

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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January 23, 2025

DECISION

On the state of preparation of draft acts and other tasks necessary for the implementation of the Law of Ukraine No. 4080-IX “On Amendments to Certain Laws of Ukraine on Additional Measures Related to the Provision of Housing for Internally Displaced Persons”

On December 30, 2024, 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 - the Commission) approved the Commission's Work Plan, according to which one of the main tasks of the Commission is, in particular, to provide internally displaced persons and other Ukrainians affected by the Russian aggression with residential premises or social housing suitable for living, in particular through the Law of Ukraine No. 4080-IX ‘*On Amendments to Certain Laws of Ukraine on Additional Measures Related to the Provision of Housing for Internally Displaced Persons*’ (hereinafter - the Law), and conducting post-legislative control measures.

In November 2024, the Verkhovna Rada of Ukraine adopted the Law initiated by the Commission. According to paragraphs 2 and 3 of the Final Provisions of the Law, which entered into force on 06.12.2024, the Cabinet of Ministers of Ukraine and the State Property Fund of Ukraine had to adopt regulations necessary for the implementation of the Law within three months from the date of its publication, as well as to ensure that ministries and other central executive authorities bring their regulations in line with the Law, to ensure the establishment and operation of coordination commissions, inspection commissions and the Information and Analytical System of Real Estate Objects for Providing Housing to Internally Displaced Persons (*hereinafter - the Information and Analytical System*).

In order to implement the above measures, the Prime Minister of Ukraine issued instructions to ministries, other heads of central executive authorities, heads of regional and Kyiv city military administrations dated 07.01.2025 No. 36820/1/1-24 and

approved the Plan for organising the preparation of draft acts and other tasks necessary for the implementation of this Law (*hereinafter - the Organisation Plan*).

At the time of the Commission's review, all the measures envisaged in *the Organisation Plan* had to be initiated and implemented by the responsible executors. The deadline for most of them is 17 and 28 February 2025.

To ensure comprehensive consideration at the Commission meeting of the issue '*On the status of preparation of draft acts and other tasks necessary for the implementation of the Law of Ukraine No. 4080-IX "On Amendments to Certain Laws of Ukraine on Additional Measures Related to the Provision of Housing for Internally Displaced Persons"*', requests were sent to the Ministry of Community and Territorial Development of Ukraine (the letter dated 17.01.2025 No. 04-82/6-2025/14516), the Ministry of Digital Transformation of Ukraine (the letter dated 17.01.2025 No. 04-82/6-2025/14554), and the State Property Fund of Ukraine (the letter dated 17.01.2025 No. 04-82/6-2025/14567) to provide relevant information and materials by 21.01.2025.

Prior to the meeting of the Commission held on 23 January 2025, only the State Property Fund of Ukraine provided the relevant information.

In the month and a half, or in fact 50% of the period allocated by the Law for preparing for the relevant inspection (inventory) and launching *the Information and Analytical System*, the Ministry of Communities and Territories Development of Ukraine has not prepared any of the draft acts of the Government provided for by the Law, namely: on approval of the procedures for leasing buildings and structures of *educational/higher education/vocational (vocational and technical) education* institutions for the residence of IDPs; on the procedure for submitting applications by IDPs for the provision of Real Estate for their residence; on the determination of the Holder and Administrator of the Information and Analytical System; on the Model Provisions on *Coordination Commissions/ Inspection Commissions*; on the Procedure for the Inspection of Real Estate for the Residence of IDPs; on the Standard Form of the Inspection Act; on the Procedure for the Creation and Operation of the Information and Analytical System and its Interaction with Other Information and Communication Systems.

According to the information provided at the Commission meeting by the Deputy Minister of Communities and Territories Development of Ukraine (*the relevant ministry is the main implementer of most of the measures*), the deadline for the implementation of the measures envisaged in the Action Plan may be affected by the transfer of powers to protect the rights of internally displaced persons to this ministry only on 31 December 2024, as well as the lack of appropriate staffing to perform the tasks.

According to the communication between the Commission and the UNHCR Office in Ukraine, the Office expressed its readiness to support the implementation of the Law and considered further possible participation in financing the creation of *the Information and Analytical System*. Such interaction, in turn, should be ensured in

cooperation with the responsible central executive authorities and with the involvement of the Commission.

The proper functioning of *the Information and Analytical System* involves establishing interaction between various systems and databases, including the Unified Social Information System, the Unified State Electronic System in the field of construction, etc. In addition, in accordance with paragraph 4 of Section I of the Law, *the Information and Analytical System* shall contain the following information on land plots. However, among the bodies responsible for the implementation of the measure to create and operate *the Information and Analytical System*, there are no authorities whose powers include the administration of the State Land Cadastre of Ukraine.

In view of the above, **the Commission d e c i d e d :**

1. To take note of the information of the Ministry of Communities and Territories Development of Ukraine and the State Property Fund of Ukraine on the fulfilment of the tasks envisaged by paragraphs 2 and 3 of the Final Provisions of the Law of Ukraine No. 4080-IX '*On Amendments to Certain Laws of Ukraine on Additional Measures Related to the Provision of Housing for Internally Displaced Persons*'.

2. To note the lack of proper coordination and positive dynamics in the implementation of the order of the Prime Minister of Ukraine dated 07.01.2025 No. 39820/1/1-24 to the Law of Ukraine No. 4080-IX '*On Amendments to Certain Laws of Ukraine on Additional Measures Related to the Provision of Housing for Internally Displaced Persons*' and the Plan for the preparation of draft acts and other tasks necessary for its implementation, which threatens the timely and proper implementation of the Law, which is an extremely important tool for providing housing for internally displaced persons.

3. To address the Prime Minister of Ukraine with a proposal to instruct him to ensure the immediate implementation of the tasks stipulated in paragraphs 2 and 3 of the Final Provisions of the Law of Ukraine No. 4080-IX '*On Amendments to Certain Laws of Ukraine on Additional Measures Related to Provision of Housing for Internally Displaced Persons*' and to consider this issue at an interagency meeting, following which the coordinator of the implementation of this Law will be determined.

4. To address the UNHCR Office in Ukraine and other international and national humanitarian organisations working in Ukraine to implement housing solutions, restoration of housing and other assistance to affected persons in the field of housing rights, with a request (upon consent) to consider, as soon as possible, the possibility of funding and providing other technical assistance to implement the provisions of the Law of Ukraine No. 4080-IX '*On Amendments to Certain Laws of Ukraine on*

Additional Measures Related to the Provision of Housing for Internally Displaced Persons’.

5. To recommend to the Cabinet of Ministers of Ukraine to amend the Plan for organizing the preparation of draft acts and performing other tasks necessary for the implementation of the Law of Ukraine No. 4080-IX “*On Amendments to Certain Laws of Ukraine Regarding Additional Measures Related to Providing Internally Displaced Persons with Housing*”, providing, among other things, for the inclusion of the Ministry of Agrarian Policy and Food of Ukraine and/or the State Service of Ukraine for Geodesy, Cartography and Cadastre in the list of responsible executors to establish interaction between the Information and Analytical System provided for by Law No. 4080 with the State Land Cadastre of Ukraine.

6. The Ministry of Communities and Territories Development of Ukraine and the State Property Fund of Ukraine shall send to the Commission detailed information on the status of implementation of the Law of Ukraine No. 4080-IX ‘*On Amendments to Certain Laws of Ukraine on Additional Measures Related to the Provision of Housing for Internally Displaced Persons*’, in particular, the status of implementation of the relevant Plan for the preparation of draft acts and other tasks, as of 17 February, 3 March and the first day of each subsequent month of 2025.

7. To entrust the Secretariat of the Commission to ensure constant monitoring of the implementation of the Plan for organising the preparation of draft acts and other tasks necessary for the implementation of the Law of Ukraine No. 4080-IX ‘*On Amendments to Certain Laws of Ukraine on Additional Measures Related to the Provision of Housing for Internally Displaced Persons*’ and to immediately inform the Commission in case of untimely and/or improper implementation of this Plan.

To emphasise that if there is information about the untimely and/or improper implementation of the Law of Ukraine No. 4080-IX ‘*On Amendments to Certain Laws of Ukraine on Additional Measures Related to the Provision of Housing for Internally Displaced Persons*’, the Commission will initiate an internal investigation and appropriate personnel decisions within the framework of parliamentary control.

8. The Commission's decision shall be sent to the Prime Minister of Ukraine, the Vice Prime Minister for Reconstruction of Ukraine - Minister of Development of Communities and Territories of Ukraine, the Acting Head of the State Property Fund of Ukraine for taking appropriate measures and informing the Commission of the results of the implementation of this decision, as well as to the Representative of the United Nations High Commissioner for Refugees in Ukraine and other international and national humanitarian organisations working in Ukraine to implement housing

solutions, restore housing and provide other assistance to affected persons in the field of housing rights.

Chairman of the Commission

P. Frolov

Secretary of the Commission

S. Velmoznyi

