

Non-paper Integration of Migrants in Ukraine

Situation and Needs Assessment
Summary and Recommendations

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OSCE ODIHR's approach to integration of migrants

The Organization for Security and Co-operation in Europe's (OSCE) participating States have undertaken significant commitments with regard to migration and the rights of migrants to integrate. The following are among some of the main commitments related to migrant integration:

- "adopt appropriate measures that would enable migrants to participate in the life of the society of the participating States"¹;
- "encourage the creation of conditions to foster greater harmony in relations between migrant workers and the rest of the society of the participating State in which they lawfully reside. To this end, they will seek to offer, inter alia, measures to facilitate the familiarization of migrant workers and their families with the languages and social life of the respective participating State in which they lawfully reside so as to enable them to participate in the life of the society of the host country"²;
- encourage migrants to actively pursue their integration;³ and
- combat discrimination and violence against migrant workers.⁴

In addition, OSCE Ministerial Council Decision No. 5 of 2 December 2009 on "Migration Management" encouraged participating States to elaborate and implement effective national policy frameworks related to migration.⁵ One of the elements of such a framework is a sound migrant-integration policy.

In 2003, the OSCE Ministerial Council in Maastricht called on ODIHR to reinforce its activities with respect to the integration of migrants.⁶ ODIHR supports participating States by providing expertise on several key aspects related to the integration of migrants, including labour migration and the protection of human rights of migrant workers, freedom of movement, and countering discrimination, intolerance, and xenophobia against migrants and migrant workers. ODIHR is engaged in activities such as: assessing migrant-integration policies, improving systems of population registration to increase access to public services, implementing rule-of-law programmes to ensure fair-trial standards, and combating hate crimes. Through these activities, ODIHR helps states build inclusive and cohesive democratic societies.

Progress has been uneven across the OSCE region, as migrants continue to experience barriers, in terms of both legal and administrative conditions for entry and residence, as well as in the exercise of their civil and socio-economic rights, thus preventing them from integrating in the societies of receiving countries.

¹ Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, 1991, para. 38.2, <<http://www.osce.org/odihr/elections/14310>>.

² Concluding Document of Helsinki – The Fourth Follow-up Meeting, 1992, Decisions, Chapter VI, para. 37.

³ Concluding Document of Budapest, 1994, Decisions, Chapter VIII, para. 31; OSCE Ministerial Council, Decision No. 10/07, "Tolerance and Non-discrimination: Promoting Mutual Respect and Understanding", para. 7, Madrid, 30 November 2007, <<http://www.osce.org/mc/29452>>.

⁴ OSCE Ministerial Council, Decision No. 4/03, *op. cit.*, note 1, para. 11; OSCE Ministerial Council, Decision No. 10/07, *ibid.*

⁵ OSCE Ministerial Council, Decision No. 5/09, "Migration Management", Athens, 2 December 2009, <<http://www.osce.org/cio/40711>>.

⁶ OSCE Ministerial Council, Decision No. 4/03, *op. cit.*, note 1, para. 11.

Situation and Needs Assessment on Integration of Migrants in Ukraine

Ukraine illustrates some of the accomplishments and challenges shared by other OSCE States in the area of migration. Among Ukraine's accomplishments are improvements in the liberalization of migration legislation and policies, demonstrated also in the adopted "Strategy and Action Plan for the Development of a National Policy on the Integration of Migrants in Ukraine and Re-integration of Ukrainian Migrants for 2011-2015".⁷ Many of the challenges lie in the actual application of migrants' rights and the overall negative attitude toward foreigners in Ukraine. Although Ukraine is a major country of emigration, it also has a growing immigrant population. Its strategic location between the European Union (EU) and the Russian Federation has rendered Ukraine an important transit zone for migrants attempting to enter the EU, who tend to become "involuntary immigrants" due to strict border controls.⁸

With a growing number of migrants of various ethnic backgrounds, and evidence of xenophobia and crimes committed against migrants in Ukraine,⁹ the question of integration of foreigners has become important for the national agenda. Ukraine lacks state-funded integration programmes and there is generally low public awareness and understanding among the receiving population about migrant issues and the problems frequently faced by them. Discussions in politics and media focus on threats of migration, which undermines constructive approaches to integration. In Ukrainian legislation, matters related to foreigners remain largely regulated by sub-legislative and internal acts, often leading to an inconsistent application of norms.

In response to the OSCE Ministerial Council call on ODIHR "*to facilitate the integration of migrant workers into societies in which they are legally residing*",¹⁰ and for the purposes of national and regional capacity-building on the issue of migration integration, the Democratization Department of the ODIHR commissioned a consultant to carry out a Situation and Needs Assessment of Integration of Migrants in Ukraine. As a result of this pilot project, a "Non-Paper on Integration of Migrants in Ukraine" was compiled, including a set of recommendations. These recommendations are intended to support policy-makers, parliamentarians, social partners (e.g., employers organizations and trade unions), and practitioners dealing with migration by identifying areas of concern in legislation, administrative practice, and the social environment of migrants in Ukraine.

ODIHR activities are complementary to Ukrainian initiatives to integrate migrants, as presented in the "Strategy and Action Plan for the Development of a National Policy on the Integration of Migrants in Ukraine and Re-integration of Ukrainian Migrants for 2011-2015". The Strategy states that it is an important task to "create and implement legal and economic mechanisms for the integration of migrants into Ukrainian society. (...)".¹¹

⁷ Prepared with the assistance of the Council of Europe in 2009-2010.

⁸ Düvell F., Migrants and refugees on the fringes of Europe: Transit migration, mixed flows and new policy challenges, *Metropolis World Bulletin* No. 8, pp. 29-32.

⁹ *Hate Crimes in the OSCE Region—Incidents and Responses: Annual Report for 2009*, OSCE/ODIHR, Warsaw, November 2010, "The Diversity Initiative Network", Incidents Reports for 2007, 2008 and 2009, IOM/UNHCR Kyiv, Y. Zakharov, Yavorsky V., *Human Rights in Ukraine – 2008. Report by Human Rights Organisations*. Ukrainian Helsinki Human Rights Union, Kharkiv 2009, *Ukraine: Government must act to stop racial discrimination*, Amnesty International: London 2008, Human Rights in activities of the Ukrainian militias -2009. Report, based on results of the activities of the Human Rights Monitoring Department of the Ministry of Foreign Affairs in 2009

¹⁰ Decision No 4/03 of the OSCE Ministerial Council in Maastricht, 2003 on Tolerance and Non-Discrimination.

¹¹ Section „General” of the Strategy and Action Plan for the Development of a National Policy on the Integration of Migrants in Ukraine and Re-integration of Ukrainian Migrants for 2011-2015

Summary of the Situation and Needs Assessment

The Non-paper investigates the impact of the legal, institutional and social framework on the integration of migrants residing in Ukraine. It is based on desk research and interview-based fieldwork undertaken between February and November 2010 by an ODIHR appointed migration expert. Interviews were held with key actors, including relevant public authorities.¹² The OSCE Project Coordinator in Ukraine, the IOM Mission in Ukraine and the East European Development Institute (EEDI) provided logistical support. The Council of Europe (CoE), as well as the already above mentioned institutions, contributed with valuable feedback to the Assessment.

The Assessment analyzes the opportunities and barriers to effective integration of migrants in Ukrainian society, and examines in particular the legal provisions and conditions for access to socio-economic and civil rights of migrants residing in Ukraine. It focuses on migrants possessing legal status, and does not address the situation of Ukrainian citizens of immigrant background.

This Assessment defines **integration** as a dynamic and long-term two-way process of mutual accommodation, involving both migrant communities and the general population, leading to civil, political, social and economic equal opportunities for all. In civil and political terms, all residents ought to have mutual rights and responsibilities on the basis of equality. Integration means that the receiving society should create opportunities for migrants' full economic, social, cultural and political participation.¹³ This can be achieved if the following conditions exist:

- a legal framework providing access to rights and protection to non-nationals,
- integration services (such as courses providing basic knowledge of the language, history and institutions of receiving society),
- multicultural training for state administration and teachers,
- recognition of qualifications acquired in another country,
- training opportunities to enhance skills,
- anti-discrimination measures during work recruitment as well as in other areas,
- access to institutions, public and private goods and services in a non-discriminatory way (housing, school etc.)
- naturalization/ prospects of acquiring citizenship,
- the possibility to practice diverse cultures and religions,
- the possibility to participate in public affairs,
- mainstreaming integration policies into all relevant portfolios.

According to the Assessment, the majority of foreigners in Ukraine originate from the Commonwealth of Independent States (CIS) countries, with Russian nationals constituting the most numerous group. Among the non-CIS countries of origin are nationals of China, Iran and Syria. Migrants settle predominantly in large urban centers, but also on the coast of the Black Sea. Official statistics do not capture the migration phenomenon sufficiently.

The Assessment notes that the guarantees enshrined in legislation related to questions of entry, residence, citizenship acquisition and labor do not adequately enforce migrants' constitutional and statutory rights. This stems mainly from a lack of executive regulations, which would ensure

¹² Representatives of the following institutions were interviewed as part of the field research: OSCE Project Coordinator in Ukraine, UNHCR Mission in Ukraine, IOM Mission in Ukraine, Delegation of the European Union, Ombudsman's Office, Human Rights Committee of the Verkhovna Rada, Ministry of Labor and Social Policy, State Committee for Nationalities and Religion, East European Development Institute, Keenan Institute, International Centre for Policy Studies, National Institute of International Security Problems, Kyiv Slavic University, National Academy of Science (Institutes of Demography and Sociology). In addition, a roundtable seminar attended by representatives of various migrant groups was held on 27 May 2010 in Kyiv.

¹³ This definition follows the concepts developed in the Common Basic Principles for Immigrant Integration Policy in the European Union.

a consistent enforcement of norms pertaining to foreigners by the Ukrainian authorities, as well as from an absence of effective mechanisms for cooperation among relevant government ministries and agencies. A positive step towards the application of migrants' rights is Ukraine's "Strategy and Action Plan to Develop a National Policy on Integration of Foreigners in Ukraine and Re-integration of Ukrainian Migrants (2011-2015)".

The main body of the Assessment reviews migrants' access to civil, political and socio-economic rights. The following main conclusions are drawn:

- Access to temporary and permanent residence for foreigners in Ukraine is limited. A migrant can receive a temporary residence permit virtually only when entering the country on a work-related visa. A pre-requisite for this is receipt of a work permit, this being a costly and time-consuming procedure. Permanent residence is only an option for a relatively small number of foreigners and stateless persons who fall into an immigration quota, which is set at a very low level.¹⁴
- Similarly, access to citizenship is restricted. It requires, among others, the submission of a large number of documents difficult to obtain for migrants.
- Participation of migrants in public affairs, similarly to that of Ukrainian society as a whole, is low. Permanent residents can participate in neither local nor national elections.
- Overall, declared employment of foreigners in Ukraine is rare. The statutory law lacks references on equal conditions of employment regardless of national origin. Receiving a work permit by foreigners is a complicated endeavor, especially following the introduction of additional requirements in 2009. The state does not provide any re-skilling training for migrants.
- Many migrants, apart from facing similar obstacles in accessing health care services as Ukrainians do, also lack health insurance, because they work in an undeclared fashion and avoid health examinations due to financial reasons.
- Access to adequate housing is limited due to high rents in urban centres.
- Negative attitudes of the receiving society towards newcomers are on a rise, and the number of documented cases of violence against foreigners is increasing. Many instances of such conduct remain unpunished.
- Migrants' awareness of and willingness to use available protection mechanisms is low, primarily due to an overall lack of trust towards state institutions and insufficient attention accorded by state institutions to violations of migrants' rights.
- Initiatives of international and non-governmental organizations have played a vital role in raising awareness of the situation of migrants and tackling some of the most pressing problems (in particular, xenophobia and violence against migrants).

Recommendations

Ukraine's international commitments, constitutional provisions, and statutory laws grant equal access to a set of fundamental rights and entitlements for all legal residents of the country. Despite these guarantees, migrants are often unable to exercise their rights, mainly due to a lack of proper implementation mechanisms and different interpretations of the applicability of the

¹⁴ The quota was set at 7,595 persons in line with the Decree of the President of Ukraine of 27 March 2001.

relevant norms. As a result, migrants find themselves unprotected against economic and social marginalization. Indeed, the interviews that were conducted for this assessment indicate that many obstacles to the integration of migrants remain.

This report acknowledges the importance of obtaining the overall objective of the “Strategy for the Development of a National Policy on the Integration of Migrants in Ukraine and Re-integration of Ukrainian Migrants for 2011-2015”.¹⁵ The Strategy recognizes that, for the full “integration into Ukrainian society of migrants who have resided in the country for an extended period (longer than one calendar year)” it is essential to provide them with opportunities to “be active participants in the labour market according to their qualifications and skills”, as well as to “actively participate in the social and cultural life of the country”.¹⁶ For this goal to be achieved, the following key issues require the attention of the Ukrainian government, international organizations, and representatives of civil society:

1. Institutional stability to ensure effective migration management

Ukraine's migration policy is handled by several state agencies, resulting in the transfer of cases from agency to agency. This, in addition to a lack of funding for state functions related to foreigners and stateless persons, results in delays in the processing of migrant cases and diminishes the effectiveness of state institutions.

It is recommended that the institutional stability of government agencies responsible for migration management be improved.

In order to achieve this objective, the following measures are recommended:

- **adopt a unified law that regulates the areas of competence of all state agencies responsible for matters related to foreigners and stateless persons;**
- introduce legislative changes to eliminate numerous conflicts between various acts regulating, in particular, eligibility and conditions for access to civil and socio-economic rights and state benefits;
- implement the Strategy for the Development of a National Policy on the Integration of Migrants in Ukraine and Re-integration of Ukrainian Migrants for 2011-2015 and the corresponding Action Plan;
- **make the State Migration Service, once it is established, responsible for co-ordinating the efforts of relevant government agencies to provide migrants with updates on changes in procedures and the competences of state agencies in languages they can understand, on government agencies' websites, and in print material distributed among migrants.**

2. Acquisition of temporary residence, permanent residence, and citizenship

One of the primary concerns of migrants is the acquisition of legal residence status in Ukraine, which is essential for securing protection of their civil, political, and socio-economic rights.

¹⁵ “Strategy for the Development of a National Policy on the Integration of Migrants in Ukraine and Re-integration of Ukrainian Migrants for 2011-2015” and “Action Plan for the Development of a National Policy on the Integration of Migrants in Ukraine and Re-integration of Ukrainian Migrants for 2011-2015”, adopted by the Cabinet of Ministers on 15 June 2011. The Strategy and Action Plan were prepared with the assistance of the Council of Europe in 2009-2010.

¹⁶ See the Section “Aims and tasks of the Strategy”.

However, difficult and non-transparent procedures for obtaining long-term residence and citizenship continue to pose significant barriers to the integration of migrants. In addition, no regularization initiative has come into effect since 2001 that would decrease the number of migrants without proper registration or documentation. Meanwhile, secure legal residence is one of the keys to creating and strengthening ties to the country of residence.

It is recommended that the legal procedures and mechanisms related to the acquisition of legal residence status for migrants be simplified and made more transparent.

In order to achieve this objective, the following measures are recommended:

- introduce a transparent, efficient, and comprehensive application system for migrants to receive temporary and permanent residence status;
- establish clear rules for acquiring long-term residence status;
- make the application for residence free of charge;
- reduce the number of required documents needed for this procedure (best practice is only to check against potential fraud and real security threats);
- simplify the application process by merging work and residence permits into a single document;
- eliminate the inconsistent application of administrative procedures for the legalization of residence by stipulating all required supporting documents;
- provide migrants with the possibility to appeal any rejection of their application for residence status;
- all involved state institutions should supply information to migrants on the application requirements for temporary and permanent residence and on the competences of various institutions in this regard in a language they understand;
- establish information hotlines for foreigners at regional registration centres;
- assure that a migrant who has permanent (or long-term) residence status has the same rights and responsibilities in most areas of economic, social, and political life as Ukrainian nationals;
- adopt a code of ethics applicable to all public officials based on international best practice;
- adopt whistleblower protection measures for public-sector employees who report suspicions of corruption within relevant institutions.

3. Access to the labour market

The number of people receiving work permits in Ukraine has decreased since 2009.¹⁷ Ukraine, similar to other European states, needs foreign labour due to its declining population and the extent of emigration of Ukrainian nationals.

It is recommended that migrants' ability to access the labour market be expanded, including through the simplification of procedures to acquire work permits.

In order to achieve this objective, the following measures are recommended:

¹⁷ Data provided by the Ministry of Labour and Social Policy the State Employment Centre of the Ministry of Labour and Social Policy, 1 March 2011.

- improve the efficiency and transparency of the system for granting work permits to migrants by setting up administrative posts dedicated to specific migrant issues in those locations where such needs are most pressing;
- provide targeted assistance programmes for improving migrant skills and reskilling;
- implement Ukraine's migration strategy by developing “a system for the provision of assistance to migrants in learning Ukrainian and [acquiring] knowledge of Ukrainian culture”,¹⁸ in particular by offering Ukrainian-language courses through employment centres;
- establish clear and comprehensive guidelines on the documentation that would be required in accordance with the strategy’s aim to develop “a system of assessment and validation of the professional competences and qualifications of migrants, including those who have completed their higher education”¹⁹;
- grant migrant workers who stay in Ukraine for a year or more the right to bring their immediate family to the country;
- provide family members of migrant workers with access to the labour market;
- encourage the international community and government authorities to support training courses for migrant workers to improve their skills and thus facilitate their access to the labour market.

4. Tolerance and non-discrimination

Although the Ukrainian Criminal Code contains relevant provisions, few hate crimes have been successfully prosecuted so far. In order to improve on this record, the Ukrainian authorities should take actions that would encourage victims to report hate crimes. According to research published by the Woodrow Wilson International Center for Scholars and the Kennan Institute in 2004,²⁰ migrants in Ukraine believe that their human rights and freedoms are protected to a lesser extent than those of citizens. Their perceived or real vulnerability implies the need for them to have access to effective redress mechanisms. There does, however, appear to be a lack of understanding and knowledge among migrants of the responsible institutions they could turn to to address violations of their rights. The Ukrainian authorities should take active measures to ensure that citizens are informed about the problems that migrants face in the country and to provide opportunities for citizens and migrants to interact with one another.

It is recommended that state institutions, the media, civil society, and international organizations work together to combat discrimination and xenophobia in Ukraine, especially with respect to racially motivated hate crimes against migrants.

In order to achieve this objective, the following measures are recommended:

- counteract discrimination and hate crimes in line with Decision No. 9/09 of the OSCE Ministerial Council²¹;

¹⁸ "Strategy for the Development of a National Policy on the Integration of Migrants in Ukraine and Re-integration of Ukrainian Migrants for 2011-2015", *op. cit.*, note 4.

¹⁹ *Ibid.*

²⁰ *Unheeded Voices – Issues of Immigration, Human Rights and Freedoms in Ukraine* (Kyiv: ICF Sphera Publishers, 2008); Olena Braichevska *et al.*, *Nontraditional Immigrants in Kyiv* (Washington: Woodrow Wilson International Center for Scholars/Kennan Institute, 2004).

²¹ OSCE Ministerial Council, Decision No. 9/09, "Combating Hate Crimes", Athens, 2 December 2009, <<http://www.osce.org/cio/40695>>.

- collect, maintain, and publicize reliable data and sufficiently detailed statistics on hate crimes and violent manifestations of intolerance. Such data and statistics should include the number of cases reported to law-enforcement authorities, the number of cases prosecuted, and the sentences imposed. Where data-protection laws restrict the collection of data on victims, Ukraine should consider methods for collecting data in compliance with such laws;
- name a responsible state agency to monitor and record racially motivated crimes across Ukraine and inform migrant communities on available complaint mechanisms;
- promptly investigate hate crimes and ensure that the motives of those convicted of hate crimes are acknowledged and publicly condemned by the relevant authorities and by the political leadership;
- conduct awareness-raising and education activities on hate crime with communities and civil society groups that assist victims of hate crime, and with law enforcement authorities in particular;
- **include methods for identifying and investigating racial and ethnic bias in training courses for judges and police officers;**
- encourage the reporting of hate-motivated crimes by third parties in cases where victims are unable or unwilling to report hate crimes directly to the police and criminal justice agencies;
- diversify the membership of law-enforcement and prosecution agencies so as to increase the representation of individuals from minority groups;
- concentrate international assistance on awareness-raising campaigns targeting journalists to sensitize them to the image of migrants, relations between migrants and society, and migrants' daily concerns as reported by the media;
- continue promoting cultural diversity through the organization of events promoting the different cultures of ethnic minorities living in Ukraine;
- launch a public-awareness campaign to inform migrants of their specific rights and redress mechanisms within responsible institutions in case of the violation of those rights;
- develop and implement targeted prevention programmes and initiatives to combat hate crimes; and
- draw on resources developed by ODIHR in the area of education, training, and awareness-raising to ensure that hate crimes are tackled in a comprehensive manner.

5. Professional ethics, cultural sensitivity, and knowledge of policies and procedures applicable to migrants among state officials

Migrants' opportunities for realization of their human rights are hampered by arbitrary decisions of low-level officials and instances of abuse of authority by law enforcement officers.²² In particular, migrants are often subject to arbitrary document checks by the police, carried out ostensibly for the purpose of checking individuals' residence status. Such checks can lead to unauthorized arrests and provide opportunities to extort money from foreigners through threats of detention.

²² *Unheeded Voices*, *op. cit.*, note 8; Statistics on queries from foreigners and stateless persons, published in Section 1.3 of the Ombudsman's annual human rights report, "Про стан дотримання та захисту прав і свобод людини в Україні", for the period 2006-2007, available at: http://ombudsman.kiev.ua/dopovid_6/Dop6_Zmist.htm

It is recommended that measures be taken to tackle corruption, the arbitrary application of laws, and prejudice towards migrants among representatives of the state apparatus, especially in law-enforcement structures.

In order to achieve this objective, the following measures are recommended:

- offer dedicated training courses increasing the cultural sensitivity and and gender-sensitive communication skills for the police, the staff of regional registration centres, employment centres, and other institutions involved in the legalization of the status of foreigners;
- provide the police with clear guidelines related to non-discrimination in compliance with Ukraine's obligations under international human rights law and relevant OSCE commitments;
- introduce the requirement to provide information on the application of disciplinary measures against officials in connection with the enforcement of anti-discrimination provisions in periodic reports submitted by the police and other law-enforcement agencies;
- adopt codes of conduct for the police and prosecutors;
- adopt whistleblower protection measures for employees of law-enforcement agencies;
- consider abolishing administrative corruption offences in line with international anti-corruption conventions to which Ukraine is a party.

6. Participation in public life

According to the Law on Citizens' Associations, of 16 June 1992 (as amended), foreign nationals (above 18 years of age) have the right to form public organizations. However, according to Article 16 of the Law on the Legal Status of Foreign Nationals and Stateless Persons, only those foreign nationals who are permanently resident in Ukraine have the right to join public associations. Foreign nationals are not allowed to form trade unions.²³ Their access to existing trade unions is also limited insofar as trade unions' charters permit them to do so. Meanwhile, migrant organizations play an important role in facilitating dialogue between migrants and the Ukrainian state and society. Migrants themselves also need to be empowered to increase their engagement in Ukrainian society and facilitate their interaction with, and involvement in, Ukraine's political and social life. Well-designed integration courses can lead to proactive migrants who become independent and active residents, as well as potential future citizens of Ukraine.

It is recommended that state authorities increase their support to, and dialogue with, civil society organizations working in the field of migration and that they support migrants in their integration efforts.

To achieve this objective, the following steps are recommended:

- facilitate the process of registration of public organizations working on issues related to migration on an equal basis for both national and migrant associations;

²³ Part 2 of Article 6 of the Law on Trade Unions, Their Rights and Assurance of the Freedom to Operate of 15 September 1999.

- extend the right to join public associations to migrants who reside in Ukraine on a temporary basis;
- under the auspices of the State Migration Service, establish a permanent forum of dialogue between state institutions, NGOs, and migrant associations to exchange views on integration policy and practice;
- offer basic Ukrainian courses (free of charge);
- offer integration courses and other services to migrants so as to introduce them to social, economic, and political life in Ukraine.

Such integration courses should include practical information about migrants' place of residence, an introduction to the norms and traditions of Ukrainian society, an overview of available anti-discrimination measures, information about institutions providing basic services (including in the areas of education and health care), and information on legalization of residence and employment. They could be offered by local state administrations; however, international organizations could play a role in initiating this process in order to ensure the sustainability of integration courses.

7. Freedom of movement, access to social benefits, housing, and medical assistance

Although Ukrainian legislation²⁴ does not unduly restrict freedom of movement, it is a challenge for many nationals, not to mention migrants, to register in their place of residence because they are not the owners of the property where they are residing. As utility costs in Ukraine are calculated on the basis of the number of people officially residing at an address, property owners are often discouraged from registering people in their properties. As a result, the inability to register their place of residence creates an obstacle for migrants trying to gain access to employment, to various social services, and to their right to choose their own residence. Access to medical services beyond emergency or basic treatment is often difficult for migrants. Migrants also find it difficult to secure affordable housing. Rent is often beyond their financial means, and, in the absence of state-subsidized housing or preferential loans, migrants are faced with a considerable problem in finding affordable accommodation.

It is recommended that migrants be guaranteed freedom of movement, thereby facilitating their access to employment, social services, and medical assistance.

To achieve this objective, the following steps are recommended:

- simplify registration procedures and eliminate the link between the calculation of utility costs and number of residents;
- provide information about the obligation to be registered at one's place of residence by including it in the explanatory materials distributed at consular posts and residence registration offices;
- include asylum-seekers and refugees in the legal and executive acts regulating access to social benefits;
- publish information materials aimed at refugees and other categories of migrants on their entitlements to social benefits;
- improve migrants' access to medical facilities and assistance;
- introduce state-subsidized housing and preferential loans for migrants.

²⁴ Law on the Right to Freedom of Movement and Choice of Place of Residence in Ukraine, of 13 January 1994.

