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State of play

STATISTICS ON INTERNAL DISPLACEMENT IN UKRAINE

Analytical framework and recommendations
hereto produced by the technical working
group on the implementation of International
Recommendations on Internally Displaced
Persons Statistics (IRIS) in Ukraine



STATISTICS UKRAINE



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Implementation of IRIS in Ukraine is crucial to facilitate the identification and development of durable solutions for IDPs. This would assist affected populations in overcoming the negative impact of internal displacement, facilitate their successful reintegration in the localities they now consider home, as well as ensure adherence to the “leave-no-one-behind” principle enshrined in the 2030 Sustainable Development Agenda. Considering the large number of stakeholders engaged in actions geared towards addressing the impact of displacement in Ukraine, there is a need for a well-coordinated and coherent approach to the development of the roadmap to IRIS implementation in Ukraine.



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INTRODUCTION

Consolidation and harmonization of statistics on internally displaced persons (IDPs) among stakeholders is key to facilitating the development of evidence-based durable solutions for communities affected by protracted internal displacement in Ukraine. The availability of accurate data is essential for fostering the principle of *leaving no one behind*, as well as contributing to the 2030 Agenda for Sustainable Development.

In March 2020, the UN Statistical Commission (UNSC) approved the International Recommendations on IDP Statistics (IRIS), aimed at coordinating the dissemination of official statistics on internal displacement. The IRIS were developed by the Expert Group on Refugee, IDP and Statelessness Statistics (EGRIS) in collaboration with experts from 60 organizations around the world, incorporating 15 national statistical systems and 10 regional and international organizations, including ones in Ukraine.

In 2021, Ukraine became the first country to actively explore ways to implement IRIS. The objective of this document is to compare the best practices outlined in the IRIS with the existing practices on IDP statistics in Ukraine in order to formulate specific recommendations for the local context, create analytical background for a 'Roadmap' towards the implementation of IRIS in Ukraine.

The paper's **first** section provides an overview of the purpose and composition of the governmental and non-governmental actors that comprise the working group on the implementation of IRIS Recommendations in Ukraine (IRWG), as well as the international organizations that are contributing to the development of an action plan for the implementation of the IRIS in Ukraine. In the following sections, the authors have outlined the key concepts and aspects of IDP statistics that ought to be examined closely in the process of formulating Ukraine-specific recommendations. The **second** section provides a comparison between the definition of an IDP in the UN Guiding Principles and that in the legislation of Ukraine and makes a distinction between legal definitions and those used for statistical purposes, notably in the IRIS. The **third** section examines the various sub-categories of IDPs included within both national and IRIS statistical frameworks for the analysis of internal displacement, which facilitates in the development of a statistics framework that is suited to the context of Ukraine but also globally comparable. The **fourth** section comparatively explores the concepts of *habitual* and *usual* residence in the way that these terms are used in various instruments of international and national law, standards and guidelines. As the IRIS explains, this is important because non-citizens may only have a habitual residence but may still be entitled to IDP status in the country in which they reside. The **fifth** section explores how durable solutions for those that are displaced are understood internationally (within the Inter-Agency Standing Committee, or IASC, Framework on Durable Solutions for IDPs) and in Ukraine, and outlines the various initiatives aimed at establishing the criteria to assess the extent of IDP integration in their host communities. The various sources that are used for the collection of data in relation to IDPs in Ukraine are examined in section **six**; and the variables and tabulations employed are examined and compared with the IRIS in section **seven**. Finally, the institutions and processes involved in the coordination of data collection are examined in section **eight**. The report then provides a series of conclusions and recommendations.

For readers' convenience, an executive summary on page 8 provides in plain language a practical overview of the key conclusions outlined in detail in the remainder of this technical document.

Prior to this document's publication, the preliminary findings and recommendations of the IRWG were presented at a webinar organized by IOM and the State Statistics Service of Ukraine (SSSU) in early January

2022. Speakers from IOM, DRC, UNHCR, JIPS and IDMC made presentations on existing practices for the collection of IDP statistics in various contexts, standardization of approaches for the identification of IDPs through surveys, interoperability of registers, and monitoring of progress towards durable solutions, among others. The recording of the webinar is available [at this link](#).

EXECUTIVE SUMMARY

Introduction

This paper provides an overview of the analysis and recommendations of the technical working group on the implementation of International Recommendations on Internally Displaced Statistics (IRIS) in Ukraine. The implementation of the IRIS in Ukraine will facilitate the coordination of data collection and the harmonization of IDP statistics. This, in turn, will expediate the development of ‘durable solutions’ for IDPs: to help those affected overcome the consequences of internal displacement and promote their integration into the general population, and thereby adhere to the “leave no one behind” principle enshrined in the 2030 Agenda for Sustainable Development.

Given that many governmental and non-governmental organizations are involved in developing measures aimed at addressing the consequences of internal displacement in Ukraine, the State Statistics Service of Ukraine and the Mission in Ukraine of the International Organization for Migration initiated the establishment of the IRWG to ensure a coordinated and coherent process in the development of the Roadmap for the implementation of the IRIS in Ukraine. The IRWG acts as a coordination platform and a mechanism for the exchange of information, analysis, design and joint development of the Roadmap, as well as supporting the implementation of the IRIS in Ukraine.

Key Findings

Legal and policy frameworks: The paper provides a comparison between the definition of an IDP in the UN Guiding Principles on Internal Displacement and that in the legislation of Ukraine and determines that the essence of the UN definition is reflected in Ukrainian legislation. However, the legal status of an IDP in Ukraine is conferred only to those who have registered as IDPs with the Government of Ukraine. Therefore, the fact of being registered as an IDP forms the basis for compiling official statistics. However, some of those registered as IDPs are residents of the non-government-controlled areas of the country who are not displaced but are compelled to register as IDPs in order to access pensions and welfare payments from the Government of Ukraine.

The authors comparatively explore the concepts of *habitual* and *usual* residence in the way that these terms are used in various instruments of international and national law, standards and guidelines. As the IRIS explains, this is important because non-citizens may only have a habitual residence but may still be entitled to IDP status in the country in which they reside. Various normative legal acts of Ukraine use different concepts for identifying the usual and habitual place of residence in the context of displacement. It would be helpful if both these terms were clearly defined for their usage in legislation, policy and practice in Ukraine, and that these definitions were in line with international standards and practice, as enshrined in the IRIS.

Developing a statistical framework: Various sub-categories of IDPs included within both national and IRIS statistical frameworks for the analysis of internal displacement are examined, with a view to facilitating in the development of a statistics framework that is suited to the context of Ukraine but is also globally comparable. Currently, the legally based categorization of IDPs and IDP-related groups in Ukraine is limited, and these distinct groupings cannot be identified in the official statistics. A detailed understanding of the categories of people affected by armed conflict and displacement, and disaggregated data about those in each category, would greatly facilitate more targeted responses. The paper also examines variables and tabulations that the IRIS suggests as helpful for the challenging task of collecting detailed information about IDPs. Overall, the collection of data by official sources in Ukraine in relation to IDPs is comprehensive and encompasses those variables and tabulations set out in the IRIS.

Key vulnerabilities and durable solutions: The paper discusses the development of criteria and indicators that can be used to measure the progress of IDPs in achieving durable solutions such that key displacement-related vulnerabilities may be overcome. The situation of Ukraine is examined in the context of the IASC Framework on Durable Solutions for IDPs, which represents the key guidance document in identifying displacement-related vulnerabilities and developing associated criteria. The authors conclude that developing and implementing criteria that are effective in monitoring key displacement-related vulnerabilities in order to support the achievement of durable solutions is extremely challenging. Both national and international actors, including members of the IRWG, could usefully provide further technical assistance and support in this regard, in collaboration with relevant ministries and departments of the Government of Ukraine.

Data sources and coordination: The main potential sources of data that are outlined in the IRIS are examined, some of which are currently employed in Ukraine; others could potentially be used in the future. The data sources discussed include: census, government sources, sample household surveys, population movement tracking systems and big data. As the IRIS points out, the production of high-quality official statistics calls for effective coordination among national, subnational and international actors. In Ukraine, three separate central executive authorities are currently engaged in managing and utilizing information in relation to IDPs, as well as the coordination of the government's response. This function would be better served if there was a single national unit with responsibility for overall coordination. Alternatively, an efficient coordination mechanism among existing stakeholders needs to be developed and supported through any necessary legislation.

Recommendations

1. Whenever possible, the collection of information about IDPs should be incorporated within existing national statistical systems. It is recommended that the potential should be examined of adapting one of the national data collection tools, such as the Households Living Conditions Survey of the SSSU, for durable solutions analysis. The forthcoming national census in Ukraine provides an opportunity to compare the census data with the Database on IDPs. If necessary, national surveys can be complemented with a booster sample if the default sample size is insufficient in providing an adequate number of IDPs to produce reliable statistics. To provide the most efficient change management in this regard, the alleged national IDP survey might be piloted (methodology development and data collection) within an international project first and afterwards be included into the national scope.
2. Engagement with the Ministry of Digital Transformation is recommended, in order to learn more about the Government of Ukraine's experience in the use of big data and how it may be used to strengthen to production of official statistics generally.
3. It is recommended that the potential be explored to use the Pension Fund of Ukraine has a centralized database of people receiving pensions, including IDPs, and information on the accrual of such benefits. However, the Pension Fund of Ukraine does not collect information about the physical receipt of pension benefits by IDPs, nor on the time and place of receipt. Oschadbank could potentially be a source for such information, given that since 2018 the bank has issued bank cards to IDPs in order that they can access their pensions.
4. Varying understandings and definitions of 'usual' and 'habitual' place of residence are used in normative legal acts of Ukraine in the context of displacement. It is recommended that each of these terms be clearly

defined for their usage in legislation, policy and practice in Ukraine; and that these definitions are in accordance with international standards and practice, as enshrined in the IRIS.

5. Information collated for the Unified IDP Database (IUD) of Ukraine involves the collection and accumulation of data on the needs of IDPs, but this apparently does not function properly in practice. It is recommended that the IRWG explore why this is the case and provide technical advice on strengthening it.

6. In collaboration with EGRISS sub-group 3, the IRWG should explore how Ukraine might conduct systematic analysis of the vulnerabilities of IDPs in comparison with the wider population in Ukraine, based upon IRIS criteria. This would facilitate the development of indicators to measure the extent to which IDPs have overcome displacement-related vulnerabilities. This in turn would enhance our understanding of what represents a durable solution in the Ukrainian context. Furthermore, there is a need for a government-endorsed definition of a 'durable solution' in the Ukrainian context, which is based upon international norms and principles.

7. It is recommended that the State Emergency Service of Ukraine (SESU) be invited to participate in the IRWG, alongside the other government entities represented. The SESU are responsible for responding to, and reporting on, "natural or human-made disasters" and may have data on evacuations and housing destruction, which can be used to estimate displacement flows (including new displacements).

8. It is recommended that in future the IRWG examines SESU data and analysis in addition to the sources currently being used. For instance, SESU data would probably provide some basic inflow statistics (in relation to disasters) that the UID currently does not.

9. If the IRWG does not have the capacity to map out what is available on disaster displacement data, IDMC (a member of EGRISS) has offered to provide technical advice in this regard.

10. It is recommended that a single coordination body be responsible for producing harmonized official statistics in relation to internal displacement. Alternatively, an efficient coordination mechanism among existing stakeholders needs to be developed and supported through any necessary legislation.

1. TECHNICAL WORKING GROUP

The implementation of the IRIS in Ukraine will facilitate the coordination of data collection and the harmonization of IDP statistics. This, in turn, will expediate the development of ‘durable solutions’ for IDPs: to help those affected overcome the consequences of internal displacement and promote their integration into the general population, and thereby adhere to the “leave no one behind” principle enshrined in the 2030 Agenda for Sustainable Development¹.

Given that many governmental and non-governmental organizations are involved in developing measures aimed at addressing the consequences of internal displacement in Ukraine, the State Statistics Service of Ukraine and the Mission in Ukraine of the International Organization for Migration initiated the establishment of the IRWG to ensure a coordinated and coherent process in the development of the Roadmap for the implementation of the IRIS in Ukraine. The IRWG acts as a coordination platform and a mechanism for the exchange of information, analysis, design and joint development of the Roadmap, as well as supporting the implementation of the IRIS in Ukraine. The IRWG is comprised of following organizations:

In-country partners

Government organizations

- State Statistics Service of Ukraine (SSSU)
- Ministry of Social Policy of Ukraine
- Ministry for Reintegration of Temporarily Occupied Territories of Ukraine
- Secretariat of the Ukrainian Parliament Commissioner for Human Rights
- Ministry of Development of the Communities (*Hromadas*) and Territories of Ukraine
- State Social Service of Ukraine
- State Migration Service of Ukraine
- Pension Fund of Ukraine

International organizations

- International Organization for Migration (IOM)
- United Nations High Commissioner for Refugees (UNHCR)
- Council of Europe’s Project “Internal Displacement in Ukraine: Building Solutions”

Non-governmental organizations

- CEDOS Analytical Center
- VoxUkraine
- Danish Refugee Council (DRC)

External advisors

International expert groups

- Expert Group on Refugee, IDP and Statelessness Statistics (EGRIS)

Inter-agency groups

- Joint IDP Profiling Service (JIPS)
- Internal Displacement Monitoring Centre (IDMC)

¹ 2030 Agenda for Sustainable Development. – URL: <https://www.ua.undp.org/content/ukraine/uk/home/library/sustainable-development-report/the-2030-agenda-for-sustainable-development.html>

- Statistics Office of Norway

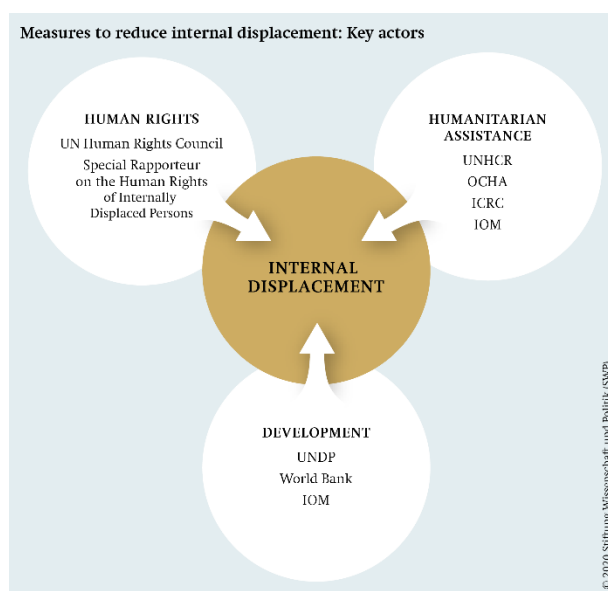
The functions of the secretariat of the IRWG are performed by the SSSU and IOM.

2. DEFINITION OF IDPs IN IRIS AND UKRAINIAN LEGISLATION

The normative and legal frameworks for defining and protecting IDPs also provide the basis for IDP statistics. This section delivers an overview of relevant international standards, as well as national laws and policies in Ukraine, all of which contribute towards the development of a statistical framework that is suited to the national context.

In the providing a definition of an ‘internally displaced person’ (IDP), IRIS refers to the UN Guiding Principles on Internal Displacement: E/CN.4/1998/53/Add.2. According to this definition, IDPs are understood to be “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict; situations of generalized violence; violations of human rights or natural or human-made disasters, and who have remained living in the country’s internationally recognized border”². This definition is formulated on two components: (1) their movement is coerced or involuntary (to distinguish them from economic and other voluntary migrants); and (2) they remain within the internationally recognized state borders of their country of origin (unlike refugees)³.

“Internally displaced persons (IDPs) are “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict; situations of generalized violence; violations of human rights or natural or human-made disasters, and who have remained living in the country’s internationally recognized border” – UN Guiding Principles on Internal Displacement



As the Annotations to the Guiding Principles explain, “becoming displaced within one’s own country of origin or country of habitual residence does not confer special legal status in the same sense as does, say, becoming a refugee.” This fact “does not rule out the possibility of administrative measures such as registration on the domestic level to identify those who are displaced and need special assistance.” However, it is important to emphasize that the “lack of such registration would not deprive internally displaced persons of their entitlements under human rights and humanitarian law.”⁴

² UN Commission on Human Rights, Report of the Representative of the Secretary-General, Mr. Francis M. Deng, submitted pursuant to Commission resolution 1997/39. Addendum: Guiding Principles on Internal Displacement, 11 February 1998, E/CN.4/1998/53/Add.2, pg. 5.)

³ International Recommendations on Internally Displaced Persons Statistics (IRIS), Chapter 2, para. 35

⁴ Annotations to the Guiding Principles on Internal Displacement, pp. 4–5.

IRIS also expands upon the definition provided in the Guiding Principles in several ways. First, it is not necessarily the case that a person must "flee" in order to be classified as an IDP. It is sufficient that they are unable to return to their place of habitual residence due to a causing event for them to be classified as an IDP in the IRIS (similar to the concept of "sur place" in relation to refugees). Second, the requirement of remaining within the internationally recognized borders of their country is expanded on so that IDPs may cross an international border, return, and maintain their status as an IDP provided that they did not establish another country of usual residence in the intervening period. Third, the definition in the Guiding Principles does not directly consider the possibility of population outflows (i.e., determining the end of displacement), whereas the IRIS specifically sets out to address this.

The definition of an IDP in Ukraine's legislation corresponds to that referred to in UN Guiding Principles on Internal Displacement and consequently reflects the essence of the definition provided in the IRIS. The Law of Ukraine "On ensuring rights and freedoms of internally displaced persons"⁵ provides the following definition: "An internally displaced person is a citizen of Ukraine, foreigner or stateless person who legally stays on the territory of Ukraine and has a right to permanent residence in Ukraine and who was forced to leave a place of residence as the result of, or in order to avoid, the effects of armed conflict, temporary occupation, situations of generalized violence, mass violations of human rights or natural or human-made disasters."⁶ In practice, displaced persons are considered IDPs only if they have registered as IDPs with the Government of Ukraine. Therefore, the fact of being registered as an IDP (not the definition) forms the basis for compiling official statistics. Furthermore, some of those registered as IDPs are residents of the non-government-controlled areas (NGCA) of the country who are not displaced but are compelled to register as IDPs in order to access pensions and welfare payments from the Government of Ukraine.

The Law of Ukraine stipulates the grounds upon which an IDP registration is granted, a set of guarantees for the IDPs' social protection and support, and sets out provisions aimed at securing the human rights of citizens falling into this category.⁷ Although it shares the core features of the definition provided in the Guiding Principles, there are some differences. For example, the definition in Ukrainian law makes reference to the grounds for the individual's stay (residence) in the country. This person may be a citizen of Ukraine, or could be the citizen of another country or a stateless person who is legally residing on the territory of Ukraine and has a right to permanent residence in Ukraine. Thus, the definition includes a wide group of people but does also require that the person is legally residing in Ukraine. Furthermore, Article 12 of the Law stipulates five conditions under which IDP registration can be terminated. Finally, Article 9 of the Law obliges registered IDPs to observe the Constitution and laws of Ukraine, as well as other obligations such as a requirement to report any change in place of residence to the government authorities within ten days of relocating. To conclude, the Law of Ukraine focuses on the registration of a person as displaced with the Government of Ukraine as the basis for defining and collecting statistics on IDPs.

On the other hand, a person must meet all the following criteria in order to be classified as an IDP in the IRIS⁸:

- Has been usually resident at the place where a causal event of displacement occurred, and at the time of event;
- Has been forcibly displaced, including preventative movements, by at least one of the following:

⁵ Law of Ukraine "On ensuring rights and freedoms of internally displaced persons". – URL: <https://zakon.rada.gov.ua/laws/show/1706-18#Text>

⁶ In this document, the laws and decisions of the Government of Ukraine are cited in full and in accordance with the original text.

⁷ ЗАКОН УКРАЇНИ Про забезпечення прав і свобод внутрішньо переміщених осіб

⁸ [International Recommendations on IDP Statistics \(IRIS\), 27, box 3.1](#)

- armed conflict;
- generalized violence;
- violations of human rights;
- natural or human-made disasters;
- other forced displacements or evictions;
- Following displacement, has been physically living away from the dwelling in which he/she was living at the time of the causal event;
- Is currently residing within the internationally recognized borders of the country in which he/she was displaced (even if he/she temporarily went abroad for a period of less than 12 months after the causing event);
- Key displacement-related vulnerabilities (as derived from the IASC Framework on Durable Solutions for Internally Displaced Persons) have not been assessed or, upon assessment, it is established that they have not been overcome.

“A durable solution is achieved when internally displaced persons no longer have any specific assistance and protection needs that are linked to their displacement and can enjoy their human rights without discrimination on account of their displacement”

[IASC Framework on Durable Solutions for Internally Displaced Persons](#)

The Resolution of the Cabinet of Ministers of Ukraine “On Registration of Internally Displaced Persons”⁹ identifies various categories of individuals as among those eligible to be registered as an IDP, which are outlined in Appendix 1. While this categorization is not inconsistent with that provided in the IRIS, it is more legally specific about which categories of persons are exclusively eligible; and this is based upon their status of residency in national legislation (and international law in the case of stateless persons). In essence, all of these categories meet the IRIS criteria of displacement. However, according to the Resolution of the Cabinet of Ministers of Ukraine “On Registration of Internally Displaced Persons”, IDP children born after relocation also have the right to register as IDPs. According to IRIS, such children are classified as an IDP-related group, whereas in Ukraine they are actually considered to be IDPs. However, current administrative registries do not allow the authorities to distinguish between displaced children and children born in displacement for statistical reporting purposes.

To summarize, IRIS defines IDPs as people with displacement-related vulnerabilities and those who no longer suffer from such vulnerabilities should no longer be classified as IDPs. For statistical purposes, the IRIS states that those who have overcome key displacement-related vulnerabilities can be taken out of the IDP stock, but this is not the same as achieving a durable solution. As the IRIS explains, even when displacement may appear to have physically ended – and the government authorities recognize it as such – people can continue to experience displacement-related consequences, including discrimination and violation of human rights. As result, they have not yet achieved a durable solution, as defined in the IASC Framework.¹⁰

⁹ Resolution of the Cabinet of Ministers of Ukraine “On Registration of Internally Displaced Persons”. – URL: <https://zakon.rada.gov.ua/laws/show/509-2014-%D0%BF#Text>

¹⁰ International Recommendations on IDP Statistics (IRIS), p. 24.

3. CATEGORIES OF IDPs

The IRIS argues that while the UN Guiding Principles on Internal Displacement provide a broad definition of an IDP and a comprehensive legal framework for use on a case-by-case basis, statistical definitions require clear and definitive explanations that are applicable for broad groups of the population. This section aims to provide a statistical framework that is simpler to understand, implement and serve as a basis for global comparability.

The IRIS includes recommendations for the collection and processing of statistical information in relation to IDPs and IDP-related populations. According to these recommendations, evidence-based policy making concerning IDPs requires data on: the total number of IDPs; the number of IDPs in each settlement; the number of displaced women and children that have been reintegrated, including those still in vulnerable conditions; as well as data on whether or not they have been reintegrated. IRIS recommends the disaggregation of data by relevant demographic characteristics to enable analysis of the situation of different subgroups to feed into more nuanced and informed decision-making.

Section B (Chapter 3) of IRIS outlines the categories of persons included within the statistical framework for the analysis of internal displacement and are therefore within the scope of its recommendations. The primary areas of focus for the IRIS are the following categories:

1. IDPs (those who have displacement-related protection needs and vulnerabilities);
2. IDP-related populations (primarily, children of IDPs born after their parents were displaced).

There are further categories that fall within the statistical framework but are not the primary concern of the IRIS, due to their specific characteristics:

3. Other non-displaced family members of IDPs;
4. Those who have overcome key displacement-related vulnerabilities.¹¹

The IRIS also recommends classifying the stock of IDPs in a given population (which is defined as the total number of IDPs in a specified location, at a defined moment in time) into three sub-groups, or sub-stocks, for the purposes of statistical data collection and analysis. This classification provides more detailed information about the specific location of the IDPs:

- IDPs in locations of displacement;
- IDPs in locations of return (in non-controlled territories); and
- IDPs in other settlement locations (those who have relocated within their country of origin following displacement).

There are other displaced population groups that are not included in the statistical framework on internal displacement, and therefore also fall outside the scope of the current recommendations in the IRIS. These include:

1. Persons who are forcibly displaced across an internationally recognized border;
2. Persons who have returned from another country after seeking international protection;
3. Other displaced persons who have returned from another country after a period of absence of 12 months or more.

¹¹ Even though they are not the primary concern of the recommendations, IRIS still recommends reporting on them as a separate statistical category: International Recommendations on Internally Displaced Persons Statistics (IRIS), p. 26,

Those people that fall within categories 2 and 3 are, for different reasons, assumed to have taken up *usual* residence in another country prior to their return.

Due to these requirements, many people with residence registration in the regions of Donetsk and Luhansk, or in Crimea, who have never experienced internal displacement, have been compelled to register as IDPs in order to access specific rights (e.g., if a person who moved prior to 2014 but did not change the residence registration in his/her passport). This has distorted the statistics on internal displacement, as the figures do not comprise only those with displacement-related protection needs and vulnerabilities, which is not in accordance with IRIS.

Currently, therefore, the legally based categorization of IDPs and IDP-related groups in Ukraine is limited, and these distinct groupings cannot be identified in the official statistics. There are disparities in how displacement impacts upon groups within the population. Significant numbers of those registered as IDPs with the Government of Ukraine are not displaced and others that are displaced are not registered. A detailed understanding of the categories of people affected by armed conflict and displacement, and disaggregated data about those in each category, would greatly facilitate more targeted responses. Understanding how various categories of people have been differentially impacted could facilitate in the identification of affected individuals and help in identifying key needs and vulnerabilities so as to facilitate durable solutions.

4. “USUAL” AND “HABITUAL” PLACE OF RESIDENCE IN THE CONTEXT OF INTERNAL DISPLACEMENT

The concepts of "usual residence" and "habitual residence" need to be differentiated and therefore clearly defined for statistical purposes, because this can affect individuals' eligibility to be recognized as an IDP. However, numerous and varying definitions for each exist in both national and international legal instruments. This section compares the definitions and usage of these and related terms in the IRIS with those in the “UN Principles and Recommendations on Population and Housing Censuses”, the “UN Recommendations on Statistics of International Migration”, the UN Handbook on Measuring International Migration through Population Censuses, the Law of Ukraine “On ensuring of rights and freedoms of internally displaced persons and Law of Ukraine” and “On freedom of movement and free choice of residence in Ukraine”. Some of the differences between the IRIS and national legislation in Ukraine suggest further examination and discussion on this issue may be helpful.

The UN Principles and Recommendations on Population and Housing Censuses defines “usual place of residence” for census purposes as “the place at which the person lives at the time of the census, and has been there for some time or intends to stay there for some time.” It recommends that countries apply a threshold of 12 months when considering place of usual residence, in accordance with one of the following two criteria:

- a.) The place at which the person has lived continuously for most of the preceding 12 months (that is, for at least six months and one day), not including temporary absences for holidays or work assignments, or intends to live there for at least six months;
- b.) The place at which the person has lived continuously for at the preceding 12 months, not including temporary absences for holidays or work assignments, or intends to live for at least 12 months.¹²

The legal definition of *habitual place of residence* provided in the IRIS (in Chapter 2, para. 40) is in accordance with the UN Principles and Recommendations on Population and Housing Censuses: “where the person was residing at the time of their initial displacement (i.e. their usual place of residence pre displacement). The place of habitual residence for IDPs is therefore static, whereas the place of usual residence, as for other population groups, is subject to change.”¹³

The concept of habitual residence is important in clarifying that an IDP does not necessarily need to be a citizen of a country concerned – habitual residency is sufficient. Habitual residency is determined based on the objective (presence over a certain period of time) and a subjective (the ‘intention of remaining’ or *animus manendi*) criteria, although the definition provided in the Guiding Principles does not suggest verification methods for either basis. Legal arguments continue over the need for the subjective element to prove habitual residence. Hence, non-citizens, foreigners and stateless persons who have their habitual residence in the country concerned may also qualify as IDPs if they meet the defining criteria (and this is reflected in the conceptual apparatus of the current legislation of Ukraine¹⁴). Former refugees who have

¹² Principles and Recommendations for Population and Housing Censuses Revision 3, para. 2.48-2.50. – URL: https://unstats.un.org/unsd/demographic-social/Standards-and-Methods/files/Principles_and_Recommendations/Population-and-Housing-Censuses/Series_M67rev3-E.pdf

¹³ International Recommendations on Internally Displaced Persons Statistics (IRIS), p. 38, Box 3.3. Chapter 3.

¹⁴ Law of Ukraine “On ensuring of rights and freedoms of internally displaced persons”. – URL: <https://zakon.rada.gov.ua/laws/show/1706-18#Text>

returned to their country of origin and who nonetheless are unable to find a durable solution may qualify as well.”¹⁵

The official statistics in Ukraine "do not see" the movement of IDPs, as most of them remain registered in uncontrolled territories and are therefore included in the population figures of these territories in the statistics of the State

According to the Law of Ukraine “On ensuring of rights and freedoms of internally displaced persons”¹⁶ (Article 1, para. 2), the abandoned place of residence of an IDP is also the address of their place of residence at the time of displacement (their *de facto* address). Article 5 of the Law states that the certificate of registration of an IDP contains details about this place of residence. This applies even if the address of their residence is an IDP collective center (modular settlement, dormitory, health camp, rest home, sanatorium, boarding house, hotel, etc.). According to Article 3 of the Resolution of the Cabinet of Ministers No. 509 in relation to the registration of IDPs, however, “the actual place of residence/stay may not indicate the addresses (location) of public authorities, local governments, legal entities under public law, their units, any other premises where internally displaced persons do not actually live.”¹⁷

For migration assessments, the SSSU uses the “legal place of residence” (i.e., the place of registration of the person, which is stipulated in their passport document). Accordingly, the official statistics “do not see” the movement of IDPs, as most of them remain registered in uncontrolled territories and are therefore included in the population figures for these territories in the statistics of the State.

For the IRIS, the place of *habitual* residence is where a person was residing at the time of their initial displacement (i.e., their *usual* place of residence pre-displacement). The place of *habitual* residence for IDPs is therefore static, whereas the place of *usual* residence, as for other population groups, is subject to change.¹⁸ For statistical purposes, the IRIS regards the *usual* place of residence in the country as where the person is *living* at the time of data collection. The Principles and Recommendations for Population and Housing Censuses state that “the place of usual residence may be the same as, or different from, the place where the enumerated person was present at the time of the census or his or her legal residence.”¹⁹ Thus, in cases where the census is taken on the basis of “place where counted”, this can also be understood as the place of *usual* residence.²⁰

According to the UN Recommendations on Statistics of International Migration (Revision 1), for a person who moves to another country for a period of at least a year (12 months), this becomes their *usual* country of residence. However, the UN Handbook on Measuring International Migration through Population Censuses provides some examples of exceptions to this recommendation; and it identifies situations where there has been no change in the country of *usual* residence; and when additional criteria need to be considered in order to effectively determine the *usual* country of residence²¹. These include:

¹⁵ International Recommendations on Internally Displaced Persons Statistics (IRIS), para. 40, Chapter 2

¹⁶ Law of Ukraine “On ensuring of rights and freedoms of internally displaced persons”. – URL: <https://zakon.rada.gov.ua/laws/show/1706-18#Text>

¹⁷ Resolution of the Cabinet of Ministers No. 509 on registration of internally displaced persons. – URL: <https://zakon.rada.gov.ua/laws/show/509-2014-%D0%BF#Text>

¹⁸ International Recommendations on Internally Displaced Persons Statistics (IRIS), Box 3.3, Chapter 3

¹⁹ Principles and Recommendations for Population and Housing Censuses Revision 3, para. 4.53, p. 183

²⁰ Principles and Recommendations for Population and Housing Censuses Revision 3, para. 4.58, p. 183

²¹ Handbook on Measuring International Migration through Population Censuses1 Prepared by the Secretariat (1 March 2017). – URL: <https://unstats.un.org/unsd/statcom/48th-session/documents/BG-4a-Migration-Handbook-E.pdf>

- People who have resided in other countries prior to the most recent move to the country in question (paragraph 25);
- People whose country of usual residence cannot be established without ambiguity, e.g., diplomats, armed forces, nomads and border workers (paragraph 33);
- People who maintain two or more residences in different countries in a given year, e.g., students and seasonal workers (paragraph 34); or who divide their time residing equally in two different countries (paragraph 35).²²

Both the UN Handbook and the IRIS²³ recommend that IDPs who temporarily cross an internationally recognized border for a period of less than 12 months after the causing event, and do not establish a new country of usual residence, may also be considered as IDPs.

To conclude, various normative legal acts of Ukraine use different concepts for identifying the usual and habitual place of residence in the context of displacement. It would be helpful if both these terms were clearly defined for their usage in legislation, policy and practice in Ukraine, and that these definitions were in line with international standards and practice, as enshrined in the IRIS.

²² International Recommendations on Internally Displaced Persons Statistics (IRIS), Chapter 3, p.39, Box 3.4.

²³ International Recommendations on Internally Displaced Persons Statistics (IRIS), Chapter 3, p.29, Box 3.1.

5. DURABLE SOLUTIONS AND KEY VULNERABILITIES RELATED TO DISPLACEMENT

This chapter discusses the challenges of measuring the progress IDPs may make towards achieving durable solutions. The situation of Ukraine is examined in the context of the IASC Framework on Durable Solutions for IDPs, which represents the key guidance document in identifying displacement-related vulnerabilities and developing associated criteria.

According to the IASC Framework on Durable Solutions, a person is no longer displaced when they have secured a durable solution. A durable solution is achieved “when internally displaced persons no longer have any specific assistance and protection needs that are linked to their displacement and can enjoy their human rights without discrimination on account of their displacement. Such solution can be achieved through:

- Sustainable reintegration at the place of origin;
- Sustainable local integration in areas where IDPs reside while in displacement (local integration);
- Sustainable integration in another part of the country (settlement elsewhere in the country).²⁴

The IASC Framework also lists eight criteria that are used to identify and measure progress towards durable solutions, including: safety and security; adequate standard of living; access to livelihoods; restoration of housing, land and property; access to documentation; family reunification; participation in public affairs; and access to effective remedies and justice. These criteria serve as a starting point for determining what is required to achieve durable solutions in a particular context. However, in practice, the operationalization of these eight criteria through the use of statistics - and measuring whether, when and to what extent a durable solution has been achieved – is challenging. Moreover, the application of these criteria in practice varies a great deal around the world. A systematic analysis of the vulnerabilities of IDPs in comparison with the wider population in Ukraine using similar criteria would be a valuable exercise, as this would facilitate the assessment and monitoring of progress in achieving durable solutions for IDPs, as well as allow for comparison with other countries.

Criteria for assessing the integration of IDPs in Ukraine

To date, there are no official statistics available that relate to the needs of IDPs or their levels of integration in Ukraine.²⁵ In 2017²⁶, the Cabinet of Ministers of Ukraine approved the “Strategy of Integration of Internally Displaced Persons and Implementation of Durable Solutions to Internal Displacement until 2020”²⁷. In pursuance of the Strategy, in 2018 the related Action Plan for the period up to 2020 was approved²⁸. Among the tasks outlined in the Action Plan were the following:

²⁴ IASC Framework on Durable Solutions for Internally Displaced Persons. – URL: <https://interagencystandingcommittee.org/system/files/2021-03/IASC%20Framework%20on%20Durable%20Solutions%20for%20Internally%20Displaced%20Persons%2C%20April%202010.pdf>

²⁵ According to the IRIS “the official statistics are published by NSOs or by statistical units within government ministries that form part of NSSs. NSSs comprise agencies regulated by national statistics laws and other relevant statistical regulations and standards”.

²⁶ Currently, a new Strategy is in place, operational until 2024, as prescribed by the Decree of the Cabinet of Ministers of Ukraine – URL: <https://www.kmu.gov.ua/npas/pro-shvalennya-strategiyi-integraciyi-v-a1364r>

²⁷ Order of the Cabinet of Ministers of November 15, 2017 № 909-r. "On approval of the Strategy for integration of internally displaced persons and implementation of long-term decisions on internal displacement until 2020." – URL: <https://zakon.rada.gov.ua/laws/show/909-2017-%D1%80#Text>

²⁸ Order of the Cabinet of Ministers of November 21, 2018 № 944-r. "On approval of the action plan for the implementation of the Strategy of Integration of Internally Displaced Persons and Implementation of Durable Solutions to Internal Displacement until 2020". – URL: <https://zakon.rada.gov.ua/laws/show/944-2018-%D1%80#Text>

- 1) Development of criteria for assessing the integration of IDPs into host territorial communities, based upon their practical needs and indicators²⁹;
- 2) Monitoring the progress of integration of IDPs into host territorial communities and assessing their needs, encompassing gender and age-based analysis, and including specific categories such as persons with disabilities.³⁰

In accordance with the Action Plan for 2018-2020, the Ministry for Reintegration of Temporarily Occupied Territories of Ukraine developed the first version of “Criteria for assessing the integration of IDPs into host territorial communities”. The document outlines ten criteria for assessing the integration of IDPs into host communities, which include: housing; employment; household income; access to education and medicine, administrative services, pensions and social benefits; family reunification issues; and a sense of belonging to the host community. In addition, the document defines methods for collecting, processing and analyzing data for certain criteria. Although the criteria and approach to data collection have been formulated, the document calls for additional consultations to identify and harmonize indicators in partnership with key stakeholders, including governmental and non-governmental organizations, as well as IDPs and host community members. In addition, a detailed data collection methodology is yet to be developed.

Table 1

MRTOT’s Criteria for assessing the integration of IDPs into host territorial communities in Ukraine³¹	Linkage with IASC Criteria³²
Existence of permanent or temporary housing	To some extent links to ‘Adequate standard of living’ and ‘Restoration of housing, land and property’ criteria
Existence of a regular income for a working age person	Links to ‘Access to livelihoods’ and ‘Adequate standard of living’ criteria
Employment of a working age person on a permanent basis	Links to ‘Access to livelihoods’ criteria
No barriers to accessing education	To some extent links to ‘Adequate standard of living’ and ‘Access to documentation’ criteria
No barriers to accessing administrative services	To some extent links to ‘Access to documentation’ criteria
No barriers to accessing medical care	To some extent links to ‘Adequate standard of living’ and ‘Access to documentation’ criteria
Availability of pension provision for the person at the new place of residence (stay)	To some extent links to ‘Adequate standard of living’
Availability of social protection for a person at the new place of residence (stay)	To some extent links to ‘Access to documentation’ and ‘Adequate standard of living’ criteria
Belonging to permanent social groups of the	Links to ‘Participation in public affairs’ criteria

²⁹ Order of the Cabinet of Ministers of November 21, 2018 № 944-r. "On approval of the action plan for the implementation of the Strategy for the Integration of Internally Displaced Persons and the implementation of long-term decisions on internal displacement until 2020", Strategic goal 17, Action 1. – URL : <https://zakon.rada.gov.ua/laws/show/944-2018-%D1%80#Text>

³⁰ Order of the Cabinet of Ministers of November 21, 2018 № 944-r. "On approval of the action plan for the implementation of the Strategy for the Integration of Internally Displaced Persons and the implementation of long-term decisions on internal displacement until 2020", Strategic goal 17, Action 2. – URL : <https://zakon.rada.gov.ua/laws/show/944-2018-%D1%80#Text>

³¹ Danish Refugee Council - IDPs Integration Criteria and Indicators

³² IASC Framework on Durable Solutions for Internally Displaced Persons

host territorial community (including religious and national minorities)	
Reunification of family members at the new place of residence (stay)	Links to 'Family reunification' criteria

The IASC Criteria that are not explicitly linked to the criteria suggested by the MRTOT in Ukraine are safety and security, as well as access to effective remedies and justice.

In July 2020, MRTOT and the Danish Refugee Council (DRC) began working collaboratively within the framework of the project entitled “Initiative to Support the Integration of IDPs in Ukraine”, with the financial support of the European Union’s Democratic Governance East (DG East) program³³. Notably, a desk study was conducted to identify best practice internationally for measuring IDP integration, which included examining those in Azerbaijan, Georgia, Serbia and Ukraine. In addition, consultative meetings were held with key governmental and non-governmental stakeholders, IDPs and representatives of vulnerable host communities. As a result, the criteria developed by MRTOT were refined, operationalized and partially tested. Based upon this work, guidelines were developed in the third quarter of 2021 for the implementation of state monitoring of the integration of IDPs into host territorial communities in Ukraine. As a follow up to this collaboration, it is envisaged that state monitoring of IDP integration will be introduced in the near future.

Developing and implementing criteria that are effective in monitoring key displacement-related vulnerabilities in order to support the achievement of durable solutions is extremely challenging. Both national and international actors, including members of the IRWG, could usefully provide further technical assistance and support in this regard, in collaboration with relevant ministries and departments of the Government of Ukraine.

³³ National Experts Supporting the Thematic Experts Group. Scope of Work (SoW). – URL: https://www.prostir.ua/wp-content/uploads/2020/12/Annex-2_SOW-for-TEG-National-Experts.docx

6. DATA SOURCES

Collecting IDP-related data can be challenging given the often-insecure circumstances in which affected people find themselves. It may be necessary to use multiple sources to gain a comprehensive understanding of displacement, and these sources may change over time. This chapter examines the main sources of data outlined in the IRIS, some of which are currently employed in Ukraine; and others which could potentially be used in Ukraine in the future.

IRIS identifies the following sources of data as the basis for official statistics on IDPs:

- Population and housing census;
- Sample household surveys (national household survey, IDP survey);
- Administrative sources (population registers, IDP-specific registers);
- Population movement tracking systems;
- Alternative data sources (e.g., 'big data').³⁴

Each of these types of data sources are indeed already employed in Ukraine to facilitate the collection of information that relate to IDPs. The following five sub-sections examine how these various data sources are operationalized in Ukraine.

a. Census

In accordance with the Decree of the Cabinet of Ministers of Ukraine³⁵, the All-Ukrainian Population Census is to be conducted by SSSU in 2023. All previous Decrees on Census were thereby declared invalid. In order to gather data on the socio-demographic characteristics of IDPs during the all-Ukrainian population census, the specific option to identify as an IDP was included. The provisions of Article 7 of the Law of Ukraine “On the All-Ukrainian Population Census”³⁶ were considered and included in the trial census program for the December 2019 census piloting exercise. These provisions included the draft census program, census tools and census methodology. It should be noted that the information provided by respondents in the census is based solely on their self-identification as an IDP with no requirement to provide an IDP certificate. Following discussions led by the SSSU with the community of experts, given the high level of sensitivity on the issue of the causes of forced movement and who is - and is not – therefore categorized as an IDP, questions related to causes were excluded from the Trial Population Census Program.^{37 38}

Based upon the experience of the pilot census, it is apparent that a category of IDPs can be identified only if more specific information is collected by the census that relates to the cause of the internal displacement of respondents. This necessitates the questionnaire asking if the respondent left (abandoned) their “place of habitual residence as a result of, or in order to avoid, the negative consequences of armed conflict, temporary occupation, generalized violence, violations of human rights and emergencies of a natural or human-made disasters”. Other information that is required includes the

³⁴ International Recommendations on Internally Displaced Persons Statistics (IRIS), Section B, Chapter 6, Para. 192, p.63

³⁵ CMU Decree “On conducting the All-Ukrainian Population Census in 2023” – URL - <https://zakon.rada.gov.ua/laws/show/1542-2020-%D1%80#Text>

³⁶ The Law of Ukraine «On the All-Ukrainian Population Census», Article 6. – URL: <https://zakon.rada.gov.ua/laws/show/2058-14#Text>

³⁸ Order of the State Statistics Service of Ukraine from 19.11.2019 № 372 «On approval of forms of census documentation for the pilot population census of 2019 and instructions for their completion» approved by the Ukrainian Parliament Commissioner for Human Rights registered in the Ministry of Justice of Ukraine on 05.12.2019 for № 1208/34179. – URL : https://www.ukrcensus.gov.ua/ukr/laws/2019/CMU372_20191119.pdf

date on which the person left (abandoned) his/her place of habitual residence (date, month, year) and the location of this former place of residence (e.g., Autonomous Republic of Crimea, or region of Donetsk or Luhansk; as well as the distinct name of the settlement). A similar recommendation is made ³⁹.

The prospect of including the question of self-identification as an IDP in the 2023 population census in Ukraine may present an opportunity to obtain quantitative and qualitative information on the characteristics of the IDP population in Ukraine. It also provides an opportunity to compare the census data with the register of IDPs in order to identify inclusion/exclusion errors. Given that details related to internal movement are not included in death or birth records, further tabulation of the inflows and outflows of the stock of IDPs will not be possible. As a result, the IDP data obtained from the census will only be accurate only for only a moment in time - when the census is concluded – as subsequent births and deaths will not be included.

b. Government sources

The main source of official statistics on IDPs in Ukraine is the Unified Information Database of Internally Displaced Persons (UID), which is maintained by the State Social Service under the Ministry of Social Policy of Ukraine. According to the Resolution of the Cabinet of Ministers of Ukraine “On Approval of the Procedure for Creating, Maintaining and Accessing Information of the Unified Information Database of internally displaced persons”, the UID is defined as “... an automated data bank created to ensure a unified state register of individuals who are internally displaced.”⁴⁰. The conditions for gathering, maintaining and accessing UID data are regulated by the Resolution of the Cabinet of Ministers of Ukraine/Government of Ukraine “On Approval of the Procedure for Creating, Maintaining and Accessing Information of the Unified Information Database of Internally Displaced Persons”,⁴¹ which was adopted in accordance with Article 4 on Registration for Internally Displaced Persons of the Law “On ensuring of rights and freedoms of internally displaced persons”⁴². Authorized entities enter data into the UID in electronic form using information provided by IDP status applicants, using forms that have been formatted with the approval of the Ministry of Social Policy of Ukraine.

The personal details of an individual are added to the UID when the person applies for a certificate that allows them to receive state-targeted assistance or pensions, and to validate their place of residence to access other public and banking services. It is unclear how many displaced people have decided not to apply for the assistance specifically targeted at IDPs, and therefore are not included in the database. Moreover, certificates can be relinquished if IDPs have been absent from the territories controlled by the Government of Ukraine for 60 days or more⁴³. Furthermore, it is not known how many people registered as IDPs actually reside in the NGCA and cross the contact line at least once every 60 days in order to keep their certificates valid, and are thus able to receive social benefits and pension payments. However, IDP certificates have not been rescinded during the period of Covid-19 pandemic or during the 30 days following the end of any quarantine measures”.⁴⁴ In practice, the rule has not applied since March 2020

³⁹ Conference of European Statisticians Recommendations for the 2020 Censuses of Population and Housing (paragraphs 689 -691), p.147. – URL: https://unece.org/DAM/stats/publications/2015/ECECES41_EN.pdf

⁴⁰Resolution of the Cabinet of Ministers of Ukraine «On Approval of the Procedure for Creating, Maintaining and Accessing Information of the Unified Information Database of internally displaced persons», para 2. – URL: <https://zakon.rada.gov.ua/laws/show/646-2016-%D0%BF#Text>

⁴¹ Resolution of the Cabinet of Ministers of Ukraine «On Approval of the Procedure for Creating, Maintaining and Accessing Information of the Unified Information Database of Internally Displaced Persons». – URL: <https://zakon.rada.gov.ua/laws/show/646-2016-%D0%BF#Text>

⁴² Law of Ukraine “On ensuring of rights and freedoms of internally displaced persons”. – URL: <https://zakon.rada.gov.ua/laws/show/1706-18#Text>

⁴³Revocation of IDP certificates is prohibited for the duration of the country level COVID-19 quarantine based on the Law of Ukraine “On the introduction of amendments to certain legislative acts of Ukraine, directed at the prevention of emergence and the spread of corona virus disease (COVID-19) - URL: <https://zakon.rada.gov.ua/laws/show/530-20#Text>

⁴⁴ <https://reliefweb.int/report/ukraine/unhcr-flash-legislative-update-response-covid-19-outbreak-ukraine-and-its-impact>

and the intention is that it will not be adhered to until all restrictions on movement are lifted. Given that those residing in the NGCA who are registered as IDPs must continue commuting to the government-controlled areas of Ukraine in order to receive their pensions, it might be possible to estimate the number that fall into the category of non-displaced registered IDPs. The Pension Fund of Ukraine maintains a general database of pension recipients, but does not itself carry out the payments and does not hold any information regarding the withdrawal of funds from pensioners' accounts. However, Oschadbank (State Savings Bank of Ukraine) maintains the bank accounts of pensioners and transfers payments to these accounts. If Oschadbank were to provide data regarding the number of bank accounts not accessed during the pandemic, it may provide some information regarding those registered as IDPs who actually reside in the NGCA.

c. Sample household surveys

The Households Living Conditions Survey of the SSSU is a survey conducted with non-institutional (private) households selected through a stratified multi-stage selection procedure. Every year, about 12,000 households are selected to participate in this survey, representing all regions of Ukraine except for: zones I and II which were contaminated by the Chernobyl disaster; settlements located in the temporarily occupied territories of the Autonomous Republic of Crimea and the city of Sevastopol; and the non-government-controlled areas of Donetsk and Luhansk oblasts.

The surveys are conducted at the respondents' place of permanent residence by enumerators who are specially trained in interviewing and observation of household living conditions. Households that agree to participate and allow the observation of their living conditions (about 80% of selected households) are surveyed.⁴⁵ However, the collection of information about IDPs needs to be incorporated within existing national statistical systems, as IDPs as a group are not currently specifically targeted within the household survey. If necessary, national surveys can be complemented with a booster sample if the default sample size is insufficient to provide an adequate number of IDPs to produce reliable statistics. To provide the most efficient change management in this regard, the alleged national IDP survey might be piloted (methodology development and data collection) within an international project first and afterwards be included into the national scope.

In addition to the SSSU household survey, various local and international stakeholders have been conducting research and sample surveys aimed at gathering information on the problems and the needs of IDPs since 2014.⁴⁶ Among the sample surveys that regularly collect and analyze data on the situation and needs of IDPs in Ukraine are the following: the National Monitoring System on the Situation of Internally Displaced Persons (NMS)⁴⁷, implemented by IOM; the Multi-Sector Needs Assessment (MSNA)⁴⁸, implemented by the REACH Initiative; and the Participatory Assessment, conducted bi-annually by UNHCR.⁴⁹

These surveys provide valuable information about living conditions of IDPs, such as in relation to their socioeconomic needs, their employment and housing situation, as well as future intentions. However, the collection of more comprehensive data that systematically compares the living conditions of IDPs with the

⁴⁵ Methodological regulations on organization of the state statistical observation «Households Living Conditions Survey» approved by SSSU decree 373 of December 23, 2011, Abstract 3.2, P.13. -- URL: http://www.ukrstat.gov.ua/metod_polog/metod_doc/2019/168/mp_ouzh_dg.pdf

⁴⁶ Link to be added

⁴⁷ National Monitoring System Report on the Situation of Internally Displaced Persons in Ukraine: Rounds 1 – 17 / IOM (2016-2020). – URL: <https://www.iom.org.ua/en/periodicals>

⁴⁸ REACH Resource Centre, Ukraine. – URL: <https://www.reachresourcecentre.info/country/ukraine/theme/multi-sector-assessments/>

⁴⁹ UNHCR - Ukraine 2019 Participatory Assessment, - URL: https://www.unhcr.org/ua/wp-content/uploads/sites/38/2019/08/2019-08-19-PA_ENG.pdf

wider population, such as through a census, would facilitate an examination of progress towards achieving durable solutions.

d. Population movement tracking systems in Ukraine

There is a population movement tracking system in Ukraine in the form of the IOM's NMS, referred to above in sub-section b. In 2016, IOM began to conduct this quarterly survey to examine various aspects related to the living conditions of IDPs in Ukraine. The aim of the NMS is to collect and analyze information on the socio-economic characteristics of IDPs and their households, as well as the challenges they face. The NMS is based on the Displacement Tracking Matrix (DTM) approach designed by IOM at the global level.

e. Additional data sources

It is apparent that no single data source in place in Ukraine can provide all the information required to assess the extent to which durable solutions have been achieved by IDPs, using the criteria of the Inter-Agency Standing Committee (IASC), as well as basic demographic indicators to compare the situation of IDPs with that of the non-displaced population.

The IRIS acknowledges that “big data” could serve as an additional source of statistics on internal displacement. Big data enables the localized calculation of stocks and flows of IDPs and the observation of recent trends, often before official statistics are published.⁵⁰ International organizations have also recognized the importance it could play in displacement-related issues. In 2017, the Global Pulse and UNHCR prepared a white paper entitled “Social Media and Forced Displacement: Big Data Analytics & Machine-Learning” to explore the viability and value of social media analytics to strengthen our understanding of the Europe Refugee Emergency.⁵¹ A publication by the World Bank analyses the potential of big data analytics to improve responses to forced migration.⁵²

In addition to the expertise and lessons learned in the use of big data at the international level, there is also potential to draw upon existing knowhow in Ukraine. The experience of the government’s use of big data is reflected in part by studies conducted to analyse its potential for the generation of official statistics generally⁵³ and in research related to labour migration.⁵⁴ The Ministry of Digital Transformation of Ukraine, which was established in August 2019, is the focal point of the government’s efforts to foster a national digital transformation, particularly through the mobile phone app and related services known as *Diia* (meaning ‘Action’).⁵⁵ This Ministry could be a valuable partner in efforts to strengthen the collection and analysis of statistics on IDPs in Ukraine through the use of big data.

50 (PDF) Human migration: the big data perspective (researchgate.net)

51 White Paper Social Media 3_0.pdf (reliefweb.int)

52 <https://documents1.worldbank.org/curated/zh/133101525401238750/pdf/125933-WP-3-5-2018-10-50-50-WBGBigDataFMSweb.pdf>

53 <https://su-journal.com.ua/index.php/journal/article/view/157>

54 Big Data Potential Assessment for The Study of Labor Migration. Ptoukha Institute for Demography and Social Studies of the National Academy of Sciences of Ukraine. Kyiv. 2019. <https://dse.org.ua/arhive/35/13.pdf>

55 ‘Ukraine’s digital skills drive: Q&A with Mykhailo Fedorov’, The UN specialized agency for ICTs. <https://www.itu.int/hub/2021/11/ukraines-digital-skills-drive-qa-with-mykhailo-fedorov/>; Ministry of Digital Transformation: <https://thedigital.gov.ua/>

7. VARIABLES AND TABULATIONS

The IRIS proposes variables and tabulations for the various categories of persons that fall within the internal displacement statistical framework to provide more detailed information about the data that should be prioritized for collection. These variables and tabulations will vary at the national level depending upon the type of data collected, the data sources and the statistical capacity of the country. Variables recommended by the IRIS are already prioritized for collection in Ukraine.

The IRIS defines a list of variables and tabulations that correlate to the various categories of persons in the statistical framework on displacement. These variables and tabulations provide quantitative and qualitative information about IDPs and IDP-related populations in locations of displacement, locations of return and other settlement locations. The IRIS emphasizes that the statistical information collected will vary depending upon the national context; and the list of variables and tabulations is not exhaustive.⁵⁶ The IRIS proposes that the following information should be collected where possible: a) basic classification variables; b) both inflows and outflows of IDPs and IDP-related populations; c) stock of IDPs and IDP-related populations (including basic stock statistics and basic progress statistics)⁵⁷.

The UID provides a wide range of information about the socio-demographic characteristics of those people who have received a certificate of registration as an IDP in Ukraine. This includes information on the current location of IDPs by oblast (region) and district, as well as the location from which they were displaced (Luhansk and Donetsk oblasts, Crimea and the city of Sevastopol). The data collected for the UID allows for the calculation of aggregate estimations at oblast and district levels for the following:

- number of persons;
- number of households;
- proportion of males and females;
- number of children (under 18 years);
- persons of working age;
- persons looking for an employment;
- persons with disabilities;
- persons of retirement age;
- persons receiving social assistance;
- families receiving social assistance;
- large families;
- families of single parents.

Upon registration, each IDP receives a physical certificate and one online in *Diia* (the mobile phone application through which state bodies provide services), which contains the following information:

- name, surname and patronymic;
- citizenship;
- date and place of birth;
- sex;
- place of birth and birth registration;
- place of residence (before displacement);

⁵⁶ International Recommendations on Internally Displaced Persons Statistics (IRIS), Chapter 5 (A), Para 173-175, p.57

⁵⁷ International Recommendations on Internally Displaced Persons Statistics (IRIS), Chapter 5, Para 176, p.57

- place of IDP registration;
- place of actual residence (after displacement);
- address for official correspondence;
- social category (working capacity);
- circumstances that caused displacement;
- the presence of disability (and which group), the need for rehabilitation and recreational needs;
- information about level of education;
- information about employment (duration);
- identification in Oschadbank (account details with the bank);
- information on border crossing;
- application status (valid/not valid).

Overall, the collection of data by official sources in Ukraine in relation to IDPs is comprehensive and encompasses those variables and tabulations set out in the IRIS.

8. COORDINATION

As the IRIS points out, the production of high-quality official statistics calls for effective coordination among national, subnational and international actors. This section provides an overview of the existing coordination processes for data collection in Ukraine, and explores how these could be strengthened.

While extensive work has been done in terms of collecting statistics on IDPs in Ukraine since 2014, there is no single coordination body responsible for producing harmonized official statistics in relation to internal displacement. Similarly, Ukraine does not presently have a formal mechanism of coordination among relevant stakeholders. Effective coordination between relevant actors is important if the data produced is to be accepted as reliable, consistent and of high quality.

The IRIS recognizes that “data on IDPs are collected by a variety of agencies – national authorities, international organizations and non-governmental organizations (NGOs) – using administrative sources, surveys, censuses, new data sources and other field-based operational methods”⁵⁸. The IRIS emphasizes the importance of any official statistics available that relate to the internal movement of the population. The IRIS elaborates further: “Official statistics are produced by the government bodies, ministries, departments and agencies. These bodies together comprise the national statistical system (NSS). The NSS usually has a national statistical office (NSO) with responsibility for official statistical standards.”⁵⁹

While extensive work has been done in terms of collecting statistics on IDPs in Ukraine since 2014, there is no single coordination body responsible for producing harmonized official statistics in relation to internal displacement. Similarly, Ukraine does not presently have a formal mechanism of coordination among relevant stakeholders.

In Ukraine, the development and implementation of national policy in the field of statistics is the responsibility of the State Statistics Service of Ukraine (SSSU). The SSSU is “a specially authorized central executive body in the area of statistics, whose activities are directed and coordinated by the Cabinet of Ministers of Ukraine”⁶⁰. In parallel, the Ministry of Social Policy of Ukraine is responsible for managing the database of registered IDPs in Ukraine, the largest and principal source of data on IDPs in the country.⁶¹ The Ministry with responsibility for IDPs overall is the Ministry for Reintegration of Temporarily Occupied Territories (MRTOT). According to the regulations of the Cabinet of Ministers of Ukraine, the main tasks of the MRTOT involve: “Ensuring the formation and implementation of state policy on internally displaced persons from the temporarily occupied territories of Ukraine and citizens of Ukraine who left their place of residence in the temporarily occupied territories of Ukraine as a result or to avoid the negative consequences of armed conflict and/or temporary occupation of Ukraine and moved abroad (hereinafter – persons who have moved abroad), promoting the realization of their rights and freedoms and creating conditions for the voluntary return of such persons to their abandoned place of residence or integration at a new place of residence”.⁶²

⁵⁸ International Recommendations on Internally Displaced Persons Statistics (IRIS), Chapter 6, Para 191, p. 63

⁵⁹ International Recommendations on Internally Displaced Persons Statistics (IRIS), Chapter 7, Para 310, p. 83

⁶⁰ Resolution of the Cabinet of Ministers of Ukraine «On Approval of the Regulations on the State Statistics Service of Ukraine», para 1. – URL: <https://zakon.rada.gov.ua/laws/show/481-2014-%D0%BF#Text>

⁶¹ Resolution of the Cabinet of Ministers of Ukraine «On Approval of the Procedure for Creation, Maintenance and Access to Information of the Unified Information Database on Internally Displaced Persons», para 14. – URL: <https://zakon.rada.gov.ua/laws/show/646-2016-%D0%BF#top>

⁶² Resolution of the Cabinet of Ministers of Ukraine «Some issues of the Ministry for Reintegration of Temporarily Occupied Territories». – URL: <https://zakon.rada.gov.ua/laws/show/376-2016-%D0%BF#Text>

The use of all data sources outlined in the IRIS is important, given that no single data source can provide all the information required in relation to all the criteria of the Inter-Agency Standing Committee (IASC) and provide basic demographic indicators to enable a comparative analysis of IDPs and the non-displaced population, as well as a foundation for cross-checking. In Ukraine, three separate central executive authorities are currently engaged in managing and utilizing information in relation to IDPs, as well as the coordination of the government's response. This function would be better served if there was a single national unit with responsibility for overall coordination. Alternatively, an efficient coordination mechanism among existing stakeholders needs to be developed and supported through any necessary legislation.

9. CONCLUSIONS

Legal and policy frameworks: The paper provides a comparison between the definition of an IDP in the UN Guiding Principles on Internal Displacement and that in the legislation of Ukraine, and determines that the essence of the UN definition is reflected in Ukrainian legislation. However, the legal status of an IDP in Ukraine is conferred only to those who have registered as IDPs with the Government of Ukraine. Therefore, the fact of being registered as an IDP forms the basis for compiling official statistics. However, some of those registered as IDPs are residents of the non-government-controlled areas of the country who are not displaced but are compelled to register as IDPs in order to access pensions and welfare payments from the Government of Ukraine.

The authors comparatively explore the concepts of *habitual* and *usual* residence in the way that these terms are used in various instruments of international and national law, standards and guidelines. As the IRIS explains, this is important because non-citizens may only have a habitual residence but may still be entitled to IDP status in the country in which they reside. Various normative legal acts of Ukraine use different concepts for identifying the usual and habitual place of residence in the context of displacement. It would be helpful if both these terms were clearly defined for their usage in legislation, policy and practice in Ukraine, and that these definitions were in line with international standards and practice, as enshrined in the IRIS.

Developing a statistical framework: Various sub-categories of IDPs included within both national and IRIS statistical frameworks for the analysis of internal displacement are examined, with a view to facilitating in the development of a statistics framework that is suited to the context of Ukraine but is also globally comparable. Currently, the legally based categorization of IDPs and IDP-related groups in Ukraine is limited, and these distinct groupings cannot be identified in the official statistics. A detailed understanding of the categories of people affected by armed conflict and displacement, and disaggregated data about those in each category, would greatly facilitate more targeted responses. The paper also examines variables and tabulations that the IRIS suggests as helpful for the challenging task of collecting detailed information about IDPs. Overall, the collection of data by official sources in Ukraine in relation to IDPs is comprehensive and encompasses those variables and tabulations set out in the IRIS.

Key vulnerabilities and durable solutions: The paper discusses the development of criteria and indicators that can be used to measure the progress of IDPs in achieving durable solutions such that key displacement-related vulnerabilities may be overcome. The situation of Ukraine is examined in the context of the IASC Framework on Durable Solutions for IDPs, which represents the key guidance document in identifying displacement-related vulnerabilities and developing associated criteria. The authors conclude that developing and implementing criteria that are effective in monitoring key displacement-related vulnerabilities in order to support the achievement of durable solutions is extremely challenging. Both national and international actors, including members of the IRWG, could usefully provide further technical assistance and support in this regard, in collaboration with relevant ministries and departments of the Government of Ukraine.

Data sources and coordination: The main potential sources of data that are outlined in the IRIS are examined, some of which are currently employed in Ukraine; others could potentially be used in the future. The data sources discussed include: census, government sources, sample household surveys, population movement tracking systems and big data. As the IRIS points out, the production of high-quality official statistics calls for effective coordination among national, subnational and international actors. In Ukraine, three separate central executive authorities are currently engaged in managing and utilizing

information in relation to IDPs, as well as the coordination of the government's response. This function would be better served if there was a single national unit with responsibility for overall coordination. Alternatively, an efficient coordination mechanism among existing stakeholders needs to be developed and supported through any necessary legislation.

10. RECOMMENDATIONS

The technical working group on the implementation of the IRIS in Ukraine (IRWG) would like to propose to its partners within the Government of Ukraine, as well as other key stakeholders, the following recommendations. A concerted effort was made to prioritize recommendations which make use of existing systems, and strengthen them where possible, rather than propose entirely new approaches or solutions. It should be noted that the IRIS provides only the key variables and tabulations recommended as a basic set of tools for IDP statistics. The IRIS recommends that countries which can do more, should do so.

Based on the analysis and recommendations outlined in this report, members of the IRWG will develop a Roadmap for the implementation of the IRIS in Ukraine; and then share these proposals with key governmental stakeholders for their consideration.

1. It is important to collect data on IDPs that is statistically comparable with the national population in order to measure progress towards durable solutions. It is recommended that the potential should be examined of adapting one of the national data collection tools, such as the Households Living Conditions Survey of the SSSU, for durable solutions analysis. As far as possible, national instruments should be prioritized; and a comprehensive examination of the potential to use existing instruments would facilitate the development of the Roadmap. Another option might be the launch of the national IDP survey. To provide the most efficient change management in this regard, the alleged national IDP survey might be piloted (methodology development and data collection) within an international project first and afterwards be included into the national scope.
2. The forthcoming national census in Ukraine provides an opportunity to compare the census data with the Database on IDPs, facilitating the identification of inclusion/exclusion errors (i.e., those people included in the statistics who should not be; and those who not included but should be). To make this possible, the census would newly include questions capturing respondents' migration history (including 'forced migration' as a response option). This might usefully include an exploration of the reason for migration, as an alternative to more direct questioning (e.g., 'have you ever been forced or obliged to flee?') or self-identification as an IDP. Such an approach would also facilitate the provision of disaggregated data in relation to the IDP population, such as location and demographic information; and on basic classificatory variables, such as number of times displaced, which would be difficult to capture otherwise. Ideally, the survey instrument should cover all ten indicators needed for the IRIS solutions measure. If required, the IRWG could provide technical advice and input into the development of the questionnaire.
3. Whenever possible, the collection of information about IDPs should be incorporated within existing national statistical systems. EGRIS prioritizes the inclusion of displaced populations within national statistical systems and setting up a parallel survey series for IDPs undermines that goal. If necessary, national surveys can be complemented with a booster sample if the default sample size is insufficient in providing an adequate number of IDPs to produce reliable statistics.
4. Although the fourth category of IDPs referred to in the Analytical Paper (in section 4) - those who have overcome key displacement-related vulnerabilities - are not a primary concern for these Recommendations, IRIS still recommends reporting on them as a separate statistical category (see IRIS Figure 3.1).

5. Engagement with the Ministry of Digital Transformation is recommended, in order to learn more about the Government of Ukraine's experience in the use of big data and how it may be used to strengthen to production of official statistics generally.
6. It is recommended that the potential be explored to use additional data sources for the purposes of collating official statistics on IDPs in Ukraine. For example, the Pension Fund of Ukraine has a centralized database of people receiving pensions, including IDPs, and information on the accrual of such benefits. However, the Pension Fund of Ukraine does not collect information about the physical receipt of pension benefits by IDPs, nor on the time and place of receipt. Oschadbank could potentially be a source for such information, given that since 2018 the bank has issued bank cards to IDPs in order that they can access their pensions.
7. Varying understandings and definitions of 'usual' and 'habitual' place of residence are used in normative legal acts of Ukraine in the context of displacement. It is recommended that each of these terms be clearly defined for their usage in legislation, policy and practice in Ukraine; and that these definitions are in accordance with international standards and practice, as enshrined in the IRIS. If it would be helpful, the IRWG should propose a definition that would be suitable for use in the context of displacement in Ukraine.
8. Information collated for the Unified IDP Database (IUD) of Ukraine involves the collection and accumulation of data on the needs of IDPs, but this apparently does not function properly in practice. It is recommended that the IRWG explore why this is the case and provide technical advice on strengthening it.
9. In collaboration with EGRIS sub-group 3, the IRWG should explore how Ukraine might conduct systematic analysis of the vulnerabilities of IDPs in comparison with the wider population in Ukraine, based upon IRIS criteria. This would facilitate the development of indicators to measure the extent to which IDPs have overcome displacement-related vulnerabilities. This in turn would enhance our understanding of what represents a durable solution in the Ukrainian context. Furthermore, there is a need for a government-endorsed definition of a 'durable solution' in the Ukrainian context, which is based upon international norms and principles.
10. It is recommended that the State Emergency Service of Ukraine (SESU) be invited to participate in the IRWG, alongside the other government entities represented. The SESU are responsible for responding to, and reporting on, "natural or human-made disasters" and may have data on evacuations and housing destruction, which can be used to estimate displacement flows (including new displacements).
11. It is recommended that in future the IRWG examines SESU data and analysis in addition to the sources currently being used. For instance, SESU data would probably provide some basic inflow statistics (in relation to disasters) that the UID currently does not.
12. While SESU may have flow data, it is unclear if the agency has stock data as well, which we would recommend be collected as well. This may take the form of simple solutions such as the extrapolation of stock data using UID data (e.g., based on destroyed housing) to more complex solutions such as the creation of a registry of those displaced by disasters.
13. If the IRWG does not have the capacity to map out what is available on disaster displacement data, IDMC (a member of EGRIS) has offered to prepare a short report outlining:
 - the type and scope of information available from SESU;
 - the ways this data can be used for the purposes of IDP statistics;

- recommendations to SESU (e.g., distinguishing between destroyed and damaged housing, or between wildfires and domestic fires); and
- recommendations on how to integrate SESU data into the overall IRIS implementation Roadmap. This could include recommendations on whether (and how) to integrate disaster displacement into Ukraine's UID; or whether it would be better to develop a separate database for this.

14. While extensive work has been done in terms of collecting statistics on IDPs in Ukraine since 2014, there is no single coordination body responsible for producing harmonized official statistics in relation to internal displacement. Similarly, Ukraine does not presently have a formal mechanism of coordination among relevant stakeholders. These functions would be better served if there was a single national unit with responsibility for overall coordination. Alternatively, an efficient coordination mechanism among existing stakeholders needs to be developed and supported through any necessary legislation.

Appendix 1

Categories of individuals among those eligible to be registered as an IDP, according to the Cabinet of Ministers of Ukraine (Resolution “On Registration of Internally Displaced Persons”)

- An adult with a registered residence in the territory where and when the event resulting in displacement occurred;
- A minor (under 18 years of age) or an incapacitated person or a person whose legal capacity is limited (through a legal representative with an application for registration) registered in a residence in the territory where and when the event resulting in displacement occurred;
- Persons who have served (or are serving) sentences in places of imprisonment and have a registered residence in the territory where and when the event resulting in displacement occurred;
- Military servicemen (except for commissioned officers and those serving through conscription) who, while serving in the military, had a registered residence in the territory where and when the event resulting in displacement occurred;
- Students and pupils of vocational schools who were registered in a residence in the territory where and when the event resulting in displacement occurred and who have moved from one of the following regions: the temporarily occupied territories in Donetsk and Luhansk regions; the Autonomous Republic of Crimea and the city of Sevastopol; settlements in which public authorities temporarily do not exercise their powers; and settlements that located on the line of contact;
- Students who have obtained a certain level of education while their registered residence was in a dormitory, and after deregistration have the right to receive a certificate if they do not want to return to their previous place of residence due to an event there that caused displacement;
- Persons whose dwellings have been destroyed or are uninhabitable as a result of an anti-terrorist operation or other measures to ensure national security and defense, and repel and deter armed aggression of the Russian Federation. Evidence for this is to be provided through an official inspection of the technical condition of the dwelling.
- Minors (under 18 years of age) who have received a passport as a citizen of Ukraine, regardless of any registration of residence, if their details are being held in the Unified Information Database of IDPs.