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1. Cabinet Reintroduces the Practice of Random Check of IDP Whereabouts to Control Payment of IDP Subsistence Aid

On 14 October 2022, the Cabinet amended the [Rules on Provision of IDP Subsistence Aid](#) through [Decree №1168](#), reintroducing the old practices of verification of IDP place of stay. Accordingly, the territorial bodies of the National Social Service will conduct a random check of the actual place of residence/stay of the internally displaced person.

In 2015 and years thereafter, a similar practice led to large number of arbitrary suspensions of IDP subsistence aid. The recently introduced rule, however, has a small procedural safeguard. In the event an IDP is not found at the place which was indicated in the application for subsistence aid, the verifying authority has to give a notice to the IDP to identify himself/herself at the local National Social Service office within 10 days.

IDPs, who applied for subsistence aid before 30 April 2022 but did not receive it may submit a fresh [application](#) for the aid personally or by post to the local body of social protection until 1 December 2022.

2. Cabinet Defers IDPs Payment Obligations Under Mortgage Loans for Damaged and Destroyed Housing

On 12 October 2022, the Cabinet enacted [Decree №1153](#) deferring mortgage payment obligations for damaged and destroyed housing. The deferment will be granted for IDPs who have obtained the preferential long-term State credit from the State Youth Housing Fund (Derzhmolodzhytlo) according to the [Decree №980](#) of 27 November 2019. The following categories of IDPs are eligible for the relief:

- IDPs whose housing has been damaged or destroyed starting from 24 February 2022 if they submitted the relevant notification to the State registry on damaged and destroyed property (For more information please see [DRC Legal Alert Issue 78](#))
- IDPs whose housing is located in conflict areas or NGCA.

The deferment is applicable for the following periods:

- For destroyed housing – until IDP gets compensation for the destroyed housing
- For damaged housing – up to one year with possible prolongation according to internal rules of the financial institution and level of damage.

3. Cabinet Declares Automatic Extension of Residence Permits and Ukrainian National Passports Until 30 Days of Termination of Martial Law

On 21 October 2022, the Cabinet adopted [Decree №1202](#) (came into force on 26 October 2022) declaring automatic extension of residence permits and Ukrainian national passports under the following terms:

- Temporary or permanent residence permits that have expired after 24 February or have to be reissued will still be valid during Martial Law and 30 days after its termination (not applicable for Russian citizens)
- Foreigners or stateless persons (except Russian citizens) must submit necessary documents for reissuance of such permits within 30 days of the termination of the Martial Law
- Ukrainian national passports (ID-cards) that have expired 30 days before 24 February 2022 and after 24 February 2022 as well as paperback national passports in which new photos must have been pasted in during the same dates will still be valid. Such passports must be either reissued or the photos must be updated within 30 days of termination of the Martial Law.

4. Cabinet Abolishes Fees for Some Types of Civil Documentation for IDPs During Martial Law

On 2 September 2022, the Cabinet voted for [Decree №989](#) (came into force on 8 September 2022) abolishing fees for IDPs for the following categories of civil documentation during Martial Law:

- application for State registration of civil status acts
- reissuance of certificates on registration of civil acts and certificates that are issued in connection with amendments/renewal of civil status recordings
- issuance of receipts from State Register of civil acts.

IDPs are no longer required to pay for services provided by the departments of State registration of civil status acts.

5. Parliament Provides Critical Tax Relief to Recipients of Charitable Aid

On 3 September 2022 [Law №2520-IX](#) came in force, which, among other matters, expands the list of charitable activities and recipients of charitable aid who are exempted from taxation on such aid. Most notably, the financial assistance provided by foreign authorities to Ukrainians under temporary protection in their respective countries are exempted from taxation. This provision of the law resolves a contentious legal issue where millions of Ukrainian abroad receiving monthly subsistence aid from their host governments were previously required to declare the social protection aid as a taxable income in their annual tax filing.

6. Cabinet Introduces Rules for Admission of Students from NGCA Lacking Documents

On 8 October 2022, the Cabinet adopted [Decree №1137](#) (came into force on 13 October 2022) easing the rules for academic admission of students from NGCA or territories with active hostilities. Accordingly:

- If a student does not have identification document, he/she can be admitted either on the basis of Ukrainian birth certificate or legalized foreign birth certificate accompanied by written commitment to get the identification document in six months after the start of the studies
- If a student does not have a military registration document (military ID, conscription registration certificate etc.), he/she may be admitted on the basis of the written commitment to get the military registration document in six months after the start of the studies.

7. Cabinet Puts in Force Rules for Transferring Certain Categories of Students, Including Students from Conflict Areas, to State-Financed Education

On 28 October 2022, the Cabinet passed [Decree №1224](#) (came into force on 3 November 2022) establishing new rules for placing students from conflict areas to State-financed education program from a self-financed modality in State or private professional and higher education institutions.

In order to be eligible for such transfer the student must:

- Be admitted to the institution no later than 2021
- Live or be a displaced person from a conflict area of NGCA (as [defined](#) by the Ministry of Reintegration)
- Proof the registration in conflict area or NGCA (Excerpt from the registry of hromada, education document).

8. Cabinet Establishes Coordination Council to Facilitate Evacuation of Ukrainians from NGCA Through Foreign States

On 18 October, the Cabinet approved [Decree №1187](#) (came into force on 21 October 2022) establishing a Coordination Council to facilitate the evacuation of Ukrainians from NGCA, inter alia, from the Autonomous Republic of Crimea and the city of Sevastopol, through Foreign States. The Council is headed by the Minister for Reintegration and includes representatives of different ministries, services and international humanitarian organizations. The Council is aimed at facilitating coordination between different state authorities on the return of Ukrainians from NGCA through foreign States. Problematic issues that the council aims to resolve include provision of assistance to returnees abroad and facilitation of issuance, exchange and sending of identification documents to such returnees.

9. Parliament Clarifies Work Permit Rules for Certain Foreigners and Stateless Persons

On 21 September 2022, the Parliament adopted [Law №2623-IX](#) (came into force on 15 October 2022) introducing amendments to the rules on employment of foreigners and stateless persons. The following persons, among others, are entitled to obtain or extend work permits:

- persons who submitted an application for recognition as a stateless person and persons who have appealed against a decision denying recognition as a stateless person;

- foreigners and stateless persons who have arrived in Ukraine for the purpose of studying in institutions of higher education and intend to work in Ukraine during the period of study and after graduation provided that they are employed no later than 30 calendar days before the end of their studies.

The following are some notable restrictions on work permit:

- Foreigners and stateless persons under sanctions (whether international or Ukrainian) may not work in Ukraine
- Work permits for Russian and Belorussian citizens will be issued in coordination with the Security Service of Ukraine.

10. Parliament Grants a Long List of Rights and Privileges to Polish Citizens in Ukraine

On 28 July 2022, the parliament passed [Law №2471-IX](#) (came into force on 16 September 2022) granting the following rights and privileges to Polish citizens in Ukraine:

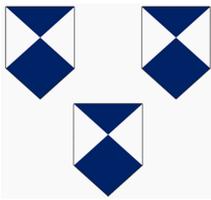
- Polish citizens, their spouses and children may stay in Ukraine for 18 months (renewable) if they come from the territory of the Republic of Poland
- Polish citizens may be employed without a work permit
- Polish citizens may get a tax number and be registered as a taxpayer
- Receive social protection and social allowances
- May conduct business activities and access education under the same conditions as Ukrainians
- Access free medical aid under the same conditions as Ukrainians.

11. Cabinet Presents Rules for Putting Signs on Objects Protected by IHL

On 21 October 2022, the Cabinet introduced [Decree №1199](#) (came into force on 25 October 2022) enacting rules for putting special signs on objects protected by international humanitarian law (IHL). The IHL signs will be put on:

- Objects of cultural property
- Medical units and medical transport
- Objects of critical infrastructure (water, heating, electricity), nuclear power plants, radwaste storages, border levees
- Civil protection objects
- Search and rescue vessels
- High-risk facilities.

The list of objects to be marked with IHL protective signs will be defined by the relevant ministries and will be revised at least annually. The entities owning or using the objects will be responsible for the marking. According to the Decree, the following signs will be used:

SIGN	OBJECTS
	<p>Medical units and medical transport¹</p>
	<p>Civil protection object (including shelters)</p>
<p>A) </p> <p>B) </p>	<p>A) The distinctive emblem may be used alone only for identification of:</p> <ul style="list-style-type: none"> • Cultural property not under special protection • Personnel responsible for protection of cultural property and their IDs. <p>B) The distinctive emblem may be used three times for identification of:</p> <ul style="list-style-type: none"> • Immovable cultural property under special protection • Transport engaged exclusively in moving of cultural property • Refuges for cultural property in case of armed conflict.
	<p>High-risk facilities</p>
<p>“SAR”.</p>	<p>Search and rescue vessels</p>

Other Developments

1. Cabinet Allows Sailors to Leave Ukraine During Martial Law ([Decree №992](#) of 2 September 2022).
2. Cabinet Assigns Ministries and Local Administrations to Create Special Web-Pages for Persons from NGCA on Their Websites ([Decree №791-p](#) of 7 September 2022).

¹ This picture was taken from the Facebook page of the Red Cross society of Ukraine: <https://www.facebook.com/RedCrossUkraine/photos/a.539438762759270/2503556799680780/?type=3>.

- 3. Cabinet Orders Kharkiv Military Administration to Accommodate Persons in Educational Residences** ([Decree №1004](#) of 7 September 2022).
- 4. Parliament establishes Temporary Commission for investigating misuse on receiving, distribution, storage and use of humanitarian aid, as well as inefficient use of state property designated for IDP temporary accommodation** ([Decree №2603-IX](#) of 20 September 2022).
- 5. Government Allows Workers of Destroyed Enterprises to Prove Their Work Record By At least Two Witnesses** ([Decree №1058](#) of 27 September 2022).
- 6. Government Allows Professional Athletes and Accompanying Personnel to Cross the Border During Martial Law** ([Decree №1082](#) of 27 September 2022).
- 7. Parliament Allows Some Categories of Women-Reservists to Register on Military Records at Their Own Discretion** ([Law №2664-IX](#) of 7 October 2022).

The Parliament establishes that:

- Women-reservists with professional or higher medical/pharmaceutical education are obliged to register at military records
 - Women-reservists with professions related to the relevant military specialization may register at military records at their own discretion.
- 8. Cabinet Allows Men Serving as Aviation Personnel to Cross the Border During Martial Law** ([Decree №1148](#) of 4 October 2022).
 - 9. Cabinet Allocates 562 mln UAH for Fuelwood for Conflict-Affected Territories** ([Decree №1139](#) of 8 October 2022).
 - 10. Cabinet Adopts Rules on Development of Post-War Restoration in Regions** ([Decree №1159](#) of 14 October 2022).
 - 11. Cabinet Amends the Temporary Rules on Prolongation of Validity of International Passport and Decides to Apply Them Only if Authorities Have No Opportunity to Reissue the Passport or in case of an Urgent Need of a Person to Leave Ukraine** ([Decree №1185](#) of 18 October 2022).
 - 12. Cabinet Grants the Right to Primary Free Legal Aid to Persons Freed from Captivity** ([Decree №1210](#) of 28 October 2022).

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