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## **ON CHANGES TO THE PROCEDURE FOR ALLOCATING PAYMENTS FOR INTERNALLY DISPLACED PERSONS OF UKRAINE**

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The article analyzes financial support from the state for internally displaced persons. On the basis of the current legislation, the concept of “internally displaced persons” was characterized. It is noted that internally displaced persons are citizens, foreigners, and stateless persons who permanently or temporarily reside in the territory of Ukraine and are forced to carry out internal displacement within the borders of their country either forcibly or of their own free will. It is indicated that precisely because of the military aggression of the Russian Federation against Ukraine, a large number of Ukrainian citizens were forced to migrate to safe places, saving their lives and the lives of their relatives, therefore, since 2022, the number of displaced people has increased, both within Ukraine and abroad. Statistical data on forced displacement by internally displaced persons are indicated. It is noted that the fact of internal displacement is confirmed by a certificate of registration of an internally displaced person.

It was established that the state contributes to providing effective support and assistance in overcoming the challenges caused by the war in Ukraine for internally displaced persons. It is indicated that persons who lost their homes or were forced to relocate from places where hostilities are taking place or from temporarily occupied territories are most in need of housing and financial support.

It is indicated that internally displaced persons are provided with financial support for accommodation in the amount of UAH 3,000 for persons with disabilities and children and UAH 2,000 for other persons. However, the Government made changes to the legislation on the appointment of payments for internally displaced persons. It is noted that the payment will not be extended for persons staying abroad for more than 30 calendar days in a row; are serving sentences in places of deprivation of liberty; were convicted of a criminal offence; returned to the abandoned place of residence. It is emphasized that state payments will be stopped to those internally displaced persons who: purchased a new vehicle; purchased for more than UAH 100,000 a plot of land, an apartment, a house of other immovable property; have funds in the deposit bank account(s) in the total amount exceeding UAH 100,000, etc. It has been proven that it is very important for internally displaced persons to continue receiving payments.

**Key words:** forced migration; internally displaced persons; state payments; financial support; resettlement of people.

**Formulation of the problem.** One of the main reasons for the forced migration of Ukrainian citizens is the full-scale invasion of the Russian Federation on the territory of Ukraine. Therefore, a very

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large number of people were forced to change their place of residence, which negatively affected the social condition of displaced persons. Because of this, forced migrants need, first of all, places to live, financial support, employment and other measures from the state.

In the conditions of war, the need for further research into the forced migration of internally displaced persons in Ukraine and their financial support is an important task for state authorities. Issues related to the procedure for assigning social benefits to forcibly displaced persons and introducing changes to the legislation regarding the further protection of the rights of internally displaced persons are relevant.

**Analysis of the study of the problem.** The issue of forced migration of the population of Ukraine was studied by: I. Basova, N. Bolotina, N. Bortnyk, O. Zadorozhnyi, K. Krahmalova, R. Najafgulyev, V. Mykhaylovskiy, M. Sirant and others. At the same time, the procedure for assigning payments to internally displaced persons in Ukraine needs further improvement, taking into account the economic capacity of the Ukrainian state.

**The purpose of the article is to study the** financial provision of internally displaced persons of Ukraine and to introduce changes to the legislation regarding the procedure for assigning payments under martial law.

**Presenting main material.** It is worth noting that due to the annexation of Crimea by the Russian Federation (hereinafter – RF), which began in March 2014 and the armed conflict in the East of Ukraine that began in April 2014, mass displacement of civilians occurred and continues, both within the country and outside its borders. Such events provoked the emergence of the most vulnerable citizens of Ukraine, namely internally displaced persons (hereinafter referred to as IDPs).

According to the Ministry of Social Policy of Ukraine (hereinafter referred to as the Ministry of Social Policy of Ukraine), as of 2021 there were about 1.46 million internally displaced persons in Ukraine [1].

Due to the full-scale invasion of Russia on the territory of Ukraine on February 24, 2022, the number of internally displaced persons began to increase very rapidly. According to the data of the State Enterprise “Information and Computing Center of the Ministry of Social Policy of Ukraine” from February 24, 2022 to April 17, 2023, there are 4,849,840 internally displaced persons in Ukraine [2].

According to the Minister of Reintegration of the Temporarily Occupied Territories, Iryna Vereshchuk, “there are 4.9 million internally displaced persons in Ukraine. Of them, 3.6 million became displaced persons after February 24, 2022” [3]. Since the beginning of the full-scale Russian invasion of Ukraine, 2.4 million Ukrainians have gone abroad and never returned.

Internally displaced persons are citizens of the country, foreigners, stateless persons who permanently or temporarily live on the territory of Ukraine and are forced to forcibly or voluntarily carry out internal displacement within the borders of their country for reasons of an objective nature that threaten their life and health. It is worth noting that the fact of internal displacement is confirmed by a certificate of registration of an internally displaced person.

In accordance with Article 15 of the Law of Ukraine “On Ensuring the Rights and Freedoms of Internally Displaced Persons”, the financial provision of the rights and freedoms of internally displaced persons at the expense of budget funds is carried out in accordance with budget legislation. Measures to ensure the reception, travel, accommodation and accommodation of forced migrants are the expenditure obligations of Ukraine and local self-government bodies in accordance with their competence to ensure the social rights and guarantees of citizens of Ukraine [4]. The state guarantees a monthly living allowance for internally displaced persons registered in the following amounts: for persons with disabilities and children – 3,000 hryvnias; for other persons – 2,000 hryvnias.

It is worth noting that the Cabinet of Ministers of Ukraine (hereinafter referred to as the Cabinet of Ministers of Ukraine) adopted Resolution No. 709 dated July 11, 2023, “Some Issues of Support for

Internally Displaced Persons”, which amends the procedure for assigning housing benefits for internally displaced persons [5].

One of the most important tools for supporting IDPs is, above all, housing assistance for internally displaced persons of Ukraine. At the same time, this is one of the largest programs financed from the state budget. In 2023, UAH 57 billion is provided for it in the state budget. During 2023, payments were financed for more than 2.6 million people [6]. The Government has approved preliminary indicators of the state budget for 2024. According to the published figures, more than 16 million hryvnias will be allocated to help displaced people.

The goal of the Ministry of Social Policy of Ukraine is to provide effective support and help in overcoming the challenges caused by the war for internally displaced persons who – due to the war – lost their homes or were forced to leave their homes and relocate from places where hostilities are taking place or from temporarily occupied territories. In order to modernize the conditions for providing assistance to IDPs, the Government adopted a resolution specifying the parameters for providing this support [6].

In particular, for all IDPs currently receiving assistance, starting August 1, 2023, assistance payments will be automatically extended for another 6 months, until the end of January 2024. However, the Government of the country has extended all payments for IDPs until March 1, 2024.

According to the UN, there are 5.9 million Ukrainian refugees in Europe. Temporary protection has been extended until March 2025, but at the same time, some countries plan to gradually reduce aid for refugees – cut social benefits, strengthen housing conditions and motivate people to find work. The largest number of Ukrainian refugees are in Poland and Germany. In 2024, Poland plans to gradually cancel social support for Ukrainians – family benefits, free access to schools and medical care, and others. Starting in 2024, Germany will reduce payments to all refugees, including from Ukraine. Asylum seekers will be able to receive the right to social assistance only after three years of receiving reduced benefits, not after a year and a half. In addition, Germany will encourage displaced people to look for work: aid recipients will be required to report their employment efforts at least once every six weeks. The Czech Republic plans to reduce the period of free accommodation of displaced persons from 150 days to 120 or to 90 days starting in 2024. For Ukrainian children, a separate date of enrollment in kindergarten or school may also be canceled, and special classes will not be created for them. Ireland wants to limit the free accommodation of displaced persons from Ukraine in public housing to three months. Also, the local government plans to consider reducing social benefits to Ukrainians [7].

In Ukraine, assistance will continue for all IDPs who live in Ukraine and are internally displaced persons in the amount of UAH 3,000 for persons with disabilities and children and UAH 2,000 for other persons.

It is worth noting that payments will not be extended to persons who:

- stay abroad for more than 30 calendar days in a row;
- are serving sentences in places of deprivation of liberty;
- were convicted of committing a criminal offense provided for in Articles 109, 110, 111 or parts three to eight of Article 111<sup>-1</sup> of the Criminal Code of Ukraine [7], or declared wanted in the event of receiving such information about persons by the structural unit on issues of social protection of the district population, the district in Kyiv state administration, the executive body of the city, district in the city (if it is formed) council (hereinafter – the body of social protection of the population) from law enforcement agencies;
- returned to the abandoned place of residence in the territories included in the list of territories for which the dates of the end of hostilities (ceasing the possibility of hostilities) or temporary occupation have not been determined [5].

However, it is noted that citizens do not need to take any additional actions to continue payments, as payments will continue automatically. It should be noted “that from September 1, 2023, the assistance was extended for those citizens whose property status requires such support. At the same time, such assistance

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will not be extended to those citizens whose property status allows them to make large expenditures without state assistance. This category of internally displaced persons includes those who:

- purchased a new vehicle (less than 5 years have passed since the year of manufacture), except for cars that were purchased by volunteers and transferred to the needs of the country's defense;
- purchased a plot of land, an apartment, a house (except housing obtained at the expense of the state or local budget), other real estate, securities and other financial instruments, other durable goods (except construction materials, if in the person's home is damaged/destroyed, and cars) or paid (one time) for any works or services (except for construction, if the person's home is damaged/destroyed, medical, educational, and housing and communal services in accordance with the social norm of housing);
- have funds in a deposit bank account(s) in a total amount exceeding UAH 100,000, or domestic state loan bonds, the maturity date of which has arrived or was determined at the time of the claim, for a total amount exceeding UAH 100,000;
- carried out transactions for the purchase of non-cash and/or cash foreign currency (except for currency received from charitable organizations or purchased to pay for medical (including rehabilitation, prosthetics) social and/or educational services), as well as bank metals for a total amount of exceeds UAH 100,000;
- own a residential premises/part of a residential premises located in territories not included in the list of territories, or in territories included in the list of territories for which the date of the end of hostilities or temporary occupation has been determined (except for residential premises that are unfit for habitation , which is documented by local self-government bodies or, if technically possible, with information about residential premises entered into the State Register of Property, damaged and destroyed as a result of hostilities, acts of terrorism, sabotage caused by the military aggression of the Russian Federation against Ukraine, or residential premises (parts of residential premises with an area of less than 13.65 square meters per family member).
- were and after the transfer are on full state support in a children's home, an orphanage, a children's boarding home, a boarding house for senior citizens and persons with disabilities, a special boarding house of the social protection system of the population; boarding school, institution of specialized military (military-sports) education” [5].

In the event that, based on the results of the verification of recipients through the state registers, a decision is made to terminate the assistance, the citizen will be notified of this. If he does not agree, he can appeal this decision to the social security authority, or possibly provide supporting documents and continue to receive benefits.

It is worth noting that the Resolution of the Cabinet of Ministers of Ukraine “Some Issues of Support for Internally Displaced Persons” dated July 11, 2023 No. 709 provided an opportunity to receive assistance to internally displaced persons who had children after displacement [5]. This resolves the problem that arose with receiving benefits for children born to IDPs after displacement and, accordingly, their registered place of residence coincided with the place of their parents' declared place of residence (the places where the IDPs moved). Also, from now on, an internally displaced person will be able to remotely renounce the status of an internally displaced person, without personally applying to the social protection body.

As a rule, the Ministry of Social Policy of Ukraine draws attention to the fact that the new criteria for receiving assistance do not affect the assistance received until August 1, 2023.

It should be noted that for internally displaced persons who apply for state assistance for the first time after August 1, 2023, such assistance will be assigned for six months, per family, and will be paid monthly to one of the family members at the rate of for each family member: for persons with disabilities and children – UAH 3,000; for other persons – UAH 2,000.

For such families, assistance may be assigned to the family for another 1 six-month period, if the family includes: children with disabilities; persons who care for a person with a disability; persons of retirement age; who have three or more children under the age of 18; minors and minor children who

arrived unaccompanied by a legal representative; if the total income per family member does not exceed 4 subsistence minimums. Therefore, if internally displaced persons did not make large purchases, they will continue to receive payments from the state.

However, during the meeting on January 26, the Government decided on the automatic extension of all payments for all internally displaced persons until March 1. From March 1, new fair rules for assistance to IDPs will come into effect. Payments will be extended for another 6 months for retired IDPs. Payments will be extended for citizens of Ukraine who have a disability of 1 or 2 groups, for children with disabilities, for orphans and children deprived of parental care. Payments will also be extended for able-bodied citizens who have registered with the Employment Center or have found employment. In general, according to the Prime Minister of Ukraine Denys Shmyhal, the state will continue to support more than 1.5 million internally displaced persons with payments [9].

In accordance with the Resolution of the Cabinet of Ministers of Ukraine “Some issues of social support of internally displaced persons and other vulnerable categories” of January 26, 2024 No. 94, it is established that: the payment of housing allowance to internally displaced persons is automatically extended from February 1, 2024 for one month without additional application for persons whose six-month period of receiving such assistance ended in January 2024; submission of an application for the extension of the payment of housing allowance to internally displaced persons who are entitled to its extension after March 1, 2024 can be made from February 1, 2024; housing allowance for internally displaced persons who are entitled to it and applied for an extension of its payment with a personally submitted application in February – March 2024, is assigned and paid starting from March 1, 2024 [10].

It is worth noting that families who returned to Ukraine after a long (more than 90 consecutive days) stay abroad and did not receive assistance as IDPs can receive assistance as low-income families for 6 months. You can apply for help from March 1, 2024. The amount of assistance will be determined individually, depending on the family's income. It is important that the family stays in Ukraine for more than 15 days and that the family members register with the employment service as unemployed or contribute to their employment – receive a voucher for training, a grant, or register a FOP [11].

**Conclusions.** In conclusion, it is worth noting that for internally displaced persons, an important point is the support of the Government and receiving financial assistance from the state. Therefore, the termination of payments will create financial problems for them, will have a negative impact on the state of her social security. Conditionally, it can be considered a positive phenomenon that will lead to an active job search for employment or return to the previous place of residence. At the same time, the situation regarding the abandonment of the territory of Ukraine by its citizens remains negative, which indicates the existence of problems for our state in the sphere of economy, social policy, demographic decline among the population and further stratification of society into rich and poor. It is these and other aspects that are important in the activities of state authorities and require corresponding changes related to the social security of internally displaced persons in Ukraine.

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### **ПРО ЗМІНИ ЩОДО ПОРЯДКУ ПРИЗНАЧЕННЯ ВИПЛАТ ДЛЯ ВНУТРІШНЬО ПЕРЕМІЩЕНИХ ОСІБ УКРАЇНИ**

У статті проаналізовано фінансове забезпечення від держави для внутрішньо переміщених осіб. На основі чинного законодавства охарактеризовано поняття "внутрішньо переміщені особи". Зазначено, що внутрішньо переміщені особи – це громадяни, іноземці, особи без громадянства, які постійно чи тимчасово проживають на території України й вимушені примусово або з власної волі здійснювати внутрішнє переміщення у межах своєї країни. Вказано, що саме через військову агресію Російської Федерації проти України велика кількість громадян України

змушена була мігрувати у безпечні місця, рятуючи своє життя та життя своїх родичів, тому з 2022 р. зросла кількість переселенців як в межах України, так і за кордоном. Наведено статистичні дані щодо вимушених переміщень внутрішньо переміщених осіб. Зазначено про те, що факт внутрішнього переміщення підтверджується довідкою про взяття на облік внутрішньо переміщеної особи.

Констатовано, що держава сприяє у забезпеченні дієвої підтримки та допомоги в подоланні викликів, спричинених війною в Україні, для внутрішньо переміщених осіб. Вказано, що особи, які втратили житло або вимушені переселитися з місць, де ведуться бойові дії або з тимчасово окупованої території, найбільше потребують забезпечення житлом та фінансами.

Зазначено, що внутрішньо переміщеним особам надається фінансове забезпечення на проживання: для осіб з інвалідністю та дітей – 3 тис. грн, для інших осіб – 2 тис. грн. Проте Уряд вніс зміни у законодавство щодо призначення виплат для внутрішньо переміщених осіб. Виплати не буде продовжено для осіб: які перебувають за кордоном більш як 30 календарних днів підряд; відбувають покарання у місцях позбавлення волі; були засуджені за вчинення кримінального правопорушення; повернулися до покинутого місця проживання. Наголошено на припиненні державних виплат тим внутрішньо переміщеним особам, котрі: придбали новий транспортний засіб; придбали на суму понад 100 тис. грн земельну ділянку, квартиру, будинок, інше нерухоме майно; мають на депозитному банківському рахунку (рахунках) кошти у загальній сумі, що перевищує 100 тис. грн тощо. Доведено, що для внутрішньо переміщених осіб дуже важливо отримувати і надалі виплати.

Ключові слова: вимушена міграція; внутрішньо переміщені особи; державні виплати; фінансове забезпечення; переселення людей.