

Meeting Minutes of Housing, Land and Property Technical Working Group 19 June 2019, Sloviansk			
Agenda Item	Short Summary of Discussions	Action Points	Time Frame
Welcome. Update on HLP TWG's Strategy and Workplan, structure and current activities.	<ul style="list-style-type: none"> <li>• <b>HLP TWG Coordinator</b> informed that since the previous HLP TWG meeting in Donetsk region in February 2019 the HLP TWG Workplan for 2019 and the HLP TWG Strategy for 2019 were developed and, which are available at the <a href="#">page</a>, where other documents relevant to HLP TWG activities can also be found. The HLP TWG Strategy for 2019 highlights <b>4 main priorities</b>:               <ul style="list-style-type: none"> <li>– Prevention and response to risks from military use of civilian property;</li> <li>– Compensation for destroyed or damaged housing;</li> <li>– Documentation in shelter interventions;</li> <li>– Collective centres;</li> </ul> </li> <li>• <b>2 additional priorities</b>:               <ul style="list-style-type: none"> <li>• Other HLP issues (including taxation and targeted assistance, etc.);</li> <li>• General coordination.</li> </ul> </li> <li>• According to the 4 main priorities of the group, it was decided to organize 4 expert groups / task forces:               <ol style="list-style-type: none"> <li>1. Expert group on compensation for damaged/destroyed property – focal point is NRC (Kristina Nechayeva);</li> <li>2. Task force on military use of civilian property – focal point is OHCHR (Tagui Melkumian);</li> <li>3. Task force on shelter documentation (TBC);</li> <li>4. Task force on places of compact accommodation (collective centres) (TBC).</li> </ol> </li> <li>• HLP TWG Coordinator summed up fulfilled tasks and declared current tasks:               <ul style="list-style-type: none"> <li>– Finished and approved:                   <ul style="list-style-type: none"> <li>– Guidance Note on Legal Documentation for Shelter programmes was developed;</li> <li>– Monthly updates on housing, land and property issues have been launched. Updates for January, February, March and April 2019 were compiled;</li> </ul> </li> <li>– Conducted:                   <ul style="list-style-type: none"> <li>– 4 General HLP TWG coordination meetings;</li> <li>– 2 focus groups as part of the development of the Strategy;</li> <li>– 4 meetings of the expert group on compensation;</li> </ul> </li> </ul> </li> </ul>	Inform participants on finalized HLP TWG Strategy and Workplan in 2019.	After completion.

	<ul style="list-style-type: none"> <li>– 1 meeting of the task force on military use.</li> <li>– Current tasks: <ul style="list-style-type: none"> <li>– Completing formation of the HLP TWG structure;</li> <li>– Working on a background document on compensation for destroyed / damaged housing;</li> <li>– Updating of a document on foreign experience on compensation (developed by HLP TWG in 2017);</li> <li>– Holding a separate meeting on a strategic litigation for compensation cases;</li> <li>– Compiling a background document on subsidies and other state support regarding housing and communal services;</li> <li>– Releasing updates on HLP-issues for May and June 2019.</li> </ul> </li> <li>• The HLP TWG Workplan can be amended according to the group’s tasks.</li> <li>• UNHCR representative emphasised a necessity to actively involve local partners in HLP TWG activities, especially regarding questions that are of local character (collective centres)</li> </ul>		
Updates by participants on HLP-related issues	<ul style="list-style-type: none"> <li>• <b>DRC:</b> Held a round table on tax legislation for individuals in relation to agricultural land that is used by militaries and/or contaminated with explosive objects. A similar round table is planned to be held at a central level in August. For those, who is interested, DRC can provide minutes of the meeting.</li> <li>• <b>Right to protection (R2P):</b> R2P jointly with its partners conducted a survey on collective centres in almost all regions and will present this information at the Protection Cluster meeting in Luhansk region.</li> <li>• <b>UNHCR:</b> the main objective regarding collective centres is to find long-term solutions, in particular resettlement from collective centres, which is directly connected with the issue of compensation for damaged/destroyed housing.</li> <li>• <b>UNHCR and R2P</b> in the second half of 2019 will finalize processing of survey responses which were not included in the collective centres report.</li> <li>• <b>NRC:</b> NRC is currently researching an administrative mechanism for obtaining compensation for destroyed / damaged housing and plans a public presentation of this analysis in July 2019.</li> </ul>	Take the updates into consideration.	If necessary.
Tax Rebate on rental costs for IDPs	<ul style="list-style-type: none"> <li>• HLP TWG Coordinator informed that on 23 November 2018, <a href="#">amendments</a> were made to the Tax code of Ukraine, which provided internally displaced persons with an opportunity to receive a tax rebate on personal income tax by excluding a rent under the rental agreement (for an apartment, house) from an object of taxation. Details on receiving the tax rebate are specified in paragraph 166.3.9 of the TCU.</li> <li>• Currently, this mechanism is not well known among organizations that provide legal assistance to IDPs, therefore, it has to be further analyzed. In addition, it is important to investigate the possibility of practical use of this mechanism because it is well known, that many IDPs do not have rent contracts for housing and live on oral agreements.</li> </ul>	To work out the procedure for obtaining a tax rebate on personal income tax by excluding sum of rent under a rental	July - August 2019

	<ul style="list-style-type: none"> <li>• The participants of the meeting discussed a necessity to develop a concise document, which explains the legal mechanism and an algorithm for necessary actions to obtain such a tax rebate. If there will be a clear confidence that such actions will not harm IDPs and landlords, try to implement this mechanism in practice according to the results processed by HLP TWG.</li> </ul>	<p>agreement from an object of taxation - NRC</p>	
<p>Discussion on the case of military use of civilian property in Avdiivka</p>	<ul style="list-style-type: none"> <li>• OHCHR and OCHA briefly presented a situation of a military use in Avdiivka. Occupation of civilian property by militaries in the town of Avdiivka at str. Vorobyova, 15, and str. Molodizhna, 20 has started in 2015. Now approximately 20 apartments are occupied by people in uniform at str. Vorobyova, 15. However, the situation in this building is more complex and comprises several related problems: <ul style="list-style-type: none"> <li>– use by militaries of civilian property of civilian population</li> <li>– limited access to housing for the civilian population</li> <li>– theft of movable property from apartments</li> <li>– damage of civilian property</li> <li>– unauthorized use of communal services</li> <li>– failure to provide the affected population with housing and financial compensation</li> </ul> </li> <li>• OCHA: on 06 June 2019, a meeting of partners was held in Avdiivka. Representatives from OCHA, OHCHR, Proliska, Joint Forces Operation headquarter, CIMIC, housing-maintenance bureau, Gorgaz, commandant's office participated in the meeting. During the meeting the head of Civil-military administration in Avdiivka informed that only three residents who consider themselves victims of illegal occupation of their housing, appealed to the CMA with statements regarding debts for utilities. Thus, authorities consider this problem as of individual nature. More detailed information about all previous meetings is available in MOMs, which were distributed among participants of the task force on Avdiivka.</li> <li>• UNHCR: any advocacy actions to address the situation at str. Vorobyova 15 should be carried out at least at the regional level.</li> <li>• Right to protection: in the coming weeks away consultation sessions are planned to be held in Avdiivka for the residents of the building. Also R2P lawyers started to systematize information on available electricity contracts held by residents of the house.</li> <li>• Participants were invited to consider the coordination of partners' activities for solving the problem of military occupation in Avdiivka (and related problematic issues) under the HLP TWG. Participants agreed with this proposal. HLP TWG will start to work on the problem with the systematization of available information, the identification of particular problems and the development of a strategy for further actions.</li> </ul>	<p>To hold a separate meeting directly devoted to the mentioned issue – HLP TWG.</p>	<p>July 2019</p>



AOB	Other issues should be resolved as of necessity.		
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Participants: Protection Cluster, Shelter Cluster, OCHA, OHCHR, UNHCR, UNDP, ICRC, NRC, DRC, HelpAge International, NGO Proliska, CF Right to Protection, Radnyk Programme.

Next meeting: July, Kyiv.