

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

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August 9, 2024

DECISION

On the Activities of Councils on Internally Displaced Persons in Odesa Region

The activities of the Councils on Internally Displaced Persons (hereinafter referred to as IDP Councils) as consultative and advisory bodies are one of the tools of democracy, through which internally displaced persons (hereinafter referred to as IDPs) can influence decision-making regarding themselves at the national, regional, and local levels.

The issue of increasing the efficiency of the IDP Councils, as well as enhancing their involvement and influence on decision-making concerning the rights and freedoms of IDPs, has been repeatedly discussed at meetings and other public events of the Temporary Special Commission of the Verkhovna Rada of Ukraine on the Protection of Property and Non-Property Rights of Internally Displaced Persons and Other Persons Affected by the Armed Aggression of the Russian Federation against Ukraine (hereinafter referred to as the Commission).

Article 8 of the Law of Ukraine *"On Ensuring the Rights and Freedoms of Internally Displaced Persons"* stipulates that IDPs exercise their right to vote in elections for the President of Ukraine, people's deputies of Ukraine, local elections, and referendums in the manner prescribed by law. However, the opportunity for IDPs to participate in decision-making at the local level through democratic tools, and therefore to influence the formation of local policies on issues affecting this population group, is not clearly defined by the said Law.

IDP Councils as consultative and advisory bodies under regional, district, and city administrations, and local self-government bodies, began to be actively established after the adoption of the Cabinet of Ministers of Ukraine Resolution No. 812 dated August 4, 2023, *"On Approving the Model Regulation on the Council on Internally Displaced Persons."*

Most IDP Councils focus their efforts on promoting employment and entrepreneurship development, including support for relocated businesses, housing assistance, integration, and adaptation in communities, institutional capacity building, and more.

However, considering the limited resources and clearly defined tasks, the IDP Councils demonstrate various approaches to solving similar problems. The practice of creating thematic working groups is common.

It is worth noting that some IDP Councils face challenges in changing (updating) their composition, including due to delays in excluding their members, reluctance of certain members to perform work primarily focused on long-term advocacy, or changes in the place of residence of IDPs, the impossibility of combining IDP activities with their primary employment, or staff changes among representatives of state and local government bodies.

It is important to ensure easy access for IDPs to information about the activities of IDP Councils in the relevant region and locality. However, information about the activities of IDP Councils is not adequately provided on the official websites of the bodies under which they were established. Typically, information about the decisions to establish these councils, the date, time, and place of meetings, composition, meeting protocols, activity reports, etc., is missing. There is also no interactive map with consolidated information on all established IDP Councils, which would allow potential interested active IDPs to join the work of the relevant IDP Council.

Some data on the established IDP Councils (including their names, locations, dates, grounds, and initiators of creation, general composition) are available on the IDP Councils map of the Charitable Foundation "Stabilization Support Services" (accessible via the link: <http://surl.li/zttqje>), but it is based on information held by a non-governmental organization.

Regarding the effectiveness of the IDP Councils' activities, this effectiveness can mostly be evaluated depending on:

- the duration of their work;
- the nature of their creation, as some IDP Councils were created practically under duress using the administrative influence of relevant state or local government bodies;
- the systematization of work, as some IDP Councils managed to hold only one meeting to elect their members;
- the activity and skills of their members, given that for most of them, this is unpaid work outside of their primary employment, which is mostly unrelated to their activities as a member of the Council;
- the available resources, including the possibility of holding a strategic session, involving a communications expert in the work;
- interaction with the representatives of the bodies under which they were established, as IDP Councils may not be perceived as necessary or priority tools for interaction, etc.

The activities of the IDP Councils can be more effective at the level of territorial communities and regions if the relevant bodies under which they were established prioritize significantly greater support for these IDP Councils. At the same time, currently, financial, methodological, informational, and other types of support for the IDP Councils continue to be provided primarily by international and national non-governmental organizations, whose capabilities are limited.

The Commission also believes that it is necessary to strengthen the role and influence of the IDPs themselves on the activities not only of the bodies under which the respective IDP Councils were established but also at the national level, and to amplify the voice of IDPs in the activities of all IDP Councils.

To ensure the overall coordination of all IDP Councils, there is a need for the assistance of state bodies in establishing a body at the national level that will ensure fair and proportional representation of all established IDP Councils, where the influence on decision-making will be exclusively by IDPs, rather than representatives of state and local government bodies.

Regarding the activities of the Councils on Internally Displaced Persons in Odesa region, the Odesa Regional Military Administration informed the Commission by letter dated August 2, 2024, No. 9578/4/01-40/10077/2-24, that by order of the head (chief) of the regional state (military) administration dated September 22, 2023, No. 748/A-2023, a Council on Internally Displaced Persons was established under the Odesa Regional State (Military) Administration.

As of June 1, 2024, among the 7 district state (military) administrations, IDP Councils were established in all 7; among the 91 territorial communities of the Odesa region, IDP Councils were established in 41 territorial communities, namely: in Berezhivskyi district – in 9 territorial communities, in Bilhorod-Dnistrovskyi district – in 7 territorial communities, in Bolhrad district – in 6 territorial communities, in Izmail district – 0, in Odesa district – in 2, in Podilskyi district – in 11 territorial communities, and in Rozdilna district – in 6 territorial communities.

In some communities, IDP Councils were not established due to the relatively small number of registered IDPs.

Based on the review of the issue in question, the Commission has **d e c i d e d**:

1. To take note of the information provided by the IDP Councils of Odesa region and the Analytical Report on the activities of the IDP Councils, prepared by the Commission's secretariat, consisting of 40 pages, attached to this decision of the Commission.

2. To emphasize the importance of ensuring the systematic work of the IDP Councils established under regional, Kyiv city, district state (military) administrations, and local self-government bodies, which has a positive impact on resolving issues related to ensuring the rights and freedoms of IDPs at the national, regional, and local levels.

3. To consider it appropriate and necessary to establish at the legislative level, particularly in the Law of Ukraine "On Ensuring the Rights and Freedoms of Internally Displaced Persons," a legal mechanism for the establishment, principles of activity, powers, and specific features of the functioning of the IDP Councils.

4. To propose that the Prime Minister of Ukraine take measures to ensure proper coordination of the IDP Councils established under regional, Kyiv city, district state (military) administrations, and local self-government bodies at the national level, particularly by initiating the establishment of a coordinating body for their activities, initially chaired by the Vice Prime Minister – Minister for the Reintegration of the Temporarily Occupied Territories of Ukraine, summarizing the provided proposals and recommendations, and gradually increasing the role and influence of IDPs in such coordination.

5. To appeal to the Prime Minister of Ukraine with a proposal to facilitate the creation of a nationwide interactive map containing information about the IDP Councils established under regional, Kyiv city, district state (military) administrations, and local self-government bodies, including the grounds for their creation, composition, announcements, and meeting protocols, decisions, reports, etc., and to ensure the further administration of such a map.

6. To propose to regional, Kyiv city, district state (military) administrations, and local self-government bodies:

1) to promote the further establishment of IDP Councils at their own initiative, avoiding coercion in their creation and ensuring systematic participation and support from the body under which they are established;

2) to consider the proposals and recommendations of the IDP Councils aimed at ensuring the rights and freedoms of IDPs and other populations affected by the armed aggression of the Russian Federation in their activities, including providing appropriate financial support;

3) to create conditions for the coordination of actions of the IDP Councils with other consultative and advisory bodies, working groups, etc., that are involved in the protection of the rights and freedoms of the affected population, including IDPs;

4) to enhance the material and technical support for the activities of the IDP Councils, including by providing premises for meetings, necessary computer equipment, and organizing protocol and document support for their activities;

5) to facilitate timely changes in the composition of the IDP Councils in case of submissions for withdrawal or replacement of individual members;

6) to ensure the provision of information about the activities of the IDP Councils on their official websites (web pages) in accordance with the provisions of *the Cabinet of Ministers of Ukraine Resolution No. 812 "On Approving the Model Regulation on the Council on Internally Displaced Persons."*

7. To propose to the IDP Councils:

1) to hold regular meetings and other events aimed at fulfilling the tasks of the IDP Councils (seminars, conferences, etc.), considering their capabilities;

2) to inform about their work (tasks, functions, areas of activity), including through annual reporting on their activities to ensure understanding of the tasks of the IDP Councils and avoid situations of inflated expectations;

3) to promote the exchange of experiences and support for other IDP Councils in their establishment and addressing problematic issues;

4) to summarize proposals and recommendations at the regional level for further submission to the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine, and other state and local government bodies.

8. To send the decision of the Commission to the Prime Minister of Ukraine, the Vice Prime Minister of Ukraine – Minister for the Reintegration of the Temporarily Occupied Territories, regional, Kyiv city, district state (military) administrations.

Chairman of the Commission

P. Frolov

Secretary of the Commission

S. Velmozhnyi