

Legislative Update

Update on Displacement-related Legislation | March-April 2024



Adopted Legislation

- Payments to children without parental care
- Reparation framework
- Compensation framework update
- Mobilization Law amendments



Other developments

- Education for refugees, holders of complementary protection (CP) and asylum-seekers
- Registration of marriage in Diia

Adopted Legislation

Payments to children without parental care

On 22 March 2024, the Government of Ukraine adopted [Resolution #331](#), initiating a programme called “[A Child Is Not Alone](#)” to provide temporary financial assistance to children without parental care. This assistance will be available for children who are temporarily in the care of relatives, family friends, adoptive families, or family-type orphanages. The assistance amounts to 2.5 minimum wages per child¹ and 3.5 minimum wages per child with a disability. Assistance is granted for 6 months (or less if the child's stay is shorter than six months) and can be extended. Funds must be used to improve the child's living conditions. The Child Protection Service and National Social Service will monitor the usage of funds to ensure they align with the intended purpose.

Assistance is available if the child's parents or parent (in cases of single parenting):

- have died;
- are currently residing in temporarily occupied territories;
- have gone missing under special circumstances;
- are prisoners of war; or
- are in civil captivity;

and the child has temporarily been placed in a foster family, family-type orphanage or under relatives/friends' care in situations of identified absence of parents and has not received the status of an orphan or a child deprived of parental care.

➔ **Requirements for an application:** A person who is temporarily taking care of a child can submit an application online or on paper along with:

- A copy of the child's birth certificate;
- an order from the Child Protection Service indicating the child's temporary placement under care;
- A disability certificate for the child (if applicable).

If any information or documents are missing but available in any electronic database (e.g., Registry of Acts of Civil Status), they can be obtained from there.

Children aged 14-18, enrolled in colleges or technical schools and residing in dormitories can apply for assistance themselves if they live separately from the temporary care family or arrangement.

¹ One minimum wage equals 2563 UAH for children up to six years and 3196 UAH for children of the age 6-18.

→ Payments will be terminated if:

- The period of care specified in the order ends;
- The child is officially recognized as an orphan or deprived of parental care;
- The caregiver or the child spends more than 14 days abroad (except for situations of medical treatment, sports competitions, education, or internship);
- The child turned 18;
- The child attains full legal capacity before turning 18 (e.g., through marriage, employment, or parenthood);
- The living conditions under care do not meet requirements, or allocated assistance is misused;
- The child or caregiver passes away.

On 1 April 2024, the Government of Ukraine also adopted [Resolution #415](#), which enhances the protection of children deprived of parental care and orphaned children. This resolution exempts these children from paying consular fees for obtaining a passport for travelling abroad. Additionally, the head of the consulate has the authority to exempt these children from fees for the Return Certificates of Citizens of Ukraine.

Reparation framework

In May 2023, the Council of Europe (CoE) adopted [Resolution CM/Res\(2023\)3](#) creating the Register of Damage for Ukraine (*hereinafter* – *CoE Register*) as a first step towards an international compensation mechanism for victims of Russian aggression.

To differentiate between international and national compensation mechanisms and to underline the wider scope of the Council of Europe Register, the section in the UNHCR Legislative Updates explaining the implementation of the [Enlarged Partial Agreement on the Register](#) in Ukraine is called the "reparation framework".

On 29 March 2024, the Government of Ukraine adopted [Resolution #365](#), which establishes the procedure for submitting applications to the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine². The Resolution allows citizens of Ukraine to document damage or destruction to housing that occurred after 24 February 2022. To qualify, property rights must be properly registered. The procedure applies to the entire territory of Ukraine within its internationally recognized borders. However, it requires the Commission assessment, which can only be conducted in areas under the control of the Government of Ukraine, as per the national compensation system.

Eligible applicants must be Ukrainian citizens over the age of 18 who are owners or co-owners of the damaged or destroyed housing. Those under sanctions or convicted of crimes against national security are excluded from the procedure. Applications can be submitted only via [the Diia Portal](#). In addition to the required information, applicants can submit an estimated sum of the damage, including any assessments and expertise results.

Hence, the procedure for documenting damage largely aligns with the national procedure for compensation, with some deviations. It is introduced to feed into the international process of collecting information about the cumulative damage caused by the war. The Resolution doesn't have any annexes and the mechanism itself will undergo further elaboration.

The adoption of the resolution signals the development, implementation, and integration into the international process of collecting information about the cumulative damage caused by the war. The resolution doesn't have any annexes and the mechanism itself will be elaborated in the future.

Compensation framework update

On 9 April 2024, the Government of Ukraine adopted [Resolution #401](#), amending the procedure for maintaining the National Register of Damaged and Destroyed Property. This Register is intended to be a comprehensive database encompassing all aspects of managing the compensation framework and related matters. While some provisions were included in previous related resolutions, Resolution #401 systematizes and consolidates them improving clarity and efficiency.

² Read more about the Register in the Legislative Update for [November 2023](#).

- Firstly, the resolution expands the list of personnel authorized to maintain and update information in the Register to include members and heads of commissions responsible for assessing destroyed housing based on remote Earth observation data³, as well as notaries.
- Secondly, the types of documents that must be stored in the Register was expanded. The Register now includes information about recipients of compensation, information on the interim stages of repair or construction work, decisions on refusing or providing compensation, assessments of destroyed properties (including those based on remote Earth observation data), results of the verification by the Ministry of Finance regarding adherence to respective legislative provisions, monetary differences between housing certificates and actual housing costs, and notarized agreements related to housing purchases.
- Finally, the resolution provides more detailed technical requirements for the data that must be added for each document type. This ensures that all necessary information is systematically and accurately recorded.

These amendments aim to streamline the process of managing and compensating for damaged and destroyed property, ensuring that all relevant data is efficiently captured and maintained in the Register.

Mobilization Law

On 11 April 2024, the Parliament adopted amendments to the Law on Mobilisation, which significantly changed the protection environment for draft-aged (18-60) male citizens of Ukraine and continues impacting their freedom of movement. All draft-age males are required to update their military registration documents (MRD) by visiting a center for administrative services or a military commissariat, or via an electronic conscript service "Reserve+", a mobile app introduced by the Ministry of Defence on May 18. Failure to comply will result in a fine of 17,000 UAH for the initial offense, while continued non-compliance with the mobilization requirements may lead to administrative apprehension.

This requirement applies to all males, whether in Ukraine or abroad. Ukrainian men abroad have limited access to consular services, unless their military registration documents are valid and updated. However, certain consular services do not require an MRD, including issuing a return certificate, services involving children where one parent is a foreigner or stateless person, and services requested by arrested or imprisoned citizens.⁴

Other developments

Education for refugees, CP holders and asylum-seekers

In March 2024, the Ministry of Education adopted [Order #266](#), outlining the procedure for admission to universities. Now refugees and persons with CP status can create an online account as a university applicant (abiturient), broadening their admission possibilities. Previously, the Ministry of Education required these individuals to submit paper documents only, necessitating personal delivery or sending the document package via registered mail.

Broader integration opportunities through university education are also available for asylum-seekers who previously could not be admitted at all. In February 2024, the Ministry of Education's [Order #245](#) also enabled individuals documented by a Certificate of Application for Asylum in Ukraine (Dovidka) to apply for admission using this document. This is contingent upon submitting a copy of their passport, certified by the territorial body of the State Migration Service (SMS), with a note indicating that the original passport has been received for safekeeping by the territorial body of the SMS.

³ This includes certified copies of aerial images or materials from various Earth remote imaging systems, presented as pictures. The project was launched in October 2023. For more details please read [Legislative Update for October 2023](#)

⁴ For detailed insights into how recent amendments have affected border crossings, refer to the [UNHCR Border Snapshots](#) available on the [UNHCR Ukraine webpage](#).

Registration of marriage in Diia

On 29 March 2024, the Government of Ukraine adopted [Resolution #345](#), launching a pilot project for registering marriages via Diia. The procedure will be available to Ukrainian citizens over the age of 18 who have the Diia app, an activated Diia.Signature, and either an ID card or a biometric passport for international travel. This procedure will only become operational once the Ministry of Digitalization has made needed adjustments, expected within four months.

One person can submit an online proposal via Diia, and the other must confirm it within 14 days; otherwise, it will be automatically cancelled. The system will collect information through databases, and if, for example, the person is already married, the proposal will be automatically cancelled.

The marriage registration itself will be conducted via videoconference with the applicants and a representative of the Department of State Registration of Civil Status Acts. During the videoconference, the couple signs the marriage certificate using Diia.Signature. Within 24 hours, they will receive their digital marriage certificates in Diia, and paper copies will be sent to their addresses within Ukraine (excluding territories of hostilities⁵).

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▶ **Contacts**

- Email: UKRKI@unhcr.org
- Phone: +38 044 288-9710

➔ **More information**

- UNHCR Ukraine:
- X: [UNHCR Ukraine \(@UNHCRUkraine\)](#) / X
- Facebook: www.facebook.com/UNHCRKyiv
- Instagram: www.instagram.com/unhcr_ukraine

⁵ The term refers to occupied territories and territories of active fighting. The list of the territories on hromada level is maintained by the MinReintegration and envisaged in its Order #309