

Legislative Update

on displacement-related legislation | August 2023

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Adopted Legislation

IDP Councils

On 4 August 2023, the Government of Ukraine adopted [Resolution #812](#) on IDP Councils. These councils are advisory bodies created at the oblast, city, or rayon levels. Their objective is to provide consultation and advice on the implementation of regional policies to uphold the rights and interests of IDPs. Additionally, they promote the efforts of local communities in developing effective mechanisms for the integration of IDPs. These councils are established through the order of the respective military administration.

Each IDP Council should comprise 9 IDPs registered in the jurisdiction of that respective council, 6 members from the establishing body, and 3 representatives of civil society organisations with the protection of IDP rights in their portfolio. The core objectives of the councils include:

- Ensuring the active participation of IDPs in the development of policies and legislation while monitoring their implementation. Advocating for new legislation and amendments to existing laws to better protect the rights and interests of IDPs;
- Providing comprehensive social support, including housing, employment opportunities, psychosocial, medical, and legal assistance, to aid in the successful integration of IDPs;
- Offering organizational and consultative assistance to businesses that have relocated their operations, as well as attracting domestic and foreign investors to bolster local infrastructure and opportunities;
- Fostering cooperation with various governmental and non-governmental entities, both at local and international levels, to safeguard the rights of IDPs, while conducting regular monitoring and assessment of local authorities' performance in protecting these rights.

Payments of pension and social benefits

On 4 August 2023, the Government of Ukraine adopted [Resolution #806](#), introducing the mechanism of resumption of pension payments to pensioners residing on the territories affected by hostilities. Eligible pensioners can apply through the Diia portal using a Diia.Signature (Diia.ID). Alternatively, they can also use the Pension Fund's portal with the video identification feature. The exact procedures for this latter method will be established by the Pension Fund of Ukraine.

On 8 August 2023, the Government of Ukraine adopted [Resolution #837](#), equating authorisation in Pension Fund Digital Cabinet¹ and identification provided by a Ukrainian diplomatic mission abroad, confirming the fact that the person is alive as a part of the procedure of physical identification². Also, the period when identification is not required has been extended to 6 months in the adopted Resolution.³

[eMaliatko service](#)

On 11 August 2023, the Government of Ukraine, adopted [Resolution #853](#), officially solidifying “eMaliatko” as a permanent service. This initiative, which began as a pilot project two years ago, aims to ease access to nine essential government services following the birth of a child⁴ —all through a single application. These services include:

- Birth registration and determination of the child's origin;
- Declaration of the child's place of residence;
- Financial assistance for childbirth;
- Entering information about the child into the Patient Registry in the state's electronic healthcare system;
- Registration of the child in the State Register of Taxpayers (receiving of personal tax code);
- Entering information about the child into the Unified State Demographic Register with automatic generation of a unique record number;
- Providing monetary compensation for the cost of a one-time in-kind assistance "Baby Package";
- Issuing certificates to parents with multiple children (3 and more) and children from large families;
- Assistance for children raised in large families.

The service is available both offline and via Diia.Portal⁵, however, to use the service, a child must receive a medical birth certificate⁶. Consequently, children born outside of medical facilities or overseas cannot access the service.

Further limitations related to the program include the requirement that both parents must be Ukrainian citizens, parents who are married must have their marriage registered in Ukraine, and the service cannot be used if the child already has a governmental birth certificate.

[Ukrainian documents abroad](#)

On 22 August 2023, the Government of Ukraine adopted [Resolution #897](#), establishing the procedure for foreign and stateless persons residing outside Ukraine to obtain or exchange their Ukrainian permanent residence permits in cases of:

- The permanent residence permit is lost or stolen;
- The permanent residence permit is no longer valid for use;
- Foreigner or stateless person reaches the age of 25 or 45, and their permit doesn't have a contactless electronic feature;

¹ Requires the Diia.Signature (Diia.ID)

² If the identification and verification of an individual are not carried out within a year, the Pension Fund of Ukraine and the Social Protection Service shall cease the disbursement of the pensions and social assistance to the current account.

³ The requirement to undergo the identification was lifted for the period of COVID-19 quarantine and 30 days after its termination and with [Resolution #651](#), adopted in June terminating quarantine on the territory of Ukraine.

⁴ Application should be submitted within 30 days from the birth

⁵ Access via Diia will require identification and verification.

⁶ The digital document is compiled by the doctors in the maternity hospital. The unique name of the certificate is 16 Latin letters and numbers, which are sent to the mother of the child via SMS. As the certificate is a starting point for using the eMaliatko

- Failure to obtain the permanent residence permit due to martial law's imposition on Ukraine's territory.

[Resolution #678](#), which was previously enacted, laid down the fundamental regulations of procedure and stipulated that specific offices designated as administrators of the State Demographic Register would oversee the exchange and issuance of ID for Ukrainian citizens residing abroad. However, the adoption of [Resolution #897](#) broadened the scope of its applicability, making it accessible to foreigners and stateless persons.

Other developments

[Response to the destruction of the Kakhovka Dam](#)⁷

On 8 August 2023, the Government of Ukraine adopted [Resolution #825](#), extending the application period for one-time cash assistance for people affected by the explosion of the Kakhovka Dam till 31 October 2023.

On 4 August 2023, the Government of Ukraine adopted [Resolution #807](#) on providing one-time cash assistance for individuals who experienced vegetable crop losses on their land plots. The compensation is set at 3,318 UAH for every 0.01-hectare land plot. Assistance is provided in the amount of no more than 0.2 hectares in the Mykolaiv region and 0.3 hectares in the Kherson region with a maximum of 66,360 UAH to be provided in Mykolaiv oblast and 99,540 UAH in Kherson oblast.

[Residence registration for IDP children](#)⁸

On 4 August 2023, the Government of Ukraine adopted [Resolution #820](#), simplifying the registration of the residence for children displaced from the territories affected by hostilities. The Resolution is a law-implementing mechanism for the [Law #3054-IX](#).

[Compensation for arranging the workplace for persons with disabilities](#)

On 22 August 2023, the Government of Ukraine adopted [Resolution #893](#), establishing the procedure of compensating the employers' costs for arranging the workplace for newly-employed persons with disabilities.

The employers who has purchased assistive devices⁹ for adapting the workplace for these employees, can apply for a reimbursement to the Employment Centre. This application should be submitted within 90 days following the hiring of the employee. Depending on the severity of the disability, the compensation can reach up to 15 minimum wages (100.500 UAH) for persons of I group of disability, and 10 minimum wages (67.000 UAH) for the employees with II group of disability. The application can be submitted either online or offline.

Compensation under the current program is considered as a type of Minor State Aid. In accordance with [Law 1555-VII](#), Minor State Aid is defined as state assistance given to business entities/individual entrepreneurs through various programs and cannot exceed 200,000 EUR over a 3-year period. If businesses or entrepreneurs has already reached the limit of their Minor State Aid within this timeframe, they are not eligible for the compensation.

The Resolution also outlines other eligibility criteria. For instance, employers should have no outstanding debts or be undergoing bankruptcy proceedings. Moreover, they must ensure that employees pay the unified state social contribution. The compensation for arranging a workplace for individuals with disabilities may only be granted only once per person, regardless of the number of employers.

⁷ Please read more in the [UNHCR Monthly Legislative Update for June](#)

⁸ Please read more in the [UNHCR Monthly Legislative Update for April](#)

⁹ A wide range of devices is listed in the Annex 1 to the Resolution

List of Conflict-Affected Areas

The [List of Conflict-Affected Areas](#) is regularly updated and serves as a basis to confirm eligibility for state-provided subsistence allowance for IDPs and some other benefits, related to IDP registration

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