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1. Cabinet Launches Experimental Project on Issuing Certificate of Return

On 21 October 2022 Cabinet introduced [Decree №1201](#) (came into force on 14 November 2022) launching an experimental project that will issue Certificate of Return to persons displaced to the territory of a State recognized as State-aggressor or the occupying State¹.

A Certificate of Return may be issued on the basis of application submitted by the representatives of the person who wants to return to Ukraine, *i.e.*, one of the parents or legal guardians of a minor; one of the parents, spouse, child older than 18 years on behalf of the parents, and brother/sister of a person who wants to return to Ukraine. Certificate may also be issued upon the request of the Ministry for Reintegration.

The Certificate will be issued free of charge and will be valid for three months. It will be issued within five days of the receipt of an [application](#).

Application Processes and Requirements:

- Written application
- Certificate of birth or other birth documents. In case of no birth documents, the process will be based on the information provided in the application, duly verified by the State Migration Service
- ID-documents of the applicant (*i.e.*, representative of the intended returnee) and documents proving family ties or power to represent
- In case of processing a certificate of return for a person under 18 years old about whom there is no information in the Unified Demographic Registry or in the informational system of the State Migration Service, two photographs (3,5x4,5 and 10x15 cm) of the intended returnee need to be submitted.

Before the adoption of this Decree, persons who wanted to return to Ukraine could have received such certificates only through diplomatic or consular offices of Ukraine abroad on the basis of an individual application or through application by legal representatives.

¹ The terminology used herein is quoted from the [Decree №1201](#).

2. Cabinet Eases Civil Documentation Processes

On 28 October 2022, the Cabinet adopted [Decree №1220](#) (came into force on 17 November 2022), significantly easing certain processes pertaining to the issuance of national ID and international passports. The simplified processes are the following:

- **Choice of application options:** applicants can choose a convenient way to apply for an ID-card or international passport via the Department of State Migration Service, State Enterprise “Document” or a consular office abroad
- **In case of unreceived hard copy:** applicants can use electronic copies of an ID-card and international passport in DIYA app, when such documents were issued but not physically received
- **Witness testimony through videoconference:** in cases where witness testimony is required for the identification of a person, such testimony can now be carried out through videoconference
- **Waiver of written consent:** when application for international passport of a minor is submitted at a consular office abroad by one of the parents, there is no requirement for submission of written consent of the other parent
- **Power of Attorney for taking delivery of a passport of a minor:** previously a passport issued for a minor had to be collected by the same parent or legal representative who made the application. After the amendment, a power of attorney for a third person from a legal representative of a minor will be sufficient for the handover.

3. Parliament Approves 2023 State Budget

On 3 November 2022, the Parliament adopted [Law №2710-IX](#) approving the 2023 State Budget. More information on the 2023 State Budget will be provided in a Special Legal Alert.

4. Cabinet Starts Implementation of Experimental Project on Mutual Recognition of Digital Signatures Between EU and Ukraine

On 22 November 2022, the Cabinet adopted [Decree №1311](#) (came into force on 25 November 2022) on the implementation of an experimental project on mutual recognition of electronic trust services between Ukraine and the European Union. The Decree is expected to become the basis for the future signing of an Agreement between Ukraine and the EU on mutual recognition of electronic trust services. This will be the first agreement of this kind between EU and a third country.

The Decree will create the following opportunities for the Ukrainians including those residing in the EU countries:

- the scope to obtain a legally recognized qualified electronic signature remotely
- access a wide range of e-identification tools of all levels of trust
- access Ukrainian online services from abroad

- possibility to e-sign documents at the notary and in the TSNAPs (Administrative Service Centers)
- will form the legal basis for the recognition and use of digital identification wallets.

5. Cabinet Declares Social Assistance for Evacuated Persons and Persons Living in the Newly Accessible Areas

On 21 October 2022, the Cabinet adopted [Decree №1195](#) (came into force on 1 November 2022) declaring social assistance package for evacuated persons and persons living in the newly accessible areas. The assistance will comprise of the following:

- One-time financial aid for persons not registered as IDPs, evacuated from the areas with ongoing hostilities, or persons living in the newly accessible areas not registered as IDPs (tax free 3 000 UAH for persons with disabilities and children, and 2 000 UAH for all others)
- Provision of food, clothes, essential goods, hygienic items, medicine
- Evacuation of persons from the areas where the hostilities are going on
- Delivery and storage of humanitarian aid
- Temporary housing.

The financial aid will be disbursed by Ukrposhta. Individuals receiving the aid must present his/her ID-documents (including digital versions), tax number, documents proving the disability, certificate of the birth of the child (including in digital form). Individuals lacking such documents may get the financial aid after verification of identity by two other persons.

6. Cabinet Eases Terms of the KfW Preferential Housing Loans for IDPs

On 1 November 2022, the Cabinet enacted [Decree №1227](#) (came into force on 5 November 2022) easing the terms of the KfW preferential housing loans for IDPs managed by the State Youth Housing Fund (hereinafter - Derzhmolodzhytlo). Accordingly:

- Houses built up to 50 years ago or reconstructed up to 35 years ago are eligible for purchase under the loan (previously – reconstructed up to 25 years ago)
- The borrower may choose housing in other region than that was indicated in the application for a loan
- Loan can be provided for the period of 30 years (previously 20 years) provided that borrower's age will be not be older than 65 years on the date of fulfillment of the obligations
- Normative size of housing is 52,5 square meters for one person or a family of two, and additionally 21 square meters for each member of the family (21 and 10,5 square meters previously)
- Applicant does not lose the right for the loan if money were not transferred to his/her account because of impossibility to buy housing in the areas with active hostilities or NGCA and the loan agreement was terminated

- Derzhmolodzhytlo may restructure debts for the period of up to 60 months
- Derzhmolodzhytlo may provide the IDP with deferment for damaged or destroyed housing. The deferment is applicable for the following periods:
 - For destroyed housing – until IDP gets compensation
 - For damaged housing – up to one year with possible extension in accordance with the internal rules of the financial institution and level of damage.

7. Ministry of Social Policy Will Cover Certain IDPs` Issues in Its Workplan for the Second Half of 2022

On 2 November 2022, the Ministry of Social Policy issued [Order №302](#) introducing its Workplan for the second half of 2022. The Workplan includes the following displacement related issues:

- Improvement of social services for IDPs, persons with disabilities and evacuated persons by introducing case-management approach. The aim of it is to integrate such persons into the hromadas where they are hosted
- Drafting of legal act on procedure for returning to Ukraine of children who were taken out of Ukraine by adoptive parents or caring parents, unaccompanied children abroad and children displaced to the Russian Federation or the Republic of Belarus
- Drafting of programs for the prevention of domestic violence in IDP families.

8. Cabinet Reinforces Local Government`s Roles on Social Protection of the Vulnerable Persons and Families

On 8 November 2022, the Cabinet adopted [Decree №1280](#) (came into force on 17 November 2022), introducing a mechanism for monitoring and reinforcing local government`s roles in the social protection of the vulnerable persons and families within the local communities. The Decree requires the regional State administrations to provide information to the National social security service on the status of implementation of such social works by local territorial communities every six months. Information to be provided include the following:

- the number of families suitable for assistance
- the number of families and children, displaced from NGCA
- the number of families and children receiving social guidance service
- the number of children returned to their biological families.

Following the categories above, information should also be provided as to the number of persons that received such social assistance.

9. Parliament Establishes Restoration Fund Comprising of Property Forcibly Expropriated from Russian Federation and its Residents

On 19 October 2022, the Parliament adopted [Law №2700-IX](#) (came into force on 19 November 2022) establishing the 'Restoration Fund for Liquidation of the Consequences of War' out of property forcibly expropriated from the Russian Federation and its residents. The Fund will be considered as a part of the State budget.

The Fund will be used for the purposes of restoration of damaged and destroyed properties including:

- public, civil defense, residential and critical infrastructure properties
- housings for IDPs and other conflict-affected population
- purchase of digital (technological) and medical equipment
- special vehicles
- compensations for death and personal injury, caused by the armed conflict.

Other Developments

- 1. Cabinet Decides not to Accept Application for Immigration or Temporary/Permanent Residence from Russian Citizens Until a Special Law Comes in Force** ([Decree №1232](#) of 1 November 2022).
- 2. The Martial Law and Mobilization Have Been Prolongated for 90 Days Till 19 February** ([Law №2738-IX](#) of 16 November 2022 and [Law №2738-IX](#) of 16 November 2022).
- 3. Cabinet Assigns Deputy Minister for Reintegration Borodai O.M. as a New Commissioner for IDPs** ([Decree №1009-p](#) of 11 November 2022).
- 4. United Nations General Assembly Adopts Resolution Furthering the Creation of an International Mechanism for Reparation for Damage, Loss or Injury and International Register of Damage for Ukraine** (UNGA Resolution [A/ES-11/L.6](#) of 14 November 2022).
- 5. Cabinet Extends the Period During Which International Drivers May Be Abroad from 45 to 60 Days During Martial Law** ([Decree №1285](#) of 15 November 2022).
- 6. Cabinet Determines that the Payment of IDP Subsistence Aid will be Extended for Persons living on NGCA and Territories with Active Hostilities, but for Persons Living Outside Such Territories Payments will be Done Till 31 December 2022** ([Decree №1320](#) of 15 November 2022).
- 7. Cabinet Agrees to Accommodate Persons from Territories with Active Hostilities in State Health and Social Protection Institutions During Martial Law and Three Months After its Suspension or Termination** ([Decree №1067-p](#) of 18 November 2022).

8. **Cabinet Orders the Pension Fund to Select Organizations Responsible for Delivery of Pensions and Financial Aid to Actual Places of Residence During the Martial Law and Six Months After its Suspension or Termination** ([Decree №1305](#) of 22 November 2022).
9. **Cabinet Assigns the Ministry for Reintegration to Manage Registers on Adherence to IHL** ([Decree №1058-p](#) of 25 November 2022).

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