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Asylum Seekers, Refugees, and Internally Displaced Persons in Ukraine

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Article 26 of the Ukrainian Constitution makes it possible to grant asylum to foreigners and stateless persons in the manner determined by law. The Ukrainian Law “On Refugees” was first adopted in 1993 and from 1996 the procedure to grant refugee status was introduced in Ukraine. In 2001 the new law “On Refugees” was adopted, which tightened the requirements for applicants seeking refugee status. Ukraine’s current law “On Refugees” was adopted in 2011, and provides complementary forms of protection for asylum seekers.

The granting of refugee status comes under the purview of the State Migration Service of Ukraine (until 2011, it was under the purview of the now-dissolved State Committee of Ukraine on Nationalities and Religions). The legal status of refugees in Ukraine is on par with that of foreign nationals, who live permanently in Ukraine and possess all the same rights as Ukrainian citizens, with the exception of voting rights. According to current law, refugee status is valid for five years, after which the State Migration Service makes a decision to extend refugee status or initiates a procedure to cancel it. After three years of residence with refugee status, a person receives the right to apply for Ukrainian citizenship

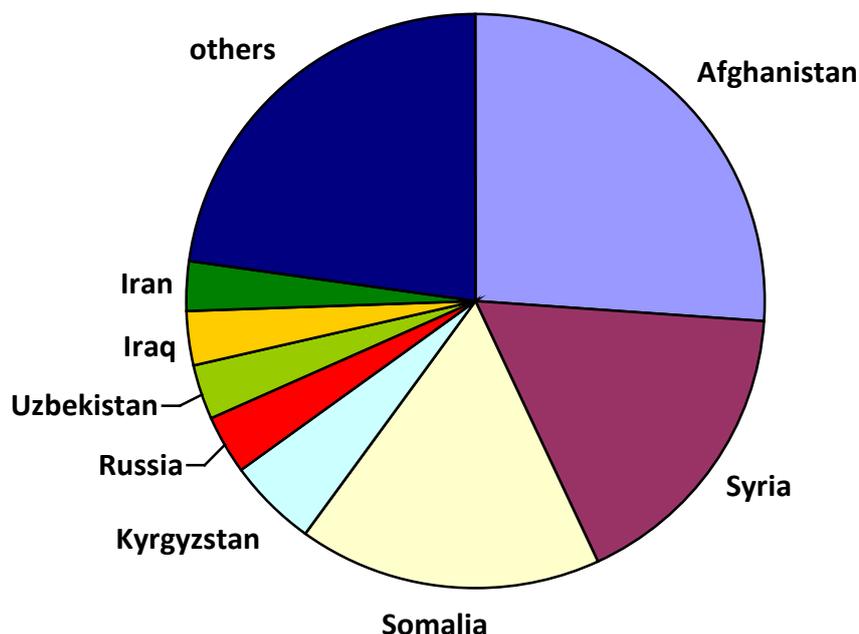
Since the procedure for granting refugee status was first implemented, a total of almost 27 thousand people, including children, have applied (Table 1). A positive decision was given to 6.1 thousand people, which amounts to 22.7% of all who applied. An especially high frequency of positive decisions occurred during the first years of the procedure’s implementation.

Table 1. Number of Asylum Seekers who Submitted a Petition for Refugee Status, and Persons who Received a Positive Decision on their Application for Refugee Status or Complementary Protection, 1996-2012

	Persons Who Applied for Refugee Status	Persons Who Received a Positive Decision
1996	1443	1161
1997	2716	1267
1998	1667	753
1999	1739	643
2000	1893	895
2001	916	455
2002	535	2
2003	1367	56
2004	1364	80
2005	1740	49
2006	2075	65
2007	2155	33
2008	2155	125
2009	1255	125
2010	1500	124
2011	890	133
2012	1573	152

Source: data from the State Migration Service of Ukraine

During 2012, 1573 people requested refugee status from the State Migration Service of Ukraine agencies, including 411 citizens from Afghanistan, 268 from Syria, 264 from Somalia, and fairly large numbers of groups comprised of citizens from Kyrgyzstan, Russia, Uzbekistan, Iraq, Iran, Palestine, Eritrea, Sudan, Guinea, DR Congo, and Georgia (Figure 1). In 2012, refugee status was granted to 63 persons (of whom 36 were citizens of Afghanistan, 6 of Azerbaijan, 4 of Somalia), and complementary protection to 89 persons (of whom 41 were citizens of Somalia, 17 of Afghanistan, 16 of Syria, and 8 of Iraq.)

Figure 1. Distribution of Persons who Applied for Refugee Status in 2012, by citizenship

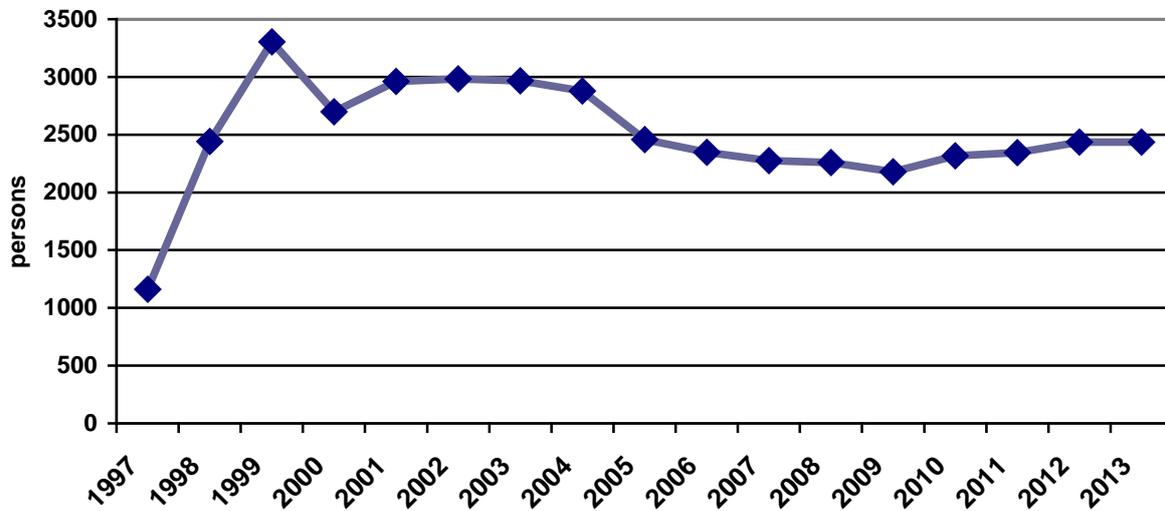
Source: data from the State Migration Service of Ukraine

As of January 01, 2013 there were 2435 persons registered as recognized refugees in Ukraine. The maximum number of people was reached at the beginning of 1999 – over 3.3 thousand people. Over the course of 1997-2002, the number of refugees grew more than 2.5 times, and the period 2003-2009 saw a gradual decrease in this population contingent (Figure 2). But in recent years the quantity of refugees has increased slightly. Over 2/3 of refugees are men. Almost ¾ of this contingent of refugees are persons of working age and only less than 3% are older than working age.

A recent decrease in the number of refugees compared with the beginning of the millennium is related to the return of some to their homelands after the normalization of the situation in their countries, the loss of refugee status, and also to naturalization. Throughout 2012, Ukrainian citizenship was granted to 15 persons, who had previously received refugee status. Since the end of the 1990's, a total of over one thousand refugees received Ukrainian citizenship.

Almost half of all refugees are concentrated in the capital city area (the city of Kiev and Kiev Region), and over one quarter are the in Odessa Region. Moreover, significant contingents of refugees reside in the Lvov, Kharkov, and Zakarpatskaya Regions. In Ukraine there are two temporary accommodation centers, one of which is located in the city of Odessa, and the second in the Zakarpatskaya Region (the office is located in the Region's center, Uzhgorod, and living quarters in the cities of Mukachevo and Perechine). In 2014, a new temporary accommodation center for refugees is expected to open in the city of Yagotin in the Kiev Region. The centers in operation have around 300 spaces, so the fact that they do not meet the demand means a very serious housing problem for refugees.

**Figure 2. Changes in the Number of Refugees in Ukraine 1997-2013
(at the beginning of the year)**



Source: data from the State Migration Service of Ukraine

Among persons who received refugee status in Ukraine during the first years that the procedure was implemented, Afghani citizens strongly dominated. At the beginning of 1997, their percentage rose to 86%. Generally, these were former students from Ukrainian institutions of higher education who, after the transition of power in Afghanistan could not return to their homeland. Although in subsequent years the proportion of citizens from this country, out of the total number of refugees, decreased, they now comprise over half of this population contingent (from the beginning of 2013 – 55.4 % or 1348 people.) Other large groups are citizens of Armenia (199 people), Azerbaijan (170), Russia (107— a large number of whom are from Chechnya), Georgia (71), DR Congo (55), Sudan and Iraq (53 each), Syria (44), Iran (41), Congo (29), Angola (28), Belarus (24), Ethiopia (22), Somalia (21), Palestine (19), Uzbekistan (15). In total among persons with refugee status in Ukraine, there are citizens from more than 40 countries of Asia, Africa, the CIS, and the Former Yugoslavia, as well as 19 persons without citizenship.

The Order of the Cabinet of Ministers of Ukraine from August 22, 2012 N. 605-r approved the Action Plan on the Integration of Refugees and Persons in Need of Complementary Protection into Ukrainian Society until 2020. The plan provides a set of measures, including the development of a program for the study of Ukrainian language and history, the formation of a tolerant attitude towards refugees and persons needing complimentary protection, the provision of housing to refugees, the facilitation of refugees' national-cultural identities, and the creation of centers for their social integration. In the process of the implementation of the plan by the leadership of the State Migration Service of Ukraine, there were a series of meetings with representatives of foreign governments and international organizations, in a number of areas granting temporary shelter to refugees. The State Employment Service of Ukraine conducts outreach activities including mobile job fairs for refugees. At the beginning of 2013, there were four recognized refugees registered with the State Employment Service of Ukraine, two of whom received unemployed status and unemployment assistance. The others were granted informational consultation services. Under the financial support of Regional Offices of the UN High Commissioner for Refugees, Ukrainian language courses are run in Belarus, Moldova, and Ukraine (in the cities of Kiev, Kharkov, and Odessa; during 2012, 72 refugees received certificates of completion for these courses. In Kharkov there are two Sunday schools for refugee

children from Afghanistan, for the study of their native language and the cultural heritage of their people. Through the efforts of non-governmental organizations, the media provides coverage of issues related to the formation of a tolerant attitude of the local population towards refugees.

According to data from the Office of the UN High Commissioner for Refugees, 26.4 thousand Ukrainian citizens reside in other countries of the world where they have been granted refugee status or humanitarian protection. Belonging to an ethnic minority is, as a general rule, grounds for receiving their respective status. The majority of this contingent of applicants (over 20 thousand people) resides in Germany, where there is a special program through which Jews from the Post-Soviet states can receive refugee status. However, in recent years there has been a proliferation of cases granting refugee status to Ukrainian citizens for political reasons.

Currently, 1.5-1.9 thousand Ukrainian citizens petition annually for refugee status in foreign countries (Table 2). The majority of them are in reality economic migrants. In 2012, in particular, the largest number of applications was recorded in the USA (274), France (210), Canada (178), the Czech Republic (174), Sweden (133), Germany (124), and Poland (72). State agencies in foreign countries approve 1/6-1/4 of all applications.

In Ukraine during the period of independence there were no cases of forced migration of any significant contingent of persons within the country. The most recent massive forced movement of people took place after the Chernobyl nuclear power plant accident, which occurred on April 26, 1986. From April 27 to August 1986, 90.8 thousand people were evacuated from 81 settlements in Ukraine.¹ From 1986-1991, the total population loss in the affected area was 157 thousand people.² From the beginning of 1990 to mid-1994, 23.5 thousand people from the affected settlements were moved under mandatory relocation and 22.4 thousand people relocated on their own. By the mid-1990s the relocation of residents from affected areas was generally complete.

¹ Chernobyl Catastrophe, Kiev, Scientific Thought, 1995, p. 62

² The Affect of the Chernobyl Catastrophe on Social-Demographic Development in Ukraine, Kiev, 1993, p. 22

Table 2. Number of Petitions Submitted by Ukrainian Citizens for Refugee Status in Foreign Countries and the Number of Positive Decisions Taken on these Petitions, 2007-2012

	2007	2008	2009	2010	2011	2012
Number of Submitted Applications	1875	1691	1724	1599	1603	1749
Number Approved for Refugee Status or Humanitarian Protection	322	273	285	275	398	323

Source: data from the Office of the UN High Commissioner for Refugees