

ROLE OF INTERNATIONAL ORGANISATIONS IN ENSURING RIGHT TO FREEDOM OF MOVEMENT

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Since the beginning of a full-scale war on the territory of Ukraine, thousands of people have been forced to leave their homes and get used to their new status – either a refugee or an internally displaced person (hereinafter referred to as IDP). It is generally known that «refugee» and «IDP» are two completely different statuses, as refugees enjoy the protection of another (in comparison to the country of their citizenship or permanent residence) country, whereas IDPs still remain within the territory of their home country¹.

Nevertheless, in both cases, these categories are still considered to be vulnerable groups who require additional protection and assistance from the country and local authorities as the reason for such a status is the same (at least in case of Ukraine) – invasion, fear for their lives and safety, and the demand in protection.

Due to a full-scale invasion, a lot of legislative and practical measures were taken to protect the Ukrainian people – special centers and shelters were created, and assistance was provided in employment, educational, and healthcare spheres, volunteering, etc. The EU has even implemented the ‘politically unrealistic’ Temporary Protection Directive, which has become a

¹ Белов Д.М., Белова М.В. (2023). Правові та органі-заційні засади захисту прав біженців та внутрішньо переміщених осіб. Аналітично-порівняльне правознавство. №1. С. 48.

minimal standard that has to be introduced by EU Member States to ensure refugees' dignity and rights².

However, it should also be recalled that international organisations have played a significant role in ensuring the right to freedom of movement and further well-being of both refugees and IDPs.

First of all, we should mention the Office of the United Nations High Commissioner for Refugees (hereinafter referred to as UNHCR), which provides protection and assistance to refugees in various countries around the world. The UNHCR began its activities in Ukraine in 1994. In 2002, Ukraine ratified the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. In 2011, Ukraine adopted a law regulating the treatment of refugees and other persons of concern to UNHCR. In 2013, Ukraine ratified two UN Conventions – the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. UNHCR's main areas of activity encompass the harmonization and establishment of legislative standards of the asylum system, guaranteeing human rights protection, creation of humanitarian space for internally displaced persons and asylum seekers, assistance to refugees, asylum seekers, and internally displaced persons, as well as advocacy aimed at strengthening the protection of refugees. Their activity is based on appreciation of self-reliance and integration and complete intolerance to racism and xenophobia.

In January 2025, UNHCR introduced the Regional Refugee Response Plan for the Ukraine Situation³, which focuses on ensuring continued access to legal status and rights for as long as necessary, taking into account a trend of host countries and humanitarian actors of shifting from immediate emergency aid to long-term strategies that focus on including refugees into national systems. This Plan outlines general strategies and priorities such as support in ensuring of continued access to protection, legal status, and rights, with a particular focus on groups in vulnerable situations and including age, gender, and diversity considerations, support in host countries' efforts to include refugees in national systems, strengthening social cohesion between refugee communities and their hosts, advancing the localization of the response, by supporting national and local civil society, municipalities, and local authorities. It also highlights general cross-cutting response priorities such as age, gender, diversity, accountability to affected populations, protection from sexual exploitation and abuse, sustainability, one-refugee approach. The last principle is extremely important within the context of

² Carrera, S., Ineliger, M. (eds.). (2023). *EU responses to the large-scale refugee displacement from Ukraine: an analysis on the temporary protection directive and its implications for the future EU asylum policy*. Florence: European University Institute, 2023. P. 4.

³ UNHCR. (2025). *Regional Refugee Response Plan for the Ukraine Situation*. Retrieved from <https://shorturl.at/d6kFs>

possible practices of unequal treatment concerning refugees from different countries. Lastly, this Plan provides a detailed overview of certain European countries and their strategies based on evaluation of most important sectors and budgetary calculations. Such an analysis is provided for 10 countries such as Hungary, Czech Republic, Bulgaria, Latvia, Slovakia, Romania, and Poland.

Secondly, it should be mentioned that the activity of International Organization for Migration (hereinafter referred to as IOM). The IOM Office in Ukraine began operating in Kyiv in 1996, when Ukraine was granted observer status with IOM. In 2001, Ukraine applied for IOM membership, and in 2002, the Ukrainian Parliament ratified the organization's statutes.

In accordance with IOM's strategic framework, the IOM Office in Ukraine focuses on conducting comprehensive analysis and raising awareness regarding migration-related opportunities and challenges within the Ukrainian context. The Office's operational framework is fundamentally based on the principles of opportunity optimization and risk mitigation in migration processes. The International Organization for Migration's Ukraine Office provides comprehensive assistance to internally displaced persons (IDPs) and populations affected by military conflict, implements anti-trafficking initiatives, collaborates with governmental authorities on irregular migration prevention and migration management system enhancement, and develops health policies that address specific needs of migrant populations.

Following the onset of the full-scale invasion in Ukraine, the IOM implemented strategic programmatic adjustments. During the period from February 2022 to March 2023, the organization provided comprehensive humanitarian assistance to approximately three million individuals. The assistance framework encompassed multiple intervention categories: distribution of essential non-food and hygiene items; implementation of water, sanitation, and hygiene programs; allocation of multi-purpose financial aid; provision of medical services and psychosocial support; maintenance of collective accommodation facilities; and deployment of various protection mechanisms.

In 2024, IOM has also introduced its Strategic Plan⁴ designated to a three-year period that covers three objectives: saving and protecting lives, driving solutions to displacement, and facilitating regular pathways. The approach is holistic and flexible, and it provides IOM missions with a framework they can use to coordinate and measure progress as we work and partner with others to support the people of Ukraine. It is built on major assumptions which allowed to highlight the most possible vectors of the development such as: low likelihood of large scale surges in displacement (only in case of

⁴ IOM. (2024). *Strategic Response Plan*. Retrieved from <https://shorturl.at/RjzEm>

catastrophic events), difficulties with occupied territories and the remaining significance of monitoring, continuous dynamic of displacement and return, the core importance of Temporary Protection Directive and similar mechanisms as illustrative frameworks, direct dependence of refugees' return to the success of IDP's return, increasing role of labour opportunities.

In this Plan, IOM has made a conclusion that even though IOM supports the rights of Ukrainians to return but recognizes that, with the ongoing war, conditions are currently not in place to facilitate large-scale return and reintegration. While people are returning on their own, and IOM encourages the provision of support to these returnees as part of ongoing humanitarian assistance, IOM has suspended facilitated or incentivized returns to Ukraine, in line with the policies of UNHCR and other agencies. Prior to commencing facilitated returns, several core elements must be in place. The question of returns is highly dependent on solutions to displacement within Ukraine. Only once conditions are conducive to safe returns, and IDP return and durable solutions policies and programmes are in place, can IOM confidently begin the facilitation of refugee returns.

On the level of the European Union a separate agency operates – the European Asylum Support Office (EASO), which has since become the European Union Agency for Asylum (hereinafter referred to as EUAA). The Agency contributes to ensuring the efficient and uniform application of Union law on asylum in the Member States in a manner that fully respects fundamental rights. The Agency facilitates and supports the activities of the Member States in the implementation of the Common European Asylum System, including by enabling convergence in the assessment of applications for international protection across the Union and by coordinating and strengthening practical cooperation and information exchange⁵.

One of the significant contributions of EUAA is not only ensuring constant and day-to-day help for Ukrainians but also providing an analysis of case law on the application of the Temporary Protection Directive that has simplified the process of solving the ambiguities in its implementation⁶.

To conclude, it should be noted that even though the refugee and IDP flow that has been caused by a full-scale invasion of the territory of Ukraine was one of the most numerous ever experienced, the international organizations have played a significant role in providing integrity and consistency in helping our people.

⁵ European Union. (2021). *Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum*. Retrieved from <http://data.europa.eu/eli/reg/2021/2303/oj>

⁶ EUAA. (2024). *Jurisprudence on the Application of the Temporary Protection Directive*. Retrieved from <https://euaa.europa.eu/publications/jurisprudence-application-temporary-protection-directive>