>4</sup>.

In general, experts note that the implemented housing programmes are currently available only for certain categories of IDPs, while the vast majority, and especially the most vulnerable categories of people, are left alone with the problem of finding housing. The lack of adequate housing facilities and the imperfect procedure for registering as persons in need of housing exacerbate this problem (Right to Protection, 2021, p.17)<sup>5</sup>.

Such circumstances are insurmountable difficulties for retirees and the elderly, for whom some programmes are simply not available (for example, credit programmes). In particular, most people who returned to their former place of residence in the temporarily occupied territories indicate that the existence of problems with finding housing and having property on the TOT are the main reason for their return (IOM, September 2019, pp. 48–49)<sup>6</sup>.

<sup>4</sup> Report of the National Monitoring System on the Situation of Internally Displaced Persons, June 2020. [https://www.iom.org.ua/sites/default/files/nms\\_round\\_17\\_ukr\\_web.pdf](https://www.iom.org.ua/sites/default/files/nms_round_17_ukr_web.pdf)

<sup>5</sup> "IDP Housing Needs, Intentions and Opportunities. Dnipropetrovsk, Zaporizhzhia and Kharkiv oblasts", CF "Right to Protection". [https://r2p.org.ua/wp-content/uploads/2021/03/fin\\_ukr\\_zvit-zhytlo-meping\\_2020-1.pdf](https://r2p.org.ua/wp-content/uploads/2021/03/fin_ukr_zvit-zhytlo-meping_2020-1.pdf)

<sup>6</sup> Report of the National Monitoring System on the Situation of Internally Displaced Persons, September 2019. [https://iom.org.ua/sites/default/files/nms\\_round\\_15\\_ukr\\_screen.pdf](https://iom.org.ua/sites/default/files/nms_round_15_ukr_screen.pdf)

In this aspect, the implementation in Dnipropetrovsk, Zaporizhia and Kharkiv oblasts and in the Ukrainian-controlled areas of Luhansk and Donetsk oblasts of the "Promotion of Social Infrastructure Development, USIF VI" project, which is implemented by the Ukrainian Social Investment Fund (USIF/Fund) and financed by the German government through the Kreditanstalt für Wiederaufbau (KfW) German Development Bank, played an important role. The project creates temporary housing for internally displaced persons and improves the social infrastructure (schools and pre-schools) in IDP-hosting communities in these oblasts.

The project has selected 26 items (subprojects) for implementation, of which 13 are residential, as well as 4 schools and 8 kindergartens.

Localities where specified subprojects (SPs) are implemented:

- in Dnipropetrovsk oblast: Kryvyi Rih, Pershotravensk;
- in Donetsk oblast: Mariupol;
- in Zaporizhia oblast: Lantseve and Blahovishchenka (Komysh-Zoria ATC), Melitopol, Huliaipole;
- in Luhansk oblast: Sievierodonetsk, Novoaidar, Kreminna;
- in Kharkiv oblast: Iziium, Chuhuiv.

Advisory support to local authorities in selected communities during the construction (reconstruction) of housing facilities for IDPs was provided within the "Legal Support to IDPs and Local Authorities" Programme implemented by the Right to Protection Charitable Foundation (CF "Right to Protection") within the "Promotion of Social Infrastructure Development, USIF VI" project. The "Right to Protection" Foundation also conducted outreach and educational work among IDP candidates for living in such housing by explaining to them the provisions of current legislation of Ukraine on providing IDPs with temporary housing and providing assistance in preparing the necessary documents.

Information on the operation of the Programme and its main achievements and lessons are presented in this report.

# REVIEW OF HOUSING PROGRAMMES FOR IDPS<sup>7</sup>

The need to find long-term housing solutions is relevant not only for internally displaced persons living in compact residential areas, including modular towns which have been used long past their intended service life and have unacceptable living conditions, but also for those displaced people who are currently renting housing and considering buying or building a house or a flat, but do not have enough money to do so.

In recent years, the state has taken certain steps to address the housing issues of various categories of internally displaced persons, including the adoption of new housing programmes or amendments to existing ones. The main existing state housing programmes for internally displaced persons are listed below.



Housing programmes for IDPs

## AFFORDABLE HOUSING

The programme provides for the provision of housing to internally displaced persons by granting them state **support in the form of the state paying 50% of the cost of construction (purchase) of a home** and/or **preferential mortgage credit** with the possibility of the IDP obtaining additional credit from a bank to pay a part of the cost of construction (purchase) of an affordable home in excess of state support.

### Basic conditions of participation:

- 1 IDPs do not own and have not owned in the last 3 years any residential real estate other than that located in the temporarily occupied territory or in localities listed by the Order of the Cabinet of Ministers of Ukraine No. 1085 of November 7, 2014;
- 2 IDPs have an official average monthly income which together with the income of their family members does not exceed per capita 3 average

<sup>7</sup> Overview of Housing Programmes for Internally Displaced Persons: Reference Book (March 2020). <https://r2p.org.ua/wp-content/uploads/2020/04/zhytlovi-programy-dlya-vpo.pdf>

monthly salaries in the respective oblast according to the State Statistics Service;

- 3 IDPs have not previously received state support for the construction (purchase) of affordable housing.

### 3% INTEREST CREDIT

The programme involves the provision of **preferential state credit programmes** to internally displaced people **for up to 20 years** (but not beyond the borrower's age of retirement) to purchase a flat in an apartment building or a one-family house, provided that such home was commissioned no more than 25 years ago or was reconstructed no more than 15 years ago, with an interest rate of 3% per annum, and interest-free: for servicepersons – from the beginning to the end of the special period; for reserve servicepersons and persons eligible for military service – from the moment of call-up during mobilisation until the end of the special period or during active military service.

#### ***Basic conditions of participation:***

- 1 the candidate and their family members do not own and have not owned residential real estate other than that located in the temporarily occupied territory or in localities listed by the Order of the Cabinet of Ministers of Ukraine No. 1085 of November 7, 2014 between April 27, 2014 and the date of submission of the loan application, or their dwelling space is not more than 13.65 sq. m. per person;
- 2 such persons have an official income and are solvent (the balance of the average monthly income of the candidate and their adult family members, subject to payment of a monthly loan payment, will not be less than the subsistence level for each family member);
- 3 candidates have not received other state support, compensation or a loan for construction (purchase) of housing from the public funds;
- 4 adult applicants have not reached the age of retirement.

## MONETARY COMPENSATION FOR PURCHASE OF HOUSING FOR IDPS-ATO VETERANS

The programme provides for a **subvention from the state budget to local budgets for the payment of monetary compensation for the provision of housing for internally displaced persons who** defended the independence, sovereignty and territorial integrity of Ukraine and **participated directly in the ATO**, ensuring its implementation, being present directly in the ATO areas during its implementation, the implementation of measures to ensure national security and defence, repel and deter the armed aggression of the Russian Federation in Donetsk and Luhansk oblasts, ensuring their implementation, being present directly in such areas and during the implementation of such measures, and **who are recognised as persons with disabilities of the 3rd disability group due to war or war veterans, and who are in need of improved living conditions** (hereinafter, the subvention) **and have been registered for at least one year in the Unified Information Database on Internally Displaced Persons** at the place of their actual residence.

### *Basic conditions of participation for IDPs:*

- 1 they participated directly in the anti-terrorist operation, ensuring its implementation or in implementation of measures to ensure national security and defence, repel and deter the armed aggression of the Russian Federation in Donetsk and Luhansk oblasts, ensuring their implementation;
- 2 are recognised as persons with disabilities of the 3rd disability group due to war under clauses 11–14 of part 2 of Article 7 or war veterans under clauses 19–20 of part 1 of Article 6 of the Law of Ukraine "On the Status of War Veterans and Guarantees of Their Social Protection";
- 3 have been registered for at least one year as internally displaced persons at the place of their actual residence within the city of Kyiv or within the same oblast;
- 4 are registered in the housing register as persons in need of improved living conditions;
- 5 don't hold and have not held for the last five years preceding the date of application for monetary compensation any property rights or ownership rights in real estate that meets housing standards and is located in localities in the Ukrainian government-controlled territory (except for living space that was destroyed or became uninhabitable as a result of the ATO or



measures taken to ensure national security and defence, repel and deter the armed aggression of the Russian Federation);

- 6 have not previously received housing or monetary compensation for housing that was to be provided to them.

## OWN HOUSE

The programme provides **preferential long-term credit programmes to individual house-builders in rural areas, including IDPs, for up to 20 years**, but not beyond the borrower's age of retirement in accordance with the Law of Ukraine "On Compulsory State Pension Insurance", and up to 30 years **for young families (pairs where husbands and wives are under the age of 35) or single-parent families (where mother (father) is under 35 years of age)**. The credit is provided **at 3% per annum**.

### Basic conditions of participation:

- 1 **candidates** can prove their solvency, which means that the balance of the average monthly income of the candidate and their adult family members, subject to payment of a monthly loan payment, will not be less than the legal subsistence level for each family member for the respective period;
- 2 candidates have a registered place of residence in a rural area or are considering relocating for permanent residence to a rural area and registering a place of residence there;
- 3 candidates are employed at enterprises, in institutions and organizations of all ownership forms, or individual farms operating in rural areas and located within the residence raion or in adjacent raions;
- 4 candidates have not previously received any credits under this programme.

## SOCIAL HOUSING

The programme involves **the provision** by local self-government bodies **of housing for persons registered for social housing, including internally displaced persons**, on a priority basis **and for a certain period of time, for paid use on the basis of a lease agreement** from the social housing stock, **provided that such housing is not subject to sub-renting, reservation, privatisation, sale, donation, redemption and pledging**.

***Basic conditions of participation:***

It should be noted that IDPs do not have the priority right to receive social housing, as the Law of Ukraine "On the Social Housing Stock" and the Resolution of the Cabinet of Ministers of Ukraine No. 682 of July 23, 2008 "On Some Implementation Issues of the Law of Ukraine 'On the Social Housing Stock'" provides for a number of socially vulnerable categories of the population to receive housing from the social stock as a priority.

**TEMPORARY HOUSING**

The programme provides **free housing**, subject to payment for housing and utility and other services, **for temporary use** from the housing stock **for temporary residence of internally displaced persons** at their actual place of residence/stay **within the service area of** raion or Kyiv urban district state administrations, **executive bodies of city councils in which these persons and members of their families are registered** in the Unified Information Database on Internally Displaced Persons for a year or more, **in the amount of not less than 6 sq. m** per person, **provided that such housing is not subject to privatisation, exchange, division into parts and sub-renting.**

***Basic conditions of participation:***

- 1 the applicant and all members of their family do not own a housing unit/part of a housing unit suitable for habitation which is located in areas other than the temporarily occupied territories in Donetsk and Luhansk oblasts, the Autonomous Republic of Crimea and the city of Sevastopol, and in localities along the line of contact, the ATO area, the area of implementation of measures to ensure national security and defence, repel and deter the armed aggression of the Russian Federation in Donetsk and Luhansk oblasts, or such housing is destroyed or became, due to the armed aggression of the Russian Federation, unsuitable for habitation, which is confirmed by a certificate of inspection of the technical condition of the housing unit (house, flat);
- 2 applicant is registered as a citizen in need of housing from the housing stock for temporary residence.

## **SUBVENTION FROM THE STATE BUDGET TO LOCAL BUDGETS FOR IMPLEMENTATION OF MEASURES TO SUPPORT TERRITORIES ADVERSELY AFFECTED BY THE ARMED CONFLICT IN EASTERN UKRAINE**

The programme involves **a subvention from the state budget to local budgets for implementation of measures to support territories** adversely affected by the armed conflict in eastern Ukraine, provided by the Law on the State Budget of Ukraine for the relevant year, in particular, to implement measures for:

1. construction, reconstruction, major repairs of municipal housing units, including social units, to provide housing for internally displaced persons;
2. reconstruction or major repairs of municipal housing units to provide housing for temporary use of internally displaced persons;
3. purchasing of housing by municipalities for providing it for temporary use of internally displaced persons.

At the same time, premises purchased at the expense of the subvention for providing them for temporary use of internally displaced persons are not excluded from the housing stock for temporary residence.

### ***Basic conditions of participation (similar to the conditions of participation in obtaining temporary housing):***

- 1 the applicant and all members of their family do not own a housing unit/part of a housing unit suitable for habitation which is located in areas other than the temporarily occupied territories in Donetsk and Luhansk oblasts, the Autonomous Republic of Crimea and the city of Sevastopol, and in localities along the line of contact, the ATO area, the area of implementation of measures to ensure national security and defence, repel and deter the armed aggression of the Russian Federation in Donetsk and Luhansk oblasts, or such housing is destroyed or became, due to the armed aggression of the Russian Federation, unsuitable for habitation, which is confirmed by a certificate of inspection of the technical condition of the housing unit (house, flat);
- 2 applicant is registered as a citizen in need of housing from the housing stock for temporary residence.

Despite the existence of a significant number of national and local housing programmes for internally displaced persons, the issue of housing remains open, despite all the efforts of the Government of Ukraine and international partners, for sustainable long-term housing solutions for vulnerable groups of IDPs are currently in the process of being shaped and largely at pilot phases.

## **LEGAL REGULATION OF PROVIDING IDPS WITH TEMPORARY HOUSING**

On 10 October 2014, the Law of Ukraine "On Ensuring the Rights and Freedoms of Internally Displaced Persons" No. 1706-VII was adopted, defining the concept of "internally displaced person" and establishing guarantees of the rights, freedoms and legitimate interests of internally displaced persons.

In accordance with international law, Principle 18 of the Guiding Principles on Internal Displacement defines the right of every person, including IDPs, to an adequate standard of living, and states that regardless of the circumstances and without any discrimination, competent authorities shall at least provide and ensure IDPs safe access to housing suitable for habitation.

Article 31 of the European Social Charter confirms the right to housing, in which Member States are obliged to "promote access to housing of an adequate standard; to prevent and reduce homelessness with a view to its gradual elimination; to make the price of housing accessible to those without adequate resources".

The right to housing, as one of the basic social human rights, is enshrined in the Constitution of Ukraine. According to Article 47 of the Constitution of Ukraine, the state shall create conditions enabling every citizen to build, purchase, or rent housing. Citizens in need of social protection shall be provided with housing by the bodies of State power and local self-government, free of charge or at a price affordable for them in accordance with law.

Social protection of IDPs as a separate category and provision of IDPs with temporary housing are reflected in the following legislative acts of Ukraine:

**The Resolution of the Cabinet of Ministers of Ukraine No. 422 "On the Approval of the Procedure for the Formation of the Housing Stock for Temporary Residence and the Procedure for Provision and Use of Housing from the Housing Stock for Temporary Residence" of March 31, 2004** (hereinafter, the CMU Resolution No. 422)<sup>8</sup> and the procedures approved by it:

---

<sup>8</sup> CMU Resolution No. 422 "On the Approval of the Procedure for the Formation of the Housing Stock for Temporary Residence and the Procedure for Provision and Use of Housing from the Housing Stock for Temporary Residence" of March 31, 2004. <https://zakon.rada.gov.ua/laws/show/422-2004-%D0%BF#Text>

- *Procedure for the Formation of the Housing Stock for Temporary Residence*: defines the conditions of formation of the Housing Stock for temporary residence of citizens who do not have or have lost housing as a result of foreclosure on housing purchased by them on credit (loan) from a bank or other person, the return of which is secured by a mortgage of the respective premises, as well as refugees, internally displaced persons and citizens who are forced to leave their homes due to them being in disrepair, natural disasters or due to other reasons that endanger the life and health of a person or threaten the condition and safety of the relevant housing unit;
- *Procedure for Provision and Use of Housing from the Housing Stock for Temporary Residence*: establishes the possibility of providing IDPs with housing from the housing stock for temporary residence.

**The Resolution of the Cabinet of Ministers of Ukraine No. 582 “On the Approval of the Procedure for the Formation of the Housing Stock for Temporary Residence of Internally Displaced Persons and the Procedure for Provision for Temporary Use of Housing from the Housing Stock for Temporary Residence of Internally Displaced Persons” of June 26, 2019** (hereinafter, the CMU Resolution No. 582)<sup>9</sup> and the procedures approved by it:

- *The Procedure for the Formation of the Housing Stock for Temporary Residence of Internally Displaced Persons*: defines the conditions of formation of the Housing Stock for temporary residence of internally displaced persons who do not have or have lost housing or the ability to use it.
- *Procedure for Provision for Temporary Use of Housing from the Housing Stock for Temporary Residence of Internally Displaced Persons* (hereinafter, the Procedure for providing temporary housing): it is this procedure that determines the mechanism and conditions for providing temporary housing for IDPs, the list of documents necessary for this purpose, and establishes a number of other conditions related to the obtaining, moving into and use of such housing.

**The Decree of the State Committee of Ukraine on Housing and Utilities No. 98 “On Approving the Forms related to Housing from the Housing Stock for Temporary Residence” of May 14, 2004** (hereinafter, the Decree of the State Committee of Ukraine

<sup>9</sup> The CMU Resolution No. 582 “On the Approval of the Procedure for the Formation of the Housing Stock for Temporary Residence of Internally Displaced Persons and the Procedure for Provision for Temporary Use of Housing from the Housing Stock for Temporary Residence of Internally Displaced Persons” of June 26, 2019. <https://zakon.rada.gov.ua/laws/show/582-2019-%D0%BF#Text>

on Housing and Utilities No. 98)<sup>10</sup>: approved forms of principal documents for the provision of temporary housing, including the form of the lease agreement of a housing unit from the housing stock for temporary residence, which is used for such use agreements for temporary housing which are concluded with IDPs.

The possibility for IDPs to receive housing from the housing stock for temporary residence appeared in 2018 with the introduction of appropriate amendments to the procedures approved by the above-mentioned CMU Resolution No. 422. Today, according to their provisions, such housing units are provided to IDPs, as well as to some other categories of persons who lost or were forced to leave their homes, according to the decisions of executive bodies of village, town, city councils, Kyiv and Sevastopol city administrations. They also provide the conditions and general mechanism for receiving such housing.

At the same time, it is necessary to pay attention to para. 3 of the Procedure for provision and use of housing from the housing stock for temporary residence, approved by the CMU Resolution No. 422. It stipulates that IDPs are provided with housing from the housing stock for the temporary residence of internally displaced persons in accordance with this procedure, except for the aspects specified in the Procedure for the provision of temporary housing, approved by the CMU Resolution No. 582. Therefore, for local governments and IDPs, this means the need to use the Procedure for providing temporary housing, which establishes the rules for registration of the IDPs as citizens in need of housing from the housing stock for temporary residence (hereinafter, the registration) and based on the terms of which, the authorities assess the housing needs of IDPs/their family members to receive the housing.

## **THE MAIN KEY PROVISIONS OF THE PROCEDURE FOR PROVIDING TEMPORARY HOUSING**

- ▶ IDPs can initiate the process of registering and receiving temporary housing, regardless of the length of residence in the community and registration with the Unified Information Database on Internally Displaced Persons in the relevant social protection body.
- ▶ IDP can be registered:
  - if they and any member of the family do not own a housing/part of a housing suitable for living located in oblasts other than the temporarily occupied territories in Donetsk and Luhansk oblasts, the Autonomous Republic of Crimea

---

<sup>10</sup> The Decree of the State Committee of Ukraine on Housing and Utilities No. 98 "On Approving the Forms related to Housing from the Housing Stock for Temporary Residence" of May 14, 2004. <https://zakon.rada.gov.ua/laws/show/z0688-04#Text>

and the city of Sevastopol, and in localities along the line of contact, the area of the anti-terrorist operation, the area of implementation of measures to ensure national security and defence, repel and deter the armed aggression of the Russian Federation in Donetsk and Luhansk oblasts;

- in the case of the IDP or members of their family owning a housing unit/part of a housing unit located in areas other than the temporarily occupied territories in Donetsk and Luhansk oblasts, the Autonomous Republic of Crimea and the city of Sevastopol, and in localities along the line of contact, the area of the anti-terrorist operation, the area of implementation of measures to ensure national security and defence, repel and deter the armed aggression of the Russian Federation in Donetsk and Luhansk oblasts, which is destroyed or became, due to the armed aggression of the Russian Federation, unsuitable for habitation, which is confirmed by a certificate of inspection of the technical condition of the housing unit (house, flat), drawn up by a commission formed by the raion, Kyiv and Sevastopol urban district state administration, military and civil administration, executive body of a village, town, city, urban district (in case of formation) council, in the form in accordance with the appendix approved by the Resolution of the Cabinet of Ministers of Ukraine No. 505 "On Providing Monthly Targeted Assistance to Internally Displaced Persons to Cover Living Expenses, Including Costs of Housing and Utilities" of October 1, 2014.
  - ▶ IDP families with children, pregnant women, persons who have lost the ability to work, and IDPs of retirement age have a priority claim on housing from the housing stock for temporary residence of internally displaced persons;
  - ▶ To be registered, an IDP (in person or through an authorized representative) submits an application (signed by all adult family members) with an exhaustive list of documents specified in para. 8 of the Procedure for providing temporary housing;
  - ▶ The grounds for refusing to register internally displaced persons are the following:
    - failure to submit the required package of documents,
    - submission of documents containing inaccurate information;
  - ▶ The grounds for deregistration of IDPs are the following:
    - an application of the internally displaced person for deregistration;
    - change of the place of residence;
    - cancellation of the certificate of registration of an internally displaced person if there are grounds provided for in part one of Article 12 of the Law of Ukraine "On Ensuring the Rights and Freedoms of Internally Displaced Persons";



- failure to receive within 30 calendar days without good reason a warrant for moving into a housing unit, or failure to notify within the same period of good reasons that do not allow them to receive a warrant for moving into a housing unit;
- submission of knowingly inaccurate information that became the ground for registration of an internally displaced person.
  - ▶ The priority of providing internally displaced persons with housing from the housing stock for temporary residence of internally displaced persons is determined by the number of points scored by IDP/family, the priority criteria and the general criteria provided by the Procedure for Providing Temporary Housing.
    - ▶ A list of additional general criteria may be approved by the decision of the authorized body, such that the total number of points may not exceed 20 points per family.
    - ▶ On the basis of the decision to provide IDPs and members of their families with housing from the housing stock for temporary residence of internally displaced persons, the authorized body issues a warrant for moving into the housing unit.
    - ▶ Failure of an IDP or their authorized representative to receive within 30 calendar days without good reason a warrant or failure to notify within the same period about good reasons that do not allow them to receive a warrant are grounds for holding a meeting of the commission on reassigning that housing unit to other internally displaced persons.
    - ▶ Housing from the housing stock for temporary residence of internally displaced persons is provided free of charge to IDPs and their families for temporary use for up to one year, with the possibility of extension for the next period if there is no change in their status and if they have not acquired another place of residence. After the expiration of the set period of temporary residence and in the presence of changes in the circumstances that caused internal displacement, or pre-existing circumstances, or on the grounds of early termination of the right to use housing from the housing stock for temporary residence of internally displaced persons, IDPs are obliged to vacate the provided housing unit.
      - ▶ The use of housing from the housing stock for temporary residence of internally displaced persons is carried out on the basis of an agreement in the form established by the Decree of the State Committee of Ukraine on Housing and Utilities No. 98.
      - ▶ IDPs are obliged to pay for housing and utilities and other services in a timely manner according to the tariffs approved by the authorized bodies in accordance with the established procedure. The list of housing and utilities and other services and the terms of payment for them are determined by an agreement concluded between the IDP and the authorized body or a person authorized by it. The obligation to pay for

housing and utilities and other services arises on the date of signing the use agreement by the IDP and the authorized body or the person authorized by it. Legally established discounts and subsidies are provided to users of housing on a general basis.

► The grounds for the commission to decide on the early termination of the provision of housing from the housing stock for temporary residence of internally displaced persons are the following:

- the internally displaced person obtaining for use or purchasing other housing unit;
- cancellation of the certificate of registration of an internally displaced person if there are grounds provided for in part one of Article 12 of the Law of Ukraine "On Ensuring the Rights and Freedoms of Internally Displaced Persons";
- submission of knowingly inaccurate information that became the ground for provision of housing for internally displaced person from the housing stock for temporary residence of internally displaced persons;
- systematic violation by the internally displaced person and/or members of their family of the rules of use of housing from the housing stock for temporary residence of internally displaced persons;
- the situation where the internally displaced person and/or their family members have rendered the housing unit from the housing stock for temporary residence of internally displaced persons unsuitable for its use;
- a violation of the terms of the use agreement after the sanctions determined by this Procedure were used against the internally displaced person;
- the internally displaced person being absent from the housing unit continuously for more than half of the term for which the use agreement is concluded, which is confirmed by information on the return of the internally displaced person to the temporarily occupied territories in Donetsk and Luhansk oblasts, the Autonomous Republic of Crimea and the city of Sevastopol, to localities where state authorities temporarily do not exercise their powers, or travel abroad, received from the Ministry of Internal Affairs, the State Border Service Administration, the National Police, and other executive bodies;
- other grounds, provided by law.

► A violation by the internally displaced person of the terms of the use agreement entails:

- 1) a written warning of violation of the terms of the use agreement;
- 2) the commission considering the issue of the early termination of the provision of housing from the housing stock for temporary residence of internally displaced persons;
- 3) suing such person for eviction without providing other housing.

► The forced eviction of IDPs and their families from housing units of the housing stock for temporary residence of internally displaced persons shall be carried out only on the basis of a court decision.

The current legislation of Ukraine provides for the provision of a subvention to local budgets for the purchase of housing for the implementation of the programme of providing IDPs with temporary housing. Thus, the Resolution of the Cabinet of Ministers of Ukraine No. 769 "On the Approval of the Procedure and Conditions of Granting the Subvention from the State Budget to Local Budgets for Implementation of Measures to Support Territories Adversely Affected by the Armed Conflict in Eastern Ukraine" of October 4, 2017 provides co-financing in the amount of 30% from the local budget and 70% from the state budget for the construction, reconstruction, major repairs of housing for providing it for the temporary use of IDPs. The Ministry of Reintegration is the main controller of the subvention.

## **THE ALLOCATION OF THE SUBVENTION TO LOCAL BUDGETS SINCE 2017 HAS BEEN AS FOLLOWS**

### **2017:**

#### ***Total amount of the subvention:***

UAH 17.0 million, incl. UAH 16.3 million for the purchase of municipal housing for its provision for the temporary use of IDPs.

#### ***Purchased:***

72 flats for IDPs' temporary residence, in particular, in Mariupol (63 flats) and in Pokrovsk (9 flats).

#### ***Temporary housing was provided for:***

238 IDPs (215 persons in Mariupol, 23 in Pokrovsk, Donetsk oblast).

### **2018:**

#### ***Total amount of the subvention:***

UAH 34.0 million, incl. UAH 27.3 million for the purchase of municipal housing for its provision for the temporary use of IDPs.

#### ***Purchased:***

116 flats for IDPs' temporary residence, in particular, 92 flats in Donetsk oblast, 9 flats in Luhansk oblast, 15 flats in Dnipropetrovsk oblast.

#### ***Temporary housing was provided for:***

more than 360 IDPs.

**2019:****Total amount of the subvention:**

UAH 34.0 M.

**Purchased:**

85 flats for IDPs' temporary residence, in particular, 64 flats in Donetsk oblast, 4 flats in Luhansk oblast, 15 flats in Zaporizhia oblast, 7 flats in Zhytomyr oblast, 1 flat in Kharkiv oblast, 4 flats in Lviv oblast.

**Temporary housing was provided for:**

approximately 204 IDPs.

**2020:****Total amount of the subvention:**

UAH 20.0 M.

**Purchased:**

67 items of real estate for temporary residence of approximately 190 IDP.

**In 2021**, the Government adopted an order on the allocation of the subvention between local budgets totalling **UAH 113.525 million**. It is planned to use these funds to purchase more than 340 real estate units for the temporary residence of about 1,100 IDPs.

At the same time, sources of funding for the formation of the Housing Stock for temporary residence of IDPs can be not only funds from state and local budgets, but also funds of international donors, voluntary contributions of individuals and legal entities, and other sources not prohibited by Ukrainian law.

Thus, thanks to a grant from the German government and the implementation of the "Promotion of Social Infrastructure Development, USIF VI" project in the communities of Dnipropetrovsk, Zaporizhia and Kharkiv oblasts and Ukrainian-controlled areas of Luhansk and Donetsk oblasts, it became possible to create a housing stock for temporary residence of IDPs.

## **PROGRAMME OVERVIEW**

### **The "Legal Support to IDPs and Local Self-Government Bodies" Programme**

is implemented by the Right to Protection Charitable Foundation (CF "Right to Protection") within the "Promotion of Social Infrastructure Development, USIF VI" project, which was implemented by the Ukrainian Social Investment Fund (USIF/Fund), which is financed by the German government through the Kreditanstalt für Wiederaufbau (KfW) German Development Bank.

The **purpose** of the programme was to promote the adaptation and integration of IDPs by providing advisory and information assistance to IDPs, representatives of local authorities and self-government bodies, and public activists.

The programme provided a separate capacity building component intended, inter alia, to implement measures to provide legal assistance to IDPs and increase the capacity of active IDPs and local residents, and an information campaign on project activities. The programme also included a number of measures to provide legal support to local authorities and self-government bodies, which had to facilitate the integration of IDPs and improve their quality of life.

Representatives of the following **11 communities** took part in the programme:

- Dnipropetrovsk oblast – the cities of Kryvyi Rih and Pershotravensk;
- Zaporizhzhia oblast – Komysh-Zoria ATC, the cities of Melitopol and Huliaipole;
- Kharkiv oblast – Iziium ATC, the city of Chuhuiv;
- Luhansk oblast – Novoaidar ATC, the cities of Sievierodonetsk and Kreminna;
- Donetsk oblast – the city of Mariupol.

The programme components:

#### **1 Providing legal consultations to IDPs**

- Providing legal assistance to IDPs by providing initial consultations on housing issues, which were intended to raise displaced people' awareness of existing housing programmes (local and national) and the procedures for participating in them.
- Preparation and dissemination of information materials on the exercise of IDP housing rights (leaflets and posters).

**2 Providing legal consultations to representatives of local authorities and self-government bodies**

- drafting a package of exemplary (model) documents for the creation of housing stock for temporary residence of IDPs, which were to facilitate the process of developing a documentation base for the creation and legalisation of housing stock for temporary residence of IDPs.
- presentation of the developed materials to the local authorities of 11 target communities.

**3 Provision of face-to-face and remote legal consultations for representatives of local authorities and self-government bodies on solving IDPs' housing problems**

Adaptation of model documents for further use according to individual needs of each community, consultations on IDPs moving in, consultations on the formation of the IDP registers, analysis of a specific unit, transfer of a building to the housing stock for temporary residence of IDPs, consultations on the possibility of IDPs' participation in state housing programmes, etc.

**4 Training for public activists of target communities of the "Fundamentals of Advocacy for IDPs" project**

Training contained examples of successful cases of national and local advocacy, exercises in developing an advocacy strategy, and the basics of local outreach campaigns. The duration of the programme was 20 months, from June 2020 to December 2021.

# **INFORMATION ABOUT THE RESULTS** **OF "LEGAL SUPPORT FOR IDPS AND** **LOCAL SELF-GOVERNMENT BODIES"** **PROGRAMME IMPLEMENTATION**

## **PACKAGE OF EXEMPLARY (MODEL) DOCUMENTS** **FOR THE CREATION OF HOUSING STOCK FOR** **TEMPORARY RESIDENCE OF IDPS**

The CF "Right to Protection" team has developed a package of exemplary (model) documents, which contains various options and examples of legal regulation of safeguarding housing rights of IDPs, and is intended to facilitate the development of appropriate documentation in any community that intends to implement housing programmes and help solve the housing issues of displaced people.

The Collection includes materials on the formation of the housing stock for temporary residence of IDPs and the Procedure for providing housing for temporary use of IDPs, the Procedure for the formation of the social housing stock, the Procedure for purchase of housing on the secondary market for temporary use and the purchase of housing on the secondary market to provide IDPs with housing on financial leasing terms.

The package of documents was printed and handed over to the representatives of 11 communities of the Project during the presentations held in Dnipro, Zaporizhia, Sievierodonetsk and Kharkiv.

Another material developed and published by the CF "Right to Protection" as part of the Program is a brochure with a brief overview of housing programs for IDPs currently operating in Ukraine (print run: 5,000 brochures). The brochure provides information on housing programmes such as Affordable Housing; 3% interest credit; monetary compensation programmes for IDPs-ATO veterans to purchase housing; Own House; as well as social and temporary housing.



Package  
of exemplary  
(model) docu-  
ments for the  
creation  
of housing  
stock for tem-  
porary resi-  
dence of IDPs

## **LEGAL CONSULTATIONS FOR REPRESENTATIVES OF LOCAL SELF-GOVERNMENT BODIES OF TARGET COMMUNITIES**

During the period of implementation of the "Legal Support to IDPs and Local Self-Government Bodies" Programme, the team of the CF "Right to Protection" carried out work on providing ongoing legal consultations to representatives of local self-government bodies of target communities.

44 face-to-face and 22 online consultations in total were conducted for local self-government bodies.

171 representatives of local authorities participated in the consultations.

The meetings were attended by leaders and specialists of local authorities, in particular:

- the housing policy unit of the housing policy and natural monopolies office of the city infrastructure development department;
- specialists of the social security office;
- the administrative service provision unit;
- the territorial centre for social care;
- the housing and utilities office;
- the economy and investment office of the executive committee secretariat and others

As well as:

- village mayors and their deputies;
- a deputy mayor for infrastructure and investment
- competent specialists of amalgamated territorial communities;
- persons managing the affairs of the executive committee.

During the meetings with the representatives of local self-government bodies, the peculiarities of providing IDPs with housing in the community from the temporary housing stock were discussed. Particular attention was paid to the analysis of problematic issues regarding the interpretation of certain provisions of the Procedure for the Formation of the Housing Stock for Temporary Residence of Internally Displaced Persons and the Procedure for Provision for Temporary Use of Housing from the Housing Stock for Temporary Residence of Internally Displaced Persons, especially in the context of changes in legislation.



At the request of the representatives of local self-government bodies, the CF "Right to Protection" worked out in detail on an individual basis together with the communities:

- practical issues regarding the registration of an internally displaced person or the refusal to register such a person;
- the mechanism for implementing the innovation which consists in the mandatory obtaining of the warrant by the IDP;
- norms for providing IDPs with housing from the temporary housing stock;
- the issue of preliminary calculation of utility bills for housing from the housing stock for temporary residence of IDPs, based on current tariffs for housing and utilities services;
- the peculiarities of the use of the scoring system in the distribution of housing, including additional general criteria that can be approved by local self-government bodies with the total number of points not exceeding 20 points per family;
- the issue of IDPs' responsibility for improper use of housing units provided for temporary residence, and the grounds for holding them liable for making housing uninhabitable;
- peculiarities of IDPs living in provided housing, including the maximum period during which an internally displaced person who has been provided with temporary housing may be absent from the place of residence;
- the procedure for forced eviction without providing other housing in case of violation of the terms of the use agreement by IDPs, etc.

During the programme's implementation, the following regulations were developed and approved by local authorities together with the CF "Right to Protection":

1 Procedure for the Allocation and Provision for Temporary Use of Housing from the Housing Stock for Temporary Residence of Internally Displaced Persons in the Iziium city territorial community (new version) – the city of **Iziium**.

The draft of the relevant regulation was developed in connection with the amendments to the Procedure for Provision for Temporary Use of Housing from the Housing Stock for Temporary Residence of Internally Displaced Persons approved by the Resolution of the Cabinet of Ministers of Ukraine No. 582 of June 26, 2019 (amended by the Resolution of the Cabinet of Ministers of Ukraine No. 1311 of December 23, 2020) and in accordance with the need to bring the existing Procedure for the Allocation and Provision for Temporary Use of Housing from the Housing Stock for Temporary

Residence of Internally Displaced Persons in the Iziium City Territorial Community in line with these amendments.

2 The Regulations on the Commission for Consideration of Applications for Allocation and Provision for Temporary Use of Housing from the Housing Stock for Temporary Residence of IDPs on the Territory of Chuhuiv City Council – **Chuhuiv** city. The draft of the relevant regulation was developed in accordance with the Resolution of the Cabinet of Ministers of Ukraine No. 1311 of December 23, 2020 (amended by the CMU Resolution No. 582).

3 The Regulations on the Housing Commission for Registration of Internally Displaced Persons and Provision of Housing for Temporary Residence of Internally Displaced Persons in the city of **Pershotravensk**. The draft of the relevant regulation was developed in connection with the amendments to the Resolution of the Cabinet of Ministers No. 582.

4 The Regulations on the Commission for Registration of Internally Displaced Persons and Provision of Housing for Temporary Residence from the Housing Stock for Internally Displaced Persons in **Melitopol**. The draft of the relevant regulation was developed in connection with the amendments to the Resolution of the Cabinet of Ministers No. 582.

5 The Decision On Amendments to Appendix 2 to the Decision of the Executive Committee of the Huliaipole City Council No. 83 "On the Formation of the Housing Stock for Temporary Residence of Internally Displaced Persons and Approval of the Procedure for the Formation of the Housing Stock for Temporary Residence of Internally Displaced Persons" of 27 August 2020, **Huliaipole**. The draft of the relevant regulation was developed in connection with the amendments adopted to the CMU Resolution No. 582 – in order to amend the current procedure for providing temporary housing for internally displaced persons.

6 Draft order of the head of the civil-military administration "On Creation of the Housing Commission for Registration of Internally Displaced Persons and Provision of Housing for Temporary Residence to Internally Displaced Persons in the City of Sievierodonetsk, Luhansk Oblast and Approval of Regulations on Such Commission" and a draft order of the head of the civil-military administration "On Approval of the Procedure of the Formation of the Housing Stock for Temporary Residence of Internally Displaced

Persons and Procedure of Registration, Allocation and Provision for Temporary Use of Housing from the Housing Stock for Temporary Residence of Internally Displaced Persons in the City of Sievierodonetsk, Luhansk Oblast", and the List of Additional Criteria for Calculating Points for the Provision of IDPs with Housing from the Housing Stock for Temporary Housing, city of **Sievierodonetsk**. The drafts of the relevant regulations and recommendations for them were developed in connection with the amendments to the CMU Resolution No. 582.

7 The Regulations on the Procedure for Providing Official (Institutional) Housing to Internally Displaced Persons from among the Employees of the Municipal Non-Commercial Enterprise "Kreminna General Hospital of the Kreminna District Council" for Temporary Residence, the city of **Kreminna**. The draft was developed at the request of the local territorial community.

8 The Procedure of the Formation of the Temporary Housing Stock, the town of **Komysh-Zoria**. The draft of the relevant regulation was developed in accordance with the current provisions of the CMU Resolution No. 582.

It should be noted that documents most in demand from the Collection of Model Documents for Local Authorities in the target communities were:

- The Procedure on the Formation of the Housing Stock for Temporary Residence of Internally Displaced Persons,
- The Procedure for Provision for Temporary Use of Housing from the Housing Stock for Temporary Residence of Internally Displaced Persons,
- The Procedure for Purchasing Housing on the Secondary Market and Its Provision for Temporary Use for Temporary Residence of Internally Displaced Persons.

**Group meetings for internally displaced persons** were held both with residents of collective centres and modular towns and with individual interested IDPs. *966 IDPs took part in 66 group consultations.*

During the meetings, the peculiarities of the programme and the procedure for receiving housing for temporary residence of internally displaced persons were mostly covered.

However, the participants of meetings were also interested in information on existing national and local housing programmes; they asked for clarification on the scoring system used for the allocation of temporary housing.

Many questions were raised by CRA residents about living in social housing and the grounds for their eviction in the event of the end of the armed conflict. Some participants of the group meetings were also interested in the procedure and conditions of granting a loan from the authorised capital of the State Specialized Financial Institution "State Fund for Youth Housing" for young families (single people).

Also, consultations were provided during the meetings on the implementation of the "Housing for Internally Displaced Persons" project, long-term lending at 3% per annum, in particular with regard to the procedure for granting preferential mortgage credits to internally displaced persons at the expense of the grant from the Government of Germany provided through the Development Bank (KfW).

Considering the unstable epidemiological situation, all conditions of quarantine restrictions were met during group meetings for IDPs.

### **ORGANISATION OF TRAINING FOR PUBLIC ACTIVISTS OF TARGET COMMUNITIES OF THE "FUNDAMENTALS OF ADVOCACY FOR IDPS" PROJECT**

The participants of the event were introduced to the concept of advocacy, the correct formulation of problems, the purpose of the advocacy campaign, the methods of "Problem Tree" and "SMART" models, the identification of stakeholders, advocacy tools and stages of building an advocacy campaign.

The training included practical sessions which were worked on in groups, in particular: problem formulation and analysis by the Problem Tree method, formulating the goal of the advocacy campaign, identifying stakeholders, formulating a key message, and, in particular, building and planning an advocacy campaign.

As a result, 4 advocacy campaigns were formed on the following topics:

1. Addressing the housing needs of IDPs.
2. Educational and career development of youth in the city of Kryvyi Rih.
3. Protection of citizens' property left on the TOT.
4. Protection of voting rights of citizens living in Donetsk and Luhansk oblasts.

## **PROGRAMME SUMMARY**

Implemented **activities** within the "Legal Support to IDPs and Local Self-Government Bodies" Programme **contributed to**:

- increasing the ability of representatives of local authorities and self-government bodies and target communities to solve the problems of IDPs;
- increasing the ability of the target communities of the project to independently manage the housing stock for temporary residence of IDPs;
- increasing the level of awareness of IDPs about the possibilities of exercising their rights and tools for solving housing, social and other problems;
- effective and efficient solution of urgent problems of IDPs;
- providing temporary housing to 125 IDP families.

The Collection of Model Documents for Local Authorities "Programme of Housing Provision for Internally Displaced Persons" developed under the Project was important for communities in the context of IDP temporary housing stock management. This collection is a package of exemplary (model) documents, which includes a variety of options and examples of legal regulation on safeguarding housing rights of IDPs. It aims to facilitate the process of developing an appropriate documentation in any community that intends to implement housing programmes and help solve the housing problems of displaced people.

It should be noted that the Programme of Housing Provision for IDPs developed under the Project is a document that formalises community intentions in the context of local housing policy, and it offers a significant advantage in the case of the community's participation in tenders for international technical assistance, as well as for a state subvention for the creation of a temporary housing stock for internally displaced persons, provided by the CMU Resolution No. 769 "On the Approval of the Procedure and Conditions of Granting the Subvention from the State Budget to Local Budgets for Implementation of Measures to Support Territories Adversely Affected by the Armed Conflict in Eastern Ukraine".

The Collection of Model Documents was developed taking into account the best practices and developments that already exist in selected communities, as well as based on the experience and approaches of other countries. The package of documents is general in nature and prepared taking into account the possibility of its adaptation for further use according to the individual needs of each community.

In addition to effective cooperation with local self-government bodies, the Project contributed to the effective and efficient solution of urgent problems of IDPs and improvement of the quality of IDPs life, increased the level of awareness of IDPs about the possibilities of exercising their rights and tools for solving housing, social and other problems. This effectiveness was achieved not only by holding legal group sessions for IDPs, but also by establishing interaction with local self-government bodies, where the CF "Right to Protection" acted as a "bridge" of interaction and communication between IDPs and representatives of local self-government bodies.

Now that the communities participating in the Programme have practical skills and a developed package of documents, including the developed and adopted Local Target Programme for IDP Housing, as well as established the temporary housing stock in communities and the procedures for their provision, have every opportunity for further active work in raising funds from international stakeholders in order to create temporary housing in communities. In addition, communities can already participate in the tender for receiving the relevant state subvention.

# **SUCCESS STORIES OF SOLVING IDPS' HOUSING PROBLEMS**

## **IN SEARCH OF A HOME OF ONE'S OWN. MS. LYDIIA'S STORY OF RELOCATION**

Ms. Lydiia from Horlivka was forced to leave her home in 2014 and restart her life from scratch. Being hundreds of kilometres away from home is not an easy challenge for anyone, especially for a seventy-year-old woman.

She lived in Horlivka almost all her life – since she was seven, when her family moved here from Kharkiv oblast. Her home is left in this city. Her relatives are buried here: her parents, the husband who died in a mine, the eldest daughter who was taken away by a disease. Life has challenged this indomitable woman many times, but she still has not lost her optimism and faith.

The team of the Dnipro office of the Right to Protection Charitable Foundation met Ms. Lydia in 2015 in the modular town of Kryvyi Rih. It was difficult for an elderly woman to live in a modular house, especially in summer, when the temperature reaches 38 degrees. Specialists of the Charitable Foundation started looking for housing for Lidiia Mykhailivna, and in 2016 they accompanied her and helped her with the relocation to the dormitory in the town of Sofiivka, Dnipropetrovsk oblast. She lived here for three years. But the woman's modest pension was barely enough to pay her utility bills, so she was forced to return to the modular town in Kryvyi Rih.

Later, a home for her was found in the city of Pokrov, Nikopol raion. Specialists from the Right to Protection again helped Lidiia Mykhailivna to move to her new home. But the new home proved unsuitable for an elderly person. Getting to the second floor was a real challenge for a 73-year-old woman. Lidiia Mykhailivna did not despair and tried to find housing in Zhovti Vody on her own, which was also a very difficult task for her. Fortunately, her fate was decided by one call.

She was contacted by representatives of the Dnipro office of the Right to Protection Charitable Foundation, who suggested that she submit a package of documents for receiving a temporary housing unit in a dormitory, the ground floor of which was reconstructed by the USIF and Kryvyi Rih local authorities. At that time, there was a week left before the opening of the CRA, and many IDPs had already submitted their documents, so the hope of getting a flat for Ms. Lidiia was barely there. But thanks to the legal support of human rights activists, the fund managed to collect and submit to the Visa Center all the necessary package of documents in one day.

»» Applications from IDPs for receiving a temporary housing unit are reviewed by a commission and prioritised applying a scoring system. It so happened that Ms. Lidiia, after submission of the package of documents, was approved by the committee and received a 1-bedroom flat in a flat-type dormitory. Therefore, we emphasise that every IDP has the right to submit documents and be registered to receive temporary housing for IDPs, even if you know that the number of IDPs in the waiting list exceeds the number of flats, said Myroslava Sushchenko, head of the Dnipro-Zaporizhia office.

Today, Ms. Lidiia is living in her new home and is grateful to everyone involved in the miracle that happened to her:

»» *I'm happy! I finally have my home! Many thanks to the Kryvyi Rih city authorities and the Ukrainian Social Investment Fund for such a dream home! And thanks to the whole team of the CF "Right to Protection" for walking with me towards my dream, supporting, helping, accompanying me and simply keeping the desperation at bay!*



The Foundation's monitor Olena Pazenko speaks with warmth about our heroine:

»» *Recently, during a monitoring visit to the CRA, I talked to Ms. Lidiia about her impeccable Ukrainian language, and it turned out that her daughters graduated from the Department of Ukrainian Philology, and Ms. Lidiia's older brother is famous Ukrainian poet Leonid Talalai, whose works are studied at school. Mrs. Lidiia is a fine and very modest person! I am very glad that our efforts were not in vain, I am glad to see her eyes shining. Such moments give hope that eventually everyone who was forced to leave home will be able to have their own home!*





## **SUCCESSFUL EXPERIENCE OF COOPERATION WITH KOMYSH-ZORIA ATC**

A lot of IDPs families live in the Komysh-Zoria town territorial community in Zaporizhia oblast. Some of them already have their own homes: some people have bought them, and some have inherited them. But most families continue to rent housing or rely on the kindness and help of relatives, friends and caring people. Therefore, providing families of displaced people with housing for temporary residence is one of the most pressing issues for the Komysh-Zoria town TC.

The Ukrainian Social Investment Fund in the framework of the "Promotion of Social Infrastructure Development, USIF VI" project provided funds for the reconstruction of a building in the village of Lantseve, Bilmak district of Zaporizhia oblast, for the temporary residence of IDPs. This house is to become a home to 12 families.

In the framework of Legal Support for IDPs and Local Self-Government Bodies Programme, the specialists of the Right to Protection Charitable Foundation provided local authorities of the Komysh-Zoria town TC with a series of consultations.

Lawyers from the organisation's Mariupol oblast office took on the job.

»» *To help the Komysh-Zoria Territorial Community to regulate and govern the process of providing housing for temporary residence of IDPs, we have drafted a decision for local self-government bodies "On Approval of the Procedure of the Formation of the Housing Stock for Temporary Residence of Internally Displaced Persons and the Procedure for Provision for Temporary Use of Housing from the Housing Stock for Temporary Residence of Internally Displaced Persons". As a result, the drafts we developed were approved at the 12th session of the 8th Komysh-Zoria Town Council on 16 November 2021. Thanks to this, the TC was able to complete the reconstruction of the building, said Snizhana Lukashova, head of the Mariupol office.*

According to Yanina Rebenkova, a lawyer of the Right to Protection Mariupol office, they also prepared for the territorial community a draft decision "On Approval of the Regulations on the Housing Commission for Registration of Internally Displaced Persons and Provision of Housing for Temporary Residence of Internally Displaced Persons under the Executive Committee of the Town Council".

After that, the town council was faced with the issue of which families have the priority right to move into the renovated house. Specialists of the Charitable Foundation provided the TC authorities with consultations on this issue in accordance with current legislation.

Thus, taking into account the amendments introduced at the end of 2020 to the Resolution of the Cabinet of Ministers of Ukraine No. 582 "On the Approval of the Procedure for the Formation of the Housing Stock for Temporary Residence of Internally Displaced Persons and the Procedure for Provision for Temporary Use of Housing from the Housing Stock for Temporary Residence of Internally Displaced Persons" of 26 June 2019, local self-government bodies can independently determine the categories of IDP citizens whose residence is desirable, as these families will make an appropriate contribution to the development of the TC.

Therefore, the Mariupol team of the Right to Protection has developed a list of additional general criteria for local self-government bodies in Komysh-Zoria to award additional points.

According to it, additional points will be awarded, inter alia, to those categories of citizens who work in the housing and utilities sector, at agricultural enterprises, in educational, cultural and sports institutions in the Komysh-Zoria town TC. Also, to citizens whose children are winners of the Junior Academy of Sciences competitions, city, oblast, national, international Olympiads, creative contests and sports competitions.

»» *This list was developed not only taking into account the wishes of local self-government bodies' representatives, but also taking into account the needs of vulnerable groups living in the Komysh-Zoria territorial community who also need temporary housing. In other words, we introduced an appropriate ratio to avoid a situation where the preference in the allocation of housing for temporary residence is given to only one specific category of IDPs, said Yanina Rebenkova, a lawyer at the Mariupol office.*

The local self-government bodies of the Komysh-Zoria town TC have approved the Regulations at the beginning of December 2021 and are preparing to allocate flats among IDPs in the first quarter of 2022. Thus, 12 families will receive long-awaited homes.


## UKRAINIAN SOCIAL INVESTMENT FUND

 [usif.ua](http://usif.ua)

 [facebook.com/usifua](https://facebook.com/usifua)

## CHARITABLE FUND "RIGHT TO PROTECTION"

 [r2p.org.ua](http://r2p.org.ua)

 [facebook.com/right2protection](https://facebook.com/right2protection)

