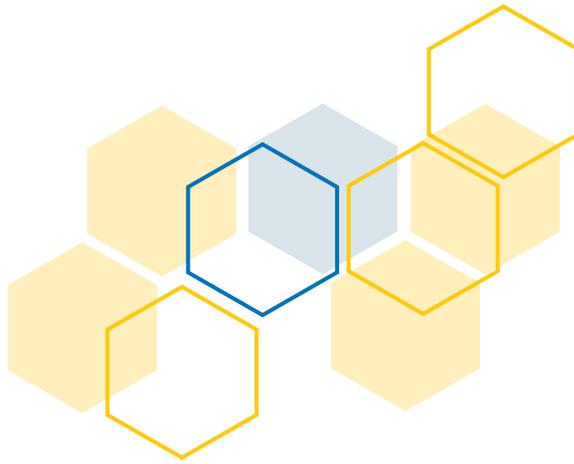




# REPORT

**ON THE RESULTS OF ANALYSIS  
OF THE PROBLEMATIC ISSUES  
RELATED TO INTERNALLY DISPLACED  
PERSONS IN THE AMALGAMATED  
TERRITORIAL COMMUNITIES**

2017-2018



## REPORT

### **ON THE RESULTS OF ANALYSIS OF THE PROBLEMATIC ISSUES RELATED TO INTERNALLY DISPLACED PERSONS IN THE AMALGAMATED TERRITORIAL COMMUNITIES**

The analysis of the problems of internally displaced persons (hereinafter - IDPs) in the amalgamated territorial communities (hereinafter - ATC) and perspectives of solutions in the context of the decentralization reform was studied by the project *Addressing social consequences of the conflict in Donbas and the illegal annexation of Crimea with support to Ukrainian government bodies and local civil society (The Liaison Officers' (Radnyk) Programme)* implemented by the Canadian non-governmental organization *Stabilization Support Services* with the financial support of the British Embassy.

The objective of the analysis is to identify perspectives of IDP integration into the ATC, taking into account the decentralization policy during the development of the strategic plan for IDP integration and to develop further recommendations.

The components of the analysis:

1. The analysis of legislation on the specified range of issues.
2. The analysis of the queries from social protection system employees and IDPs, on the problematic issues concerning the implementation of IDP rights who are living in settlements that are part of the ATC, to the Programme Liaison Officers (hereinafter - LOs) in October-December 2017.
3. The LOs' monthly reports on IDP issues for October-December 2017.
4. The analysis of sociological research as secondary data on authority decentralization.

According to the results of the analysis, a report was developed where the key problems of IDPs in the host communities, perspectives of the IDP integration into the ATC, and opportunities to take into account the decentralization policy while developing the strategic plan for the IDP integration were summarized.

The ATC achievements and challenges of IDP integration, the ability to implement policy for the IDP social protection and promote their integration and the participation of citizens in exercising power in their communities, as well as their assessment of the current results of the reform were considered.

Key recommendations provided by the Liaison Officers and experts of *the Liaison Officers' (Radnyk) Programme (hereinafter - Programme)* were developed.

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### ABBREVIATION LIST (IN ORDER OF THE APPEARANCE IN THE TEXT):

IDPs - Internally displaced persons

ATC - Amalgamated territorial communities

LOs – Liaison Officers

Programme - The Liaison Officers' (Radnyk) Programme

TC - Territorial communities

VRU - The Verkhovna Rada of Ukraine

NAS of Ukraine – The National Academy of Sciences of Ukraine

CMU - The Cabinet of Ministers of Ukraine

ATO - Anti-Terrorist Operation

BSOP - The bodies of self-organization of population

RSA - Regional state administration

## INTRODUCTION

IDPs offer huge potential to host communities, but only where the conditions to demonstrate it exist. To realize said potential, it is necessary that IDPs be involved in the life of the amalgamated community. IDPs need equal rights and equal access to resources.

One of the biggest challenges is the absence of IDPs in the register of citizens of territorial communities. IDPs appear in the register only if they have changed their temporary residence in the community to the long-term one, i.e. if they have bought housing, have registered, etc. However, it is still an elusive dream for many IDPs. Basic state subventions are not planned for those, who are not in the register. As well, IDPs are limited in their voting rights: they can stand for local elections, but cannot vote for the governance of a community. The analysis shows that none of the Laws of Ukraine, regulating the activities of territorial communities, contain provisions with regards to involving IDPs into the communities' activities.

Urgent amendments to the laws of Ukraine *On local self-government*<sup>1</sup>, *On voluntary amalgamation of territorial communities*<sup>2</sup>, *On cooperation of territorial communities*<sup>3</sup>, as well as to the provisions regulating interaction between IDPs and territorial communities as subjects of social relations, are necessary to introduce in order to involve IDPs as a resource in the territorial communities.

IDP rights and possibilities in the ATC must be acknowledged in the *Strategy for Integration of IDPs and implementing long-term solutions to internal displacement for the period until 2020*<sup>4</sup>, while reforming the State target programme on recovery and peacebuilding in the eastern regions of Ukraine<sup>5</sup>, and implementing the Ukrainian legislation on territorial communities.

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<sup>1</sup> Law of Ukraine On local self-government: <http://zakon5.rada.gov.ua/laws/show/280/97-%D0%B2%D1%80>

<sup>2</sup> Law of Ukraine On voluntary amalgamation of territorial communities: <http://zakon5.rada.gov.ua/laws/show/157-19>

<sup>3</sup> Law of Ukraine On cooperation of territorial communities: <http://zakon0.rada.gov.ua/laws/show/1508-18>

<sup>4</sup> Strategy for Integration of IDPs and implementing long-term solutions to internal displacement for the period until 2020: <http://zakon2.rada.gov.ua/laws/show/909-2017-%D1%80#n8>

<sup>5</sup> CMU resolution No. 892-p dated 31 August 2016 On Approval of the Concept of State Target programme on recovery and peacebuilding in the eastern regions of Ukraine: <http://zakon2.rada.gov.ua/laws/show/892-2016-%D1%80>

## I. THE POWER DECENTRALIZATION PROCESS IN UKRAINE

The government decentralization is one of the key reforms that have been implemented in Ukraine over the last few years. Its main objective is to delegate a part of the central government's administrative powers and financial resources to local government bodies.

The focus of the reform is to create conditions for community development and to bring services closer to people by forming wealthy communities, while delegating greater power to local governments and clearly distinguishing the responsibility and function of each level of government. The reform also guarantees an adequate resource provision to the local government. According to the results of the reform of the administrative division of Ukraine, three levels of local government must be formed: an oblast (or region), a rayon and the community consisting of several amalgamated settlements.

From the very beginning, the reform went outside the timeframe determined by the plan for its implementation. Currently, the Constitution of Ukraine does not outline the existence of such administrative body as ATC and they are forced to function as operating rural, village or city councils.

The attempt to amend the Constitution of Ukraine by the end of 2014 was unsuccessful due to the Verkhovna Rada of Ukraine (hereinafter - VRU) failed to consider the draft law<sup>6</sup> proposed by the President before the autumn elections, and it was taken off the table.

The introduction of amendments to the Constitution of Ukraine caused significant resistance. Ukraine undertook to conduct decentralization by the end of 2015 taking into account the characteristics of the specific areas of Donetsk and Luhansk oblasts as agreed with their representatives, within the Package of Measures for the implementation of the Minsk Agreements<sup>7</sup> signed on February 12, 2015. The measures clause was met with public opposition that caused violent confrontation in front of the Parliament on August 31, 2015. This was the day of voting to introduce amendments in the first reading. Consequently, the amendments to the Constitution have been postponed for an indefinite term.

The Law of Ukraine *On voluntary amalgamation of territorial communities*, regulating a range of issues related to decentralization, was resolved in 2015. The Law indicates that a state supports the formation of territorial communities of villages, towns, cities by providing ATC with means in the form of subventions to create appropriate infrastructure. A community is required to provide the socio-economic development plan to achieve this. The perspective plans' projects were developed in 2015, but two year later targets were not reached.

Currently, many problems have been identified in the legislation sphere of community participation in the decision-making process. The current laws, which regulate the activities of the main reform beneficiaries, are fragmented and unspecific. The local legislation of TC is just now being created. Neither oblast councils nor regional state administrations adhered to legislation and methodological support for the TC amalgamation processes. Almost half of the local legislation, which regulates the issues of public participation in governance, is basically absent.

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<sup>6</sup> Draft Law of Ukraine On Amending the Constitution of Ukraine as to decentralization of power:  
[http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_1?pf3511=55812](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=55812)

<sup>7</sup> Full text of the document Package of Measures for the implementation of the Minsk Agreements:  
<https://www.unian.ua/politics/1043303-opublikovano-povniy-tekst-dokumenta-normandskoji-chetvirki-foto.html>

## II. CURRENT PROBLEMS IN THE AMALGAMATED TERRITORIAL COMMUNITIES

The coordination of the actions and efforts of the ATC local government bodies, public organizations, and educational and scientific institutions should have minimized the risks promoted by the reform. Unfortunately, under current conditions, they are competitors for the state budget financial resources and the grant funds of international non-governmental organizations, rather than allies in the process of institutionalizing real changes in ATC.

First of all, in this context, the LOs note the inadequate community action and the level of development of the ATC local development agencies. This is caused by both staff problems and a lack of strategic planning by most of the current communities' leaders. The proof of this is the incapacity of these communities to coordinate efforts to defend their own interests, for example, by introducing regular communications with each other or creating joint institutions.

Local populations approach the decentralization reform with caution. Data from *Decentralization through the lens of Population*<sup>8</sup> held in Zaporizhia, Donetsk and Luhansk oblasts from April to May 2017, shows that the main population's concerns regarding the implementation of the decentralization reform are as follows: absence of changes - 11.3%; the deterioration of the situation as a whole - 10.9%; and the closing of social infrastructure - 8.6%. Moreover, the majority of respondents (68.8%) believed the decentralization reform is being implemented at a slow or a very slow pace.

At the same time, according to the Fund I. Kucheriva *Democratic initiatives*<sup>9</sup> survey conducted in July 2017, 49.6% of residents of Donetsk and Luhansk oblasts support the broadening of powers and increasing local government bodies resources within the decentralization reform.

According to the expert's survey<sup>10</sup> results on IDP problems and their integration into the host communities held by the Institute of Industrial Economics of NAS of Ukraine in October and November 2016, the most complicated ATC problems appeared to be the overload of social protection departments (50.7%) and pension funds (42.1%); as well as the challenge of access to housing for IDPs (46.7%). As most of IDPs are persons of working age, and they come with their children, the burden on educational, preschool (41.4%) and medical (30.3%) institutions have accordingly increased in communities.

The forced resettlement of IDPs has led to the sharp and sudden decline of material assets for IDPs. Inclusion and equality in all legal, social and economic spheres will result in economic growth and a quicker return to previous economic status for the IDPs of the community. Effective institutional mechanisms for the integration of IDP resources into TC do not exist. Among the problematic aspects of the implementation of IDP rights, the Programme experts singled out two fundamental concerns:

**1) Administrative reorganization.** With the creation of an ATC, the existing administrative bodies must undergo a structural reorganization. For newly created ATC without pre-existing local administrations, specialists must be trained to create and manage the new structure. The reorganization requires both financial resources and time to be completed. Any delay in services means that IDPs will not receive the necessary social protection provided by the state and cannot exercise their rights. Specifically, they cannot obtain the IDP certificate issued by the departments of social protection.

**2) Voting rights.** IDPs are excluded from the electoral process in the local communities where they have been living for more than three years. IDPs have the right to participate in the elections of the President of Ukraine and Members of Parliament, but cannot vote in the local elections, which is discrimination, as it is one of the fundamental rights of all Ukrainian citizens. IDPs are a part of the city community, they work or study on the city territory, pay taxes and fees or otherwise support the city and

<sup>8</sup> Report on the results of the sociological research *Decentralization through the lens of the population* held in Zaporizhia, Donetsk, Luhansk oblasts from April to May 2017 with the financial support of the EU / UNDP Project *Community-Based Approach to Local Development-III*: <https://issuu.com/mlsgroup/docs/decentralization>

<sup>9</sup> Report on the survey in Luhansk and Donetsk oblasts (in the GCA) conducted by the Fund I. Kucheriva *Democratic initiatives* (involving Ukrainian Sociology Service network) in July 2017: <http://dif.org.ua/article/gromadska-dumka-naselennya-donbasu-lipen2017>

<sup>10</sup> Report on the research work *IDP impact on the TC development: current and perspective possibilities*: [http://iep.donetsk.ua/uch\\_sovet/contents/23\\_12\\_2016/Zvit\\_Antonyuk.pdf](http://iep.donetsk.ua/uch_sovet/contents/23_12_2016/Zvit_Antonyuk.pdf)

its citizens. However, these persons in the local elections have the right only to run for and to be elected to the respective elected positions in the city self-government bodies (city mayor, city council deputy). In general, this problem can be solved by resolving the draft Law No. 6240 *On Amendments to Certain Laws of Ukraine (on the Election Rights of Internally Displaced Persons and Other Mobile Citizens of the Country)*<sup>11</sup>.

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<sup>11</sup> Draft Law of Ukraine on Amendments to certain laws of Ukraine (on the election rights of Internally Displaced Persons and other mobile citizens of the country): [http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_1?pf3511=61425](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=61425)

### III. IDPs AS A HUMAN CAPITAL FOR THE COMMUNITIES DEVELOPMENT

As of January 22, 2018, the Ministry of Social Policy registered 1,492,851 IDPs from the combat zone in Donbas and annexed Crimea. The total number of created ATC in Ukraine as of January 2018 is 698, with 6,107,640 people.

LOs determined that the displacement process is often oversimplified when described. The challenges and barriers experienced by IDPs between moving and receiving a certificate confirming status are unacknowledged, ignored or forgotten. IDPs have lost not only their homes, but also their livelihoods, financial and social assistance programmes and social connections. IDPs are expected to independently register and lease housing for long periods of time, while depleting their financial resources and receiving no social support.

For the ATC, the integration of IDPs and the significant benefits of capitalizing on the human capital of the community will offset the expense and inconvenience caused by the arrival of IDPs. LOs put forward the importance of IDPs gaining the rights afforded to other citizens. Human capital is currently squandered largely due to the lack of access for IDPs to most social and administrative services. Participation in governance at the local level will increase the social security of IDPs and enhance the community's confidence in governance. Inclusion, empowerment, and participation of IDPs in the community will have positive socio-political consequences for both IDPs and host communities.

LOs emphasize that there is support needed for the social programmes and organizations supporting, welcoming, and integrating IDPs at the TC level. Joint efforts encouraging and facilitating communication through constructive interaction and dialogue will minimize conflicts and differences, while strengthening social ties and creating social capital.

In summarizing the experience of a three-year mass forced displacement of citizens from the eastern regions of Ukraine and Crimea, it should be noted that there was a significant shift in emphasis from perceiving the situation as a temporary challenge, to a recognition of the beginnings of a permanent reality. Emergency strategies were replaced by long-term strategies for IDP involvement into the life and activity of local communities. The economic, labour and entrepreneurial activity of IDPs must be supported, consolidated and utilized in the process of integration and toward capitalizing on their potential as a resource for the development of a community, region and country.

In the opinion of LOs, for host communities the integration of IDPs will encourage and initiate entrepreneurial activities, increase the quality and quantity of labour potential and grow the consumer market. At the same time, stimulation of community development through the assistance of non-governmental organizations and a strengthening of social activity by community activists from among IDPs will occur. The increase in revenues to the local budget through the taxes and fees paid by IDPs will be also observed. The undeniable advantage of government decentralization is the growth in population caused by the influx of displaced persons that will consolidate and improve the wealth of small communities.

Currently, the obstacle to the social and political activity of IDPs consists in the restriction of their rights and freedoms in comparison with the local population (deprivation of their electoral rights, discriminatory monitoring of the place of residence, restriction of the choice of a banking institution in obtaining pensions and assistance, etc.). The LOs also indicate that the issue of satisfaction of basic vital needs of IDPs at the level of state social standards and state social guarantees remains unresolved.

Particularly, as Programme experts mark in their reports, one of the major problems is that IDPs are not in the list of the TC citizens. Those, who are not in the list, are not planned to provide the basic state subventions:

**1) Education.** Educational districts - associations of educational, cultural, physical institutions etc. - will be created in the ATC. The founder of the reference institution or its authorized body carry out

funding of the institution and its branch. The part of the expenditure on education could be covered at the expense of the state subvention. Its distribution is estimated by the per student formula. That is, the budget of the school depends on the number of children studying in it. According to the amendments to the Cabinet of Ministers of Ukraine (hereafter – CMU) resolution *Some Issues of Providing Educational Subvention from the State Budget to Local Budgets dated February 14, 2017*<sup>12</sup>, now the state finances only the pedagogues salary, and other expenses - such as utilities and maintenance of technical staff - will be financed from the local budgets.

**2) Health Care.** Hospital districts (functional associations of health facilities located on the certain territory providing secondary medical care to the population of this territory) will be established in ATC. The source of funding for a multi-year development plan designed by the hospital district can be local budgets of TC, non-state investments, sponsorship and charitable contributions, funds of international assistance and other sources not prohibited by Ukrainian legislation. If there are no funds in the local budget some of the problems could be solved by a state subvention on medicine. Nowadays, according to the legislation, the medical subvention is directed to local budgets to pay for current expenditures of health care facilities. However, now the payment for utilities and energy is not mentioned in these current expenditures list.

**3) Infrastructure** (housing and utilities infrastructure). The city community has the right to own, use, and dispose the communal property of the city. On June 7, 2017, at the Government meeting, the CMU draft resolution *Some issues of subvention from the state budget to local budgets for the formation of ATC infrastructure*<sup>13</sup> was resolved. The subvention funds are distributed among the ATC budgets proportionally to the area and number of rural population and both their equal significance. The State Budget project for 2018 includes the funds in the amount of 1,9 bln. UAH to implement the infrastructure subventions projects, but the number of ATC has increased, and accordingly, next year each community will receive even less resources for solving its urgent problems.

In the opinion of Programme experts, the change of the temporary stay of IDPs to a long-term one at the places of resettlement is the basis for the legal registration of relations with TC. The longevity of the IDP stay in the places of resettlement requires the development and implementation of a special state programme for the integration of displaced persons.

Currently, none of the laws of Ukraine, regulating the TC activities, contains provisions on the IDP involvement in community life. Local government legislation defines, in matter of its provisions, the effective use of all types of resources, in particular, labour ones, that directly refers to IDPs. LOs point out that in the implementation of powers to place orders on the production of products, execution of works (or services provision) on a contractual basis, it is expedient to give advantage to IDPs and regulate this in the legal field. Exercise of powers in the spheres of education, health care, social protection, housing and communal infrastructure, culture, land relations, housing construction, and the formation of purposeful assistance funds is directly connected with the realization of IDP needs and interests and is an obligatory function of TC.

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<sup>12</sup> CMU resolution No. 94 dated February 14, 2017 On amendments to the Procedure and conditions of providing educational subventions from the state budget to local communities: <http://zakon5.rada.gov.ua/laws/show/94-2017-%D0%BF/paran2#n2>

<sup>13</sup> CMU resolution No. 410 dated June, 7, 2017 On Amendments to the Procedure and conditions of providing subventions from the state budget to local budgets for the formation of ATC infrastructure: <http://zakon5.rada.gov.ua/laws/show/410-2017-%D0%BF/paran12#n12>

## IV. RECOMMENDATIONS

LOs on IDP issues and Programme experts have developed the following recommendations and singled out the ways to gain a successful interaction between IDP and host communities.

### 1. Legislative modifications:

- to introduce amendments to the laws of Ukraine *On Local Self-Government*, *On Voluntary Amalgamation of Territorial Communities*, *On Cooperation of Territorial Communities*, as well as to the provisions regulating the interaction between IDPs and TC as subjects of social relations, and to the methodology for the formation of capable territorial communities;
- to introduce necessary amendments to the Tax Code, the Law of Ukraine *On Concessions* in order to ensure the possibility of using the innovative and entrepreneurial capital of IDPs in the development of territorial communities.

### 2. Support measures at the state level:

- to create conditions for the development of the social entrepreneurship;
- to intensify the current programmes of the provision of population with affordable housing and mortgage to provide IDPs with housing;
- to develop the state programme for the sustainable IDP resettlement with the use of financial resources for the IDPs resettlement in depressed areas;
- to ensure the targeted allocation of land lots to IDPs according to the plans for the development of communities and territories for the construction of permanent housing, taking into account the IDP needs;
- to create conditions for IDPs self-reliance.

### 3. Participation and awareness:

- to use and develop methods and tools for the community intensification;
- to conduct informational campaigns of various formats;
- to use projects in the field of social cohesion;
- to use community budgets to support infrastructural and cultural initiatives aimed at socio-cultural development of the communities;
- to increase the quality of services by attracting the labour and professional resources of IDPs to reduce the decentralization risks;
- to inform IDPs and communities on opportunities for IDPs to participate in the community development programmes, cooperation with the business and civil society representatives on overall support of the IDP integration into the host territorial communities;
- to create the unified information database of IDPs and interactive IDP location map by the districts and settlements (communities) including consistent real and regular updated data on the number, interregional displacement and socio-economic characteristics of IDPs (the level of education, economic activity, professional structure, readiness to educate and participate in public works);
- to set examples of successful stories on associations, economic and social positives, increase of social cohesion in communities due to the IDP appearance.

### 4. Improvement of governance in ATC:

- to increase the governance skills and knowledge on the resource administration and tender procedures in the amalgamated communities;

- to increase the capacity of the competitive projects development for the community development, initiatives support, development of methodological recommendations and methodological support of the reform, cooperation development, as well as the centres of administrative services to strengthen the community potential (education, trainings);
- to conduct complex trainings for the state and government officials to implement effectively legislation and resolutions on IDPs;
- to support the community activists from among IDPs;
- to organize the groups of mutual support from the representatives of IDPs and a community to solve the problems of IDP life support and community development;
- to support skills of the community's active members from among IDPs regarding the monitoring methods on the formation of and spending the community budget, project implementation, and the development of local initiatives.

#### **5. Increase of the community competence:**

- to adjust regional and local civil society programmes on the introduction of the social order for all types of social services;
- to mobilize IDP social resources to address specific community's causes;
- to create the infrastructure of the development, to increase the capacity of the competitive projects development, to identify the sources of community life support resources (to ensure the ownership right for the resources located on the community territory);
- to form the bank of social initiatives in order to include IDPs into the community life, the bank of cases with the technologies of the social projects implementation, and to create social enterprises.

#### **6. Identity formation:**

- to develop projects for the formation of a new community identity and politics of collective memory, to use the tools to create a new identity (joint organizations, football teams etc.);
- to increase community competence on management of socio-cultural projects;
- to create a new community identity, which will facilitate the community integrity and, as a result, its effectiveness and competitiveness.

#### **7. Promotion of intercultural dialogue and communication:**

- to increase the competencies of local authorities regarding the management processes in the field of intercultural dialogue, especially in multinational regions, aimed to facilitate their integration and cooperation by conducting special training projects and supporting cultural diversity initiatives.

#### **8. Counselling improvement:**

- to reduce the level of distrust in the reform and the process of community amalgamation by using mechanisms of counselling, clarifications, meetings, and experience exchange.

#### **9. Development of coordination and planning:**

- to clearly identify and plan the next stages of the reform, taking into account the IDP needs in case of access to the community's resources, to inform community members thereon, in particular, on the synchronization of the decentralization reform with the reforms in the field of healthcare and environmental protection, the land, education, and medicine reforms;
- to coordinate activities of the state government bodies, local government bodies, the territorial community and IDPs in order to ensure the inclusion of IDPs in the community development processes.

First of all, these recommendations should be found in the implementation Plan of the Comprehensive National Programme for Support, Social Adaptation and Reintegration of citizens of Ukraine internally displaced from the Temporarily Occupied Territory of Ukraine and ATO conduct area to other regions of Ukraine for the period until 2020, during the formation of the state target Programme on the recovery and peacebuilding in the eastern regions of Ukraine, as well as during the implementation of the legislation of Ukraine on territorial communities.

## 10. Conduction of the comprehensive research:

10.1. To analyze the local legislation adopted by the councils of the TC with the highest number of IDPs in the Kharkiv, Dnipropetrovsk, Zaporizhia, Donetsk and Luhansk oblasts, which ensure public participation in the amalgamation and development processes, namely such legislation<sup>14</sup> as:

- The Statute of the territorial community;
- The Regulations on the ATC council;
- The Regulations on the executive bodies of the ATC council;
- The Procedure for conducting public discussion in the process of the amalgamation of territorial communities;
- The Procedure for submitting a local initiative;
- The Procedure for conducting consultations with public;
- The Procedure for holding consultative surveys;
- The Provision on the monitor;
- The Provision on the procedure for the establishment and activity of the bodies of self-organization of population (hereinafter - BSOP), i.e. village committees;
- Model provisions on BSOP;
- The Programme on promoting BSOP development or the civil society development Programme;
- Provisions on the consultative and deliberative ATC bodies;
- The strategy of the ATC development.

10.2. To conduct surveys for the representatives of the territorial community: representatives of the power authorities, local population and IDPs.

10.3. To analyze the Internet resources and other mass media, in particular:

- sites of the Regional State Administration;
- sites of the regional councils;
- the site of the CMU reforms office<sup>15</sup>;
- ATC sites (if any);
- newspapers of the regional council and the regional state administration (hereinafter – RSA);
- other regional newspapers (if any);
- rayon newspapers (if any).

10.4. To study more detailed the following issues:

- Informing the public on the purpose of, tasks of and the procedure on the TC amalgamation (through residents' funds, meetings with activists, press publications, and publications on the sites of local government bodies).

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<sup>14</sup> Legislation copies for the analysis can be received according to the enquires send on information and by monitoring of official websites.

<sup>15</sup> The CMU reform office: <http://reforms.in.ua/ua/storinka/ofis-reform-kmu>

- The activities of the local power on the involvement of the public, in particular, IDPs in the community life (local initiatives, promotion of creating BSOPs, NGOs, attraction of public representatives to working groups, public discussions, preparation and holding of local council's sessions, election of the ATC chairman, council and monitors).
- Problems that arose or arise during the TC amalgamation process:
  - in the field of informing the public (distortion of information by individuals, inadequate informing of people, lack of specialists on specific issues);
  - in the field of legislation support of public participation (absence or inadequacy of the TC statutes, provisions, regulations on the ATC council and its executive bodies);
  - in the field of development and implementation of the Strategy of the community development (ATC has no Strategy and no one is dealing with its development; there is the inadequate, outdated Strategy; the Strategy under development does not take into account the proposals of citizens);
  - in the field of development of separate social sectors (education, health care, culture, social protection, housing and communal infrastructure, transport, capital improvement, etc.);
  - in the field of the rights and interest protection of the peripheral TC (interests representation of the peripheral territories in the ATC council and its executive bodies through MPs, monitors are stated in the Statute and Provisions of the procedure for the approval and agreement of issues);
  - the election and activity of the monitors (whether all the constituent communities have elected monitors, their powers, the content of the Provision on the monitor, the personalities occupying the position of the monitor, etc.).
- The exercise of public control over the activities of the ATC power authorities (the presence of NGOs, BSOPs, which carry out public control and control of public survey, forms of control, and the response of local power authorities).
- Assistance from non-governmental and donor organizations (what external NGOs and donor organizations assist TC in the amalgamation and development processes).
- Information on the best practices of TC amalgamation (information on the most interesting achievements in the field of the reform, in particular, during the communities' amalgamation, on the people being the reform triggers, etc.).

## REFERENCES (LEGISLATION)

1. Law of Ukraine *On voluntary amalgamation of territorial communities*:  
<http://zakon5.rada.gov.ua/laws/show/157-19>
2. Law of Ukraine *On local self-government*:  
<http://zakon5.rada.gov.ua/laws/show/280/97-%D0%B2%D1%80>
3. Law of Ukraine *On cooperation of territorial communities*:  
<http://zakon0.rada.gov.ua/laws/show/1508-18>
4. The Regulation on Educational District, approved by the CMU Resolution No. 777 dated August 27, 2010:  
<http://zakon2.rada.gov.ua/laws/show/777-2010-%D0%BF>
5. CMU Resolution No. 410 dated June, 7, 2017 *On Amendments to the Procedure and conditions of providing subventions from the state budget to local budgets for the formation of ATC infrastructure*:  
<http://zakon5.rada.gov.ua/laws/show/410-2017-%D0%BF/para12#n12>
6. CMU Resolution No. 509 *On Registration of Internally Displaced Persons* dated October 1, 2014:  
<http://zakon2.rada.gov.ua/laws/show/509-2014-%D0%BF>
7. CMU Resolution No. 932 *On Approval of the Procedure for Establishment of Hospital Districts* dated November 30, 2016:  
<http://zakon3.rada.gov.ua/laws/show/932-2016-%D0%BF>
8. CMU Resolution No. 94 dated February 14, 2017 *On Amendments to the Procedure and conditions of providing educational subventions from the state budget to local communities*:  
<http://zakon5.rada.gov.ua/laws/show/94-2017-%D0%BF/para2#n2>
9. Model Regulations on the Hospital District, approved by the Ministry of Health Order No. 165 dated February 20, 2017:  
[http://moz.gov.ua/uploads/0/2663-dn\\_20171218\\_1621\\_dod.pdf](http://moz.gov.ua/uploads/0/2663-dn_20171218_1621_dod.pdf)
10. Draft Law of Ukraine *On Amendments to certain laws of Ukraine (on the election rights of Internally Displaced Persons and other mobile citizens of the country)*:  
[http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_1?pf3511=61425](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=61425)
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<http://zakon2.rada.gov.ua/laws/show/892-2016-%D1%80>
13. *Strategy for Integration of IDPs and implementing long-term solutions to internal displacement for the period until 2020*:  
<http://zakon2.rada.gov.ua/laws/show/909-2017-%D1%80#n8>



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