

Editorial Team: Beata Surmacz (Director of ICE), Tomasz Stępniewski (Deputy Director of ICE), Agnieszka Zajdel (Editorial Assistant), Aleksandra Kuczyńska-Zonik, Jakub Olchowski, Konrad Pawłowski, Agata Tatarenko

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Andrzej Szabaciuk

The Ukrainian Authorities' Policy towards Internally Displaced Persons following the Invasion by the Russian Federation

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The Russian attack on Ukraine resulted in one of the most significant humanitarian crises in Europe since World War II. In its aftermath, millions of Ukrainians were compelled to abandon their former places of residence and seek refuge within or outside the country. Ukraine is making efforts to provide social support to those affected by the war. However, due to the limited resources at its disposal and the magnitude of the issue, this assistance remains symbolic and ad hoc, unable to address all the challenges faced by this category of forced migrants.

The Issue of Internally Displaced Persons since 2014. During the initial phase of Russian aggression, the Ukrainian authorities grappled with the challenge of extending support to individuals forced to leave their homes. By July 2015, 1.78 million internally displaced persons had been officially registered in Ukraine. Nevertheless, authorities initiated a verification process for this group of forced migrants. The primary concern revolved around individuals who resided in territories occupied by pro-Russian separatists and migrated to Ukrainian-controlled areas in pursuit of social benefits. According to a decision made by President Petro Poroshenko in November 2014, people residing in the Donbass region before the war, who had not registered as IDPs (Internally Displaced People), forfeited their entitlement to pensions and other social benefits from 1 November 2014. Following the verification process, individuals who were permanent residents of the occupied territories and had no intentions of evacuating were deregistered. This reduced the official number of IDPs to below 1.3 million.

The registration process was hindered by an inefficient public administration, making it impossible for many eligible individuals to gather the necessary documents, given the realities of war. Taking into account the symbolic nature of the support, many individuals chose not to register formally. This was particularly prevalent among those who were not of retirement age and remained economically active. Moreover, IDPs frequently encountered significant integration challenges in their new places of residence, difficulties in finding employment, or other complications stemming from discrimination, including linguistic differences, especially the use of the Russian language.

Controversy also emerged regarding certain provisions restricting their civil rights, notably their inability to participate in local elections. This issue was addressed by the European Court of Human Rights, which, in a ruling dated 21 October 2021, determined that Ukraine had violated the European Convention on Human Rights by denying IDPs participation in the 2015 local elections in Kiev. Subsequently, Ukrainian authorities amended this legislation in 2020, ultimately resolving the matter of IDPs' participation in local elections.

Before 24 February 2022, IDPs could rely on monthly support provided by administration entities under the purview of the Ministry of Social Policy. The determination of support involved an assessment of the family's financial situation, property ownership, bank deposits, employment status, and other relevant factors. Healthy adults were eligible to receive a maximum of 442 hryvnias (USD 11.4) per month, whereas children and pensioners received 1,000 hryvnias (USD 27). Benefits for individuals with disabilities were slightly higher. However, it is important to note that limits were imposed on family support: 3,000 hryvnias (USD 81.3) per month for families in a standard situation, 3,400 hryvnias (USD 91.6) for families with one disabled person, and 5,000 hryvnias (USD 135.4) for large families.

State Support after 24 February 2022. Russia's full-scale aggression has led to a substantial increase in the number of internally displaced persons requiring support. According to estimates from the International Organisation for Migration (IOM), the number of IDPs reached its peak at over 8 million in early March 2022. In the latter half of that year, it fluctuated between 7 million and 6 million people. By May 2023, it had decreased to 5 million ("IEŚ Commentaries", No. 938).

In response to these emerging challenges, the Ukrainian authorities deemed it necessary to streamline the legislation governing the provision of support. A law enacted on March 20, 2022, introduced a uniform housing allowance for IDPs. This allowance amounted to 2,000 hryvnias per person in a family and 3,000 hryvnias per child. Notably, there were no restrictions on maximum payments per family, including considerations of income, deposits, or property ownership. The condition for receiving this support was the submission of an appropriate application.

However, since the enactment of these regulations, there have been calls in the nationwide Ukrainian media for restrictions aimed at narrowing the pool of eligible recipients for assistance. Relevant regulations were introduced on 20 May 2022. According to these regulations, not all individuals were eligible for state support. Only those whose homes had been destroyed or rendered uninhabitable due to Russian attacks as well as those displaced from Crimea and areas of warfare or occupation, were eligible for benefits.

Simultaneously, additional requirements were imposed on internally displaced persons whose homes had been destroyed. Assistance could only be provided if they reported the destruction of their homes via the Diia mobile app before 20 May 2022, or if they possessed a written document (a certificate from local authorities) confirming property damage or destruction as a result of warfare, terrorist acts, or Russian sabotage. In cases where individuals' property had not been destroyed but they had chosen to leave areas of hostilities or occupied territories, support eligibility was determined based on lists of villages at risk approved by the Ministry for the Reintegration of the Temporarily Occupied Territories of Ukraine. Only individuals who had registered in the localities on this list were deemed eligible. The list is continually updated by the Ministry of Reintegration.

As of July 2023, 2.6 million IDPs were receiving state support, while more than 5 million were officially registered as IDPs. For their support in 2023, the authorities allocated 163.1 billion hryvnias (USD 43.6 million) in the state budget, approximately 13.2% of the state budget planned for 2023. This allocation is substantial, considering Ukraine's current situation and the estimated 640% increase in arms expenditure. However, it is challenging to definitively determine whether all of these funds will be allocated to this category of individuals, as the authorities have decided to further tighten the criteria for aid allocation.

Tightening of Criteria for Providing Assistance. Further changes to the legislation regulating assistance for internally displaced persons in Ukraine were implemented on 11 July 2023. According to these changes, starting from 1 August 2023, the payment of benefits was automatically extended for those who had previously received support for a period of six months. However, additional criteria were introduced, failure to meet which will result in the loss of benefits from 1 September 2023. Under these regulations, benefits will be withdrawn from those who:

- purchased a vehicle less than five years old (except for cars purchased by volunteers and donated for national defence purposes);
- acquired a plot of land or a flat or house with a value exceeding 100,000 hryvnias (USD 2,696). This does not apply to real estate donated by the state or local authorities;
- have more than 100,000 hryvnias in their bank account;
- purchased foreign currencies (except currencies received from charitable organizations or purchased to pay for medical, social, or educational services) or precious metals with a total value of more than 100,000 hryvnias;

- own real estate located in territories that have not been affected by armed hostilities or are not occupied, with the area of such real estate exceeding 13.65 square meters per family member;
- have travelled outside the state for more than 30 days without valid reasons for such travel. Valid reasons can include business travel, internships, medical treatment or rehabilitation, or caring for a sick child;
- payments will also be withheld from persons in prison and those convicted of collaboration.

Conclusions

Russian aggression against Ukraine presents a multifaceted challenge from the perspective of the Ukrainian authorities. President Volodymyr Zelenski and his team must grapple with numerous military, political, and social issues. Among these, supporting internally displaced persons is a key concern. How these challenges are addressed will shape the course of the ongoing conflict.

The assistance provided to internally displaced persons remains largely ad hoc and does not fully adhere to the good practices recommended by UNHCR. It is important to note that Ukraine faced difficulties in fulfilling these obligations even before the new phase of Russian aggression. This is primarily due to the scale of the issue and the limited financial resources of the state, which has been contending with Russian aggression on multiple fronts for nearly a decade. Given this context and the fact that the Ukrainian authorities have allocated more than 13% of the budget for IDP assistance, the state's efforts in this regard should be acknowledged positively.

However, it is crucial to emphasize that in Ukraine, not only is it internally displaced persons who are experiencing significant challenges. According to UNHCR estimates, around 18 million people in the country require humanitarian assistance. High unemployment, which has surged from 9% in 2021 to approximately 20% in August 2023 (according to estimates from the National Bank of Ukraine, NBU), and as high as 40% in frontline areas, represents a major concern.

Ukraine is unable to effectively assist all those in need. The state budget is strained by such substantial expenditures, and the administrative complexities resulting from the ongoing conflict make it challenging to provide swift and efficient help. NGOs and international organizations play a crucial role in reaching all war-affected individuals. It is important to stress that without dedicated and adequate assistance in the long term, internally displaced persons may add to the ranks of war refugees, exacerbating the already complex demographic situation of the state.