

## Legislative Update

Update on displacement-related legislation | November-December 2024



### Adopted Legislation

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## Adopted Legislation

### Property management system and IDP housing solutions

On 20 November 2024, the Parliament adopted [Law #4080-IX](#) on the Protection of Housing Rights of IDPs.

This law establishes a nationwide inventory of immovable property to identify housing options for IDPs. The gathered data will be stored in the **information and analytical system for immovable property for IDP housing (the system)**, which will support the efficient management and allocation of housing resources.

The system is a digital platform designed to streamline the collection, processing, and sharing of information about immovable property owned by the state, municipalities, or private individuals (with the owners' consent) that is either currently used or can be adapted for IDP housing purposes. Eligible properties include land plots, residential buildings and premises, non-residential structures (or parts thereof), apartments, and other types of immobile property.

The system will fulfil several functions:

- Providing an inventory and accounting of immovable property suitable for housing IDPs;
- Providing open access to information on available properties;
- Facilitating allocation of IDP housing through government-established procedures;
- Mobilizing resources, including international aid, to fund and develop housing solutions for IDPs.

As part of this process, inspection commissions will assess each property and prepare inspection reports. These reports will detail the property's location, area, technical condition, occupancy status, photos/videos, and an evaluation of its suitability for housing purposes. These findings will be incorporated into the system to support data-driven decision-making.

The law mandates that during martial law and for three years after its termination, buildings and facilities belonging to vocational and higher education institutions may, with the consent of their governing bodies, be leased for IDP housing. This will be done in accordance with regulations set by the Government, provided that the buildings were not in use for their intended purpose as of the beginning of the academic year and during the preceding 12 months.

For the effective implementation of this law, a series of subordinate legal acts are currently under development.

### Non-property rights violations and the forcibly displaced children framework

On 20 November 2024, the Parliament adopted [Law #4071-IX](#), which establishes a comprehensive framework for accounting war-related harm to individuals' non-property rights.

As a framework document, the law defines key terms, determines the scope of regulation, and sets out principles for its implementation. It focuses on two primary areas: The first is the creation of a registry of deported or forcibly

displaced children; the second is the development of an informational system to record harm caused to personal non-property rights.

➤ Registry of deported and forcibly displaced children

Previously part of the broader registry of people deported or forcibly displaced, this new child-focused registry is now a standalone entity. Following the government restructuring in late 2024, the Ministry of Justice has taken responsibility for overseeing the registry's operation, including the entry, processing, and management of data ([Res#1240/2024](#)).

➤ System for accounting other non-property rights violations:

The system will collect and consolidate data on:

- Affected individuals whose rights have been violated;
- The nature of the harm they have suffered<sup>1</sup>;
- Support measures provided to them, including expenses covered by state and local budgets, as well as social insurance funds.

The Ministry of Social Policy is designated as the holder of this system. Information will be automatically gathered through electronic exchanges with public registries, databases, and other information systems managed by state authorities. Affected individuals or their legal representatives can also directly provide relevant information about harm to non-property rights and access their information in the system.

This system aims to enable affected individuals and the state to seek justice through international mechanisms while laying the groundwork for legislation on comprehensive support and compensation measures.

### CRSV survivors and urgent reparations

On 20 November 2024, the Parliament adopted [Law #4067-IX](#) on the status of CRSV survivors and urgent interim reparations.

This law establishes a comprehensive framework for addressing the needs of survivors of conflict-related sexual violence (CRSV). It sets out key definitions, eligibility criteria, and procedures and timelines for recognizing the survivor status and providing compensation.

A central component of the law is the introduction of *Urgent Interim Reparation (UIR)*. UIR is a mechanism designed to address the immediate consequences of CRSV and meeting the urgent needs of CRSV survivors. Support under UIR includes: (i) monetary compensation and (ii) free physical and psychological rehabilitation services. This mechanism does not preclude survivors from pursuing criminal prosecution or other legal remedies.

#### Eligibility

CRSV survivors under the law include:

- Individuals directly affected by CRSV<sup>2</sup>.
- Children born as a result of rape in the context of CRSV.

Exclusions apply to individuals involved in crimes against Ukraine's national security, international order, or related offenses.

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<sup>1</sup>The types of violated non-property rights that will be accounted include: death; disappearance under special circumstances or being missing without a trace; leaving a child without parental care, depriving a child of parental care, or the inability of parents or other legal representatives to fulfil their duties; injury or damage to health; CRSV; torture, cruel, inhumane, or degrading treatment or punishment; forced detention, unlawful imprisonment, captivity, or other forms of deprivation of personal liberty; human trafficking; forced labour; forced displacement, deportation, or abduction; forced displacement, deportation, abduction, or forced adoption of children; internal displacement or evacuation; forced relocation beyond Ukraine's borders; forced relocation beyond Ukraine's borders from areas where hostilities were ongoing at the time of departure, or from territories temporarily occupied by the Russian Federation, or due to damage or destruction of housing caused by hostilities; loss of access to medical care, social, or educational services; other violations of personal non-property rights in cases defined by the legislation of Ukraine.

<sup>2</sup> CRSV refers to sexual violence committed against any person in connection with the armed aggression of the Russian Federation against Ukraine starting from February 20, 2014. This includes acts such as rape, forced pregnancy, forced sterilization, forced abortion, coercion into prostitution, sexual exploitation, coercion to engage in sexual acts with a third party, coercion to observe sexual acts, sexual slavery, trafficking for the purpose of sexual exploitation, forced circumcision, forced castration, genital mutilation or violent acts against genital organs, forced nudity of a sexual nature, and any other form of sexual violence, as well as threats and attempts to commit such acts.

## Recognition and compensation

The law establishes a *Commission for Survivor Status Recognition* under the Ministry of Social Policy to assess cases, grant survivor status, and provide compensation. The process operates independently of criminal proceedings, however, without prejudice to the right of survivors to seek justice through the legal system.

Applications submitted in writing by survivors or their legal representatives will be considered through government-defined procedures. A decision is made within 45 days (extendable to 90 days) based on verified evidence of CRSV.

Survivors are entitled to compensation, with higher amounts provided in cases involving minors, pregnancies, or pregnancy terminations caused by CRSV. The procedure for granting and paying compensation will be determined by the Government of Ukraine. Several by-laws are to be adopted for the implementation of this law.

## Compensation update

### ➤ Redirecting of IDP subsistence allowance funds to the compensation procedure

In August, amendments to the IDP subsistence allowance payments ([Res#332/2022](#)) introduced new exclusion criteria based on material status<sup>3</sup>. This change significantly reduced the number of recipients of this assistance, leaving a portion of allocated funds at risk of remaining unused. To avoid the under-utilization of these funds and ensure they continue to support IDPs, a decision was made to redirect the resources toward compensation for destroyed housing for IDPs.

This redirection was implemented in two steps:

- On 4 December, the Parliament adopted [Law #4114-IX](#), granting priority rights for IDPs to receive compensation for destroyed housing.
- On 13 December, the Government adopted [Resolution #1432](#), finalizing the process by redirecting 15 billion UAH of unused IDP subsistence allowance funds to compensate for destroyed housing for IDPs who do not own other housing in government-controlled areas.

### ➤ Compensation for housing in the occupied territories

The Law on Compensation and its related by-laws include a territorial criterion requiring that housing must be located in areas under the control of the Government of Ukraine to qualify for compensation. This requirement ensures that special commissions can access the property to conduct on-site assessments, as mandated by compensation for damaged ([Res#381/2023](#)) and destroyed ([Res#600/2023](#)) housing programs.

On 19 December 2024, the Parliament adopted [Law #11161](#) introducing compensation for housing located in territories affected by hostilities<sup>4</sup> (MinRe [Order #309/2022](#)). Housing in these areas can be considered destroyed, and compensation will be granted upon the owner's formal relinquishment of ownership rights to the property.

Law#11161 aims to address the challenges faced by the owners whose housing is located in areas of hostilities and who can neither access their property nor are covered by the general procedure for compensation.

*(At the time of preparing this legal update, Law #11161 has not been signed by the President, which is the final step required for it to enter into force. A detailed update will be provided once the final text is published and the relevant by-laws are adopted.)*

## Government Restructure

On 3 December 2024, the Government adopted [Resolution #1366](#), renaming the Ministry of Reintegration of Temporarily Occupied Territories of Ukraine (MinReintegration) to the **Ministry of National Unity of Ukraine** (MinUnity).

Previously, MinReintegration was primarily responsible for protecting and supporting IDPs and other conflict-affected people. This included developing and implementing policies and programs to safeguard their rights and facilitate the reintegration of occupied territories.

<sup>3</sup> More in [UNHCR Legislative Update on Subsistence Allowance](#)

<sup>4</sup> "Territories of hostilities/ territories affected by hostilities" refers to areas designated in MinRe Order #309/2022, encompassing two categories: (1) territories of active fighting, and (2) occupied territories, either since 2014 or since the beginning of the full-scale war.

The MinUnity is outward-focused and is called to support Ukrainians abroad, preserve connections with them and contribute to social cohesion efforts.

In light of this restructuring, responsibilities related to IDPs and conflict-affected populations have been redistributed among other key ministries. The Ministry for the Development of Communities and Territories (MinDevelopment) and the Ministry of Social Policy (MoSP) have been mandated by the Cabinet of Ministers to take on these responsibilities.

To support the transition, several by-laws have already been adopted, with more to follow. These regulatory changes define new areas of responsibility for different ministries. For instance, the MinDevelopment has been assigned additional functions ([Res#1545/2024](#)), while the MoSP now oversees the Prykhystok program and utility compensation for IDPs in state, communal or private premises<sup>5</sup> ([Res#1544/2024](#)). Additionally, the MinJustice has taken over certain functions related to maintaining the Registry of Children Deported and Forcibly Displaced.

Further legal adjustments are expected to refine the distribution of responsibilities and ensure the continuity of key support programs.

## Other developments

### [IDP support payments](#)

On 31 December 2024, the Government adopted [Resolution #1507](#) and amended two IDP-related frameworks.

- The resolution extends the subsistence allowance for eligible IDPs for up to three additional 6-month periods (two years maximum) of support. Previously, the limit was two additional periods (18 months maximum). The Resolution clarifies that one-time severance payments<sup>6</sup> are counted in a household's average monthly income for eligibility purposes. However, income received from the one-time sale of the only registered vehicle or only home located in the area of active combat or occupation is not included.
- The Resolution amends the program on providing rental subsidy for IDPs by changing payment calculations and removing former territorial limitations that restricted its implementation only to certain oblasts. The only remaining territorial condition is that the areas must not be affected by hostilities (MinRe [Order #309/2022](#)).

### [Hromada residency for IDPs](#)

The President signed [Law #3703-IX](#), amending the Law on Local Self-Government, recognizing IDPs as residents of hromadas. Under this new provision, IDPs residency is confirmed through their IDP certificate. This recognition enhances their ability to participate in local decision-making and access to community-level initiatives and local democracy tools, such as participatory budgeting. Aligning with Principle 22 of the UN Guiding Principles on Internal Displacement, this is a significant step toward integrating IDPs into local communities.

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<sup>5</sup> The **Prykhystok** program ([Res#333/2022](#)) and utility payment compensation for IDPs residing in state, communal, or private properties ([Res#261/2022](#)) aim to reimburse property owners for hosting IDPs.

<sup>6</sup> Severance pay is provided when an employment contract is terminated. The amount varies depending on the reason for termination and may be based on either the employee's average monthly salary or the minimum salary (8,000 UAH as of 1 Jan 2025). When severance pay is linked to the minimum salary, the employee is entitled to two months' worth, totalling 16,000 UAH.