

Emergency response to the war in Ukraine: The role of state and non-state actors in supporting IDPs

Kristine Bdoyan,* *Yevgen Gerasymenko*,** *Volha Khvasevich*,***
*Oleksandr Kyselov***** and *Nuno Oliveira******

Abstract: *War has broken out in Europe once again, threatening the peace of nations and their people. The Russian Federation, on 24 February 2022, invaded the territory of Ukraine, starting a full-scale armed conflict that triggered serious repercussions for the civilian population. This study aims to investigate the emergency response to the initial wave of internal displacement through analysis of what humanitarian aid was supplied by state and non-state entities according to the obligations accepted and the situation on the ground. The data was collected by scrutinising reports, articles, regulatory acts and other relevant publications. Interviews with experts and internally displaced persons were conducted to generate insights and validate findings. The investigation highlights the insufficiency and lack of capacity of the Ukrainian state response in providing essential assistance to Internally Displaced Persons (IDPs), and reveals the obstacles to people's movement as they searched for security. Civil society, in its turn, maintained an essential role in the humanitarian response, providing their possible assistance and solutions wherever the state failed. The lack of coordination of the existing means and the lack of empowerment of civil society organisations did not facilitate the necessary emergency, as*

* BA in Oriental Studies, Arabic Studies (Yerevan State University); MA in Human Rights and Democratisation (Global Campus Caucasus); krisvbdoyan@gmail.com

** Specialist in Law (Taras Shevchenko National University Of Kyiv); PhD in Law (Taras Shevchenko National University Of Kyiv); Doctor, Associate Professor and Deputy Director, Educational and Scientific Institute of Law (Taras Shevchenko National University Of Kyiv); y.gerasymenko@gmail.com

*** BA in Economics (Belarus State Economic University), MA in Human Rights and Democratisation (Global Campus Caucasus); olya.khvasevich@gmail.com

**** BA in Management (Donetsk National University); MA in Human Rights and Democratisation (Global Campus Caucasus); MA student in International Migration and Ethnic Relations (Malmö University); kyselov.oleksandr@gmail.com

***** BSc in Environmental Health (Coimbra Health School); BSc in Engineering in Health and Safety at Work (Coimbra Health School); MSc in Management and Environmental Policies (University of Aveiro); MA in Human Rights and Democratisation (Global Campus Caucasus); nunnusalyvmedis@gmail.com

the most needy were even more vulnerable under conditions where lines of communication were scarce. Tentative recommendations on strengthening the response capacities include adoption of the binding international covenant, detailing emergency provisions in the domestic law, granting power to a focal point for IDP protection, and facilitating administrative arrangements that empower the population and the Civil Society Organisations (CSOs) alike.

Keywords: *Internally Displaced Persons; Humanitarian Relief; Responsibility to Protect; Emergency Response; Conflict; War; Ukraine*

1. Introduction

Starting on 24 February 2022, the Russian invasion produced an unparalleled humanitarian disaster throughout Ukraine. In its early stages, an estimated 11 million people were forced to leave their homes and seek refuge elsewhere. While some civilians were able to move on their own, many others were not due to military action, high levels of hostilities, destruction of infrastructure or insufficient means of evacuation. Therefore, many tried to reach out to civil society requesting assistance in leaving areas that were under siege or imminent threat. Even with the few resources that were available, NGOs and volunteers did their best to assist those in need, even at the cost of putting their own lives at high risk (GPC 2022).

The relevance of ongoing war in one of Europe's largest countries is fundamental, as this is the most prominent example of how civil society, (I)NGOs and the international community respond to unprecedented and extensive humanitarian challenges. It is worth noting that similar patterns can be seen in virtually all post-USSR countries that have faced challenges to their territory, and hence their identity, since their inception. Accordingly, these circumstances of extreme emergency will exemplify how government unpreparedness can contribute to a humanitarian disaster despite the presence of outside help: help that should have been of a voluntary character, rather than vital. This final notion applies to all countries that have lately been involved in war circumstances.

Following the Second World War, security concerns and the necessity to devise strategies for tackling millions of displaced people precipitated a radical shift, that is to say, the establishment of the international and global refugee regime, at the heart of which was the Convention Relating to the Status of Refugees (1951) and its Protocol (1967).

The situations that have occurred in the recent decade have highlighted the necessity for yet another paradigm change in order to successfully avoid and respond to the plethora of internal conflicts and also the new forms of threats deriving from the reality of globalised society.

Displacements have been identified as one of the most significant humanitarian issues at present. Despite the fact that the number of IDPs is drastically increasing nowadays, their misery remains mostly unknown and ignored. IDPs are forced to withdraw from their residences due to armed offences and human rights violations. However, the fact that they remain in their country has serious implications for the level of protection available to them. These people are not just the poorest, but, at the same time, the most vulnerable group of people as they confront personal (namely, physical safety) issues, and a lack of access to health, food, water, and many other services (Krasno 2004, 55–58).

This research aims, in particular, to touch on the challenges in the lives of displaced persons, and to give an objective assessment of the initial relief efforts and capacities to provide such by the state of Ukraine, as well as of the response of the civil society, in the first months of the emergency. After establishing a benchmark for minimal protection standards, this paper will review the pre-war protection mechanism, and outline the background of the displacement as a starting point. Finally, the actions of the state and non-state actors, or absence thereof, will be evaluated, to reach conclusions on their preparedness and their capacity to identify and respond to the needs of IDPs.

1.1. Methodology

In order to carry out this study, data was collected from publicly available legal repositories, reports of humanitarian organisations, media outlets, and news archives of public agencies. To fulfil the aims and formulate the recommendations, the following aspects were examined:

1. the international and regional standards in regard to internal displacement, as well as the corresponding legal basis and state regulation mechanism in Ukraine;
2. the practical response of the state to the situation of emergency, as well as the reaction of civil society in the two months after the outbreak of war;
3. the most urgent needs of IDPs as seen or perceived at the time by different actors.

Six interviews were conducted with persons involved in the humanitarian response and/or having the capacity to provide an assessment of such; all of them, naturally, had a personal experience of displacement at some point. Brief background descriptions of the respondents are presented in the appendix. All interlocutors were informed about the aims of the research and the purpose of their involvement, and were assured of the confidentiality of their testimonies. Due to limited time and resources, a convenience sampling method was utilised, yet with regard for the

maximum available variation. Interviews became a valuable basis for cross-referencing the perceptions of IDPs in the field, and for enriching the data with the empirical perspectives of the practitioners and witnesses.

2. General overview of the IDP protection system and its implementation in Ukraine

2.1. General protection standards review

The United Nations Guiding Principles on Internal Displacement (Guiding Principles), the foundational document in the field of IDP protection, is not binding per se. Instead, its authority is based on the existing provisions of international human rights and humanitarian law, which it essentially restated in a way to better articulate the needs of the displaced (Kálin 2005, 33). In addition, the progressive hardening of IDP law can be seen in the wide recognition of the concerns raised in the Guiding Principles and their incorporation into domestic Ukrainian legislation and binding regional treaties (Cantor 2018, 217; Orchard 2010, 303).

At the regional level, the European Convention on Human Rights (ECHR) and its protocols are believed to be “a highly effective tool for the protection of IDPs in Europe”, while “the obligations undertaken by the Council of Europe member States [...] go beyond the level of commitments reflected in the UN Guiding Principles.”¹ Nonetheless, the Council of Europe Committee of Ministers also recommends that member states follow the Guiding Principles, as well as other relevant international instruments of human rights or humanitarian law to shape their response mechanisms².

The Government of Ukraine, besides being a party to ECHR and one of the addressees of the aforementioned Recommendation, also explicitly declared its support by endorsing the Guiding Principles at the 2005 World Summit, and re-affirmed them in consensus decisions adopted by the Organisation for Security and Cooperation in Europe (OSCE).

As well as recognition, another important matter concerns the implications that IDP rights have at the ground level, as understanding of the particular steps and priorities could vary significantly, lack implementation mechanisms, or address only some of the relevant issues (Ferris 2011, 270–85; Kálin 2019, 1). Keeping in mind the crucial role of (I)NGOs and UN structures in the promotion of the Guiding Principles (Orchard 2010, 281),

1 Explanatory Memorandum to the Recommendation (2006)6, CM(2006)36-add.

2 Recommendation of the Committee of Ministers to member states on internally displaced persons Rec(2006)6.

it is worth examining the publications prepared with their participation. The Framework for National Responsibility (Brookings-Bern Project 2005) clarifies the scope of expectations in crafting effective response systems and sets measurable benchmarks for addressing the displacement. The Manual for Legislators and Policymakers (Brookings-Bern Project 2008) suggests a list of the minimum essential elements of state regulation for addressing internal displacement. The Handbook for the Protection of Internally Displaced Persons (GPC 2010) compiles the experiences of different humanitarian actors across the world for better understanding of the IDP protection goals and their operationalisation on the ground.

Some of the essential steps would be recognising IDP rights (including the right to decent shelter), ensuring their ability to escape to safety, designating a responsible focal point, collecting and maintaining statistics on their needs, allocating funding or seeking and accepting support from the international community, establishing procedures for identification and prioritisation, removing legal obstacles, and following best practice (Brookings-Bern Project 2008, 132; GPC 2010, 10; Kálin 2014a, 3; Kálin 2014b, 620). However challenging it could be to accommodate people's needs in the event of a large-scale displacement, at least minimum requirements have to be fulfilled (GPC 2010, 239).

For the purpose of this study, the elements of delivering a minimally effective emergency response were grouped into a benchmark against which the state's preparedness and success will be evaluated. The criteria were summarised as freedom of movement and escape, availability of shelter and social support, identification and needs assessment, coordination of response (including information exchange), and seeking and enabling help when failing.

2.2 IDP protection system in Ukraine before 24 February 2022

Ukraine's existing IDP protection mechanism was aimed at dealing with the aftermath of the military conflict in the east of the country and Russia's annexation of Crimea. The IDP Law³ was adopted in 2014 in response to a massive wave of displacement, primarily from the conflict-torn areas of Donetsk and Luhansk oblasts (provinces). The Law, *inter alia*, (1) set the definition of IDP, (2) detailed the registration procedure, (3) entrusted local authorities with housing provision, and (4) underlined that any permanent or temporary accommodation has to have appropriate conditions.

3 Law of Ukraine #1706 - VII (2014) "On Ensuring the Rights and Freedoms of Internally Displaced Persons".

Registration and statistics

IDP registration was regulated by Cabinet of Ministers of Ukraine (CMU) Resolution #509/2014 and required a proof of ties to one of the settlements in the conflict zones listed in CMU Resolutions #1503-r/2014 and #1085-r/2014. The IDP certificate, issued upon successful registration, became essential for access to public services (UN Ukraine 2019, 2). Hence, contrary to international standards, the IDP certificate in Ukraine created a legal status for IDPs with repercussions for IDPs' enjoyment of their rights under national legislation.

The Ministry of Social Policy (MoSP) stored all IDP records in the Unified Information Database (UIDB), however the data on their needs and concerns was absent. Moreover, conditioning any social payments for residents of non-government controlled areas (NGCAs) upon their registration as IDPs in government-controlled areas (GCAs) may have led to a discrepancy between the number of people who were actually displaced and the total number of those registered as such (CoE 2019, 40).

Shelter and social support

Targeted assistance, time-limited but extendable, became the main tool of social support to address IDPs' housing needs. Enacted by CMU Resolution #505/2014, it envisioned monthly payments of about 15 USD⁴ per person (more for children and the disabled) for the initial period of six months. Other policies, more explicitly focused on housing, included state sponsored mortgages and loans, albeit with a limited budget and a number of conditions. The state also encouraged the construction of temporary housing stock by local authorities, co-financing projects and facilitating access to international aid. Given that, even after seven years, only a tiny fraction of the already-present IDPs had received meaningful support from the state-backed programmes (Kyselov 2021, 65), state capacity to provide shelter in case of emergency is rather questionable.

Coordination

Despite the creation of the dedicated ministry, there was no single body for IDP-related issues. Instead, two different agencies were tasked with different responsibilities: MoSP was in charge of the assignment and distribution of the targeted monthly assistance, while the Ministry of Temporary Occupied Territories and Internally Displaced Persons (MTOT) was formally expected to coordinate the overall response to displacement. The latter continuously struggled to fulfil its functions from the date of its very establishment (Kyselov 2021, 64).

4 Here and below, the amounts are calculated based on the exchange rate actual in spring of 2022.

Civil society input

Although the government is considered to be a major actor in the system of protection of IDPs, civil society positioned its strength in dealing with the consequences of military actions, mostly by working on the needs and protection of war-affected populations such as IDPs, veterans and other vulnerable groups. However, assessment of the effectiveness of the response of civil society in the circumstances of a crisis reveals the main limitations, which mostly related to the capacities of organisations and individuals, their lack of cooperation with authorities, and the level of citizens' involvement (Boulègue and Lutsevych 2020, 13–17).

2.3. Contextualising the new wave of displacement and the emergency response

The rapid advancement of the Russian troops from multiple directions centred attention on organising defence. The process of evacuation and accommodation of citizens was hardly under any kind of control. Destroyed roads and bridges, indiscriminate shelling, lack of fuel, power outages and communication problems only added to the difficulties. As early as the first week of the conflict around one million persons had already been displaced, and another twelve million were stranded and at risk, lacking will, resources, information or safe passage (Protection Cluster 2022a, 1). Accounts from one of the major hubs, Lviv, indicate that over fifty thousand were arriving in the city daily at that time (Shelter Cluster Ukraine 2022b, 1–4). Projections prepared by the Shelter Cluster expected over two million IDPs to be in need of shelter and non-food items (NFIs) (Shelter Cluster Ukraine 2022a, 1–3). By mid-March there were already close to 6.5 million IDPs in the country (Protection Cluster 2022c, 1). Family separation, exposure to shelling and restrictions on freedom of movement were named among major protection risks. Humanitarian actors were pointing to the prevalence of some particularly vulnerable groups in the IDP flows, such as children, women at risk, persons with disabilities, and the elderly (Protection Cluster 2022a, 1; 2022b, 1).

The IDP protection system was better prepared for the influx than in 2014, yet it was still hardly sufficient. “IDP” continued to be seen as a status to be granted, rather than a fact-based situation. However, unlike before, there was greater openness and eagerness to cooperate from the state authorities' side, possibly due to the connections established in 2014 and the change of the government in 2019 that elevated many activists into power (Interlocutor C 2022).

Another assessment pointed to the crucial factor of rootedness in the community, that enabled CSOs to receive and disseminate information, facilitate evacuations and distribute necessary supplies. “Having activists throughout the country, we were able to promptly set up a warehouse [in the safer zone]; we knew about the self-help chats in almost every city. The same goes for the trade unions: by being in touch with their membership, they were able to stay informed about local needs and present a concrete list of those” (Interlocutor B 2022). In this capacity, mass-membership organisations were able to act as information brokers, matching those seeking help with those eager to provide such using their accumulated social capital.

On the other hand, the situation revealed the deficiencies of the professional NGOs, which had struggled to re-organise their work, relocate offices, hire and train staff, and, most important, establish contacts in the new locations. “Not everywhere were they glad to see us; sometimes we were treated with suspicion, particularly in Lvivska oblast. Some wanted memorandums, others were promising but not delivering information” (Interlocutor A 2022). Coordination among different actors was also often lacking, leading to duplication. “When we moved to this oblast we started visiting Collective Centres and gathering information, recording data in the Cluster database; now another NGO comes to the region and starts doing the same. Is this really a wise way to spend resources?” (Interlocutor A 2022).

Zeroing in on the non-state actors’ support and protection efforts, it is also possible to examine it at three different levels:

1. INGOs and funds acting in collaboration with national, regional or local NGOs or government.

International Organisation for Migration (IOM), in cooperation with state and local NGOs, launched a program of rehabilitation of damaged buildings of schools, dormitories, hotels and other state property in order to ensure temporary shelter for 1 million IDPs (IOM 2022). The East Europe Foundation collaborated with an established network of more than 500 local NGOs to coordinate relief efforts (East Europe Foundation 2022). Similar schemes were established under UNHCR (2022), UNICEF (2022), ICRC (2022) and other major international actors. Needs assessments were usually delegated to the local offices and their contractors, who conducted field visits to the transition, reception and temporary accommodation centres, border cross points and public offices. The general strategy of INGOs was to provide support to IDPs either directly or in partnership

with the local organisations responsible for implementation. Collaboration with local NGOs and civil society was conducted by delegating them legal and social counselling, distribution and project implementation (UNICEF 2022, UNHCR 2022, ICRC 2022, IOM 2022). The strategy helped to maximise the number of beneficiaries reached and effectively reinforce and complement the national support system. However, in the circumstances of emergency, INGOs were not able to provide a rapid infusion of available resources in the first days and weeks of the war (Stoddard et al. 2022).

2. National, regional or local regional NGOs acting individually.

There is a phenomenon of extremely low involvement of national, regional and local civil society organisations acting under their own names in response to the current IDP crisis, which is not a new tendency for Ukraine. The roots of this are in the low capacity and sustainability of NGOs, their weaknesses in management and citizen outreach, and their reliance on volunteering instead of professional paid labour (Kuts and Palyvoda 2006, 83). Even though citizens of Ukraine express quite a high level of trust in non-governmental civil society organisations, the level of their engagement tends to be low. This established the existing tendency towards individual actions in the community, and avoidance of membership or enrolment in the organisations. This in turn gives the government additional challenges and responsibilities in coordinating the resources of civil society to respond to emergency situations facing IDPs in the most effective way (Democratic Initiatives Foundation 2021). “I was active within the local NGO from time to time, but I wouldn’t say that my war-related actions or volunteering were done on behalf of the NGO. Sometimes I used the NGO’s connections or cooperation with our team. But I would say that my actions were more like individual initiatives.” (Interlocutor F 2022).

3. Actions and initiatives from individual citizens and activists.

From the first days of war, Ukrainian society showed enormous solidarity and the great capacity of human capital, as well as of collaboration and acting collectively. “The solidarity in the society was enormous from the first minute of war. It was a phenomenon I have never experienced in my life before” (Interlocutor E 2022). From the scope of the civil society actions in the circumstances of the war, individual initiatives became the main and the strongest pillar of the first emergency response for ensuring security and support for IDPs. As means of coordination of the support of IDPs, a network of Telegram channels and Facebook groups and chats was established. Additionally, word of mouth became a tool of providing

support and searching for people. “Usually people from different regions, situations, background and age contacted me to ask what help I could provide. I don’t actually know how exactly they got the information. Someone communicated my initiative to others. I didn’t have to promote it at all, even though there were a lot of activists in every region” (Interlocutor D 2022). The rise and strength of these phenomena might be grounded in the empathy-based altruistic behaviour that is a consequence of traumatic events (De Waal 2008), and in the strong trust-based horizontal networks that typically characterise civil society in Ukraine (Kuts and Palyvoda 2006, 83). Moreover, the concept that violence has affected a part of the population produces strong inner motivations to support and host displaced people and refugees (Hartman and Morse 2020). It may also explain the additional human capital formed from IDPs supporting evacuations from conflict-affected areas, the provision of shelter for displaced people, and involvement in collective actions and volunteering. “The school where we lived after evacuation was at the same time the volunteering centre. Voluntarism helped a lot to cope mentally with the situation of war and evacuation. It was not ‘obligatory’ to volunteer, everyone could just use the school as a shelter. But every day almost all the inhabitants tried to do as much as possible as volunteers” (Interlocutor E 2022). Within the volunteering movement a strong tendency was observed that those who most suffered from the war helped and contributed the most too (Interlocutor F 2022).

3. Challenges to the protection of IDPs in cases of conflict-induced emergency

3.1. Right of free movement and escape

The United Nations (UN) and the International Committee of the Red Cross (ICRC) attempted to convince both sides of the conflict to reach an agreement on the need to establish humanitarian corridors, in order to reduce the suffering of civilians and comply with international humanitarian law. These corridors are a means of bringing essential goods such as food, water and other supplies when cities are under siege. In cases of humanitarian disasters where the international law of war is violated, for example through large-scale bombings of civilian targets, humanitarian corridors provide relief (Global Protection Cluster 2022).

The Adviser to the Head of the Office of the Ukrainian President Volodymyr Zelensky, Mykhailo Podoliak, reported on 3 March 2022 that negotiations had been held with representatives of Ukraine and Russia, where the sides had agreed on the establishment of humanitarian corridors. This agreement

came out of the second round of ceasefire talks that took place in Belarus. On the 5th and 6th of March, evacuations from the cities of Mariupol and Volnovakha were agreed for limited periods of time. However, these initiatives failed: Mariupol city council accused Russian troops of continuing to bombard the city; the Russian side, on the other hand, claimed that the corridors set up near Mariupol and Volnovakha had not been used and it was “nationalists” who prevented civilians from escaping, while Russian troops also came under fire during the cease-fire (Blair and Prentice 2022).

As can be observed from the experts’ interviews in the appendix, there were effectively no evacuation plans in place: what was done ad hoc was either completely unregulated or steered manually. Neither a proper information system nor a technical base and supplies were prepared. “Highways were jammed on the exit but completely free on the other side; why not open those lanes in the reverse direction?” (Interlocutor C 2022). He continues: “Until 1 March, bridges were blown up without any notice. It was not until people arrived there that they learned about that, facing a choice either to look for a way around without any certainty that another bridge is intact, or get back.”

Free trains supplied by Ukrzaliznytsia, a national railroad operator, became the main tool of facilitating evacuation at the country-wide scale. In smaller towns, buses were procured by the local authorities to drive people to the nearest railroad hub (Interlocutor A 2022). Initially, the information was not always properly disseminated: “We were able to receive up-to-date information regarding evacuation trains through the transport union” (Interlocutor B 2022). Given the power outages and telecommunication failures, it was highly doubtful that details on evacuation available on the internet were readily accessible for those in the direst need. Also, despite evacuation being conducted free of charge, ticket sales did not stop, at least for some period, misleading some people; and those who purchased tickets neither got any boarding preference, nor a reimbursement (Interlocutor C 2022). At the peak of the clashes trains were overcrowded, up to four times over their capacity (Interlocutor B 2022); boarding priorities became more common, but at times led to family separations. The most vulnerable were often left behind: when social workers stopped coming, they could not reach train stations themselves, but neither could they live on their own in the standard collective centres, so the only choice was to desperately look for volunteer help or, if unlucky, stay home and hope to survive (Interlocutor A 2022).

3.2. Shelter and social support

Access to social protection is essential for IDPs in order to be able to enjoy an adequate standard of living while displaced. As early as 25 February 2022, a provision was made to ensure the continuation of pensions and social payments during martial law; two weeks later it was decided that in the event that local departments were unable to perform their duties processing of such payments would be done by the central office (MoSP 2022a). From 2 March, any remaining value on E-Pydtrymka cards (the state-funded bonuses for COVID-19 vaccination) could be used for any purpose (Fedorov 2022a). The announcement made on 8 March clarified that all social payments would be extended automatically for the duration of martial law and one month beyond that (MoSP 2022b).

From 8 March, those who lost jobs due to the war could apply for a one-time payment of about USD 220 (Fedorov 2022b). By the end of the month over four million such applications had been received (Ministry of Digital Transformation 2022a). Two weeks later, the government launched a program of temporary monthly support for IDP hosts in the amount of about USD 15 per person per month, certainly a step in the right direction, albeit not enough to cover the utilities of a typical apartment. On 22 March the old CMU#505/2014 on IDP assistance was discontinued. Instead, IDPs became eligible for an increased amount of monthly targeted support for living costs varying between USD 70–100.⁵

By the end of March, UNHCR in cooperation with Ukrainian authorities had rolled out a program of cash-assistance: about USD 70 per month for three months, with the expected number of its beneficiaries projected as some 360,000 IDPs (MTOT 2022a). Initially one of the primary components of NGO activities (later grouped around CASH Cluster, coordinating structure for cash assistance), it was however not without its issues, as UNHCR's "Progress" software quickly became overwhelmed and started failing or lagging (Interlocutor A 2022). On the next step, efforts were joined with the central government so that IDPs already registered did not have to repeat the procedure.

Displacement flows were mainly directed to the central and western parts of the country, with Dnipro, Vinnitsia and Lviv quickly becoming the largest recipients of IDPs per capita (Shelter Cluster Ukraine 2022a, 1–3). At the beginning, many IDPs were accommodated in make-shift facilities deployed at schools, gyms, dormitories, kindergartens, even churches, often supported

5 CMU Resolution #332/2022.

by volunteer groups which had emerged locally. Typically, such centres were overcrowded and lacking in essential NFIs, including bed frames, mattresses and blankets. Another concern was the lack of separation by gender or dedicated places for families, limiting the ability to ensure privacy and increasing protection risks (Shelter Cluster Ukraine 2022c). The majority of IDPs, admittedly, stayed in private accommodation (Protection Cluster 2022c, 4).

While voluntary help and improvised solutions may be a temporary response, it is ultimately only the state that has the necessary tools for a systemic approach. The main problem was insufficient capacity to house millions of displaced people; the state did not have even a nearly adequate stock of social housing and, therefore, had no tools to respond to this mass-scale displacement. “Many political developments in Ukraine over the years have been anti-social in their nature, aiming at cutting costs and privatisation; and then comes today” (Interlocutor B 2022).

With state support, the special platform “Pryhystok” was launched, facilitating the offering and seeking of accommodation. Yet the choice there was limited, and many options were primarily for females and children. For instance, in Lvivska oblast, they did not want to host men, demanding a registration record from the military commissariat which could take about a week to get; and sometimes housing was offered to Ukrainian speakers only (Interlocutor A 2022).

High demand drove rental prices to extortionate levels, as can be seen in examples from a smaller provincial capital in the Western Ukraine: “A house with two rooms and a bathroom for 700 USD; one with traditional oven and facilities on the street for 100–130 USD; rooms in a shared apartment for 200 USD” (Interlocutor A 2022). Even where the houses were rented out with the social aim of providing shelter for IDPs from the territories most affected by war, rental prices in most cases still stayed exorbitant (Interlocutor D 2022).

3.3. Coordination, needs assessment and information exchange

One week after the war had begun, the President of Ukraine established the Coordination Office for Humanitarian and Social Issues. From 14–22 March, with the cooperation of the government agencies and private sector, a web-platform for coordination of humanitarian response, Spivdiia, was launched (Minregion 2022a). Overall, it seems that the main means of coordination initially chosen by the authorities was information brokerage, such as reviving the information online-platform “Dopomoha poruch” on 25 February to collect information about urgent needs and available capacities (Dzerkalo Tyzhnia 2022), a chatbot for appropriate assistance

actor referral on 28 February (Ministry of Digital Transformation 2022b), updating and upgrading a chatbot for IDPs on 8 March (Minregion 2022b), setting up a hotline for donors on 9 March (MoSP 2022c), launching the HelpUkraine portal with necessary information for support (CMU 2022a), and launching the E-dopomoha portal for matching needs with capacities for assistance (MoSP 2022d).

The state railway company Ukrzaliznytsia launched a comprehensive support project called “Tam, de vas chekaiut”, supplying evacuation, shelter and volunteers’ assistance, which was implemented together with the Ministry of Digital Transformation and the Office of the President with the aim of coordinating the efforts of state and non-state actors (Ukrinform 2022). However, the website of the project was hardly user-friendly. It mainly presented, in the form of statistical infographics, the amount of places available in each region, and provided telephone numbers for the contact centres.

Started as a volunteering project, the above-mentioned Prykhystok platform was an example of cooperation between state and non-state actors taking the initiative to a new level. At the time of writing this paper, the platform was offering around 31,390 places for IDPs. Support for those hosting IDPs, in the form of a subsidy towards utilities costs, required registration on the platform. This decision contributed to the process of creating a centralised database for coordination of efforts to help people find shelter. However, the subsidy amount of about 50 cents per day was extremely low if the goal was to motivate householders to provide accommodation for IDPs in the long term.

3.4. Seeking and enabling help

When the paralysis of power became imminent, a decision was quickly taken to delegate a number of responsibilities. Regional administrations were almost immediately re-organised into military ones, with increased powers (MTOT 2022b). Chairs of the territorial defences were enabled to create lists of humanitarian goods that would be smoothly let in through customs (CMU 2022b). Further on, import procedures were progressively eased⁶ (Minfin 2022; Minveteraniv 2022). It could hardly be said that the government ever shied away from accepting (inter)national assistance: clarification for donors from abroad had already been published by 28 February (MTOT 2022c), appeals were made (MTOT 2022d), and bank accounts opened (MTOT 2022e). Facilitated by MTOT, the Help Ukraine Center logistic hub was created by major Ukrainian business in mid-March (MTOT 2022f).

6 Cabinet of Ministers of Ukraine, Resolution #224/2022.

3.5. Identification

At least until 13 March, persons fleeing the war were not formally able to get registered as IDPs due to the bureaucratic process being oriented towards the “old IDPs”. Receiving communities took on the burden of keeping their own records instead, typically in analogue form. Nonetheless, there were attempts at coordinating this, as statistics on beneficiaries were sent to “raion” (district) and oblast levels (Interlocutor A 2022). On the ground the process was perceived as very chaotic and unclear: “They were sent to the registration centre for IDPs where their data was written down on the paper without any indication of which agency was in charge of it” (Interlocutor B 2022); “When my wife went to register she just received a hand-filled form with a stamp, not an established certificate” (Interlocutor C 2022).

Eventually, the restrictions were lifted and possibilities extended, including the enablement of administrative service centres and executive committees to conduct registrations, and even featuring electronic applications via the Diia app. Departments of social protection did not require any major changes as they were already working with the Segment VPO database and could start servicing new IDPs practically immediately. Other actors had to have their functionality in Sotsialna Hromada software system updated first. The process was not particularly smooth as the software frequently lagged, possibly due to the high load. But as the process became more formalised, confirmation of their displacement was required from the petitioners. “I used to work in Kyiv while formally registered in my hometown, so I am not counted as an IDP, and all my friends from Khmelnytskyi are in a similar situation” (Interlocutor B 2022). Hypothetically speaking, proof of residence could be replaced by a lease agreement or employment records. However, the high degree of informality when concluding contracts in Ukraine became an obstruction.

As at 30 March, surprisingly, only some 130,000 had been registered as IDPs, possibly due to psychological reasons (MoSP 2022e), or due to low awareness and other difficulties mentioned by the experts interviewed. Two weeks later more than a million IDPs had been accounted for, which is still less than IOM’s estimates (Interlocutor A 2022).

4. Conclusions / recommendations

Severe emergency situations such as armed conflicts cause huge displacement crises which require strong, organised and rapid responses; such responses are crucial for minimising damages and stabilising the situation.

Traditionally viewed as an actor for the protection of citizens and of the public interest, in emergency circumstances the state plays the major role in the stabilisation process by coordinating and mobilising available resources, including those of international, local and regional NGOs, as well as of individual representatives of civil society.

Following the results of this research, it can be concluded that the Ukrainian state was not prepared to provide the urgent immediate actions required by the displacement crisis caused by the war. The main burden fell on the local authorities and CSO volunteers. There was a need for systemic and scaled solutions, for which the government did not seem ready even after two months had passed. At the same time, the governmental support and protection of the wave of IDPs did have a progressive character, with attempts to coordinate the available resources.

The first response to the IDP crisis caused by the war was provided by the society in the form of phenomenally rapid mobilisation and self-coordination, which targeted evacuation, shelter provision and other humanitarian needs. However, in the long run, the response of society did not develop in scale and character, losing effectiveness without support at the institutional level.

The civil society response was based on individual actions and initiatives, established and coordinated horizontally. This tendency reveals the availability of a pool of human resources that should not be underestimated in an emergency situation. At the same time, the lack of a well-established system of coordination specific to the first response shows potential for improvement.

Due to the capacity and individual nature of the non-state actors' reaction to the IDP crisis, the solutions for providing shelter and basic needs that were offered by private business and the civil society sector were mostly temporary, imposing the obligation of ensuring long-term provision on the state.

Particularly in the first days of war and in the regions most affected by war, a lack of access to information about evacuation, shelter and other

social needs was observed, especially within the most vulnerable sectors of the population. Similarly, within the scope of displacement there was a gap in means and protocols of special assistance for the protection and support of the most vulnerable groups, such as elderly people and people with restricted opportunities.

The emergency situation of the current war in Ukraine, with its huge and rapid wave of displacement and connected social and humanitarian problems, and the response of the state and non-state actors, provide a valuable practical case model which reveals the challenges and opportunities for protection and support of IDPs under similar conditions.

To overcome the inconsistencies and to produce timely, adequate and comprehensive responses to emergency challenges, it could be proposed to develop and sign a binding instrument (convention) at the UN level, relating the protection of IDPs with the direct obligations of the states for their emergency responses. The results of this research prove that these emergency response measures should include the obligation and responsibility of the state to ensure implementation and enforcement of the movement-related rights of IDPs, including the right to seek safety in another part of the country and to be protected against forced return to, or resettlement in, any place where their life, safety, liberty and/or health would be at risk.

Another provision to be introduced into the UN treaty is the obligation of states to put all administrative efforts into organising the evacuation of civilians from areas of military action where their lives are in danger, and organising humanitarian corridors for that purpose with the necessary ceasefires. States should be obliged by this international instrument to introduce special emergency rules into the national legislation to protect IDP rights. Inter alia, these rules should account for: proper allocation of resources for the protection of IDPs' basic rights, including evacuation, accommodation, water, food, and health protection; clear mechanisms for the coordination of the public administration efforts, with the empowerment of one of the coordination authorities of the central executive body; and proper administrative rules for cooperation and coordination of efforts of state and civil society relating to the protection of IDPs.

At the state level, it is recommended that the Government of Ukraine should abolish administrative obstacles which limiting the possibility of IDPs reaching safe areas. To ensure proper administration and proper allocation of resources for protecting the rights of IDPS, the state should empower one of the Ministries, preferably MTOT, to coordinate IDP

protection. Using institutional support to strengthen the capacities of CSOs, as being the most flexible and informed actors, should also be considered.

Appendix: Interviews

Interlocutor A: coordinator at major human rights NGO; IDP.

Interlocutor B: social activist and trade union consultant; IDP at time of interview.

Interlocutor C: human rights lawyer; IDP at time of interview.

Interlocutor D: social activist; organiser of shelter for IDPs near Lviv.

Interlocutor E: activist; IDP; volunteer in school/humanitarian centre in Ternopil.

Interlocutor F: activist.

References

- Blair, Edmund, and Alessandra Prentice. 2022. "Evacuation of Mariupol fails again, stranding civilians under siege." *Reuters*, 6 March 2022. [Link](#) (last visited 7 October 2022)
- Boulègue, Mathieu, and Orysia Lutsevych. 2020. "Resilient Ukraine: Safeguarding society from Russian aggression." Research paper. Chatham House, June 2020. [Link](#) (last visited 7 October 2022)
- Brookings-Bern Project. 2005. *Addressing Internal Displacement: A Framework for National Responsibility*. Washington: The Brookings Institution.
- Brookings-Bern Project. 2008. *Protecting Internally Displaced Persons: A Manual for Law and Policymakers*. Washington: The Brookings Institution.
- Cantor, David James. 2018. "'The IDP in international law'? Developments, debates, prospects." *International Journal of Refugee Law* 30, no. 2 (2018): 191–217. [Link](#)
- CMU (Cabinet of Ministers of Ukraine). 2022a. "Stvoreno portal humanitarnoyi dopomohy dlya vsix, xto xoche pidtrymaty Ukrainu" [A humanitarian aid portal has been created for everyone who wants to support Ukraine]. Government portal, March 22, 2022. [Link](#). (last visited 7 October 2022)
- CMU (Cabinet of Ministers of Ukraine). 2022b. "Ukhvalyly nyzku rishchen dlia zabezpechenia zhyttedijalnosti krainy v umovakh voiennoho stanu" [A number of decisions have been made to ensure the vital activities of the country in the conditions of martial law]. Government portal, March 26, 2022. [Link](#) (last visited 7 October 2022)

- CoE (Council of Europe). 2019. Enhancing the Legal Framework of Ukraine on Protecting the Human Rights of IDPs. Revised Baseline Analysis. [Link](#) (last visited 7 October 2022)
- Democratic Initiatives Foundation. 2021. “Missing out on opportunities? Despite potential benefit, citizens are skeptical about engaging in CSO activities or supporting them financially.” DIF, November 15, 2021. [Link](#) (last visited 7 October 2022)
- De Waal, Frans B.M. 2008. “Putting the altruism back into altruism: The evolution of empathy.” *Annual Review of Psychology* 59 (2008): 279–300. [Link](#) (last visited 8 October 2022)
- Dzerkalo Tyzhnia. 2022. “V Ukrayini pracyuvatyme prohrama «Dopomoha poruch» dlya pereselenciv” [In Ukraine, the program “Help is nearby” will work for displaced persons]. *Dzerkalo Tyzhnya*, 25 February 2022. [Link](#) (last visited 7 October 2022)
- East Europe Foundation. 2022. “The Shelter Project: assistance to internally displaced people.” East Europe Foundation. [Link](#) (last visited 7 October 2022)
- Fedorov, Mykhailo. 2022a. “Hroshy z ePidtrymky teper mozna vytrachaty na bud-yaki produkty” [Money from eSupport can now be spent on any products or goods]. Government portal, 2 March 2022. [Link](#) (last visited 7 October 2022)
- Fedorov, Mykhailo. 2022b. “6500 hrn mozhut” otrymaty ukrayinci v mezhax yePidtrymky uzhe vids”ohodni” [Ukrainians can receive UAH 6,500 within the framework of the Support as of today]. Government portal, 8 March 2022. [Link](#) (last visited 7 October 2022)
- Ferris E. 2011. *The Politics of Protection: The Limits of Humanitarian Action*. Washington, DC: Brookings Institution.
- GPC (Global Protection Cluster). 2010. *Handbook for the Protection of Internally Displaced Persons*. New York: United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 168–171, 238–239.
- GPC (Global Protection Cluster). 2022. *Recommendation Note on Humanitarian Evacuations of Civilians in Ukraine*, April 2022. New York: United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 1–4.
- Hartman, Alexandra, and Benjamin Morse. 2020. “Violence, empathy, and altruism: Evidence from the Ivorian refugee crisis in Liberia.” *British Journal of Political Science* 50(2), 731–755. doi:10.1017/S0007123417000655.
- ICRC (International Committee of the Red Cross). 2022. “International Red Cross and Red Crescent Movement appeals for 250 million Swiss francs to assist people affected by Ukraine conflict”. International Committee of the Red Cross. [Link](#) (last visited 7 October 2022)
- IOM (International Organisation for Migration). 2022. “Almost 1 million war displaced to benefit from IOM Ukraine shelter rehabilitation programme.” IOM.INT, 22 April 2022. [Link](#) (last visited 7 October 2022)
- Kālin, Walter. 2005. “The Guiding Principles on Internal Displacement as international minimum standard and protection tool.” *Refugee Survey Quarterly* 24, no. 3 (2005): 27–36. [Link](#) (last visited 8 October 2022)

- Kälin, Walter. 2014a. "Internal displacement." In *The Oxford Handbook of Refugee and Forced Migration Studies*, edited by Elena Fiddian Qasimiyeh, Gil Loescher, Katy Long, and Nando Sigona. Oxford, United Kingdom: Oxford University Press.
- Kälin, Walter. 2014b. "The Guiding Principles on Internal Displacement and the search for a universal framework of protection for internally displaced persons." In *Research Handbook on International Law and Migration*, edited by Vincent Chetail and Celine Bauoz, 612–33. [Link](#) (last visited 7 October 2022)
- Kälin, Walter. 2019. *Innovative Global Governance for Internally Displaced Persons*. Waterloo: Centre for International Governance Innovation. [Link](#) (last visited 7 October 2022)
- Krasno, Jean. 2004. *The United Nations: Confronting the Challenges of a Global Society*. Boulder, USA: Lynne Rienner Publishers.
- Kuts, Svitlana and Lyuba Palyvoda. 2006. *Civil society in Ukraine: "Driving engine or spare wheel for change?"* CIVICUS Civil Society Index Report for Ukraine. [Link](#) (last visited 7 October 2022)
- Kyselov, Oleksandr. 2021. "Right to adequate housing in the context of conflict-inflicted displacement: Case of Georgia and Ukraine." Master thesis, Yerevan State University.
- Minfin (Ministry of Finance of Ukraine). 2022. "Uryad pryjnyav postanovu pro mytne oformlennya okremyx tovariv, shho vvozyat"sy na mytnu terytoriyu Ukrainy u period diyi voyennoho stanu" [The government adopted a resolution on customs clearance of certain goods imported into the customs territory of Ukraine during the period of martial law]. Government portal, 10 March 2022. [Link](#) (last visited 7 October 2022)
- Ministry of Digital Transformation (MDT). 2022a. "Vstyhnyt podaty zaivky v Dii, shchob otrymaty 6500 hryven ePidtrymky" [Submit an application in Diya in time to receive UAH 6500 of support]. Government portal, 30 March 2022. [Link](#) (last visited 7 October 2022)
- Ministry of Digital Transformation (MDT). 2022b. "Mincyfry zapustylo chatbot, shcho dopomozhe otrymaty tymchasovu domivky abo neobkhidni rechi u TsNAPakh" [Mincyfry has launched a chatbot that will help you get a temporary home or necessary things from TsNAPs]. Government portal, 28 February 2022. [Link](#) (last visited 7 October 2022)
- Minregion (Ministry for Regional Development of Ukraine). 2022a. "SpivDiya: V Ukraini zapustyly oficijnu platformu humanitarnoyi dopomohy" [SpivDiya: An official humanitarian aid platform was launched in Ukraine]. Government portal, 16 March 2022. [Link](#) (last visited 7 October 2022)
- Minregion (Ministry for Regional Development of Ukraine). 2022b. "Evakuatsia, zhytlo, apteky, proizd blokpostiv, vidnovlennia dokumentiv — novi mozhlyvosti vid Iurydychnoho poradnyka dlia VPO" [Evacuation, housing, pharmacies, passing checkpoints, restoring documents — new opportunities from the Legal Advisor for IDPs]. Minregion, 9 March 2022. [Link](#) (last visited 7 October 2022)
- Minveteraniv (Ministry of Veteran Affairs of Ukraine). 2022. "Uryad sprostyv proxodzhennya humanitarnoyi dopomohy v Ukrainu z-za kordonu" [The government has simplified the passage of humanitarian aid to Ukraine from abroad]. Government portal, 23 March 2022. [Link](#) (last visited 7 October 2022)

- MoSP (Ministry of Social Policy of Ukraine). 2022a. “Hroshovi dopomohy, pilhi ta subsydiy liudy otrymajut navit iakshcho cherez boivi dii orhany sotszakhystu ne pratsiuut” [People will receive cash assistance, benefits and subsidies even if social security agencies are closed due to hostilities]. Government portal, 10 March 2022. [Link](#) (last visited 7 October 2022)
- MoSP (Ministry of Social Policy of Ukraine). 2022b. “Derzhava prodovzhit vyplatu socialnih dopomoh pid chas voyennogo stanu, zvertatis za perepriznachennyam ne potribno.” [The state will continue to pay social benefits during martial law; there is no need to apply for reassignment]. Government portal, 8 March 2022. [Link](#) (last visited 7 October 2022)
- MoSP (Ministry of Social Policy of Ukraine). 2022c. “Stvoreno derzhavnu haryachu liniyu dlya bazhayuchykh nadaty humanitarnu dopomohu naseleennyu abo pidtrymaty ukrayins’kyx vijs’kovyx ta bijciv teroborony” [Ministry of Social Policy: A state hotline has been created for those wishing to provide humanitarian aid to the population or support the Ukrainian military and ground defence fighters]. Government portal, 9 March 2022. [Link](#) (last visited 7 October 2022)
- MoSP (Ministry of Social Policy of Ukraine). 2022d. “Minsocpolityky zapustylo platformu yeDopomoha dlya adresnoho ta efektyvnoho rozpodilu humanitarnoyi dopomohy” [The Ministry of Social Policy has launched its platform: Help for the targeted and effective distribution of humanitarian aid]. Government portal, 21 March 2022. [Link](#) (last visited 7 October 2022)
- MoSP (Ministry of Social Policy of Ukraine). 2022e. “Ponad 130 tysyach lyudej zareyestruvaly” yak VPO pislya vprovadzheniya voyennoho stanu” [Ministry of Social Policy: More than 130,000 people have registered as IDPs since the introduction of martial law]. Government portal, 30 March 2022. [Link](#) (last visited 7 October 2022)
- MTOT (Ministry of Temporarily Occupied Territories of Ukraine). 2022a. “Partners”ka prohrama Uryadu ta OON po pidtrymci pereselenciv: vyplaty startuvaly” [Partnership program of the Government and the UN to support displaced persons: payments have started]. MTOT, 31 March 2022. [Link](#) (last visited 7 October 2022)
- MTOT (Ministry of Temporarily Occupied Territories of Ukraine). 2022b. “Iryna Vereshchuk: mistseva vlada otrymuie povnovazhnia vijiskovykh administratsii — shchob iakomoha bilshe dopomahaty liudiam” [Iryna Vereshchuk: the local authorities are getting the power of the military administrations to better help people]. MTOT, 28 February 2022. [Link](#) (last visited 7 October 2022)
- MTOT (Ministry of Temporarily Occupied Territories of Ukraine). 2022c. “Do uvahy donoriv ta otrymuvachiv humanitarnoi dopomohy” [Attention donors and recipients of humanitarian aid]. 28 February 2022. [Link](#) (last visited 7 October 2022)
- MTOT (Ministry of Temporarily Occupied Territories of Ukraine). 2022d. “Na Luhanshhyini ta Donechchyni — humanitarna katastrofa, potribna terminova dopomoha Chervonoho Khresta” [There is a humanitarian disaster in Luhansk and Donetsk region; urgent help from the Red Cross is needed]. 1 March 2022. [Link](#) (last visited 7 October 2022)

- MTOT (Ministry of Temporarily Occupied Territories of Ukraine). 2022e. “Nacional”nyj bank vidkryv raxunok dlya humanitarnoyi dopomohy ukrayincyam, postrazhdalym vid rosijs”koyi ahresiyi” [The National Bank opened an account for humanitarian aid to Ukrainians affected by Russian aggression]. 1 March 2022. [Link](#) (last visited 7 October 2022)
- MTOT (Ministry of Temporarily Occupied Territories of Ukraine). 2022f. “Minreintehratsii rozpodilyaie humanitarnu dopomohu vid habu Help Ukraine Center” [The Ministry of Reintegration distributes humanitarian aid from the Help Ukraine Center hub]. 22 March 2022. [Link](#) (last visited 7 October 2022)
- Orchard, Phil. 2010. “Protection of internally displaced persons: soft law as a norm-generating mechanism.” *Review of International Studies* 36 (2): 281–303. [Link](#) (last visited 8 October 2022)
- Protection Cluster. 2022a. Ukraine Crisis — Protection Snapshot. 25 February – 01 March 2022. [Link](#) (last visited 7 October 2022)
- Protection Cluster. 2022b. Ukraine Response — Protection Snapshot. 02 – 05 March 2022. [Link](#) (last visited 7 October 2022)
- Protection Cluster. 2022c. Ukraine Response — Protection Snapshot. 10 – 16 March 2022. [Link](#) (last visited 7 October 2022)
- Shelter Cluster Ukraine. 2022a. Meeting Minutes 04-Mar-2022. [Link](#) (last visited 7 October 2022)
- Shelter Cluster Ukraine. 2022b. Meeting Minutes 09-Mar-2022. [Link](#) (last visited 7 October 2022)
- Shelter Cluster Ukraine. 2022c. Meeting Minutes 30-Mar-2022. [Link](#) (last visited 7 October 2022)
- Stoddard, A., P. Harvey, N. Timmins, V. Pakhomenko, M.-J. Breckenridge, and M. Czwaro. 2022. Enabling the local response: Emerging humanitarian priorities in Ukraine March–May 2022. *Humanitarian Outcomes*, 10 June 2022. [Link](#) (last visited 7 October 2022)
- Ukrinform. 2022. “Portal “Tam, gde vas zhduť” pomozhet pereselencam v poiske zhyl’ya” [“Where you are awaited” portal will help IDPs in finding housing]. [Link](#) (last visited 7 October 2022)
- UNHCR (United Nations High Commissioner for Refugees). 2022. “UNHCR partner organisations”. *Help Ukraine*. [Link](#) (last visited 7 October 2022)
- UNICEF (United Nations Children’s Fund). 2022. *Ukraine Humanitarian Situation Report No. 18*. New York.
- UN Ukraine. 2019. *Inclusion of Internally Displaced Persons*. [Link](#) (last visited 7 October 2022)