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1. Cabinet Allows Persons Without Hard Copy of the National Identification Document to Register as IDP

On 1 July 2022, the Cabinet adopted [Decree №755](#) amending the existing rules on registration as IDP. Persons lacking hard copy document to prove Ukrainian citizenship, or lacking other document to prove special status will now be able to use the following documents for the purpose of registering as an IDP:

- Documents from mobile application Diia/eDocument
- [Receipt](#) issued by TSNAP, State Enterprise 'Document' or State Migration Service proving that the person has applied for national passport

Persons applying for [IDP housing assistance](#) may also use the above-mentioned documents under similar circumstances. Prior to the Decree, persons who lost their hard copy of national ID documents had to undergo lengthy restoration processes. Often time, this required back and forth traveling between the line of contact, adding security risk as well as other hardships.

2. Cabinet Establishes Coordination Hub for the Preparation of Mandatory Evacuation of Persons from Donetsk Oblast During Martial Law

On 29 July 2022, the Cabinet adopted [Decree №854](#) establishing a Coordination Hub for the preparation of mandatory evacuation of persons from Donetsk oblast during Martial Law. The Hub is headed by the Minister for Reintegration and includes representatives of different ministries, Office of the President, State Security Service, heads (deputy-heads) of military administrations and 'Ukrzaliznytsia'. The aims of the Hub are as follows:

- Promote coordination among local and central State bodies on evacuation and resolution of problematic issues connected with it
- Monitor evacuation processes and establish cooperation between State bodies
- Participate in the development of necessary legislation.

3. Parliament Introduces New Rules on Labor Relations During Martial Law Accommodating Displacement Peculiarities

On 1 July 2022, the Parliament adopted [Law №2352-IX](#) amending a number of labor laws including the Labor Code. The aim of such amendments is to establish new rules on labor relations that commensurate with the special needs arising during Martial Law. Following are some most important highlights of the changes:

- New grounds for termination of labor contracts:
 - Employer`s/employee`s death or recognition of him/her by the court as a missing person/declaration as dead
 - Employee`s absence for more than four months in a row
 - Destruction or absence, as result of the current hostilities, of capital asset, technical condition or other means of production necessary for the employee`s work. Employee should be provided with 10 days notification before termination.
 - Conscription of the employer-individual entrepreneur during the Special Period
- Decision on termination of entitlements can be appealed no longer than 3 months after termination of the labor contract
- 60-hours working week may be established only for employees in critical infrastructure
- If an application is made by an employee who became an IDP or left Ukraine, the employer must grant a non-paid vacation up to 90 days. This vacation does not affect annual paid vacation
- Orders on temporary termination of labor contracts may be appealed to the local office of the State Labor Service (Derzhpratsi).

4. Cabinet Authorizes Diplomatic Representatives, Ministry of Foreign Affairs and National Social Service on Resolving Issues Connected with Return of Unaccompanied Minors to Ukraine

On 7 July 2022, the Cabinet adopted [Decree №794](#) authorizing the Ministry of Foreign Affairs, National Social Service and foreign representatives of Ukraine to resolve issues connected with return of unaccompanied minors to Ukraine. The Decree establishes that if the unaccompanied minor is left without guardianship in the country of his/her temporary residence because of legal or other circumstances, diplomatic representatives shall:

- Act as legal representatives of children till their return to Ukraine and reunification with the legal guardians
- Prepare necessary documents and arrange their return to Ukraine in accordance with relevant [Rules](#)

If such children cannot return to the place they lived before evacuation, the National Social Service (NSS) is obliged to find a new place of residence for them. The NSS shall be guided by the best interest of the child in selecting the new

place of residence. The Ministry of Social Policy, Ministry of Justice, Ministry for Foreign Affairs and National Social Service are mandated to cooperate with the relevant bodies of the foreign States to monitor the cases of evacuated children.

5. Cabinet Presents Mechanism for Financial Aid to State and Municipal Enterprises that Provide Social Services to IDPs

On 7 July 2022, the Cabinet adopted [Decree №784](#) presenting a mechanism for providing financial aid to state and municipal enterprises on account of their social services to IDPs. The institutions eligible for such assistance are limited to state and municipal enterprises. IDP social services for which financial aid can be granted to the state and municipal enterprises are governed by the Law [‘On Social Services’](#) and at the minimum should include the following:

- Home care
- Social adaptation
- Sheltering
- Consultations and mediation
- In-kind aid¹
- Accompanying a person with disability
- Sign language translation
- Caregiving and upbringing of children under near-family conditions etc.

As a necessary condition of accessing this financial assistance, the enterprise must be included in the Register of Providers and Recipients of Social Services.

6. Cabinet Establishes Interagency Group to Enhance Control Over Use and Distribution of Humanitarian Aid

On 1 July 2022, the Cabinet adopted [Decree №756](#) establishing an Interagency Group to enhance control over the use and distribution of humanitarian aid. The Group is headed by the Minister of Economy and include representatives of State Security Service, Ministries, Office of the President, Ombudsman and deputy-heads of oblasts` military administrations. The main aims of the Group are as following:

- Monitoring of distribution/use of humanitarian aid and promotion of coordination among local and central State bodies

¹ In-kind aid is the assistance with self-care for people in need of such assistance. Such assistance may include, inter alia, laundering, ironing, sewing and repairing clothes, hairdressing, house cleaning, provision of food items etc.

- Creation of mechanisms and means for resolving problematic issues in connection with the distribution/use of humanitarian aid
- Launching of monitoring mechanisms over distribution/use of humanitarian aid (including digital mechanisms)
- Development of legislative amendments for better distribution/use of humanitarian aid.

The Interagency Group will cooperate closely with the Coordination Hub on Humanitarian and Social Issues (For more information on the Coordination Hub please see [DRC Legal Alert Issue 76](#)).

7. Parliament Ratified the 2007 Hague Protocol on the Law Applicable to Maintenance Obligations Arising from Family Relationships, Parentage, Marriage or Affinity

Background: On 23 November 2007 two international law instruments were developed during the 21st Diplomatic Session of the Hague Conference on International Private Law namely [the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance](#) (hereinafter – the Convention) and [the Hague Protocol on the Law Applicable to Maintenance Obligations](#) (hereinafter – the Protocol).

The Convention covers a wide range of issues namely:

- Recognition and enforcement of decisions on recovery of maintenance (collection of alimony) abroad
- Conditions for such recognition and enforcement
- Amending of the decision on recovery of maintenance (collection of alimony) abroad
- Declaration of decisions of administrative bodies equal to judicial decisions
- Recognition and implementation of maintenance agreements on inter-state level
- Effective access to free legal assistance for issues arising from questions on recovery of child support, family maintenance, collection of alimony
- Requirements for monitoring national bodies of State Parties.

The Convention was ratified by Ukraine on 11 January 2013 and came into force on [1 November 2013](#).

On 1 July 2022, the Parliament ratified the Protocol through [Law №2339-IX](#). The Protocol will come into force on [1 December 2022](#). The Protocol complements the Convention and gives way to a more effective the implementation of the Convention. For instance, maintenance obligations under the Protocol are enforceable regardless of the marital status of child's parents. The Protocol also establishes the general rule according to which maintenance obligations will be regulated by the law of the habitual residence of a person in need of maintenance.

8. Parliament Ratified European Convention on the Abolition of Legalization of Documents Executed by Diplomatic Agents or Consular Officers

On 1 July 2022, the Parliament voted for [Law №2340-IX](#) ratifying the [European Convention on the Abolition of Legalization of Documents Executed by Diplomatic Agents or Consular Officers](#). This is a significant development in line of the fact that the six million Ukrainians currently displaced in Europe are frequently in need of different documents from diplomatic representatives and consular offices of Ukraine abroad.

The ratification will enable people to avoid lengthy formal procedures of re-validation of such document by the foreign State authorities. Due to the ratification of the convention, any such document will be considered valid per se in countries which are party to the Convention. For example, a certificate on clear criminal record document issued by Ukrainian Consular office in Warsaw will be considered valid in the eye of Polish law without the requirement of further validation.

9. Cabinet Allows Some Categories of IDP Students to be Transferred from Self-funded Education to Government-Funded Education

On 7 July 2022, the Cabinet adopted [Decree №769](#) allowing transfer from self-funded education to government-funded education for some categories of students during Martial Law. The following categories of students are eligible for such transfer (provided that they were enrolled under self-funded education during the previous year):

- Children of defenders of Ukraine²
- IDPs relocated from the conflict-affected areas as defined by the Ministry of Reintegration on or before 15 October 2022.

The program will be applicable as long as government funding is not exhausted. Funding used for continued education for persons selected by the ministries and other state bodies should not be affected by this program.

10. Cabinet Establishes Operation Hub for the Provision of Building Materials for Reconstruction of Damaged Objects

On 13 July 2022, the Cabinet adopted [Decree №790](#) establishing an Operation Hub for distributing building materials for the purpose of rehabilitation of damaged objects. The Hub is headed by the Minister for Communities and Territories Development and includes representatives of other ministries and departments including the Oblast Military Administration. The authority of the Hub includes the following:

- Coordinate with executive bodies, companies, enterprises and organizations

² The terminology used herein is quoted from the [Decree №769](#).

- Resolve problematic issues
- Prepare proposals on allocation of funds and investments
- Work on necessary legal developments
- Monitor and analyze the provision of materials, results of reconstruction, and gaps.

11. Cabinet Amends One-Time Compensation Mechanism for Buying Housing by IDPs who Defended Independence, Sovereignty and Territorial Integrity of Ukraine³

Background: On 18 April 2018 the Cabinet adopted [Decree №280](#) on a compensation mechanism for buying housing by IDPs who defended independence, sovereignty and territorial integrity of Ukraine. Such compensation procedure, as amended, stands as following:

Eligibility	<p>IDPs who:</p> <ul style="list-style-type: none">• Defended independence, sovereignty and territorial integrity of Ukraine and were recognized as persons with III group disability as a consequence of the war• Registered in the social housing register under the improvement of living conditions procedure, and• Registered in the Unified Informational Database of IDPs for at least 1 year with the same place of residence
How much is the compensation	<p>The grant is calculated through a special formula which considers factors such as number of family members, vulnerability, average housing price per square meter of the region, registration fees etc.</p>
Where should IDP submit the documents	<ul style="list-style-type: none">• Social protection department of State administration or local executive organ• Center for the Provision of Administrative Services (TSNAP)

³ The terminology used herein is quoted from the [Decree №851](#).

Necessary Documents

- Application for compensation
- ID of the applicant
- Documents proving the combatant status and (if necessary) documents proving the status of a person with disability as a consequence of war
- IDP certificates of the applicant and his/her family members as well as documents proving family relations between them
- Decision of the local executive council on registration of the applicant and his/her family in the social housing register
- Documents proving that his/her housing is damaged/destroyed as a result of conflict (if such housing is located in the GCA and if necessary)
- Certificate on existence/absence of real estate title registered before 31 December 2012 and located in the GCA

On 29 July 2022, the Cabinet adopted [Decree №851](#) amending the program described above. The amendment introduces the following:

- Eligible IDP applicant can open a special bank account for compensation at ‘Oschadbank’ only after the approval of the Commission on consideration of applications on compensation
- Applicant must additionally submit an application on opening of special bank account for compensation at the place of his/her registration as noted in the Unified Informational Database of IDPs.
- The Commission will render the decision on compensation in 5 days after receiving the application from the authorized body. The decision will be taken in the presence of the applicant
- An applicant may submit documents proving that his/her housing is damaged/destroyed (if located in the GCA)
- Compensation can be used during Martial Law and 6 months after its termination or suspension.

12. Cabinet Establishes Rules for Use of Money from the ‘Fund for Restoration of Destroyed Property and Infrastructure’

On 29 July 2022, the Cabinet adopted [Decree №879](#) enacting rules for the use of money from the special account of the Ministry of Infrastructure: ‘Fund for Restoration of Destroyed Property and Infrastructure’. The fund will be distributed among central executive bodies, oblasts military or State administrations, ‘Ukrzaliznytsia’, State enterprises and other enterprises and organizations that are functioning in the sphere of related restoration. The restoration will cover:

- Railway facilities
- Road facilities
- Air, sea and river transport infrastructure
- Tourist objects (hotels, sanatoriums etc.)
- Electronic communications
- Social sphere objects (research and educational institutions, hospitals, office buildings etc.)
- Housing objects and infrastructure.

13. Cabinet Establishes Rules on Access to POW Camps for External Visitors Including Charitable Organizations

Background: On 5 April 2022, the Cabinet adopted [Decree №413](#) introducing Rules for the custody of Prisoners of War (POWs). These Rules envisaged that the POW camps can be visited only by representatives of the Protecting Powers, ICRC delegates and pre-approved media holding special permission.

On 7 July 2022, the Cabinet adopted [Decree №762](#) expanding the access right to certain other external visitors. The Decree makes two categories of visitors. The first group include those who may visit the camp without special permission. This group includes the highest level of state executives and their representatives including the President, Prime Minister, Ombudsperson, Police and Military Chief etc.

The second group includes civil society associations, media, religious and charity organizations. They are allowed to help with distribution of humanitarian packages and materials for religious, educational or entertainment purposes and assistance with organization of leisure time.

In order to access the POW camp, civil society associations, media, religious and/or charity organizations have to get a special permission. The permission can be issued by the Department of the Execution of Criminal Sentences as well as the heads of the respective camps.

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