

# WITHOUT A ROOF OVER THEIR HEADS:

WHY THE RIGHT TO HOUSING FOR  
RELEASED CIVILIANS REMAINS ON PAPER



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This analytical report was prepared by the NGO “Association of Relatives of Political Prisoners of the Kremlin” (hereinafter referred to as the Association) based on an analysis of responses from local communities to requests for access to public information sent by the organization in 2025. It takes into account the provisions of current national legislation in the field of social protection of persons released from captivity and internally displaced persons, as well as international standards, including the Recommendations of the Council of Europe and the UN Principles on the Protection of Persons Affected by Enforced Disappearances, Illegal Detention, and Torture. The best practices of individual communities that have demonstrated effective or innovative approaches to addressing the housing needs of victims have been summarized.

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## INTRODUCTION AND METHODOLOGY

Since the start of the Russian Federation's full-scale armed aggression against Ukraine, thousands of civilians have suffered gross human rights violations, among which cases of unlawful deprivation of liberty are particularly serious. People were held in so-called "filtration camps," illegally established detention centers, and penitentiary institutions in the temporarily occupied territories of Ukraine, as well as in colonies and pretrial detention centers in Russia itself. In most cases, the conditions of detention were accompanied by torture, psychological pressure, lack of medical care, and other forms of cruel, inhuman, or degrading treatment.

After their release, a significant number of these individuals were unable to return to their homes due to destroyed housing, lack of security in the occupied territory, or its inaccessibility. As a result, they were forced to leave their place of permanent residence and acquired the status of internally displaced persons (IDPs). Thus, these people found themselves in a unique situation of double vulnerability: on the one hand, as victims of international crimes, and on the other, as IDPs facing challenges in accessing basic social services, including housing, healthcare, employment, and reintegration.

Despite the existence of a separate Law of Ukraine "On Social and Legal Protection of Persons Who Have Been Deprived of Their Personal Liberty as a Result of Armed Aggression Against Ukraine and members of their families" (Law No. 2010-IX of March 15, 2022), which regulates the social and legal protection of persons who have been illegally deprived of their liberty, as well as basic guarantees for IDPs, in practice this group remains largely invisible in the focus of state policy at the local level. This study focuses specifically on the category of "persons who have been deprived of their personal liberty as a result of armed aggression against Ukraine," defined in Article 1 of the Law as Ukrainian citizens who have been illegally detained in the temporarily occupied territory of Ukraine or in the territory of a foreign state, and whose deprivation of personal liberty has been confirmed by the competent authorities of Ukraine. The existing mechanisms, in particular housing programmes, largely fail to take into account the specific nature of their needs and do not provide for priority or an individual approach to persons who have survived captivity.

According to the resolution of the Parliamentary Assembly of the Council of Europe "Missing persons, prisoners of war and civilians in captivity as a result of the Russian Federation's aggression against Ukraine", as of September 18, 2024, a total of 65,956 persons - military and civilians - are considered missing or in captivity, a total of 65,956 people - military and civilians, of whom 50,916 have official confirmation of their disappearance based on reliable sources. The Assembly notes with concern that about one-third of the released persons were considered missing until the exchange due to the Russian Federation's refusal to provide timely information about their status, which is a direct violation of international obligations.

From February 24, 2022, to May 2025, according to data from the Coordination Headquarters for the Treatment of Prisoners of War, Ukraine managed to return 5,757 people through exchanges and other special operations, of whom 293 were civilians (46 women and 247 men). At the same time, the exact number of Ukrainian citizens held by Russia remains unknown, and official statistics do not reflect the full picture

due to the lack of access to the occupied territories, the concealment of information by the aggressor state, and documentation problems. This only exacerbates the scale of the problem and complicates the planning of support measures.

The purpose of this analytical material is to assess the level of regulatory and actual provision of the right to temporary housing for persons who simultaneously:

- have acquired the status of internally displaced persons;
- have been released from illegal imprisonment as a result of the Russian Federation's armed aggression against Ukraine.

The document also aims to identify systemic barriers to access to housing for this category of persons, assess the readiness of communities to respond to their needs, and offer practical recommendations for state housing policy and local programs.

In terms of research methodology, this analysis is based on several sources:

- responses from 381 local communities to requests for access to public information sent in April 2025;
- current national legislation, in particular in the field of social protection of persons released from captivity, and legislation on internally displaced persons;
- international standards, including the Council of Europe Recommendations and the UN Principles on the Protection of the Rights of Victims of Enforced Disappearances, Illegal Detention and Torture;
- a selective analysis of best practices recorded in individual communities that have demonstrated an effective or innovative response to the housing needs of victims.
- The research methodology also included:
- analysis of local government responses regarding the availability of: housing stock for temporary accommodation; housing programs (targeted or general); specialized initiatives for IDPs or persons who have survived illegal imprisonment; mechanisms for recording and identifying the needs of the aforementioned category;
- legal analysis of legislative norms regulating priority rights to housing;
- expert interpretation of the data obtained in the context of the state's compliance with its obligations to vulnerable categories of citizens.

The analysis also includes a review of a petition initiated by the Association of Relatives of Political Prisoners of the Kremlin regarding the Zaporizhzhia region as an example of a public initiative in the field of protecting the right to housing for those released from captivity..

Thus, the analytical note is based on a combination of quantitative and qualitative methods, with the aim of identifying structural gaps in policy that affect access to temporary housing for persons who are both IDPs and former illegally imprisoned persons..

# **1. LEGAL STATUS OF CIVILIANS UNLAWFULLY DEPRIVED OF THEIR PERSONAL LIBERTY AS A RESULT OF THE RUSSIAN FEDERATION'S AGGRESSION, AND THE RIGHT TO TEMPORARY HOUSING AS INTERNALLY DISPLACED PERSONS (IDPS)**

## **1.1. Analysis of regulatory and legal framework**

Persons who are victims of crimes related to armed conflict and have been unlawfully deprived of their personal liberty have a priority right to receive housing from the temporary housing fund. This right is enshrined in law - in Article 10 of the Law of Ukraine "On Social and Legal Protection of Persons Who Have Been Deprived of Their Personal Freedom as a Result of Armed Aggression Against Ukraine, and Members of Their Families" (No. 2010-IX of March 15, 2022). The law stipulates that this right is exercised provided that it is the only possible place of residence in the controlled territory and in the absence of sufficient income to purchase or rent housing.

The key subordinate act in the field of providing temporary housing for IDPs is Resolution of the Cabinet of Ministers of Ukraine No. 495 of April 29, 2022, "Certain Issues of Providing Temporary Housing for Internally Displaced Persons" (hereinafter - Resolution No. 495), with subsequent amendments. It defines the procedure for forming temporary housing funds, the conditions for registration, the distribution procedure, and the priority mechanism.

According to paragraph 2 of the Procedure for the provision and use of residential premises from temporary housing funds, among all categories of IDPs, persons who have been deprived of their personal liberty as a result of the Russian Federation's armed aggression against Ukraine are directly included in the list of persons with priority rights to temporary housing. This is an important regulatory recognition at the level of the Procedure.

At the same time, this priority right is not reflected in paragraph 20 of the Procedure for the formation of temporary housing funds, registration and provision of such housing, which was approved by the same Resolution No. 495. Paragraph 20 contains an exhaustive list of vulnerable IDP groups for whom priority is given in the provision of housing according to a points system (e.g., large families, families of military personnel, families with disabled members, etc.). The category of persons released from illegal imprisonment is not included in this list and, therefore, is not assigned any points to determine their place in the queue.

This regulatory inconsistency means that, although the priority right exists at the level of the Law and is confirmed in paragraph 2 of the Procedure, there is no mechanism for its automatic implementation in the points system. As a result, without amendments to

paragraph 20 or the adoption of special decisions at the local level, this right has no real impact on the actual distribution of housing.

The amendments adopted on November 26, 2024 (CMU Resolution No. 1350) did not resolve this conflict: they clarified the procedure for forming lists of persons in need of housing and confirmed that the order of priority is determined by local authorities in accordance with the current list of priority groups in paragraph 20.

In practice, most communities do not keep separate records of displaced persons as IDPs with priority rights, and there are no specialized local programs or response algorithms. This leads to uneven implementation of rights, depending on the initiative and resources of a particular community.

For the effective implementation of Law No. 2010-IX, it is necessary to either amend paragraph 20 of Resolution No. 495 or provide for a separate mechanism in local housing programs for persons who have been unlawfully deprived of their personal liberty as a result of the Russian Federation's armed aggression.

## **1.2. Recognition of priority right to temporary housing**

The right to temporary housing for persons who have been deprived of their personal liberty as a result of the Russian Federation's armed aggression against Ukraine is recognized as a priority at the national legislative level. The Law of Ukraine "On Social and Legal Protection of Persons Deprived of Their Personal Liberty as a Result of Armed Aggression Against Ukraine and Members of Their Families" (hereinafter referred to as Law No. 2010-IX), adopted in April 2022, defines the basic state guarantees for this category of persons. According to Article 10 of Law No. 2010-IX, persons who **have been unlawfully deprived of their liberty and released have a priority right to receive housing from the temporary housing fund**, provided that:

- this is the only possible place of residence for the person in the territory controlled by Ukraine;
- the total income of the person and their family members does not allow them to purchase or rent other housing.

The implementation of this provision is entrusted to local authorities. According to Article 30 of the Law of Ukraine "On Local Self-Government in Ukraine," the executive bodies of city councils are responsible for keeping records of citizens who need improved housing conditions, distributing housing that is in communal ownership, and forming housing funds for temporary accommodation.

The formation of housing funds for temporary accommodation is regulated by Resolution of the Cabinet of Ministers of Ukraine No. 422 of March 31, 2004, as well as Resolution of the CMU No. 495 of April 29, 2022 "Certain measures for the formation



of housing funds intended for temporary accommodation of internally displaced persons.” According to these acts, the sources for the formation of the housing fund are:

- construction of new housing;
- reconstruction of residential buildings or dormitories;
- conversion of non-residential premises into residential ones;
- transfer of housing to communal ownership;
- purchase of housing on the secondary market.

However, despite the existence of legal norms, their implementation is fragmentary or non-existent. Practice shows that local authorities rarely initiate the creation of separate programs or mechanisms aimed at meeting the housing needs of persons released from illegal imprisonment. For example, in the city of Zaporizhzhia, which is the administrative center of the region where numerous cases of illegal deprivation of liberty of Ukrainian citizens in the temporarily occupied territories have been documented, at the time of writing this note, there is no separate local program that would ensure the implementation of the priority right to temporary housing for this category of persons.

The result of this inaction is a situation where persons released from unlawful deprivation of personal liberty, despite their return to freedom, remain without housing, without access to basic social services, and sometimes without the opportunity to return to active life in the community. These people are usually unable to return to their homes because they have been destroyed, remain in occupied territories, or have become inaccessible for security reasons. At the same time, many of them want to stay in the controlled territory, but within their home region, which further complicates the search for housing.

It is also worth emphasizing the moral and reputational aspects. Many of those who were illegally detained ended up in prison precisely because of their commitment to Ukraine's territorial integrity, their active civic stance, and their refusal to cooperate with the occupation administration. Some of them were released as part of complex diplomatic efforts, including mutual release procedures, but a significant number are released on their own — as a result of escape or release by the occupiers without official procedures. Such people often risk their lives to escape and need immediate assistance from the state, including the provision of temporary housing. Ignoring the needs of this category after release contradicts the principles of restoring justice and undermines state obligations.

In view of the above, it is necessary to:

1. **Institutionally enshrine** the priority status of persons released from captivity in the allocation of temporary housing at the level of local programs (through a separate queue or special quotas).
2. **Adopt regional and local programs** aimed at creating and expanding the temporary housing fund, with the definition of target categories, including

persons released from illegal imprisonment.

3. **Establishment of a simplified procedure for confirming the status of a person who is entitled to priority access to temporary housing** — this refers to the stage after the Commission has officially established the fact of deprivation of personal liberty for the purpose of confirmation. This procedure should ensure that a person who has already received the Commission's decision and the relevant document can quickly confirm their status in the community for the purpose of obtaining housing without having to collect additional documents. This is possible thanks to interagency cooperation (between the Ministry of Social Policy, the National Police of Ukraine, the Coordination Headquarters for the Treatment of Prisoners of War, and local authorities), in particular through automated data exchange. This approach will reduce the time required to process applications, reduce bureaucratic barriers, and avoid re-traumatizing victims.
4. **Introduction of mandatory measures to inform local authorities** about their existing obligations and powers in the field of providing temporary housing to persons who have been unlawfully deprived of their personal liberty and have IDP status. It is advisable to enshrine this obligation in regulatory acts (for example, in CMU Resolution No. 495 or in the methodological recommendations of the Ministry of Social Policy).

Providing temporary housing to such persons is not only a legal obligation, but also an element of national policy on reintegration, social justice, and restoring trust in state institutions.

## 2. CURRENT STATUS OF TEMPORARY HOUSING PROVISION FOR PERSONS DEPRIVED OF THEIR LIBERTY AND HAVING IDP STATUS: RESULTS OF A STUDY IN COMMUNITIES

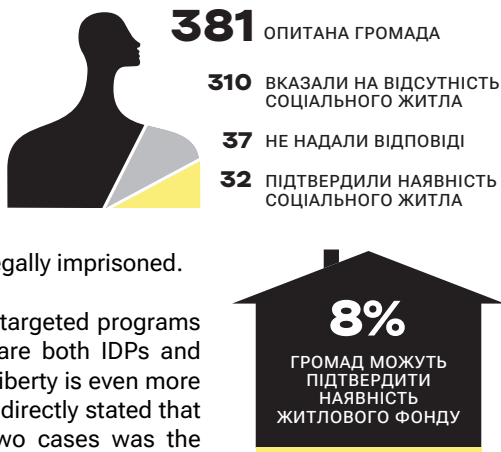
### 2.1. Availability of housing programs and specialized funds in communities

The study analyzed responses from 381 local communities from all regions of Ukraine (there are a total of 1,469 local communities in Ukraine, including 31 communities in the occupied territories) to requests for access to public information. The main objective of this stage of the study was to determine the extent to which local authorities take into account the needs of persons who are both internally displaced and have experienced unlawful deprivation of liberty as a result of the Russian Federation's armed aggression. Particular attention was paid to the availability of social or temporary housing funds, as well as support programs for this category of the population.

The results revealed a critically limited level of social housing availability in local communities. Of the 381 communities surveyed, only 32 were able to confirm the availability of social housing, while 310 communities explicitly indicated its absence. Another 37 communities did not respond to the relevant question or responded in a non-substantive manner. In two cases, it was noted that the relevant information is not collected or maintained in a structured manner.

Thus, only about 8% of all respondents can confirm the existence of at least minimal social housing resources. This indicates a serious infrastructural inability of most communities to ensure the basic right to housing for internally displaced persons, in particular those who have been illegally imprisoned.

The situation with the availability of targeted programs aimed at supporting persons who are both IDPs and have been illegally deprived of their liberty is even more alarming. Most communities - 329 - directly stated that no such programs exist. Only in two cases was the functioning of individual measures or programs adapted to the needs of such persons confirmed. Two other communities mentioned a certain priority within the general IDP support programs, but without singling out those released from illegal detention as a separate target group.



These circumstances indicate a complete lack of a systematic vision at the local level regarding the reintegration and housing of persons who are particularly vulnerable due to their previous experience of illegal imprisonment.



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ОПИТАНИХ ГРОМАД  
МОЖУТЬ ПІДТВЕРДИТИ  
НАЯВНІСТЬ МІНІМАЛЬНОГО  
ЖИТЛОВОГО РЕСУРСУ  
СОЦІАЛЬНОГО ХАРАКТЕРУ

**2**

ВИПАДКИ ПІДТВЕРДЖЕННЯ  
ФУНКЦІОНУВАННЯ ОКРЕМИХ  
ЗАХОДІВ АБО ПРОГРАМ

The study also revealed significant fragmentation of information. Some communities did not provide answers to key questions, or their answers were incomplete. This may indicate not only a lack of accounting or a systematic approach to registering the needs of this category of persons, but also a lack of awareness among local authorities of their obligation to take such actions. Currently, they have no direct regulatory obligation to keep records and plan housing provision for persons who have been unlawfully deprived of their liberty - the relevant provisions of CMU Resolution No. 495 are more in the nature of guidelines and recommendations. In the absence of a clearly defined obligation and a mechanism for monitoring its implementation, the mere existence of the Resolution does not guarantee that communities will carry out this work in practice.

Some communities have demonstrated positive examples that can be used as a basis for developing standard approaches. For example, the Odesa region (document No. 1104 8-OPRC) provided the most detailed response regarding the existing fund: 28 apartments (1,506.77 m<sup>2</sup>) in eight communities, as well as 53 social housing apartments (3,001 m<sup>2</sup>) and six houses (588.43 m<sup>2</sup>). At the same time, it was noted that the needs of persons deprived of their personal liberty are not recorded, and no requests from such persons have been received.

In the Zaporizhzhia region (document No. 1504 11-ORPK), there is no separate housing program, but within the framework of the regional targeted social program, a one-time cash payment of UAH 50,000 is provided to persons who have suffered from unlawful deprivation of liberty (in the city of Zaporizhzhia). Such assistance does not replace a housing solution, but can be considered as an element of targeted support.

The Chopovych community in Zhytomyr region (document No. 2104 6-ORPK), despite the lack of housing stock, has identified a separate non-residential premises (a former polyclinic with an area of 201.9 m<sup>2</sup>) for the temporary accommodation of IDPs. At the same time, the procedure for providing such housing is not regulated, which makes it impossible to use the available resources effectively.

None of the analyzed administrative-territorial units has a systematic, comprehensive approach to providing housing for persons released from illegal detention. The lack of recognition of such persons as a separate target group, the unpreparedness of infrastructure, and the institutional inertia of local authorities create additional barriers to the realization of the right to housing. The results obtained should be taken into account when formulating national reintegration policy, including the development

of model programs, financial support mechanisms, and institutional support at the community level.

## **2.2. Identified problems and barriers to access to housing for released persons**

The results of the study allow us to identify a number of structural barriers that prevent persons who have survived unlawful deprivation of liberty and acquired the status of internally displaced persons from exercising their right to housing. The main problems are systemic in nature and are caused by both legislative gaps and the limited institutional capacity of local authorities.

First and foremost, this concerns the lack of official recognition of such persons as a separate vulnerable category with special needs in the area of housing. Most communities do not identify released persons among IDPs, do not keep relevant records, and do not have information about their number and needs. This creates a situation in which the individual requests of such persons cannot be properly considered or given priority.

The second significant barrier is the lack of adequate material resources for providing housing in local self-government bodies. In many communities, there is either a complete lack of social housing stock, or it is unsuitable for use without major repairs. Even when premises are available, the vast majority of communities do not have an approved procedure for their distribution, making it impossible to officially settle those in need.

The third aspect is the lack of housing programmes that take into account the specific situation of persons who have been unlawfully deprived of their liberty. Most existing programs are focused on general categories of IDPs or other groups defined by law (large families, persons with disabilities, combatants). Victims of war crimes and unlawful detention do not have the priority or targeted support provided for by law.

In addition, there is a general lack of information and legal awareness among local authorities regarding their powers in the field of housing provision for this category of citizens. Often, local government officials do not have a clear understanding of the response mechanisms, or do not see the need to develop them due to the lack of requests, which is a vicious circle.

Overall, the situation indicates a lack of institutional readiness at the local level to implement a comprehensive housing policy for persons who are both IDPs and released from illegal imprisonment. This state of affairs requires intervention by the state, including through the development of model regulations, methodological recommendations, and the provision of subsidies for the formation of appropriate infrastructure.

## 2.3. Best practices and solutions of local communities

Despite the general lack of resources and the absence of a systematic approach to providing housing for persons who have been unlawfully deprived of their liberty and have the status of internally displaced persons, some communities have demonstrated examples of positive solutions. These local practices, although not large-scale or comprehensive, can serve as examples for the development of model solutions and mechanisms at the state policy level.

One of the most notable examples is in the Odesa region, where a separate fund for temporary housing was created. According to the official response (document No. 1104 8-OPRK), a fund of 28 apartments with a total area of over 1,500 m<sup>2</sup> has been formed in eight communities in the region. In addition, there is a social housing fund that includes 53 apartments (over 3,000 m<sup>2</sup>) and 6 houses (over 580 m<sup>2</sup>).

Thus, the temporary housing fund includes 28 apartments with a total area of 1,506.77 m<sup>2</sup>, namely:

- Rozkvitivska Village Council – 1 apartment with an area of 101.7 m<sup>2</sup>;
- Bilhorod-Dnistrovskiy City Council – 2 apartments with an area of 78.33 m<sup>2</sup>;
- Avangardivska Settlement Council – 12 apartments with an area of 606.84 m<sup>2</sup>;
- Dobraslavskaya Settlement Council – 2 apartments with an area of 76.6 m<sup>2</sup>;
- Odessa City Council - 6 apartments with an area of 363.5 square meters;
- Pivdennivsk City Council - 1 apartment with an area of 12.0 square meters;
- Tairivsk Town Council - 3 apartments with an area of 186.6 square meters;
- Zatyshanska Settlement Council – 1 apartment with an area of 81.2 sq. m.

In addition, social housing funds have been created, which in the Odessa region include 53 apartments with a total area of 3,001.0 sq. m and 6 residential buildings with a total area of 588.43 sq. m, namely:

- - Berezhivsky District - 1 apartment with a total area of 101.7 sq. m (Rozkvitivska Village Council);
- - Bilhorod-Dnistrovsky District - 6 apartments with a total area of 407.6 sq. m (Bilhorod-Dnistrovsky City Council and Tuzlivska Village Council);
- - Bolhrad district - 2 apartments with a total area of 67.0 square meters (Artsyz City Council);
- - Izmail district - 19 apartments with a total area of 756.4 square meters (Izmail City Council);
- - Odessa district - 12 apartments with a total area of 648.2 sq. m and 6 residential buildings with a total area of 588.43 sq. m (Biliaiv City Council, Velykodalnitsa Village Council, Dobroslav Settlement Council, Krasnosil Village Council, Mayakiv Village Council, Nerubaysky Settlement Council);
- - Podilsky District - 11 apartments with a total area of 892.3 square meters (Balt City Council, Lyubashivsky Settlement Council, Kuyalnitsky Village Council, Savransky Settlement Council);
- - Rozdilnyansky District - 2 apartments with a total area of 127.8 square meters

- (Zakharivska Settlement Council, Rozdilnyanska City Council).

However, according to the response from the Odessa Regional State Administration, no requests have been received from persons who have been deprived of their personal liberty as a result of armed aggression to provide such housing.

In the Zaporizhzhia region (document No. 1504 11-ORPK), the regional target program to support the population for 2025–2029 provides for a one-time cash payment of UAH 50,000 to persons who have been deprived of their liberty illegally. This example demonstrates the possibility of recognizing the needs of victims within the framework of regional planning, even if it is not a matter of housing but of financial support.

The Chopovitsa community in Zhytomyr region (document No. 2104 6-ORPK), which does not have its own housing stock, took measures to temporarily address the needs of IDPs: by decision of the community head, a former polyclinic with an area of almost 202 m<sup>2</sup> was designated as a temporary place of residence. At the same time, there is no relevant procedure for providing housing, which complicates the formalization of this initiative.

These examples confirm that even with limited resources, local communities can demonstrate initiative and seek flexible approaches to addressing the housing needs of vulnerable groups. However, all these solutions remain fragmented, are mostly not supported by regulatory acts, and do not have the potential to be scaled up without support at the national level.

To strengthen such practices, it is necessary to develop standard models of action for communities, including unified accounting mechanisms, algorithms for providing housing, and identification of funding sources. Centralized support, including methodological, financial, and informational support, is a key condition for the transition from situational decisions to a stable system of providing housing for affected persons.

Despite the generally low level of integration of the needs of persons released from captivity into housing policy at the local level, some communities are taking steps to recognize and take into account their rights. Such actions can be based on local initiatives by the executive branch or on public pressure from the community or representative organizations.

The example of a petition submitted to the Zaporizhzhia City Council in 2024 by the Association of Relatives of Kremlin Political Prisoners deserves special attention. The petition called on local authorities to develop a program to ensure the priority right to housing for persons who have been deprived of their personal liberty as a result of the Russian Federation's armed aggression. The authors of the petition emphasized the legal grounds for such a step (in particular, Article 10 of Law No. 2010-IX), as well as the moral obligation of the community to its residents who had been illegally imprisoned,

lost their homes, and remained loyal to the state.

This example is important for several reasons:

- it illustrates the activity of civil society in demanding the implementation of legally enshrined rights;
- the petition is structurally based on an analysis of legal norms and practical ways of implementation (through temporary housing funds that can be formed by local authorities in accordance with CMU Resolutions No. 422 and No. 495);
- it raises not only humanitarian issues, but also the integration of a human rights approach into local politics

Although at the time of writing this analytical note, the petition had not yet led to the adoption of a separate program, its submission can be seen as the beginning of a potential best practice that, with political will, could be scaled up or used as a model in other communities.

Other communities with positive examples demonstrate institutional capacity to respond to the housing needs of vulnerable groups through:

- the integration of the status of persons released from captivity into the priority criteria of IDP programs;
- initiatives to purchase housing for temporary accommodation of IDPs, which can be extended to specific subcategories;
- cooperation with civil society organizations that provide support, psychological and legal assistance to the target group.
- 

Thus, even within the context of a general lack of specialized solutions, the existence of local initiatives (both official and public) demonstrates that the creation of effective programs is possible with proper focus, advocacy, and institutional capacity.



### **3. RECOMMENDATIONS FOR IMPROVING THE EFFECTIVENESS OF THE MECHANISM FOR PROVIDING TEMPORARY HOUSING TO PERSONS WHO HAVE BEEN DEPRIVED OF THEIR PERSONAL LIBERTY AND HAVE IDP STATUS**

#### **3.1. Recommendations to state authorities on improving the regulatory framework**

Currently, Ukrainian legislation lacks specific legal regulations that would recognize persons released from unlawful deprivation of liberty as a result of the Russian Federation's armed aggression as a separate category requiring additional guarantees in the area of housing provision. To fill this gap, it is advisable to take the following measures:

1. **Amend the Law of Ukraine “On Ensuring the Rights and Freedoms of Internally Displaced Persons”** by adding a new category to the article on priority housing provision: persons who have survived unlawful deprivation of liberty as a result of armed conflict. Such an addition should provide not only for inclusion in the housing queue, but also for the provision of targeted support (financial, advisory, temporary housing, etc.).
2. **Improve the regulatory framework for the functioning of temporary housing funds**, in particular by amending paragraph 20 of Resolution No. 495 of the Cabinet of Ministers of Ukraine dated April 29, 2022, by adding to the list of priority categories of internally displaced persons those persons who have been deprived of their personal liberty as a result of the Russian Federation's armed aggression against Ukraine, with this category being assigned the appropriate number of points in the housing allocation point system. Also, develop and approve standard rules for keeping records of such persons by local authorities.
3. Include in **existing or new national programs for the reintegration** of victims of armed aggression a separate section on housing provision for persons who have been unlawfully deprived of their personal liberty.  
Ensure that this section covers:
  - the provision of temporary housing from funds formed from the state and local budgets;
  - one-time financial assistance for renting or repairing housing;
  - consulting support and assistance in the process of obtaining housing.
4. **Initiate the creation of a state register of persons who have been unlawfully deprived of their liberty**, in compliance with personal data protection requirements,

which will allow for the planning of resources for their support and accounting at the community level.

5. **Develop and approve standard methodological recommendations for local authorities** on the identification, registration, and provision of housing for persons who have been deprived of their liberty and have IDP status. Such documents should contain algorithms of actions, document templates, and sample decisions.
6. **Recommendations of the Commission on establishing the fact of deprivation of personal liberty as a result of the Russian Federation's armed aggression against Ukraine:**
  1. when determining the priority of applications, take into account the applicant's urgent need for temporary housing.
  2. introduce the possibility of marking applications as "urgent" in cases where the provision of temporary housing depends on the speed of decision-making and the issuance of an extract by the Commission.
  3. establish a simplified and expedited review of such applications with the possibility of bringing them to a meeting out of turn.
  4. establish cooperation with local authorities and regional military administrations to ensure prompt notification of cases where housing can only be provided if the status is confirmed.
7. **Recommendations to regional military administrations (RMA):**
  1. take measures to respond to the inaction of communities that have not approved the procedure for providing temporary housing to persons released from illegal detention and who have IDP status.
  2. provide official explanations to communities on the algorithm for implementing the priority right to housing provided for in CMU Resolution No. 495 (as amended on 26 November 2024), including examples of documents and accounting mechanisms;
  3. initiate at the regional level the development and approval of a model procedure for providing temporary housing to this category of persons, which communities will be able to adapt to their conditions;
  4. monitor the implementation of Resolution No. 495 by communities and, if necessary, report cases of non-compliance or improper implementation to the Ministry of Social Policy.

The introduction of these changes will not only improve the effectiveness of housing support, but also ensure that the state complies with its international obligations regarding the rehabilitation and protection of victims of war crimes.

### **3.2. Recommendations to local authorities on the implementation of the right to housing**

Local authorities play a key role in implementing the right to temporary housing for internally displaced persons, including those who have been unlawfully deprived of their liberty. The effectiveness of the implementation of legislative guarantees largely depends on their willingness to adapt local instruments to the needs of this category and to establish coordination with state authorities.

Despite the existence of a clear provision in the relevant law on priority provision of housing, its implementation at the local level remains fragmented due to the lack of local mechanisms, accounting, and a clear implementation procedure. In this context, it is particularly important to introduce specific measures that will enable communities to integrate the requirements of the law into their housing policies and practices.

Recommended measures:

1. Officially recognize persons released from unlawful detention as a separate target group within the framework of local housing policy, in particular by amending local council decisions and social protection programs.
2. Keep records of released persons at the community level, in cooperation with social protection authorities, authorized state institutions, and human rights organizations. Such records can be kept within the IDP needs registry or as a separate category, which will allow for the collection of relevant data for housing allocation.
3. Analyze the community's existing housing stock and reserve premises to determine the possibility of their temporary use for the needs of this category of persons (e.g., empty communal apartments, former administrative buildings, other property not used for its intended purpose).
4. Develop or update local programs for providing housing to IDPs, giving priority to persons who have been unlawfully deprived of their liberty. Such programs should include not only a mechanism for providing housing, but also other forms of support (monetary compensation for rent, assistance in finding rental housing, etc.).
5. Introduce transparent procedures for submitting and reviewing applications for temporary housing, posting the necessary information on the community's official websites and in the premises of the Administrative Service Center. This will help inform affected persons and reduce administrative barriers.
6. Cooperate with local military administrations, human rights organizations, and international partners to attract additional resources for the repair, adaptation,

or construction of housing for the most vulnerable categories of IDPs.

7. Promote awareness among local government officials about the issues of unlawful deprivation of liberty, the legal status of released persons, and their housing rights through training or expert support.

Institutionalizing these approaches will help establish sustainable practices for supporting people who have experienced extraordinary life circumstances and will increase trust in local authorities as instruments for protecting human rights.

Local authorities must ensure compliance with Article 10 of Law of Ukraine No. 2010-IX, which guarantees the priority right to temporary housing for persons unlawfully deprived of their liberty as a result of armed conflict, with mandatory consideration of the needs and rights of this category of persons and their relatives. These needs and problems are detailed in the Association's reports ("[No status, no rights: what prevents victims of unlawful deprivation of liberty from receiving social protection](#)", "[Why are unlawfully imprisoned civilians left without comprehensive social protection from the state?](#)"). These studies present the results of surveys of victims, in particular regarding housing conditions, access to medical services, and social support. To effectively address this issue, communities should amend their social protection decisions and programs by integrating the relevant provision into local housing allocation procedures, register such persons in the IDP needs registry or as a separate category, identify the responsible structural units, and ensure the transparency of application and review procedures. The implementation of these steps will not only effectively enforce the law at the local level, but also allow for the formation of policies that meet the real needs of people who have survived illegal imprisonment.

### **3.3. Recommendations to donors on supporting the right to housing for persons released from unlawful imprisonment**

International and national donor organizations play a key role in developing sustainable solutions to provide housing for the most vulnerable groups of the population. In a context where state and local resources are limited, donors can initiate or support innovative approaches, provide funding for pilot programs, and promote the scaling up of successful models.

Recommended areas of support:

1. **Funding targeted housing programs for people released from illegal detention**
  - Providing grants to communities to create or expand temporary housing funds

- Supporting the reconstruction or conversion of existing premises (dormitories, administrative buildings) for temporary accommodation
  - Co-financing the rental of housing for affected persons until they obtain permanent housing.
2. **Support for advocacy initiatives and policy development**
    - Funding research, monitoring, and advocacy campaigns aimed at improving legislation and local housing provision procedures.
    - Providing expert assistance to communities in developing model programs and procedures.
  3. **Institutional strengthening of community capacity**
    - Training local government officials on working with persons released from illegal detention and implementing their priority right to housing.
    - Creating electronic tools for recording needs and managing housing funds
  4. **Comprehensive reintegration support**
    - Funding programs that combine housing support with psychological assistance, vocational training, and social services.
    - Piloting transitional housing models that provide support from social workers.
  5. **Cross-sector coordination**
    - Promoting partnerships between communities, human rights organizations, and businesses to find housing solutions.
    - Supporting public communication campaigns to raise awareness of the rights and needs of released prisoners.

## **ALGORITHM OF ACTIONS for individuals (or their representatives) to obtain temporary housing in accordance with current legislation**

Individuals who have been unlawfully deprived of their personal liberty as a result of armed aggression by the Russian Federation and have the status of internally displaced persons (IDPs) can exercise their right to temporary housing by following these steps:

### **1. Obtaining IDP status**

Contact the nearest Administrative Services Center (ASC), social protection authority, or through Diya to obtain a certificate of registration as an internally displaced person. This certificate is a basic prerequisite for participation in IDP support programs.

### **2. Appeal to the local government**

Submit a written application to the executive body of the community council or to the local social protection department regarding the need for temporary housing. It is advisable to attach the following to the application:

- a copy of the IDP certificate;
- an extract from the Unified Register of Persons Deprived of Personal Liberty as a Result of Armed Aggression against Ukraine, which can be obtained by submitting a corresponding application to the National Information Bureau;
- copies of your passport and identification code;
- if necessary, certificates of family composition, medical reports, etc.

### **3. Inclusion in the queue for temporary housing**

After submitting an application, the person must be entered into the register of persons in need of temporary housing. If there is a relevant program in the community, the applicant may be offered a place in the temporary or social housing fund.

### **4. In the absence of a housing fund — applying for alternative support**

If there is no housing available in the community, the person may request:

- a one-time cash benefit to pay for rent;
- assistance in settling in dormitories or communal temporary accommodation;
- referral to another community where such a fund is available.

### **5. Appealing inaction or refusal**

In case of inaction or refusal without proper justification, the person has the

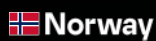
right to:


- file a complaint with the regional military administration;
- submit an application to the Ukrainian Parliament Commissioner for Human Rights;
- file a lawsuit with the administrative court to declare the actions or inaction of the local government body unlawful.


## **6. Seeking legal support**


It is recommended to seek advice from public organizations, free legal aid centers, legal clinics, etc. In many cases, it is human rights initiatives that help formulate requests, provide support, or advocate on behalf of victims.

This algorithm is not exhaustive, but it reflects the basic sequence of actions that a person or their legal representative can take. In the event of changes to the legislation or the emergence of special support programs for released persons, these actions should be adapted to the new conditions.



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