

# TEMPORARY SPECIAL COMMISSION

## on the protection of property and non-property rights of internally displaced and other persons affected by the armed aggression of the Russian Federation against Ukraine

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January 11, 2024

### DECISION

#### **About the state of implementation by ministries and other central bodies of executive power Operational plan of measures for the implementation in 2023-2025 of the State policy strategy on internal displacement for the period until 2025, approved by the order of the Cabinet of Ministers of Ukraine dated April 7, 2023, № 312-r**

On December 29, 2023, the temporary special commission of the Verkhovna Rada of Ukraine on the protection of property and non-property rights of internally displaced and other persons affected by the armed aggression of the Russian Federation against Ukraine (hereinafter referred to as the Commission) sent letters to 13 central executive authorities with the aim of obtaining information about the state of implementation by ministries and other central executive bodies. The operational plan of measures for the implementation in 2023-2025 of the strategy of the state policy on internal displacement for the period up to 2025, approved by the order of the Cabinet of Ministers of Ukraine dated April 7, 2023, № 312-r (hereinafter - Operational plan of measures).

In its letter, the Commission asked the executors to provide answers by January 8, 2024.

At the same time, letters were received from: the State Service of Ukraine on Labor Issues (letter dated January 5, 2024 № 72/1/2-24a); State Emergency Service of Ukraine (letter dated January 3, 2024 № 03-226/126-1); Ministry of Education and Science of Ukraine (letter dated 05.01.2024 № 1/202-24); Ministry of Culture and Information Policy of Ukraine (letter dated January 8, 2024 № 02/11/5-24); Ministry of Youth and Sports of Ukraine (letter dated January 8, 2024 № 29/3.3/24); Ministry of Social Policy of Ukraine (letter dated January 8, 2024 № 451/0/2-24/51); Ministry of Health of Ukraine (letter dated January 8, 2024 № 27/961/2-24); Fund of compulsory state social insurance of Ukraine in case of unemployment (letter dated 08.01.2024 № 181-12/1/2024); State Property Fund of Ukraine (letter dated January 8, 2024 № 10-75-445).

In violation of the deadline, letters were sent from: the National Social Service of Ukraine (letter dated January 10, 2024 № 0000-02.1-2/1-2024/647); Ministry of Justice of Ukraine (letter dated January 10, 2024 № 4759/18154-1-23/8.4.4); Ministry of Reintegration of the Temporarily Occupied Territories of Ukraine (letter dated January 11, 2024 № 22/4.5-220-24); Ministry of Development of Communities, Territories and Infrastructure of Ukraine (letter dated January 11, 2024 № 618/37/10-24).

During the analysis of the responses of the ministries and other central bodies of the executive power, the following was found:

- individual points of the Operational Plan of measures are not implemented or are implemented in violation of deadlines.
- there is no financial support for the implementation of tasks and measures of the Operational Plan.
- the main executors of individual tasks/measures of the Operational Plan are the central bodies of the executive power, whose competence, in their opinion, does not include ensuring the formation and implementation of policy in the relevant sphere of legal relations.

Among other things, the Ministry of Social Policy of Ukraine reported (November dated 08.01.2024 № 451/0/2-24/51) about the following:

- task № 2 of event № 1 of the Operational Plan - development and submission to the Cabinet of Ministers of Ukraine of a draft act on amendments to Resolution № 646 of the Cabinet of Ministers of Ukraine dated September 22, 2016 "On approval of the Procedure for the creation, maintenance and access to information of the Unified Information Database on Internally Displaced Persons" in terms of functional expansion, integration with other databases and state registers (implementation deadline - 3rd quarter of 2023) - is being implemented in violation of the implementation deadlines, the draft regulatory act was not considered at the Government meeting;

- task № 2 of event № 2 of the Operational Plan – finalizing the software of the Unified Information Database on Internally Displaced Persons in order to ensure access to it by entities responsible for the formation and implementation of state policy on internally displaced persons (implementation deadline - 4th quarter of 2023 year) – not implemented, because within the existing budget programs for 2023, no funds are provided for the development and commissioning of the electronic office of an internally displaced person as a way of receiving services and communication of internally displaced persons with state authorities.

The State Property Fund of Ukraine reported (letter dated 08.01.2024 № 10-75-445), that an analysis of legislation was carried out about research into the issue of introducing preferential terms for the calculation of rent for *state property for local self-government bodies, communal enterprises financed from local budgets*. A draft resolution has been developed in terms of amendments to Resolution № 630 of the Cabinet of Ministers of Ukraine dated April 28, 2021 "Some issues of calculating rent for state property", but as of today, the specified regulatory legal act has not been submitted for consideration by the Government.

In addition, the State Property Fund of Ukraine is designated as the main executor of task № 29 of the Operational Plan - the formation of housing funds for the temporary residence of internally displaced persons, however, the State Property Fund of Ukraine stated that this issue does not belong to its competence, given the powers defined, in particular, The Law of Ukraine "On the State Property Fund in Ukraine".

The Ministry of Education and Science of Ukraine, the Ministry of Health of Ukraine, the Ministry of Youth and Sports of Ukraine, and the State Labor Service of Ukraine reported on the successful implementation of the activities and tasks of the Operational Plan of Activities.

On January 11, 2024, at the meeting of the Commission, the reports of the ministries and other central executive authorities on the state of implementation of the Operational Plan were heard (the first item on the agenda).

Thus, the Vice-Prime Minister of Ukraine is the Minister for Reintegration of the Temporarily Occupied Territories of Ukraine I.A. Vereshchuk. informed that the Operational Plan contains five strategic goals, which includes 36 tasks and 97 measures. The Ministry of Reintegration implemented 37 measures of the Operational Plan, which in percentage ratio is 75% of the total number of measures where the Ministry is designated as the main executor. I. Vereshchuk noted that the provisions of both the Operational Plan and the State Policy Strategy regarding internal displacement for the period until 2025 need to be revised and updated.

Key achievements include the creation of 5 Coordination Headquarters, the adoption of Resolution № 812 of the Cabinet of Ministers of Ukraine dated August 4, 2023 "On approval of the Model Regulation on the Council for Internally Displaced Persons", according to which regional and local councils for internally displaced persons were formed and the relevant provisions have been approved.

The purpose of these councils is to implement regional policy in the sphere of ensuring and protecting the rights and interests of internally displaced persons, promoting the activities of territorial communities in the development of effective mechanisms for their adaptation and integration.

Regarding the non-submission to the Verkhovna Rada of Ukraine of the draft law on amendments to the Law of Ukraine "On Ensuring the Rights and Freedoms of Internally Displaced Persons" and other laws that regulate the implementation of the rights and freedoms of internally displaced persons in terms of strengthening the targeting of aid, taking into account financial, economic and property state of such persons (event № 2 task 1 of the Operational Plan), I. Vereshchuk noted that the development of the relevant version of the draft law requires cooperation and coordination with the People's Deputies of Ukraine.

I. Vereshchuk also noted that today the issue of developing an assessment of the needs of internally displaced persons is extremely urgent, as the ministry will also develop a strategy for providing housing for internally displaced persons based on it. To implement these measures as soon as possible, the Ministry asked for help from international experts, in particular from the International Organization for Migration, other international organizations with appropriate expertise and practical experience in this field.

The first deputy minister of social policy of Ukraine D. M. Marchak, the first deputy head of the State Property Fund of Ukraine D. A. Shugalii, the deputy minister of development of communities, territories and infrastructure of Ukraine D. A. Komirnyi also reported on the state of implementation of the operational plan of measures at the meeting of the Commission, Deputy Minister of Education and Science D.V. Zavhorodniy, First Deputy Minister of Justice E.M. Horovets. and other persons.

Based on the results of consideration of the specified issue, the Commission decided:

1. Information ministries and other central executive bodies regarding implementation. Take note of the operational plan of measures for the implementation in 2023-2025 of the State Policy Strategy on Internal

Displacement for the period until 2025, approved by the order of the Cabinet of Ministers of Ukraine dated April 7, 2023, № 312-r.

2. Recognize the work regarding execution by ministries and other central bodies of executive power. The operational plan of measures for the implementation in 2023-2025 of the Strategy of the state policy on internal displacement for the period until 2025, approved by the order of the Cabinet of Ministers of Ukraine dated April 7, 2023, № 312-r, is insufficient.

To propose to the Cabinet of Ministers of Ukraine to update the provisions of the Operational Plan of Measures for the Implementation in 2023-2025 of the Strategy of the State Policy on Internal Displacement for the Period Until 2025, approved by Order of the Cabinet of Ministers of Ukraine № 312 dated April 7, 2023, considering modern realities and basic needs internally displaced persons.

3. Suggest to managers ministries and other central executive bodies responsible for implementation of the operational plan of measures for the implementation in 2023-2025 of the Strategy of the state policy on internal displacement for the period until 2025, approved by the order of the Cabinet of Ministers of Ukraine dated April 7, 2023 № 312-r, to take urgent measures to implement the tasks and measures of the specified Operational Plan, the term the implementation of which ended in 2023, and within a month to inform the Commission about the measures taken and the results.
4. To consider at one of the nearest meetings of the Commission the state of implementation by the regional and Kyiv city military (state) administrations, local self-government bodies of the Operational Plan of measures for the implementation in 2023-2025 of the State Policy Strategy on Internal Displacement for the period until 2025, approved by the order of the Cabinet of Ministers of Ukraine from April 7, 2023, № 312
5. To propose to the Prime Minister of Ukraine to define a central body of executive power, whose powers include the issue of the formation and implementation of state policy in areas related, in particular, to the development of the Strategy for providing housing for internally displaced persons, the creation of temporary housing funds for internally displaced persons, the implementation of a systematic audit and inventory of all potentially habitable premises in Ukraine, establishing for each object the state of use, the degree of readiness and the cost of bringing it into proper condition, implementing mechanisms for attracting funds from international organizations, volunteers, charitable organizations, investors for a quick solution to the housing issue for the most unprotected categories of internally displaced persons, as well as analysis of the implementation of existing state housing programs in this area.

6. The decision of the Commission to send to the Prime Minister of Ukraine, ministries, other central bodies of executive power, responsible for the implementation of the Operational Plan of measures for the implementation in 2023-2025 of the State Policy Strategy on Internal Displacement for the period until 2025, approved by the order of the Cabinet of Ministers of Ukraine dated 07 April 2023 № 312.

**Chairman of the Commission**

**P. Frolov**

**Secretary of the Commission**

**S. Velmozhnyi**