

NRC

NORWEGIAN
REFUGEE COUNCIL

2019

Humanitarian Shelter Damage Assessment

Contact Line Communities in GCA, Donetsk Region, Ukraine



Photo: Dmytro Tielushkin/NRC

Humanitarian Shelter Damage Assessment | 2019

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For additional information, contact: ua.info@nrc.no

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List of Acronyms

ADRA	Adventist Development and Relief Agency
GCA	Government-controlled area
HLP	House, land and property
HRP	Humanitarian Response Plan
ICRC	International Committee of the Red Cross
IDP	Internally displaced person
INGO	International non-governmental organisation
NFI	Non-food items
NGCA	Non-Government controlled area
NRC	Norwegian Refugee Council
PIN	People in Need
UNHCR	The UN Refugee Agency
WASH	Water, sanitation and hygiene

1. Background

Five years into an increasingly protracted and complex crisis in eastern Ukraine, despite numerous ceasefire agreements, civilians continue to be exposed to active hostilities, particularly along the 427-kilometre contact line that divides the affected areas, with the regular exchange of small arms and heavy weapons fire. These armed clashes have damaged and destroyed critical civilian infrastructure, including houses, hospitals, schools, water, electricity and gas supply systems. Access to these facilities and services has long become a daily struggle for millions of people. Since the conflict began, over 50,000 residential buildings on both sides of the contact line have been damaged,¹ with 738 homes recorded as newly damaged in 2018.²

While hostilities persist, the number of families who live in desperate conditions because their houses have been damaged continues to increase.

Ukraine's harsh winter, which starts in the eastern part of the country as early as November and lasts until March, with temperatures regularly below -15 degrees Celsius, generates acute needs.³ Financial strains make home repairs often impossible, so families sometimes have either to live in inadequate housing or move elsewhere for the winter season. Rural families spend over 20% of their limited income on heating, and their food consumption scores are nearly halved during winter.⁴ The conflict in eastern Ukraine has a unique, disproportionate impact on the elderly. Of the 3.5 million in need, 30% are above the age of 60. This is the largest proportion of elderly in a single country affected by a conflict in the world.⁵ These men and women face severe hardships when accessing essential services, because they experience higher rates of disability and immobility and are often separated from their

1 Ukraine Humanitarian Needs Overview (HNO) – UNOCHA 2019 – Shelter/NFI chapter.

2 Shelter Cluster Annual Report 2018:
https://www.sheltercluster.org/sites/default/files/docs/shelter.nfi_cluster_-_2018_annual_report_v3.0_0.pdf

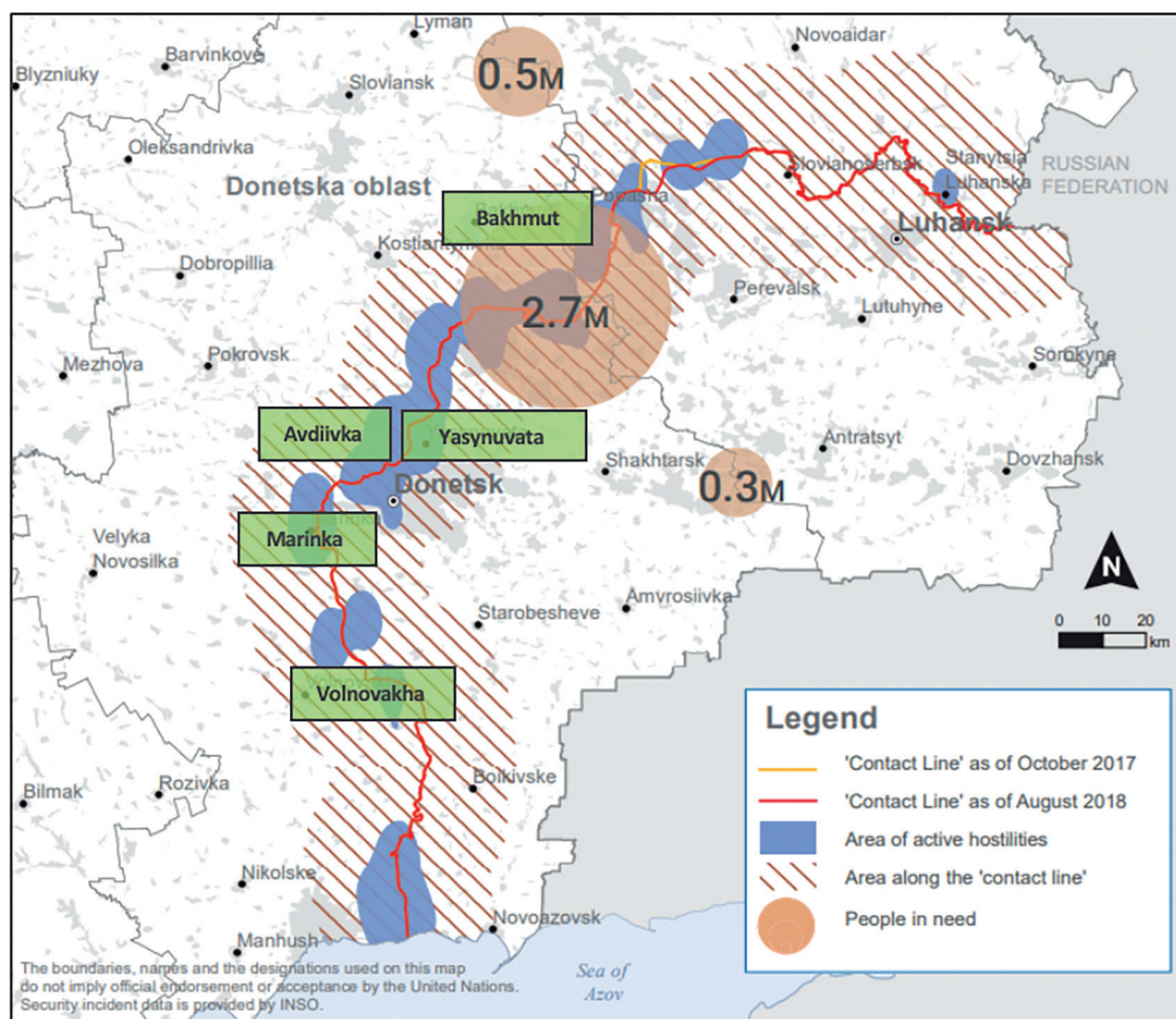
3 Ukraine: How we help those affected by conflict survive the winter:
<https://www.nrc.no/news/2019/april/ukraine-how-we-help-those-affected-by-conflict-survive-the-winter/>

4 REACH Winter Assessment of Government-Controlled Areas within 5km of the Contact Line, REACH Situation Overview: Winter Assessment of Government-Controlled Areas within 5 km of the Line of Contact, February 2018.

5 Ukraine Humanitarian Needs Overview (HNO) – UNOCHA 2019.

families. They are also more susceptible to abuse and neglect, have specific health and nutritional needs, and are highly prone to economic insecurity. Available evidence suggests that over half of food insecure people are elderly and 9 of 10 elderly people in GCA rely on pensions as their main source of income.⁶

In Donetsk region, the contact line area, established as of February 2015 (Minsk Agreements), covers four districts: Bakhmut, Yasynuvata, Marinka and Volnovakha. Almost all damaged or destroyed houses are located in these areas and within 20 km of the contact line. The families are unable to recover on their own due to manifold reasons, including inability to afford labour and material, currency devaluation (UAH), and in rural villages there is interrupted or limited access to markets, meaning that there are remaining unmet needs. Although trends show a significant reduction in ceasefire incidents and localised hostilities, occasional shelling continues to cause additional casualties among civilians, together with damage to dwellings, infrastructure and/or institutions. Since active hostilities remain a reality in Donetsk region, the historical trends suggest that recurrent damage and destruction of civilian housing and infrastructure in communities along the contact line will likely continue into the future.



Map showing areas assessed (map credit 2019 Ukraine Humanitarian Needs Overview – UNOCHA).

6 HelpAge International, Emergency Protection-Based Support to Conflict-Affected Older Women and Men in the GCAs: https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/helpage_baseline_report_usaid_echo_july_2018.pdf

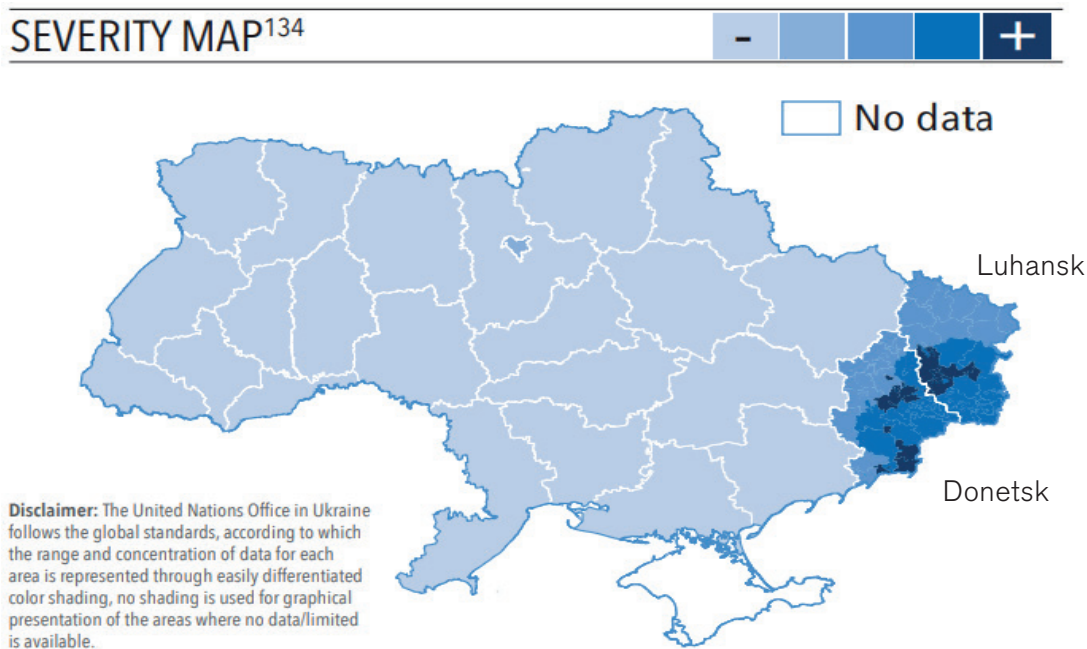
Ukrainian legislation providing for a generic right to compensation does not currently ensure an adequate and effective remedy to claim compensation for property, which has been lost, damaged and destroyed because of hostilities.⁷ This, in combination with the fact that neither the Ukrainian government, nor donors, international organisations nor INGOs have been able to meet the complete shelter needs that have arisen since the outbreak of the armed conflict, has resulted in protracted and pervasive unmet shelter needs in Donetsk region.

1.1. Limitations

One of the most significant issues for humanitarian actors providing shelter assistance along the contact line area of Donetsk region is the absence of current, relevant, and verified data regarding damage to residential properties, only where interventions have already been completed. This has made it difficult to determine the extent of damage in any given area. The main source of the data for damaged dwelling addresses is the local authorities at the district level, which is often outdated. This means that the information shared among actors leads to confusion during planning and gap identification. The data provided by the Shelter Cluster relies heavily on information received from authorities and other operating agencies. However, the massive volume of that information is difficult to process, and as of 2017, the data provided was offered in different formats and languages, making it impossible to cross-reference and compare datasets.

1.2. Assessment Methodology

In this damage assessment, NRC followed the same approach used in the 2018 damage assessment of Luhansk region⁸ aiming to ensure harmonisation in both gathering and consolidation of both quantitative and qualitative data, and field information, across both Luhansk and Donetsk contact line areas. The map below shows the shelter needs concentration index according to the Shelter & NFI Cluster Severity Ranking Indicators (SRIs) as shown in the 2019 Ukraine Humanitarian Needs Overview (map credit UNOCHA).



⁷ NRC Briefing Note "Upholding the rights of conflict affected population in Ukraine" – August 2018.

⁸ Luhansk Humanitarian Shelter Damage Assessment – NRC, October 2018.

NRC received initial lists of damaged addresses from the local authorities at the district level with further verification at the village or community level, through a combination of direct field visits and telephone interviews. This was followed up with direct site visits conducted by the NRC Shelter teams, consisting of technically skilled and/or technically trained staff. The areas where the NRC team conducted an on-site technical assessment were located in Bakhmut district, Yasynuvata district, Avdiivka city, Marinka district, and Volnovakha district, and included a total of 49 locations. The qualitative information included interviews with key informants in the following locations:

- Zaitseve, Bakhmut district (Head of the Civil-Military Administration)
- Novoluhanske, Bakhmut district (Representative of the Village Council for work with NGOs)
- Luhanske, Bakhmut district (Deputy Head of the Local Council)
- Verkhniotoretske, Yasynuvata district (Acting Head of the Village Council)
- Novobakhmutivka, Yasynuvata district (Secretary of the Village Council)
- Pervomaiske, Yasynuvata district (Secretary of the Village Council)
- Marinka, Marinka district (Deputy Head of the Civil-Military Administration of Housing and Utility Services)
- Krasnohorivka, Marinka district (Head of the Civil-Military Administration)
- Berezove, Marinka district (Secretary of the Village Council, Village Council Specialist)
- Mykolaivka, Volnovakha district (Secretary of the Village Council)
- Hranitne, Volnovakha district (Secretary of the Village Council, Chief Accountant)

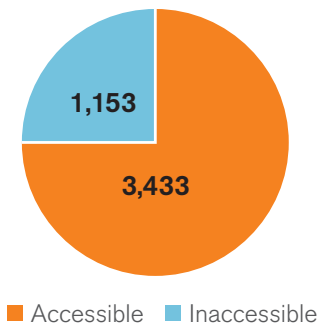
Assessment process timeline:

Activity	2019																											
	January				February				March				April				May				June				July			
Planning																												
Development of questionnaire																												
Cluster review (address level questionnaire)																												
Contacting Rayons																												
Receive of lists of damaged properties																												
Address-level technical assessments																												
Rayon level KIs																												
Local Authority level KIs																												
Final sweep for missed property assessments																												
Data consolidation																												
Data analysis																												
Report writing																												
Report review and graphic design																												
Report printing																												
Report launch																												

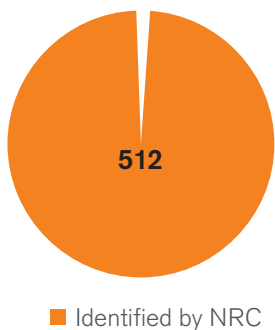
The interviews with key informants were organised in order to receive/validate information concerning: the policy of the local authorities regarding newly damaged properties, residence of the IDPs, population flow, and existing policies/practices for repair of these houses or provision of compensation. The geographical disaggregation of the technical household surveys and interviews with key informants conducted throughout Donetsk region (GCA) is shown in Annex 1, as illustrated in the map, almost all the villages and cities assessed are located within 0-20 km proximity from the contact line.

The total number of the **private houses** contained in the lists received from the authorities was 4,586, 25% of which are located in areas, which are presently not accessible for the NRC Shelter teams based on existing NRC security procedures and regulations. The total number of private houses, which were visited directly by the NRC Shelter teams, was 3,945, consisting of 3,433 taken from the authorities' lists, and additional 512 addresses identified during field visits which were not included into the original lists from authorities. From the 3,945 visited, 2,781 addresses were identified as requiring shelter assistance for light and medium, heavy repair or full reconstruction.

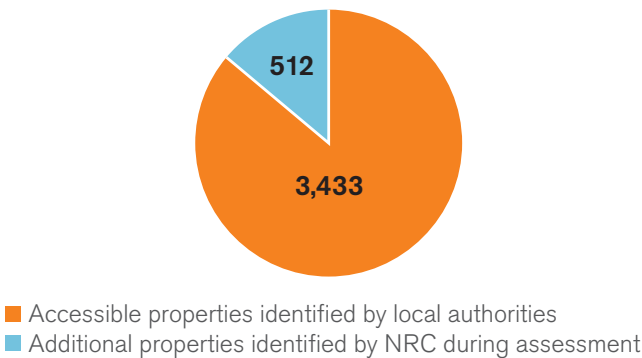
Consolidated list of 4,586 damaged properties
addresses received from local authorities



Properties identified as damaged during
field assessments, but not registered in
the local authority lists/database



3,945 properties technically
assessed in total



Shelter/NFI Cluster Ukraine Damage Definitions

Light & Medium Repair works use the definition of the Shelter/NFI Cluster in Ukraine as “Roofing materials and glazing for house repair in order to avoid deterioration and to stabilize living conditions of IDPs/Returnees/Affected population”.



Property requiring light/medium repair. Photo: Shelter team/NRC

The **Heavy Repair** works use the definition of the Shelter/NFI Cluster in Ukraine as a “Partial reconstruction of one or several walls. Full Concrete ring beam and appropriated retrofitting for the structure. Partial Flooring (warm room). Partial Opening (warm room). Full Roofing. Partial Insulation. Basic sanitation & heating system”.



Property requiring heavy repair. Photo: Shelter team/NRC

The scope of works for a **Fully Destroyed** property, requiring “core house reconstruction” use the definition of the Shelter/NFI Cluster in Ukraine as a “Reconstruction on existing foundations of a new full structurally sound small house”.



Fully destroyed property. Photo: Shelter team/NRC

Technical assessments⁹ measured the type of the damage to the structure in order to identify the need for potential intervention, extent of damage, household basic economic characteristics, vulnerability metrics, and the necessity of legal assistance or other support to achieve shelter recovery. It was a critical objective of this analysis, that the technical survey was conducted in the presence of a representative of the household. However, in cases when the homeowner or any responsible person was not available to be present, special leaflets were provided at the addresses so then residents could reach NRC via telephone in order to fill in the questionnaires. Field teams in such cases tried to

DISTRICT	SETTLEMENT	TOTAL DAMAGED PROPERTIES WITH REMAINING NEEDS
Bakhmut district	Bakhmutka, Vozdvizhenka, Zelenopillia, Kodema, Krynychne, Luhanske, Maiorske, Mykolaivka Druga, Myronivskyi, Novoluhanske, Pisky-2, Svitlodarsk, Serebrianka, Siversk	291
Yasynuvata district	Verkhniotoretske, Vodiane, Krasnohorivka, Lastochkyne, Nevelske, Netailove, Novobakhmutivka, Novokalynove, Novoselivka, Oleksandropil, Orlivka, Pervomaiske, Troitske	551
Avdiivka	Avdiivka	88
Marinka district	Berezove, Karlivka, Krasnohorivka, Marinka, Novomykhailivka, Slavne, Solodke, Stepne, Taramchuk	1,465
Volnovakha district	Andriivka, Berdianske, Blahodatne, Hranitne, Lebedynske, Mykolaivka, Novotroitske, Olhinka, Pavlopil, Sopyne, Chermalyk, Chernenko	386
TOTAL		2,781

9 Kobo assessment form <https://ee.humanitarianresponse.info/x/#OSbTtUzT>

capture the technical condition of the house on site when it was possible making photos of the visible damages. The geographical distribution of the 2,781 properties deemed to require rehabilitation or reconstruction is shown in the table below.

Out of 3,945 addresses identified as damaged/destroyed dwellings by the local authorities and NRC, 756 houses were categorised as “already repaired” and in case of 62 households no damage was identified. In 346 cases, it was not possible to determine the level of damage, or the address was not located, or the houses were occupied by military personnel.

In contrast to the damage assessment in Luhansk region, a significant number of multi-storey buildings were identified in Donetsk region as severely damaged during the active phases of the conflict. The information on the situation with multi-storey and multi-apartment buildings is given in separate sub-section and data is not included into quantitative analysis since each case requires a unique approach.



Damaged multi-storey building in Marinka, Donetsk region. Photo: Shelter team/NRC

Among the private houses visited, the NRC Shelter teams were able to communicate with representatives of 1,916 households, either during the field visits or later through the phone surveys. The quantitative and qualitative analysis in this report is based on the data collected through communication with those households. The numbers showing **eligible cases** which might be considered by humanitarian actors or other stakeholders in current assistance programmes (because of the presence of the homeowner) are below:

DISTRICT	SETTLEMENT	TOTAL DAMAGED PROPERTIES WITH REMAINING NEEDS CONTACTED HOUSEHOLDS
Bakhmut district	Bakhmutka, Vozdvizhenka, Zelenopillia, Kodema, Krynychne, Luhanske, Maiorske, Mykolaivka Druga, Myronivskyi, Novoluhanske, Pisky-2, Svitlodarsk, Siversk	201
Yasynuvata district	Verkhniotoretske, Vodiane, Krasnohorivka, Lastochkyne, Nevelske, Netailove, Novobakhmutivka, Novokalynove, Novoselivka, Oleksandropil, Pervomaiske, Troitske	418
Avdiivka	Avdiivka	45
Marinka district	Berezove, Karlivka, Krasnohorivka, Marinka, Novomykhailivka, Slavne, Solodke, Stepne, Taramchuk	961
Volnovakha district	Andriivka, Berdianske, Blahodatne, Hranitne, Lebedynske, Mykolaivka, Novotroitske, Olhinka, Pavlopil, Sopyne, Chermalyk, Chernenko	275
TOTAL		1,900

14 properties were identified as already repaired, in one case no damage was identified, and in one further case it was not possible to determine the level of damage.

As it is evident in table above, the two main geographical areas with a significant concentration of remaining needs for the repair of single-family homes, i.e. damaged houses are Yasynuvata and Marinka districts (or 72% of the remaining needs). However, there are areas which still remain affected by increasing localised hostilities along the contact line in Donetsk region (GCA); thus, they are subject to the risk of resumed military activity, which may cause new damage and/or destruction at any time.

1.3. Inaccessible Locations

It should be noted that the area of assessment did not include a significant number of villages (see in the table below) which are currently inaccessible for the NRC staff due to existing internal security regulations. The information regarding the current situation of shelter needs was obtained through contacting the local authorities, which however could not be independently verified by technical assessment:

DISTRICT	SETTLEMENT	TOTAL PROPERTIES WITH REMAINING NEEDS
Bakhmut district	Dolomytne, Zhovanka, Rozsadky, Roty	113
Yasynuvata district	Arkhanhelske, Kamianka, Sieverne, Tonenke	35
Volhovakha district	Bohdanivka, Kominternove, Novohnativka, Staromarivka, Shyrokyne	149
GRAND TOTAL		297*

* As previously mentioned, within some of the accessible villages close to the contact line, there are so-called “red zones” – i.e. areas within the villages with limited or restricted access – where it has not been possible to conduct direct visits of the houses listed as damaged/destroyed. The number of non-accessible addresses is 1,153, however, this does not include figures for the villages Pisky and Opytne (Yasynuvata district), which were not included in the lists from the district administrations but which, according to UNHCR data, has approximately 900 damaged addresses (both private and multi-storey).

Shelter needs in those particular non-accessible villages/areas are perceived as high and require intervention from the humanitarian community. Regrettably, the opportunity for interventions in those areas remains limited at present, due to the current insecure situation and continuous military activities with continued exchange of small and heavy weapons fire between opposing sides.

1.4. Findings

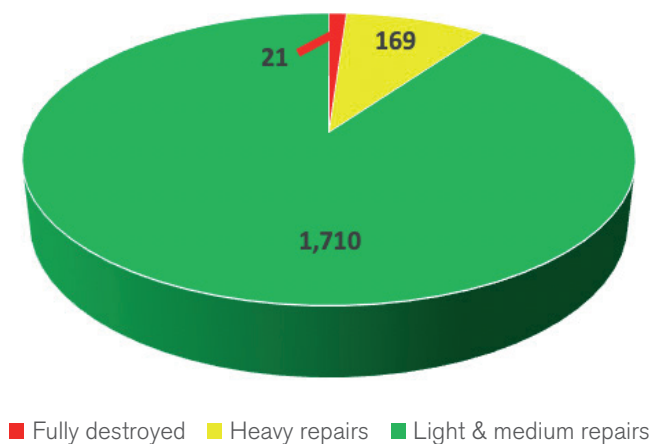
Key Findings:

- More than 50% of the population of concern is elderly.
- Approximately 65% of the assessed households were female-headed.
- 49% of respondents have more than one vulnerability criteria in the household (single parent, medical diseases, elderly, and/or disability).
- Almost all surveyed households expressed an intention to stay in the same location after rehabilitation or reconstruction of their damaged houses.
- 39% of the households do not have access to centralized water supply system and 70% to waste water system.
- The most socioeconomically vulnerable are unable to pay legal fees to demonstrate proof of ownership.
- A three-year statute of limitations for civil cases means many households are in danger of losing the opportunity to seek compensation, and some already have.
- The average income amongst the population of concern is below the minimum wage.

Scope of Damage

The assessment of the damaged private houses shows that, despite significant assistance provided by the humanitarian and state actors, light and medium repairs are still the most prevalent needs among all districts assessed. The total disaggregation per type of damage shows that 90% relate to light & medium repairs, 9% – to heavy and 1% are completely destroyed, compared to the damage assessment in Luhansk region which found 90%, 6%, and 4% respectively.

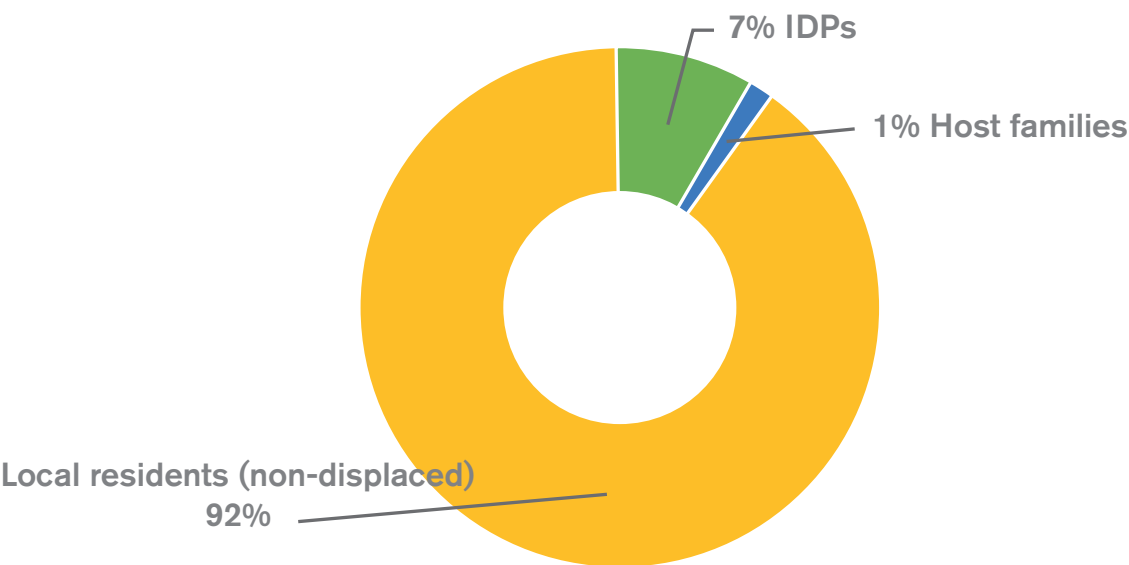
1,900 households assessed with properties identified as having remaining needs



Population of Concern

The analysis of the households shows that the average number of members per household is 2.2 people. The low number can be explained by the fact that significant part of the population residing in the vicinity of the contact line of Donetsk region (GCA) are elderly people and the fact that a lot of people have fled after the conflict started. According to the information provided by local authorities, the percentage of the elderly population varies from 50% to 70%, with no significant difference between local residents (non-displaced) and internally displaced people.

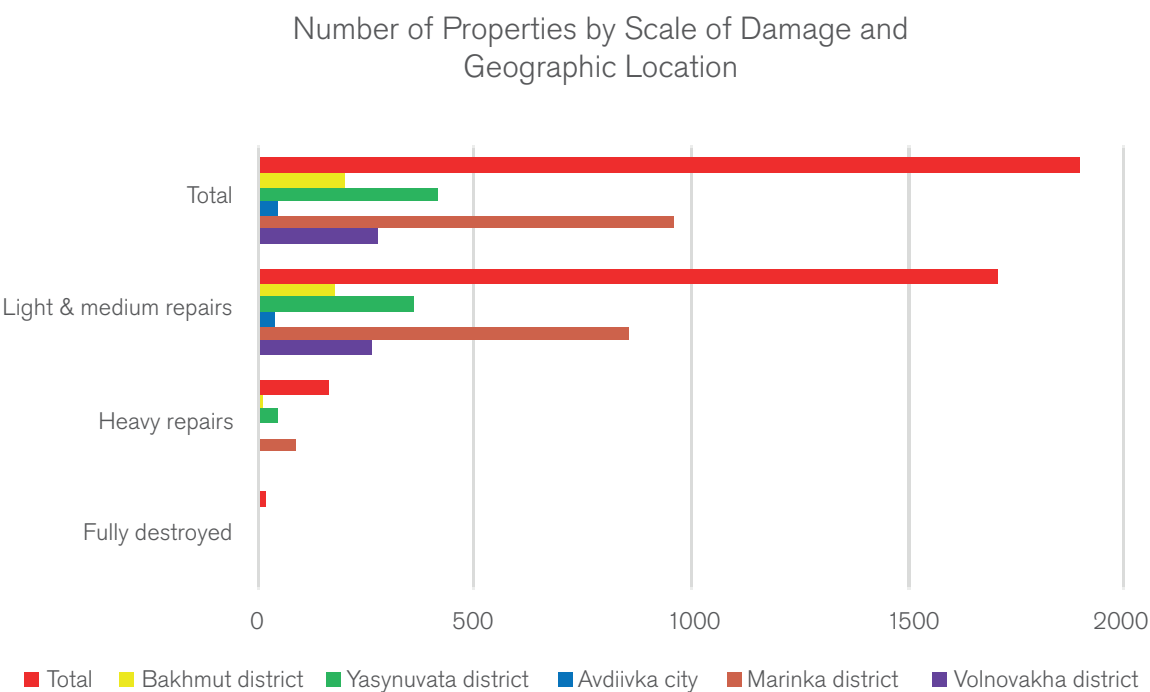
Status of the households



The percentage of female-headed households is 65% among the total number surveyed. This can be further disaggregated to 62% among families in need of heavy repairs, and 66% among families in need of full house reconstruction. This should be taken into consideration during planning stage, when the owner-driven approach is promoted because it will require significant external technical support. Also, 20% of the total respondents stated that they would like to receive turn-key solutions, where the works are organised and implemented by an external contractor. In addition, several key informants expressed doubts regarding the possibility of finding labour among the local population who could then be hired by the beneficiaries for construction works. NRC assumes this preference relates, in part, to previous and current interventions that provided turn-key solutions to very small numbers of beneficiaries. Such programming modalities are resource intensive and limit the number of households that can benefit from humanitarian assistance from NRC's perspective.

49% of the respondents were recorded as having more than one vulnerability criteria in the household (single parent, medical diseases, elderly, disability, etc.). According to key informants, unemployed people of pre-retirement age are considered as among the most vulnerable, both among local communities (non-displaced) and IDPs, due to a lack of jobs and income opportunities. It is assumed that general vulnerability may increase in the areas assessed in the coming years due to overall inflation rates and to the revision of the social legislation relating to subsidies provision through which many families will lose state support.

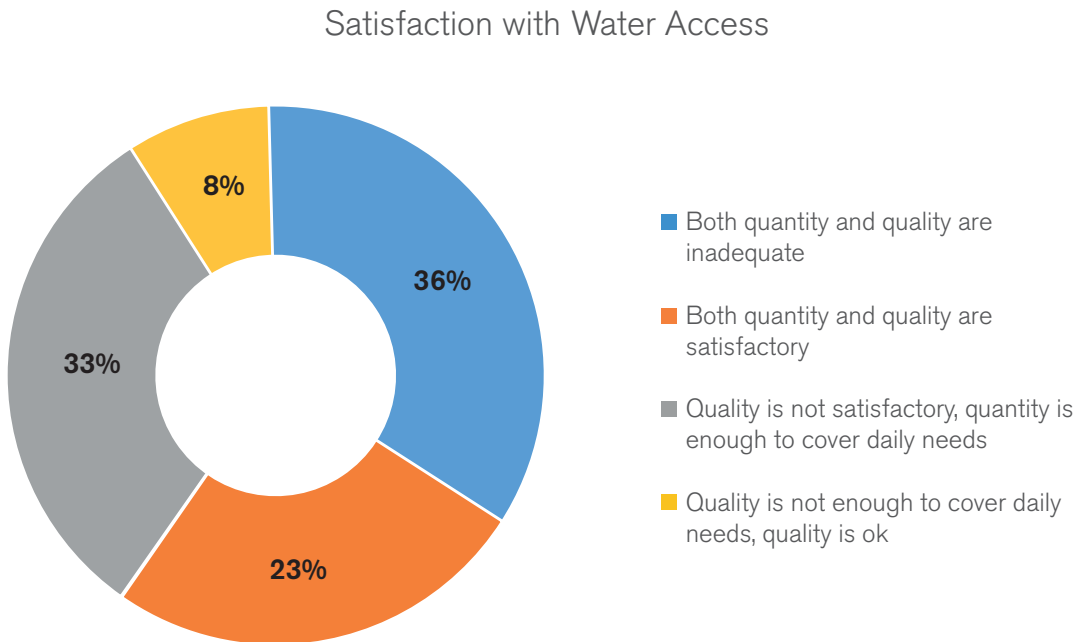
Analysis of the extent of damage, shows that among houses requiring light and medium repair, 45% require repair of the roof. Further, there is a prevalent need for the replacement of windows and/or doors, walls and foundation repair, and internal finishing works. For those households, which had previously received assistance, the most typical remaining needs were internal finishing works and repairs to cracks in the walls and ceiling. In a number of cases, it was observed that material assistance provided earlier was not used properly due to a lack of money at the household level for installation works. In heavy repair cases 13% of the respondents stated that they do not live at the address due to the technical condition of the house, and consequent inhabitability. In general, all heavy repair cases are in need of roof and walls reconstruction (partial or full), replacement of windows, and internal works. 30% of the households in need of heavy repairs and full reconstruction do not have access to the centralized water supply system.



Almost all surveyed households expressed an intention to stay in the same location after rehabilitation or reconstruction of their damaged houses. Six households would like to receive compensation and buy a new accommodation in another region of Ukraine. Two households would like to receive compensation and buy a new accommodation in the same settlement. Two households expressed the wish to repair their properties and then sell them. All key informants asserted that they did not expect a significant return of displaced people to the previously inhabited locations, primarily due to the continuing insecurity, and overall stagnation/deterioration of the local economic situation. Conversely, relatives and people responsible for damaged property noted directly to the NRC Shelter teams that they anticipated significant returns of house owners if the security situation was to improve.

Access to Services

Almost 39% of the assessed households do not have access to centralized water supply system and 70% – to waste water system. Most commonly, wells and boreholes are used as water sources and ground pits are widely spread for waste water disposal in the rural area of Donetsk region (GCA). 72% of the households have a potable water source near the dwelling, but for 10% households it is required to travel more than 250m to the nearest water source (mainly public wells). Only 23% were satisfied with both quantity and quality of the water and this number is equal for both households having access to a public network and those using wells and boreholes.



In many cases, especially true for older houses, pit latrines are not built according to standards and their volume is not enough to cover current needs of the households. For desludging, 14% of respondents order sewage pumping machines in those areas where such services are provided. However, despite a relatively modest cost for this service (on average UAH 440 per truck) it is more frequent for households to try to clean pits themselves using chemicals, or dig a new pit latrine at some distance, where all the sludge is then deposited. This is not unexpected given the fact that an average monthly pension amounts to approx. UAH 3,000¹⁰ which is primary income source for most of the surveyed households.

Concerning accessing social infrastructure and services, key informants have noted that in all locations both primary and secondary educational, medical, administrative facilities have been operating normally. However, for all locations assessed, a common challenge and unmet need is the renovation of transport

10 <https://www.pfu.gov.ua/1789934-informatsiya-shhodo-chyselnosti-pensioneriv-ta-serednogo-rozmiru-yih-pensij-stanom-na-01-07-2019/>

routes, which would increase movement opportunities for the population and for suppliers of materials and services.

The protracted conflict has decreased access to livelihoods, and increased the percentage of families relying on fixed income, contending with inflated market prices of shelter-related materials and services. This protracted stagnation/deterioration has created an atmosphere in which families are becoming incrementally more economically vulnerable than before the start of the conflict. During field research conducted by REACH on economic security situation on the contact line, 17% of respondents asserted that they had been forced to sell some of their own valuable assets (i.e. livestock, equipment) in order to supplement their income.¹¹

The situation is exacerbated by an overall economic deterioration at a local level, and disrupted commercial viability of the main enterprises in the areas of high concern as a result of the conflict. In some of the small villages located near the contact line, and where Shelter needs remain, there exists limited localised access to construction materials and to the service market in comparison with the larger towns. Consequently, prices for materials and labour tend to be higher than average in these locations owing to transportation costs.

Security of Tenure

Another major issue that affected families face in securing adequate shelter assistance is a lack of formal documentation regarding their tenurial rights.

Currently a precondition for the inclusion into Shelter home repair programmes is the possession of a set of documents that demonstrates the connection between a potential beneficiary and the real estate in which this potential beneficiary is living, in line with the humanitarian “Do No Harm” principle.

The risk foreseen by shelter agencies is that – in the absence of entitling documents – the lawful owner or local authorities may evict the family assisted by the agency after the completion of the repairs by way of penalty for non-compliance with Ukrainian legislation. Ukrainian law establishes requirements in order to construct or reconstruct real estate objects. These requirements include demonstrating proof of ownership, acquiring a building permit, and a number of other formalities. Non-compliance with these regulatory requirements may result in administrative penalties including fines, eviction and the possibility of demolition.

Obtaining ownership documentation can be a time-consuming and costly process. Depending on the factual background, this process may cost the owner from a few hundred (in the simplest cases) up to more than UAH 10,000 (in the most complex cases). Furthermore, the most complex court proceedings may last even more than a year. As a result, this issue has often resulted in the exclusion of otherwise-eligible vulnerable families from the home repair programmes of shelter agencies.

Approximately 9% of households interviewed/reached who would otherwise qualify for shelter assistance are ineligible to receive it due to the absence of prerequisite real estate ownership documents, and a lack of resources needed to complete the process in order to acquire them.

Compensation for Damaged/Destroyed Property

On 10 July 2019, the Government of Ukraine, by its Resolution No. 623, established a mechanism on compensation for destroyed – but not damaged – private housing¹². As of July, owners of residential properties which were destroyed as a result of the conflict in eastern Ukraine had a right to claim financial compensation from the State. The amount of financial compensation, however, is capped

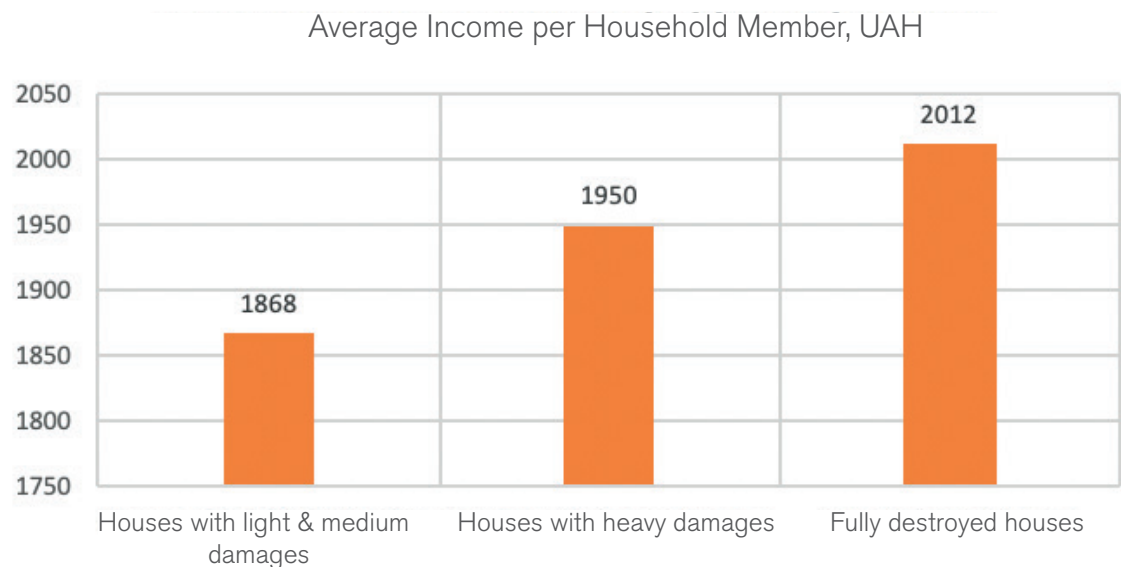
11 https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/2019/07/REACH_Economic_security_assessment_2019.pdf

12 In October 2019, the Government of Ukraine has started developing an alternative normative regulation of the compensation mechanism.

at UAH 300,000 and should be calculated according to each individual case. It should also be noted that previous assistance received from shelter actors will also be taken into account during this calculation. According to the approved mechanism, local authorities or civil-military administrations will be responsible for assessing the extent of damage caused and in developing a local register of destroyed houses etc. It remains to be seen, however, how this mechanism will function in reality given that the supplementary instruments needed for its implementation have not been developed yet. Previous to this, there had been no adequate system in place to receive compensation for damaged or destroyed properties. For a number of formal reasons, the judicial avenue predominantly used by the affected people proved to be ineffective, and the administrative procedure has not been consistently used because of the unified approach of the State authorities in this regard.

Income Levels

Except for some cases, the average income was less than the minimum wage; which is recognised as not enough to cover basic needs, even before taking shelter reconstruction expenditures into consideration. Information regarding income levels clearly shows that beneficiaries, in general, are not able to conduct repair and/or reconstruction works without external assistance. The chart below shows the minimal variance over the three damage assessment categories, taking into account that light and medium repairs represented 90% of all assessed properties, with heavy repairs and fully destroyed, being 9% and 1% respectively.



Multi-Storey Buildings

With regards to the damaged multi-storey buildings, the majority of them are primarily located in Krasnohorivka and Marinka areas of the Marinka district. It was possible to get information pertaining to 64 properties, 10 of which are located in the insecure “red zone”; however a number of the houses could not be assessed due to the absence of residents. The average occupancy percentage in the damaged multi-storey houses does not exceed 25% out of the estimated 3,575 apartments in the affected buildings. This is mainly due to the absence of gas supply, heating and/or their close proximity to the contact line.

Most homes require complex reconstruction works to ensure permanent residence, such as:

- restoration of damaged walls and floor slabs

- overhaul of the roofing
- ensuring the integrity of enclosing structures (windows in apartments and entrances)
- repair and maintenance of heating systems
- thermal modernisation of buildings

These types of works require further detailed technical assessment and involvement of highly skilled working brigades with appropriate equipment and licenses.

In Bakhmut district, 27 damaged apartment buildings were assessed, eight of which require roof repair. In total about 500 apartments are understood to require repairs, and at minimum the majority of cases require light repair including window replacement and internal finishing works. However, in contrast to Marinka district, around 85% of these apartments are inhabited.

In Yasynuvata district, one building of 30 apartments located in Orlivka requires repair of the roofing, but no reliable information regarding the occupancy level in the building is currently available.

1.5 Government Shelter Support Programmes

It should be taken into account that, at present, all the initiatives led by state agencies or government are related to the repair and renovation of infrastructure (educational, medical facilities, water supply infrastructure) and municipal buildings in the pursuit of durable solutions. No funding is allocated for the repair of private houses.¹³ The main priority for the authorities at the regional level is stimulating socio-economic development of communities in order to improve overall living standards and economic activity. The humanitarian community has carried the majority of this burden since the conflict started, including the main shelter actors operating in Donetsk GCA – UNHCR, NRC, ICRC, ADRA, PIN, and Proliska.

In general, the current situation with state programmes of assistance, and support provision to households with damaged or destroyed housing, is the same as in Luhansk region. Several national and regional programmes of recovery and renovation of the economy are being implemented in Donetsk region focusing mainly on the rehabilitation of critical infrastructure, medical and educational facilities or ensuring durable solutions for IDPs:

- Plan of Actions for Organising the Restoration of Damaged (Destroyed) Social Transport Infrastructure, Housing Facilities and Life Support Systems on the Territory of Donetsk and Luhansk Regions.¹⁴ This programme focuses on the determination of the scope of destruction, the list of destroyed infrastructure facilities, attraction of resources of international organisations, development of the regulatory framework. The allocation of budget funds for the restoration of damaged and destroyed housing is not provided within the programme.
- State Target Programme for Recovery and Peacebuilding in Eastern Regions of Ukraine.¹⁵ The programme is based on a comprehensive approach to the problem of recovery and building peace in eastern regions of Ukraine. Implementation of the programme ensures consolidation of efforts of central and local executive authorities, non-governmental organisations and the international community in the process of restoration and peace building in Donetsk and Luhansk regions, as well as social and economic development in host communities. The programme plans to restore the housing stock of communal property for the accommodation of internally displaced people.

¹³ In July 2019 new mechanisms on compensation for destroyed housing were introduced but so far not operationalized.

¹⁴ Plan of Actions for Organising the Restoration of Damaged (Destroyed) Social Transport Infrastructure, Housing Facilities and Life Support Systems on the Territory of Donetsk and Luhansk Regions (<http://zakon3.rada.gov.ua/laws/show/1002-2014-%D1%80?lang=ru>).

¹⁵ Resolution of the Cabinet of Ministers of Ukraine #1071, 13.12.2017 (http://search.ligazakon.ua/l_doc2.nsf/link1/KP171071.html).

- The Development Strategy of Donetsk Region until 2027¹⁶ is in the process of adoption. The programme provides for the restoration and construction of regional infrastructure, for the provision of educational, medical and social services as well as improvement of transport system. The allocation of budget funds for the restoration of damaged and destroyed private housing is not provided by the programme but it is assumed that multi-storey buildings of communal property will be included in the renovation projects.
- State Fund for Youth Housing Programme of economic and social development of Donetsk region for 2019, and the main directions of development for 2020-2021.¹⁷ According to the programme, a complex of measures for major repairs and reconstruction to residential premises, mainly in dormitories, is planned to improve the living conditions of internally displaced people. The funds for the purchase of housing in the private ownership of IDPs are not foreseen by this programme; housing is transferred to improve living conditions on a temporary basis. Territorially, implementation of projects is planned in Bakhmut, Mariupol, Marinka, Krasnohorivka, Avdiivka, Myrnohrad, Pokrovsk, urban areas. Manhush, Druzhkivka, Sloviansk, Kramatorsk and a number of other settlements on the territory of the region and close to the contact line.
- State Fund for Youth Housing Programme of individual construction (purchase) of affordable housing (approved by the Resolution of the Cabinet of Ministers of Ukraine dd. 10.10.2018, № 819), is accordingly a law to support and provide to people subject to the Law of Ukraine “On the Protection of the Rights and Freedoms of Internally Displaced People” in the payment by the state of 50% of the cost of construction (purchase) of housing and/or preferential mortgage residential loan in the absence of other residential real estate than that located in the non-government controlled area and which meet the criteria specified in the decision; channelling state support and providing citizens with affordable housing and using the funds provided by the state budget are determined by the relevant Orders, which are part of the mentioned resolution; for the programme to attract funds from the state and local budgets.

During interviews with key informants, it was confirmed that there is no systematic state support allocated for repair of damaged or destroyed private houses. However, in a few district administrations, it was mentioned that one-time assistance in the amount of up to UAH 10,000 can be provided to the household as compensation for a damaged property in the form of construction material or cash assistance. At the same time while support from NGOs accounts for the majority of assistance in all locations, there are significant efforts from the State Emergency Service (SES) in the implementation of repair works; SES has clear capacities and certain resources (construction materials and equipment) are available from the Department of Civil Protection, to undertake repair works.

As previously outlined, one of the main obstacles for including houses requiring structural repairs or total reconstruction into the assistance programmes is the absence of the ownership documents at the household level. In addition, the financial costs incurred, the process of obtaining necessary documentation from the courts can take from 3 to 12 months, making it difficult to resolve in terms of the common project implementation period.

If it appears impossible or too resource-intensive to obtain ownership documents, one of the alternative solutions for registering such cases of assistance could be the establishment of “permanent residence” through the provision of several justification documents, such as a statement authorised by local authorities showing that the beneficiary resided in the damaged building for a sustained period of time (usually several years before the conflict), the registration in the beneficiary’s passport at the same address, contracts on utility services, rental contracts, and an order issued by the local council or state enterprise outlining for the right to occupy the dwelling.¹⁸

¹⁶ Development Strategy of Donetsk Region till 2027 (<https://dn.gov.ua/projects/strategiya-rozvitku-doneckoyi-oblasti-na-peri-od-do-2027-roku>).

¹⁷ Programme of economic and social development of Donetsk region for 2019 and the main directions of development for 2020-2021 (https://dn.gov.ua/storage/app/sites/1/NewsODA/29.01.2019/PSER_2019.pdf).

¹⁸ <https://www.humanitarianresponse.info/en/operations/ukraine/document/documentation-needs-shelter-response>.

As previously outlined, the current analysis of legal needs along the contact line in government controlled areas of Donetsk region highlighted that around 9% of the households assessed do not possess title documents to prove their ownership of their real estate. In practice, the inability to demonstrate ownership of damaged property (for instance, through the loss of, or significant damage to, said documentation on the grounds directly or indirectly related to the conflict in eastern Ukraine) complicates the process of obtaining assistance from international humanitarian organisations. As noted, the process for obtaining the required documents in court is lengthy. In this regard, international non-governmental organisations are not always able to provide assistance within the timeframe (project cycle and fiscal year) set for the implementation of their projects. A further significant obstacle in the process of restoring legal documentation is financial cost. Even if the exemption from payment of court fees in the circumstances provided for by the Law of Ukraine “On court fees”, applied to a significant part of the population, the procedure for the restoration of title documents, unfortunately, remains a financial burden as they also involve numerous administrative costs that cannot be waived. These factors limit the access of people affected by the conflict to humanitarian programmes, which assist in repair of housing, and thereby leads to the worsening of their actual living conditions.

1.6 Recommendations

The findings of this damage assessment demonstrate that the humanitarian community has come very close to meeting the humanitarian shelter needs of the most vulnerable and exposed areas of Donetsk region (GCA). NRC recommends:

- The remaining eligible humanitarian shelter needs can be met in Donetsk region (GCA) in 1-2 years at a cost that is not unreasonable or incomparable to what the international community has already spent during similar timeframes in the area. The work should continue until the caseload is finalised.
- In order to continue, donors shall not step back from funding HRP shelter activities at this point, despite the significant progress that has already been made.
- Additionally, relatively small levels of funding and innovative thinking are required to address barriers to final occupancy for some households, particularly around legal tenure, winterisation, material, and WASH needs. Household surveys and coordination with existing programmes is needed to determine the scale of such needs.
- While the pace and scale of new damage in frontline areas of Donetsk region (GCA) continues to decrease, it still does occur on a regular basis. Instead of relying on an annual humanitarian project cycle, newly damaged shelter needs should be included in ongoing activities for immediate assessment and assistance. The Shelter Cluster, in coordination with government counterparts, can play a key role in identifying the appropriate “trigger” mechanism for such a response.
- Affordable housing, social housing and compensation mechanisms should be supported as strong pathways towards sustainable and responsible durable solutions for those who have been displaced by the conflict, as well as for those individuals whose homes have been damaged or destroyed, but who remain in place waiting for assistance.
- The population along the contact line in GCA is disproportionately female (57%), and some 66% of female-headed households have a significant vulnerability linked to age, displacement, or disability. The Shelter Cluster partners have noted that some families continue to live in substandard conditions due to the conflict, but are currently not considered for assistance, because they do not match humanitarian organisations’ vulnerability criteria, such as households where working-aged adults face persistent unemployment. The Shelter Cluster partners should review the vulnerability criteria for 2019 in order to address the needs.
- Humanitarian shelter partners provide only minimum interventions to create sufficient living

conditions in line with national standards. This normally does not extend to full reconstruction of destroyed homes, since the costs are high. Thus, communities along the contact line continue to have many shelter-related needs which go beyond the scope of humanitarian interventions and will eventually have to be met through the government and development programmes.

- In GCA, many emergency needs can be met through the distribution of cash assistance and market-based programming, since markets function in most areas and localised economic impact can have a multiplier effect. Where quality is a concern, monitoring and conditional cash programming should be considered. To support the response of local authorities, it will be important to maintain a limited number of emergency NFI kits to have a timely response to potential localised flare-ups and escalation of hostilities.
- Linking humanitarian and development actions, the Shelter sector should support activities aimed at securing access to adequate accommodation through transitional measures for populations in protracted situations by focusing on cash for rent where appropriate, and complementing repairs of heavily damaged or totally destroyed houses with community infrastructure improvements and developing strategic planning, key advocacy messages, and guidance to provide longer-term shelter solutions for populations seeking either return or integration into host communities.
- The opportunity to design comprehensive interventions, including shelter, WASH, civil infrastructure and livelihoods in line with the Humanitarian-Development Nexus (HDN) emerged from recent discussions with shelter partners and other relevant clusters. These integrated interventions could represent an interesting opportunity to plan future shelter assistance, in particular in the case of vulnerable families seeking return or integration into host communities. In case of the Shelter sector, two potential links to the development sector are represented by:

(a) Multi-sector integrated projects (wherever the security situation allows, these projects may create the conditions for the return of internally displaced people to their houses, completing the cycle of shelter assistance that started with the simple provision of emergency shelter kits for the temporary repair of houses damaged by the conflict and continued with the provision of house repairs);

(b) Housing projects for IDPs seeking integration into host communities (this type of intervention, however, shall take into account the differences amongst the target population (i.e. displaced people vs non-displaced and returnees), in the areas of intervention (safe areas away from the contact line vs areas along the contact line) and the set of problems implied in the activities (i.e. the legal issues related to the tenure of new housing for displaced people vs those related to the assistance to families who own the house which is being repaired).

- In this phase of the crisis, the decrease in the number of vulnerable families still in need of assistance for the repair of their homes in GCA is a clear indicator of the contribution provided by the shelter agencies in almost five years of humanitarian response. However, the situation differs when it comes to winterisation. Here, the needs are periodical and are not one-off like the shelter needs. With time, the number of people who have exhausted their savings and as a direct result of the conflict are not able to prepare adequately for the cold season is likely to increase, especially in areas where governmental subsidies are not available, or where the supply of gas or centralised heating has been interrupted. Humanitarian agencies have played a central role in providing a type of assistance that can often be considered as life-saving – in some cases simply complementing the Government's assistance by filling in the gaps; in other cases reaching out to vulnerable families where access was difficult, however, more sustainable solutions need to be sought to ensure thermal comfort.
- The Government of Ukraine has yet to develop a standardised approach for recording the property damage associated with the conflict, and it remains to be seen how the new compensation mechanism will function in reality. It is also important to note that the new mechanism will not provide compensation for instances of damaged property, but only for destroyed properties, but

also will target only individuals who stayed in the previous place of residence¹⁹. An inadequate mechanism will leave many families unable to recover from unexpected financial losses.²⁰ The challenge is compounded by the fact that a significant number of families who fit into humanitarian organisations' criteria for selection, lack ownership documents and cannot be included in the shelter programmes. Shelter humanitarian agencies will require the necessary resources to document damage to or destruction of homes in order to better support protection partners in ensuring adequacy and sustainability of housing for affected populations.

- Ukrainian authorities are called to take concrete legislative steps to establish an effective mechanism accessible to all individuals affected by the armed conflict and that will register and process HLP rights claims towards facilitating compensation for lost, damaged and destroyed property. Ukraine must also act urgently to deal with the legal concerns related to enforcement of HLP rights of the conflict-affected population in case of the use of property by the military. Under these circumstances, it is critical for the Ukrainian authorities to facilitate the access of concerned individuals to restitution and compensation for damages/destruction and/or costs incurred (i.e. utilities bills) because of the use of property by the military, even when military presence within civilian areas is justified due to military necessity.

19 In October 2019, the Government of Ukraine has started developing an alternative normative regulation of the compensation mechanism.

20 Ways, mechanisms and methods of compensation for the losses and implementation of a mechanism for restitution of the violated ownership will be determined as part of the activities of the Inter-Agency Commission and according with the respective laws and legislation of the Government of Ukraine.

Annex 1. Map of the assessed locations





NORWEGIAN REFUGEE COUNCIL

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www.nrc.no

Norwegian Refugee Council
18/1-G, Prorizna St.
01034, Kyiv, Ukraine