

Law of Ukraine

“On ensuring of rights and freedoms of internally displaced persons”

This law under the Constitution and laws of Ukraine, international treaties of Ukraine ratified by the Verkhovna Rada of Ukraine establishes guaranties of rights, freedoms and legitimate interests of internally displaced persons.

Article 1. Definition of internally displaced person

1. Internally displaced person is citizen of Ukraine, permanently residing at the territory of Ukraine, that was forced or voluntarily left one's residence place as a result of or in order to avoid negative impact of armed conflict, temporary occupation, situations of generalized violence, mass violations of human rights and disasters of natural or human-made origin.

These circumstances are considered to be known and such that do not require proving, as information is contained in official records (messages) of High Commissioner of the United Nations Commission on Human Rights, the Organization for Security and Cooperation in Europe, the International Committee of Red Cross, the Ukrainian Parliament Commissioner for Human Rights hosted on websites of these organizations or decisions on these circumstances were made by authorized state bodies.

2. Address of abandoned place of residence of internally displaced person under this Law shall be the address of place of residence of person at the time when circumstances mentioned in part one of this Article emerged.

Article 2. Guaranties of rights and freedoms of internally displaced persons

1. Ukraine takes all possible measures under the Constitution and laws of Ukraine, international treaties of Ukraine ratified by the Verkhovna Rada of Ukraine to prevent possible internal displacements, adherence to rights and freedoms of internally displaced persons, returning of such persons to their previous residence places and further reintegration.

Article 3. Protection from forceful internal displacement and forceful return to previous residence place

1. Citizen of Ukraine, referred to in the Article 1 of this Law has a right to protection from forceful internal displacement and forceful return to previous residence places.

Article 4. Registration of internally displaced persons

1. The fact of internal displacement shall be proved by the certificate of registration of internally displaced person.

2. Registration of residence at the territory where circumstances referred to in Article 1 of this Law at the moment of emergence of such circumstance shall be grounds for registration of person as internally displaced.

3. In order to get a certificate, person shall approach social protection department of local state administration at the place of factual residence with an application for certificate of registration as internally displaced person.

4. The application shall be submitted in person, while applications of orphans, children deprived from parental care, incapacitated or partially incapacitated persons shall be submitted through legal representative (hereinafter – the applicant). In the absence of legal representative application on behalf orphans, children deprived of parental care or unaccompanied children shall be submitted by relevant custody and guardianship agencies, located at the place of discovery of such children.

The application shall be signed by an applicant or legal representative of an applicant that provides consent to proceeding, use, storage of their personal information or personal information of persons legally represented by them.

5. Students that have been gaining a certain education level and had a residence registration in a dormitory, after withdrawal of registration are entitled to apply for a certificate of registration of internally displaced persons if unwilling to return to previous place of residence due to circumstances referred to in Article 1 of this Law.

6. The application shall contain following information about an applicant:

name, surname and patronymic;

citizenship;

date and place of birth;

gender;

information about displaced persons under 18 years of age coming with him/her (if any);

information about registered and factual residence;

address for official correspondence or official correspondence delivery, and phone number;

circumstances that caused displacement.

person's statement regarding his/her non-involvement in committing crimes or complicity in crimes;

information about accommodation, social, medical, educational and other needs;

consent for processing of personal data in accordance with the Law of Ukraine "On protection of personal data".

7. Together with an application the applicant – citizen of Ukraine shall submit:

citizen of Ukraine – document that identifies a person and proves Ukrainian citizenship or temporary certificate that identifies the citizen of Ukraine;

if available – document that proves residence at the territory of administrative-territorial unit internal displacement takes place from, referred to in Article 1 of this Law (document that proves Ukrainian citizenship, identifies a person or his/her special status with residence registration, *military service records, employment records, real estate ownership records*).

orphans and children deprived from parental care – birth certificate, if needed;

In case if the application is submitted by legal representative following documents shall be submitted additionally:

document that identifies a person of legal representative;

document that proves person's authority as legal representative, except for cases when parents (adoptive parents) are legal representatives.

8. Certificate on registration as internally displaced person (hereinafter – the certificate) shall be issued by social protection department of local state administration at the day of submitting of application, and shall be signed and verified by authorized official of this department, free of any type of charge either for primary issuance of such certificate, or re-issuance in case of loss, damage or for validity extension.

The certificate shall be valid during six months from date of issuance.

In case if conditions referred to in Article 1 of this Law, validity of this certificate may be extended for next six months. In order to do this, person shall once more approach relevant social protection department of relevant local state administration at the place of stay.

9. Social protection departments shall cooperate with local and central executive bodies with regard to the Law of Ukraine “On protection of personal data” in a manner set forth by the Cabinet of Ministers of Ukraine in order to organize work with internally displaced persons properly and checking of provided information.

10. Procedure of preparation and issuance of the certificate and its reference form shall be approved by the Cabinet of Ministers of Ukraine.

The certificate shall contain following information:

certificate number, date of issuance and name of issuing authority;

name, surname and patronymic of an applicant;

date and place of birth of an applicant;

gender of an applicant;

information about registered and factual place of residence of an applicant.

11. Issuance or extention of a certificate of internally displaced person may be rejected, or it can be invalidated in case if:

1) there are no conditions that caused displacement referred to in Article 1 of this Law, or these conditions changed significantly;

2) state authorities possess information that the applicant provided unreliable data for certificate issuance.

3) an applicant has lost his documents proving his/her identity and citizenship of Ukraine until they are restored.

On the day of submitting application an applicant shall be issued a certificate of registration of internally displaced person or a decision on the grounds of rejection signed by the head of such social protection body that provides registration of internally displaced persons.

In case of rejection of the certificate issuance or extention, written reasons shall be provided to an applicant..

Internally displaced person has a right to apply repeatedly in case if conditions referred to in Article 1 of this Law emerged. Person also can apply the rejection to court.

In case if certificate or written formal denial are not issued within one day after application, person has a right to apply to a court these illegal actions or omissions of relevant body or its officials.

12. In case of loss or damage of the certificate a duplicate shall be issued instead based on the application (with an explanation of the circumstances of loss or damage); free of charge.

13. For the purpose of registration and collection of information about internally displaced persons Unified state register of internally displaced persons shall be established.

Executive bodies that fulfill this Law by exercising their powers (registration of IDPs, accommodation, food, registration of their factual place of stay, payment of state cash assistance) shall within their powers insert information about IDPs to Unified state register of internally displaced persons. Procedure of establishment, maintenance and access to information to Unified state register of internally displaced persons shall be set forth by the cabinet of Ministers of Ukraine.

Establishment and maintenance of Unified state register of internally displaced persons shall be carried out by central executive body shall be determined by the Cabinet of Ministers of Ukraine.

14. Unified state register of internally displaced persons shall contain following information about internally displaced persons:

name, surname, patronymic, citizenship;

date and place of birth;

gender;

identification document;

reference number of the certificate, date of issuance and name of issuing authority;

information about last registered residence place of internally displaced person at the territory where circumstances referred to in Article 1 of this Law, and factual place of stay;

address which can be used to deliver official correspondence to internally displaced person or official correspondence delivery and phone number;

information about accommodation, social, medical, educational and other needs of internally displaced persons, their support;

information on cash assistance rendered to a person.

15. Relevant state executive bodies shall be users of Unified state register of internally displaced persons (free of charge).

Article 5. Registration of place of accommodation of internally displaced person

1. The certificate of registration of internally displaced person shall contain information regarding places of accommodation of internally displaced person during the period of existing of circumstances referred to in Article 1 hereby.

2. Regional department of central executive body responsible for implementation of state migration policy (immigration and emigration) shall insert to the certificate of registration of internally displaced person information about registration of place of accommodation with following data:

1) address of factual residence, which can be used to deliver official correspondence to internally displaced person (place of factual accommodation), or

2) address of social protection department of local state administration; or

3) address of regional department of central executive body responsible for implementation of state migration policy (immigration and emigration) of Ukraine.

The information regarding registration of place of accommodation of internally displaced persons shall not be inserted in their respective passports.

3. In case of changing of place of factual residence, internally displaced person shall inform the closest regional department of central executive body responsible for implementation of state migration policy (immigration and emigration) of Ukraine within ten days.

4. Authorized official of regional department of central executive body responsible for implementation of state migration policy (immigration and emigration) of Ukraine shall insert information about factual residence of internally displaced person to Unified state register of internally displaced persons.

5. Registration or re-registration of place of accommodation of internally displaced person by regional department of central executive body responsible for implementation of state migration policy (immigration and emigration) of Ukraine shall be free of charge and does not provide any state fees, other payments or charges.

6. State executive bodies and local governments of Ukraine, their officials and staff, enterprises, institutions and organizations of any organizational form or property relations may not request, except for passport, any documents that should be issued at the territory abandoned by internally displaced person for registration or providing accommodation to internally displaced person.

In case if verification of any information about a person is needed, state executive bodies and local governments of Ukraine, their officials and staff have a right to use information of relevant state registers (*including State register of Voters*) free of charge. In case if processing of personal data of such persons, written consent on access to and processing of personal data shall be requested, in accordance with provisions of the Law of Ukraine "On protection of personal data".

Article 6. Ensuring rights of internally displaced persons on issuance of documents that prove Ukrainian citizenship, identify a person or his/her special status

Central state executive body responsible for implementation of state migration policy (immigration and emigration) of Ukraine shall issue documents that identify person and prove citizenship of Ukraine of internally displaced persons at the place of factual residence of internally displaced persons.

Article 7. Ensuring rights of registered internally displaced persons on employment, pension benefits, mandatory state social insurance, social services, and education

1. Registered internally displaced person shall enjoy rights to employment, pension benefits, mandatory state social insurance against unemployment, temporary disability, accident and occupational disease that caused disability, as well as right to social benefits in accordance with current legislation of Ukraine. Re-registration of unemployed, registered as internally displaced persons shall be carried out by State employment service at the place of stay in manner set forth by the Cabinet of Ministers of Ukraine.

2. Ukraine shall undertake all measures to address issues concerning social protection, in particular, with restoration of all social benefits to internally displaced persons.

3. Elderly citizens, disabled persons, disabled children and other persons in difficult circumstances, registered as internally displaced persons shall enjoy rights to social benefits in accordance with current legislation of Ukraine at the place of registration of factual residence of such internally displaced person.

4. Registered internally displaced person, retired from a work (terminated another type of employment), shall be registered as unemployed and shall receive support and social benefits in accordance with mandatory state social insurance against unemployment according to current

legislation, in case if documents that prove retirement (termination of employment), employment periods and pension service are not available.

Registered internally displaced person that not retired from work (terminated another type of employment) in case if it is impossible to continue work (other type of employment) at the previous place of residence, to be registered as and shall receive support and social benefits in accordance with mandatory state social insurance against unemployment according to current legislation may terminate labor relations through providing of notarially authorized notice of termination of employment togwthwr with confirmation that relevant statement has been sent by such citizen to employer by registered mail (with description of attachments).

Registered internally displaced persons that cannot provide any documents required for the status of unemployed, shall aquire this status without fulfillment requirements set forth in standard procedure. Before any documents and information on the period of employment, wages (income), insurance experience are provided unemployment benefits to such persons shall paid in minimum amount established by current legislation of Ukraine.

5. Termination of self-employment shall be carried out based on application through simplified procedure (without fulfillment requirements set forth in standard procedure) at the place of factual residence of such person by relevant regional department of central executive body responsible for implementation of state migration policy (immigration and emigration) of Ukraine based on certificate of registration of internally displaced person.

6. In case if internally displaced persons wants to register a legal entity (given the person is among founders of legal entity) or register oneself as individual entrepreneur, such registration shall be carried out based on persons application and under simplified procedure (without fulfillment requirements set forth in standard procedure) at the place of stay of such person in relevant local executive body authorized to carry out state registration of legal entities and individual entrepreneurs). This shall be carried out based on certificate of registration with a mark of its registration by territorial department of state executive body responsible for implementation of state migration policy (immigration and emigration).

7. Registered internally displaced persons shall enjoy the right to be provided with technical and other means of rehabilitation and rehabilitation services in accordance with legislation at the place of stay.

8. Means of rehabilitation, rehabilitation services shall be provided based on necessary documents, proving rights to these means and services, and in case of such documents are unavailable – based on data of Central database on disability (for persons that apply repeatedly) and individual rehabilitation of disabled person, disabled child in manner set forth by the Cabinet of Ministers of Ukraine.

11. Registered internally displaced persons shall enjoy rights to continue achieving certain education level in other regions of Ukraine by costs of state budget or other sources. The procedure of finacing of education of persons enrolled to educational institutions at the territories referred to in Article 1 of this Law, at cost of state budget shall be set forth by the Cabinet of Ministers of Ukraine.

Article 8. Ensuring voting rights of internally displaced persons

1. Internally displaced person – citizen of Ukraine shall enjoy his/her voting right at the elections of the President of Ukraine, members of Parliament of Ukraine, state referenda through changing of voting place without changing of voting address as provided in part three of Article 7 of the Law of Ukraine “On State Register of Voters”.

Article 9. Other rights and duties of internally displaced person

1. Internally displaced person has a right on:

safety of life and health;

reliable information about potential threats to life or health in the territory of an abandoned residence, as well as place of temporary accommodation, its infrastructure, environment, ensuring of rights and freedoms ;

proper conditions of person's permanent or temporary accommodation;

providing from state executive bodies, local governments and private legal entity of opportunity for free temporary accommodation (with payment for housing services) within six months from the date of registration of internally displaced person; for large families, persons with disabilities, elderly persons this period may be extended

approach local governments with requests to allocate land through allocation of target credit for building of housing or social housing at the places of stay on the equal rights with citizens of Ukraine permanently residing in that area;

assistance in transportation of person's movable property;

assistance in returning to previous place of residence;

medical supply in cases and in accordance with procedures provided in legislation;

necessary medical assistance in state and communal health care institutions;

enrollment of children to preschool and secondary education institutions;

social and administrative services at the place of stay;

state registration of civil status, changes to civil status records, updating and cancellation at the place of stay;

free passage to return to abandoned place of previous residence by all means of public transport in case of circumstance that caused such displacement emerged;

receiving of humanitarian and charitable aid;

other rights set forth in the Constitution and Laws of Ukraine.

2. Internally displaced person must:

1) adhere to the Constitution and laws of Ukraine, other legal acts;

2) inform on factual residence place of IDP to nearest local department of central executive body that implements state policy on migration (immigration and emigration) of Ukraine within 10 days:

inform on changing of factual residence place or return to previous residence place within ten days;

3) in case if submitted during application process information appeared to be knowingly false – reimburse factual costs incurred from by state and local budgets for exercise of rights under this Law.

4) once every six months visit relevant department of authorized migration policy body.

other duties set forth in the Constitution and Laws of Ukraine.

Article 10. Powers of the Cabinet of ministers of Ukraine on ensuring rights and freedoms of internally displaced persons

The cabinet of Ministers of Ukraine shall:

- 1) coordinate and supervise activities of executive bodies regarding necessary measures for ensuring rights and freedoms of internally displaced persons in accordance with this Law;
- 2) ensure monitoring of internal displacement, direct activities of executive bodies on removing of circumstances (conditions) that cause internal displacement, protection of rights and freedoms of internally displaced persons, facilitation of their return to abandoned residence places and further reintegration;
- 3) in case if circumstances referred to in Article 1 that caused mass (more than 100,000 persons) displacement of citizens of Ukraine emerge or in case if such circumstances linger for more than six months - approve state comprehensive programs for support and social adaptation of IDPs with determination of sources and amounts of finance, control their implementation;
- 4) exercise other powers set forth in this and other laws.

Article 11. Powers of executive bodies and local governments on ensuring rights and freedoms of internally displaced persons

1. Central executive body that implements state policy on migration (immigration and emigration) shall:

- 1) check information about IDP inserted into a certificate of registration of IDP;
- 2) register place of stay of internally displaced person in accordance with Article 6 herein and, within its powers, inserts information about IDP into Unified state register of internally displaced persons;
- 3) facilitate re-unification of families of internally displaced persons through informing IDPs about factual whereabouts of members of their families;
- 4) in case if IDP has provided knowingly wrong information or/and submitted false/invalid documents, committed or complied in crimes, moved abroad for permanent residence – inform issuing body within one working day about such facts in order the decision on certificate's validity to be made;
- 5) in case if documents that identify a person or prove citizenship are not available - identify internally displaced person, ensure preparation, issuance, replacement, extension of documents that identify a person or prove citizenship of Ukraine, at the place of factual stay of internally displaced person.

2. Central executive body that implements state policy on health care shall ensure organization of health care services and medical assistance, taking comprehensive measures regarding sanitary and epidemiologic protection and quarantine measures at the place of factual stay of internally displaced persons.

3. Central executive body that implements state policy on employment and labor migration shall inform internally displaced persons about employment opportunities in relevant localities, and also shall facilitate employment of internally displaced persons that acquired status of unemployed, organize training, retraining and qualifications upgrade for such persons.

4. Central executive body, that implements state policy in science and education shall:

- 1) establish conditions under which citizens can acquire preschool, secondary, out-of-school, professional, higher education with regard to information about internally displaced persons;
- 2) within its powers perform coordination of executive bodies, including education administration departments of local state administrations and local governments with the regard to ensure that IDPs can exercise their right on education.

3) coordinate local education administration institutions as to establish proper network of preschool, secondary, out-of-school education institutions and ensures establishment of proper network of professional and experimental education institutions as to meet education requirements of citizens with regards to needs of internally displaced persons;

4) annually draft proposals and inform subordinate education institutions on state order for training of specialists, scientific, pedagogic and working professionals, as well as on retraining for meeting state requirements with the regard to quantity of internally displaced persons.

5) Central executive body that implements the state policy on civil protection, in accordance with legislation, shall provide measures of minimization of and emergency response to consequences of emergency situations, as well as evacuation of people, emergency medical care in an emergency area.

6) Central executive bodies shall analyze state of exercise of rights and freedoms of internally displaced persons and submit information regarding expenses and measures necessary to implement provisions of this Law to the Cabinet of Ministers of Ukraine.

7) Central executive bodies, with regard to implement this Law, shall exchange information on a free-of-charge basis under procedure set forth by the Cabinet of Ministers of Ukraine, as well as cooperate with civil groups, volunteer, charitable organizations, other individuals and legal entities with a regard to ensure rights and freedoms of internally displaced persons.

8) Local state administrations within their powers shall:

1) receive citizens and provide them with free-of-charge primary legal assistance regarding registration of internally displaced persons;

2) register internally displaced persons in accordance with Article 4 herein;

3) inform internally displaced persons about possible places and conditions of their accommodation with regard to offers of local governments, civil groups, volunteer, charitable organizations, other individuals and legal entities, as well as about state of infrastructure and environment at such places;

4) provide internally displaced persons with medical and psychological assistance, if necessary;

5) provide free food in accordance with legislation to internally displaced persons until such persons acquire status of unemployed or get employed, but not more than 1 month;

6) provide IDPs with right of temporary and free-of-charge use of housings or social housings, appropriate for accommodation (provided that communal facilities to be paid by person in accordance with legislation);

7) ensure that social protection department of local state administration shall insert to Unified state register of internally displaced persons information about registration of IDP, including his/her factual place of accommodation/stay, and services rendered to him/her;

8) provide acquiring by IDPs of rights to land allocated from communal property in accordance with legislation at the place of factual stay;

9) transport IDPs' movable property, upon request by IDP, while leaving of and return to abandoned residence place at the territory where circumstances referred to in Article 1 herein emerged;

10) ensure enrollment of children into state preschool and secondary education institutions;

11) receive humanitarian and charitable assistance;

12) ensure accommodation of orphans and children, deprived from parental care to institutions for orphans and children, deprived from parental care, specialized institutions and institutions for social protection of children;

13) ensure placement of elderly and disabled citizens, that have resided in special residential care institutions at the territory where circumstances referred to in Article 1 herein emerged, to similar institutions at the place of factual stay;

14) organize operation of health care institutions with aim to render necessary assistance with regard to temporary accommodation/stay at relevant territory of internally displaced persons;

15) free-of-charge passage by railway, automobile transport of internally displaced persons to abandoned residence places, in accordance with the procedure set forth by the Cabinet of Ministers of Ukraine.

9. Executive bodies within their powers shall:

1. inform local state administrations about possible places and conditions of temporary accommodation/stay of internally displaced persons, as well as about infrastructure and environment in such places;

2. provide IDPs with right of temporary and free-of-charge use of communal housings, appropriate for accommodation (provided that communal facilities to be paid by person in accordance with legislation);

3. address issues regarding acquiring by IDPs of rights to land allocated from communal property in accordance with legislation at the place of stay;

4. facilitate transportation of IDPs' movable property with aim to return to abandoned place of residence upon request by IDP;

5. ensure providing of health care services in communal health care institutions with due consideration of needs of internally displaced persons, temporarily accommodated (staying) at relevant locality;

6. facilitate enrollment of children in communal preschool and secondary education institutions.

Article 12. Grounds for withdrawal of certificate on registration of internally displaced person and record of this fact in Unified register of internally displaced persons

1. Grounds for withdrawal of certificate on registration of internally displaced person and record of this fact in Unified register of internally displaced persons shall be circumstances under which a person:

1) submitted application on refusal of the certificate;

2) committed a crime: actions aimed at the violent overthrow or change the constitutional order or seizure of state power; offence against territorial integrity and inviolability of Ukraine; terrorist attack; involving into terrorist attack; public calls to commit a terrorist attack; foundation of terrorist group or terrorist organization; assistance in terrorist attack; financing of terrorism; genocide; crimes against humanity or military crimes.

3) returned to abandoned place of previous residence;

4) moved abroad for permanent residence;

5) submitted knowingly unreliable information.

Decision on invalidation of a certificate shall be provided to IDP within three days after such decision is made by authorized body on migration.

Authorized body based on decision made shall immediately insert data to Unified register of internally displaced persons about invalidation of the certificate.

In case of the grounds specified in paragraphs 2 and 5 of Article 11 centrala body on migration policy shall immediately notify the Ministry of Justice about this with purpose to reimburse costs from state and local budget.

Article 13. Appealing against decisions, actions or omissions of state bodies, local governments and their officials

1. Decisions, actions or omissions of state bodies, local governments and their officials can be appealed to the court in the manner specified by legislation.

Article 14. Non-discrimination

1. Internally displaced persons shall enjoy same rights and freedoms as other persons in accordance to legislation of Ukraine and international agreements. Their discrimination upon exercising any rights and freedoms based on their internal displacement shall be prohibited.

Article 15. Sources of financial, material and technical support of rights and freedoms of internally displaced persons

1. Financial support of rights and freedoms of internally displaced persons at budget costs shall be accomplished in accordance with budget legislation. Measures of reception, passage, accommodation and establishment of internally displaced persons are expenditure obligations of Ukraine and local governments under their jurisdiction to ensure social rights and guarantees of citizens of Ukraine.

2. For development and improvement of material and technical support of rights and freedoms of internally displaced persons, costs of enterprises of various forms of ownership and management, foreign states and international organizations in form of charitable, humanitarian, material and technical aid, as well as charity from individuals and entities, charity funds and civil groups, other legal sources may be engaged.

3. Charitable, humanitarian and technical (including international) assistance to internally displaced persons shall be exempt from taxes, fees and other mandatory payments (including value added tax, excise duties, etc.). Customs clearance of such assistance shall be carried out under simplified procedure established by the Cabinet of Ministers of Ukraine.

4. Entities that provide charitable financial assistance to internally displaced persons shall be exempt from paying value added tax for the amount of such assistance, by cross charge of their tax liabilities for this tax in respect of current and future tax periods.

5. In case if forced migration under circumstances referred to in Article 1 of this Law was caused by military aggression from another state, military invasion, occupation or annexation of the territory of Ukraine and the area has been left by persons that consequently became internally displaced, aggressor state shall compensate direct costs of internally displaced persons arising from forced displacement, as well as all costs of reception and resettlement of these persons from the state budget of Ukraine and local budgets in accordance with international law

Article 16. Cooperation between executive bodies and local governments with public organizations that assist internally displaced persons

1. Executive bodies and local governments within their powers ensure observance of rights of public organizations that assist internally displaced persons.

2. Executive bodies and local governments may engage public organizations to development and implementation of state policy on addressing the issues of internally displaced persons.

3. State supervision and control of adherence to legislation by public organizations that assist internally displaced persons shall be carried out by executive bodies and local governments within procedures set forth in current legislation.

Article 17. Facilitating of loans to internally displaced persons for land acquisition, house purchasing or construction.

1. Executive bodies and local authorities within their powers, banks designated by the National Bank of Ukraine list and procedure shall provide allocation of one-time long-term soft loan (including mortgage) for IDPs for land acquisition and house construction, or loan for house purchasing.

Interest rate for this category of persons for the above purposes must not exceed discount rate of the National Bank of Ukraine established for the period of such credit.

2. In order to ensure construction and investments in urban infrastructure of cities and other settlements, relevant executive bodies and local government together with state banking institutions, also using opportunities of engagement of international humanitarian or charitable assistance shall develop regional long-term programs of preferential loans (including mortgage) for construction or purchase of housing for IDPs.

3. The Cabinet of Ministers of Ukraine together with the National Bank of Ukraine shall develop legal mechanisms of refinancing cost of construction or returning of interest on loans paid by internally displaced persons who have acquired injury or disability, or has been left without a supporter, or without necessary care due to age (orphans, single parents and pensioners) as a result of occupation or hostilities, negative effects of armed conflict, situations of generalized violence, massive violations of human rights and natural or human-made disasters.

4. In case if targeted charity or international charitable assistance is allocated for construction or purchase of housing for internally displaced persons from temporary occupied territory or armed conflict areas or anti-terrorist operation area, such funds are not subject to income tax and value added tax.

Article 18. International cooperation on internally displaced persons

1. Ukraine shall cooperate with other states, international organizations with a view to prevent possible internal displacement, adhere to rights and freedoms of internally displaced persons, support returning of such persons to places of their previous residence in Ukraine, in case if conditions referred to in Article 1 of this Law cease to exist, their reintegration.

2. International donors that contribute to assistance programs for internally displaced persons, shall be provided assistance to accelerate import of humanitarian cargos.

3. International humanitarian, charitable, technical and any other non-repayable assistance provided internally displaced persons shall be exempt from taxation and custom duties.

4. International humanitarian, charitable, technical and any other non-repayable assistance provided internally displaced persons shall be exceptionally targeted and may not be used for any other purposes.

5. Ukraine shall ensure an equitable distribution of such aid to internally displaced persons, with due regard to needs of persons with special needs, persons with disabilities, women and children, single parents, elderly citizens, pensioners.

Article 19. Responsibility for violation of this Law

1. Persons found guilty of violating this Law shall respond in accordance with the current legislation of Ukraine.

Final and transitional provisions

1. This Law shall enter into force on the day following the day of its publication.

2. Amend the Law of Ukraine “**On guaranteeing the rights and freedoms of citizens and on the legal regime on the temporarily occupied territory of Ukraine**” as of April 15, 2014 № 1207-VII, with amendments made in accordance with the Law of Ukraine as of May 6, 2014 № 1237-VII, as follows:

a) in Article 6:

words “or persons resettled from it” shall be excluded from the title;

first part shall be excluded;

in third part words “in the first and” shall be replaced with word “part”;

б) in Article 7:

words “or persons resettled from it” shall be excluded from the title, parts 1 and 12;

parts 5 – 11 shall be excluded;

words “regarding financing the additional places funded by the state for persons residing on the temporarily occupied territory or resettled from it” shall be excluded from second sentence of second unnumbered paragraph of part 12;

в) Part two shall be added to Article 18 as follows:

“2. Guarantees of rights, freedoms and legitimate interests of persons resettling from temporary occupied territory of Ukraine and legally staying in the territory of Ukraine shall be determined by the Law of Ukraine On internally displaced persons”.”.

Therefore, part two shall be regarded as part three.

3. Amend the Law of Ukraine «On freedom of movement and free choice of residence» as of December 11, 2003 N 1382-IV, as follows:

a) the last unnumbered paragraph of Article 3 shall be set forth as follows:

«documents with information about places of residence or stay - passport of Ukraine, temporary certificate of citizen of Ukraine, certificate of registration of internally displaced person, permanent residence permit, temporary residence permit, refugee certificate, certificate of person in need of complementary protection, certificate of person who has been granted complementary protection, certificate of application for protection in Ukraine»

2. Laws and other regulations of Ukraine shall be in force in the extent not inconsistent with this Law

3. The Cabinet of Ministers of Ukraine within three months from entry into force of this Law:

- 1) Prepare and submit for consideration of Verkhovna Rada of Ukraine proposals regarding amendments to the Code of Ukraine on administrative offenses in responsibility of officials or staff in violation of rights, freedoms and legitimate interests of internally displaced persons during their registration, rendering of social services and information on available places for temporary accommodation and employment opportunities;
- 2) Prepare and submit for consideration of Verkhovna Rada of Ukraine proposals regarding amendments and additions to the Laws of Ukraine «On legal status of foreign citizens and stateless persons», "On refugees and persons in need of complementary protection", "On Unified state demographic registered and documents that prove citizenship of Ukraine, identify person or person's special status ", that will ensure provisions similar to those mentioned in this Law for such categories as foreign citizens, refugees and stateless persons;
- 3) Prepare and submit for consideration of Verkhovna Rada of Ukraine proposals regarding amendments and additions for the Law of Ukraine «On state registration of legal entities and individual entrepreneurs» that will provide simplification of procedures for registration, re-registration of economic activity and notification order of canceling the registration and removal of records from the Unified State Register of Enterprises and Organizations of Ukraine and register of individual entrepreneurs in case if such entities were registered by local bodies of maintaining registers located at temporary occupied territory before the occupation.
- 4) Bring its legal acts into line with this Law;
- 5) Ensure review and harmonization of appropriate regulations into conformity with this Law by relevant central executive bodies.
- 6) ensure development and approving in due manner of comprehensive state program for support and social adaptation of citizens of Ukraine, resettled from temporary occupied territory of Ukraine and anti-terrorist operation area to other regions of Ukraine, which, in particular, shall provide for specific measures to address issues concerning temporary accommodation, employment, health care, disease measures, developing and making of necessary amendments to legal acts necessary for simplification of procedure of re-issuance of documents and rendering social benefits for this category of citizens;
- 7) in order to ensure recording of information about such persons and creation of expert information system to support managerial decisions, Unified register (database) of citizens of Ukraine resettled from temporary occupied territory of Ukraine and anti-terrorist operation area to other regions of Ukraine, as well as displaced due to circumstances referred to in Article 1 of this Law shall be established. The procedure of maintenance and access to the Unified register with registration data of these citizens, information regarding services rendered to them by state and local governments, information on employment fact and needs, information about costs they paid for temporary accommodation or permanent place of residence shall be established. System of personal data protection in this register, as well as powers of state bodies and their local departments regarding procedure of maintenance of such data due to their special expertise, as well as procedure of providing of information and consulting data and services in order to facilitate and simplify social adaptation process for this category of citizens shall be provided;
- 8) Establish coordination centre for organization of consulting, transporting and accommodation of mentioned category of citizens of Ukraine based on information from inter-agency special database.

Head of

Verkhovna Rada of Ukraine

O.V. TURCHYNOV

COMPARATIVE TABLE

**To Final and transitional provisions of the draft law
«On ensuring of rights and freedoms of internally displaced persons»**

Current version	Version with amendments
<p>Law of Ukraine</p> <p>« On guaranteeing the rights and freedoms of citizens and on the legal regime on the temporary occupied territory of Ukraine »</p>	
<p>Article 6. Ensuring the rights of citizens residing on the temporarily occupied territory or persons resettled from it to receive documents confirming the citizenship of Ukraine, their identity or special status</p>	<p>Article 6. Ensuring rights of internally displaced persons on issuance of documents that prove Ukrainian citizenship, identify a person or his/her special status</p>
<p>1. Issuance of documents confirming the citizenship of Ukraine, the identity or special status of citizens who resettled from the temporarily occupied territory is conducted by a central executive body that implements the state policy in the field of migration (immigration and emigration), including counteraction with illegal (irregular) migration, citizenship, registration of physical persons, refugees and other categories of migrants defined by law at the place of their stay.</p>	<p>delete</p>
<p>3. The information from the State Register of Voters may be used for entering data to the passport about a place of residence or a place of stay of citizens referred to in the first and second parts of this article.</p>	<p>3. The information from the State Register of Voters may be used for entering data to the passport about a place of residence or a place of stay of citizens referred to in second part of this article.</p>
<p>Article 7. Ensuring the rights of citizens residing on the temporarily occupied territory or persons resettled from it for employment, pensions, mandatory state social security and social services, and education</p>	<p>Article 7. Ensuring the rights of citizens residing on the temporarily occupied territory for employment, pensions, mandatory state social security and social services, and education</p>
<p>1. For citizens of Ukraine residing on the temporarily occupied territory or persons resettled from it the realization of the right to employment, pensions, compulsory state social insurance against unemployment, in the case of temporary disability from accidents at work and occupational disease that caused disability, the provision of social services shall be performed in accordance with the laws of Ukraine.</p>	<p>1. For citizens of Ukraine residing on the temporarily occupied territory the realization of the right to employment, pensions, compulsory state social insurance against unemployment, in the case of temporary disability from accidents at work and occupational disease that caused disability, the provision of social services shall be performed in accordance with the laws of Ukraine..</p>
<p>5. Citizens of Ukraine, who resigned from work (terminated other kind of employment) and resettled from the temporarily occupied territory, in</p>	<p>delete</p>

the absence of documents confirming the fact of resignation (termination of employment), periods of employment and length of service are registered as unemployed and receive welfare and social services for compulsory state social insurance against unemployment, according to the State Register of compulsory social insurance in accordance with the procedure established by the Cabinet of Ministers of Ukraine.

6. Citizens of Ukraine who resettled from the temporarily occupied territory and did not resign from their job (did not terminate other kind of employment) in case of impossibility to continue the work (another type of employment) on the temporarily occupied territory can terminate the employment relationship or confirm the termination of such relationship (of another type of employment) in the courts on the place of their residence with the purpose of acquiring the status of unemployed and receive welfare and social services for compulsory state social insurance against unemployment. To terminate other types of employment, including self-employment and entrepreneurial activities a person shall submit an application at a place of stay in accordance with the simplified procedure in the order established by the Cabinet of Ministers of Ukraine.

7. Citizens of Ukraine who resettled from the temporarily occupied territory and do not have the documents necessary for granting the status of unemployed (passport of the citizen of Ukraine, registration number of a taxpayer's registration card, etc.), can be granted unemployment status upon presenting a temporary certificate that verifies the identity of a citizen of Ukraine. Before the documents and information about the period of employment, wages (income) and insurance are obtained, experience the unemployment benefits to such persons shall be designated in the minimum amount established by the Board of the Fund of Obligatory State Social Insurance of Ukraine in case of unemployment.

8. Reregistration of unemployed, who resettled from the temporarily occupied territory, is carried out by the public employment service on the place of stay in accordance with the procedure established by the Cabinet of Ministers of Ukraine.

9. Citizens of Ukraine who resettled from the temporarily occupied territory are eligible for receiving benefits and social services under the laws

<p>on the actual place of stay, residence.</p> <p>10. The citizens of Ukraine who resettled from the temporarily occupied territory shall be entitled to receive technical and other means of rehabilitation, to receive rehabilitation services in accordance with the laws on the actual place of living, residence in Ukraine.</p> <p>11. Provision of technical and other means of rehabilitation, giving rehabilitation services is made in the presence of the necessary documents confirming the right to these services and facilities, and in their absence – according to the centralized data bank on disability (for those who apply repeatedly) and to the individual program of rehabilitation of a person with disabilities, a child with disabilities in the manner prescribed by the Cabinet of Ministers of Ukraine.</p>	
<p>12. The citizens of Ukraine who reside on the temporarily occupied territory or resettled from it have a right to continue the respective education on the territory of other regions of Ukraine at the expense of the State Budget of Ukraine. The procedure of the financing the education of this category of citizens shall be stipulated by the Cabinet of Ministers of Ukraine.</p> <p>The citizens of Ukraine defined in the paragraph 1 of this part, take part in the competition for the admission to study in the state and communal educational entities of Ukraine under the general procedure, with provision of the places in student hostels during the studies. If according to the results of the competition such persons were not offered the admission to the places funded by the state, the educational entity shall increase the number of the places funded by the state according to the procedure stipulated by the Cabinet of Ministers of Ukraine regarding financing the additional places funded by the state for persons residing on the temporarily occupied territory or resettled from it.</p>	<p>12. The citizens of Ukraine who reside on the temporarily occupied territory or have a right to continue the respective education on the territory of other regions of Ukraine at the expense of the State Budget of Ukraine. The procedure of the financing the education of this category of citizens shall be stipulated by the Cabinet of Ministers of Ukraine.</p> <p>The citizens of Ukraine defined in the paragraph 1 of this part, take part in the competition for the admission to study in the state and communal educational entities of Ukraine under the general procedure, with provision of the places in student hostels during the studies. If according to the results of the competition such persons were not offered the admission to the places funded by the state, the educational entity shall increase the number of the places funded by the state according to the procedure stipulated by the Cabinet of Ministers of Ukraine.</p>
<p>Article 18. Guarantees of the rights and freedoms of citizens of Ukraine, who left the temporarily occupied territory</p>	<p>Article 18. Guarantees of the rights and freedoms of citizens of Ukraine, who left the temporarily occupied territory</p>
	<p>2. Guaranties of rights, freedoms and legitimate interests of persons resettled from temporary occupied territory of Ukraine and legally reside at the territory of Ukraine shall be determined by the Law of Ukraine «On ensuring of rights and freedoms of internally displaced persons»</p>

2. Costs of the measures provided for in this Law shall be made from the state budget of Ukraine in accordance with the procedure established by the Cabinet of Ministers of Ukraine.	3. Costs of the measures provided for in this Law shall be made from the state budget of Ukraine in accordance with the procedure established by the Cabinet of Ministers of Ukraine.
Law of Ukraine «On Freedom of Movement and Free Choice of Place of Residence in Ukraine»	
Article 3. Definition of terms	Article 3. Definition of terms
<p>The terms in this Law shall have meanings herein below assigned to them:</p> <p>freedom of movement - a right of a citizen of Ukraine, as well as a foreigner and a stateless person, who stay in Ukraine on a legitimate basis, to move freely and without obstacles at their discretion on the territory of Ukraine in any direction, in any manner, at any time, except for restrictions instituted by law</p> <p>free choice of place of residence or stay - a right of a citizen of Ukraine, as well as a foreigner and a stateless person, who stay in Ukraine on a legitimate basis, to choose freely administrative-territorial unit where they wish to reside or stay;</p> <p>place of stay - an administrative-territorial unit at the territory of which person resides for less than six month during the year;</p> <p>place of residence - an administrative-territorial unit at the territory of which person resides for more than six month during the year;</p> <p>person - an individual;</p> <p>registration - an inserting to the Unified state demographic register information about person's place of residence or stay with mentioning of person's address that can be used for official correspondence or official letters delivery;</p> <p>certificate of registration of place of residence or stay - a document issued by registration authority upon person's request and proves registration of person's place of residence or stay;</p> <p>documents, which information about person's place of residence or stay is inserted to shall be understood as – passport of a citizen of Ukraine, temporary certificate of citizen of Ukraine, permanent residence permit, temporary residence permit, refugee certificate, certificate of a person in need of complementary protection, certificate of a person who has been granted temporary protection,</p>	<p>The terms in this Law shall have meanings herein below assigned to them:</p> <p>freedom of movement - a right of a citizen of Ukraine, as well as a foreigner and a stateless person, who stay in Ukraine on a legitimate basis, to move freely and without obstacles at their discretion on the territory of Ukraine in any direction, in any manner, at any time, except for restrictions instituted by law</p> <p>free choice of place of residence or stay - a right of a citizen of Ukraine, as well as a foreigner and a stateless person, who stay in Ukraine on a legitimate basis, to choose freely administrative-territorial unit where they wish to reside or stay;</p> <p>place of stay - an administrative-territorial unit at the territory of which person resides for less than six month during the year;</p> <p>place of residence - an administrative-territorial unit at the territory of which person resides for more than six month during the year;</p> <p>person - an individual;</p> <p>registration - an inserting to the Unified state demographic register information about person's place of residence or stay with mentioning of person's address that can be used for official correspondence or official letters delivery;</p> <p>certificate of registration of place of residence or stay - a document issued by registration authority upon person's request and proves registration of person's place of residence or stay;</p> <p>documents, which information about person's place of residence or stay is inserted to shall be understood as – passport of a citizen of Ukraine, temporary certificate of citizen of Ukraine, certificate of registration of internally displaced person, permanent residence permit, temporary residence permit, refugee certificate, certificate of a person in need of complementary protection,</p>

proof of application for protection in Ukraine.	certificate of a person who has been granted temporary protection, proof of application for protection in Ukraine.
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People's Deputies of Ukraine