1. **Cabinet Adopts National Programme for Prevention and Countering Gender-Based & Domestic Violence**

On 24 February 2021, the Cabinet issued Resolution No. 145 adopting the National Social Programme for Prevention and Countering Domestic and Gender-Based violence ("violence").

**Salient Programme Features:**
- The Programme is in effect until 2025;
- Ministry of Social Policy is to lead the Programme;
- A total budget of 1.22 billion UAH is allocated, out of which 833 million UAH (68%) is to be covered by the national budget while 391 million UAH (32%) is to be covered from the local budgets;
- The Programme is based on the Concept adopted by the Cabinet back in October 2018;
- Regional state administrations are to develop respective local programmes in three months;

**Key Stakeholders:**
- Ministries of Social Policy, Healthcare, Economics, Justice, Defence, Veteran Affairs, Interior, National Social Service;
- National Police, National School of Judges, Prosecutor’s Training Centre, Academy of Advocacy of Ukraine, Free Secondary Legal Aid Coordination Centre;
- Regional state administrations;
- International and national organisations (upon approval).

Stakeholders are to report on the Programme’s implementation to the Ministry of Social Policy on a bi-annual basis, and the Ministry is to report on the matter to the Cabinet annually.

The Programme is designed around 14 tasks that are detailed in activities – which, in turn, are to be measured under certain indicators. The document further identifies stakeholders responsible for particular activities and estimates the required funding.

Programme tasks include:
- Collection, processing, and distribution of information on violence;
- Raising awareness on forms, roots, and consequences of violence;
- Stigmatising abusive behavioural patterns, building empathy towards the survivors;
- Encouraging violence prevention, especially among boys and adult men;
- Ensuring coordination among stakeholders and building their capacities;
- Informing survivors on their rights and ensuring that these rights are fulfilled;
- Ensuring survivors’ access to social, medical, and psychological assistance;
- Providing safe custody for survivors requiring it;
- Ensuring timely response to the survivor’s inquiries, conditions for day-and-night inquiry reception;
- Securing survivors’ access to justice and other legal remedies, including services of free secondary legal aid;
- Ensuring liability of the abusers;
- Undertaking activities on transforming abusers’ behavioural patterns.

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1 State Budget 2021, for the first time in recent years, provides 274 million UAH under the Ministry of Social Policy for the establishment of specialised services for the victims of gender-based (GBV) and domestic violence.
2. **Parliament and Cabinet Enhance Social Protection of Vulnerable Social Groups**

### Students Deprived of Parental Care

On 27 January 2021, the Cabinet issued Resolution No. 52 pertaining to social scholarships for students under 23 years old deprived of parental care. Starting from 1 January 2021, the Resolution provides the following:

- Previously, the scholarship size was fixed at the level of 2,360 UAH. Now, it equates to 150% of a relevant living wage: 3,592 UAH for students under 18 years old and 3,450 UAH for students aged from 18 to 23 years;
- The list of documents for programme eligibility is extended to students whose parents are missing or presumed to be dead through a court process;
- The Resolution also ensures the eligibility of students who have lost their parents during their studies.

### Assistance for Persons with Disabilities Acquired in Childhood

On 3 February 2021, the Cabinet issued Resolution No. 79 increasing the size of social assistance to persons with disabilities acquired in childhood (applies from 1 January 2021 onwards). The assistance size is determined on the living wage for persons unable to work and provides the following increases:

- For group I disabilities – either from 75% (1,327 UAH) to 150% (2,653 UAH) or from 50% (884 UAH) to 100% (1,769 UAH), depending on the kind of disability;
- For single persons with childhood-acquired disability who require external care – additional assistance is increased from 15% (265 UAH) to 75% (1,327 UAH);
- Assistance on caring for a child with a group I disability – from 100% (1,769 UAH) to 150% (2,653 UAH) – and up to 200% (3,538 UAH) starting from 1 January 2022.

### Assistance on Able-Bodied Children With Severe Illnesses

On 2 February 2021, the Parliament adopted Law No. 1176-IX concerning children who are not included in a disability group but have a severe illness. The Law provides the following:

- Previously, the assistance equated to 100% of a living wage for persons unable to work (1,769 UAH). Now, the assistance is to be equated to 200% of a living wage for a child of respective age (3,842 for a child under 6 years old and 4,790 UAH for a child aged from 6 to 18 years old);
- The increase applies starting from 1 January 2022 and requires a by-law to be adopted by the Cabinet.

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2 Among other social assistances, Ukrainian law provides ‘assistance on disabilities acquired in childhood’. This term is not to be mixed with assistance on disabled children, which refers to beneficiaries with disabilities who are underage. Unlike the latter, assistance on disabilities acquired in childhood does not limit the maximum age of the beneficiary – adult persons with disabilities are eligible for it if they have acquired a disability in their childhood.

3 The assistance was introduced in November 2018 to support parents in taking care of children who are ill with severe illnesses but who, however, do not necessarily qualify for a disability. These include severe illnesses of the nervous system, severe congenital malformations, oncolgical illnesses, cerebral palsy, severe mental disorders, type 1 diabetes mellitus, acute kidney diseases, and illnesses that require organ transplants. For more information about the assistance, see DRC-DDG Legal Alert Issue 34: November-December 2018, Section 7.
3. **Cabinet Enables Online Access to ‘e-Baby’ Birth Registration Service for NGCA and Crimea Residents**

**Background:** ‘e-Baby’ was launched in July 2019 as a pilot project designed for 2020-2022 and aims to enhance access to birth-related administrative and social services through digitalisation. As of March 2021, the service is available both online (through ‘Diia’ website) and offline (in the limited number of locations) and offers parents an option of submitting their requests through a single-window application for a significant number of birth-related services including:

- Access to documentation – including birth certificate (as well as e-certificate), documents testifying to big family members’ status;
- Applying for social assistances – including the childbirth benefits, ‘baby-box’ in natural or monetised form, and assistance to big families (if applicable);
- Child registration – in the State demographic register, residence registration, taxpayer registration etc.

**Recent Developments:** On 24 February 2021, the Cabinet issued Resolution No. 155 amending the framework by-law for the ‘e-Baby’ service. The amendment’s single aim is to make the service accessible for NGCA and Crimea residents. For instance, generally, parents are required to obtain a medical birth statement (issued by the GCA-based hospitals) to use the service. The Resolution, however, allows using the service with an electronic court ruling that establishes the birth fact.

The Resolution eliminates one of the obstacles for child-birth registration and access to related services for parents residing in NGCA and Crimea. However, the process still requires the parents to initially apply to the Civil Acts Registry, obtain a formal denial letter, and appeal it to the court. The development will be even more useful once the requirement on obtaining the Civil Acts Registry denial letter is removed, or the formalities are made accessible through the e-communication means.

4. **Draft Law on IDP Protection Against Credit Delinquency Passed the First Hearing**

**Background:** One of the problems arising from internal displacement refers to debts under credit agreements accumulated starting from 2014. With the high popularity and accessibility of credit cards, many IDPs used them to deal with the newly aroused challenges of the conflict, while other IDPs also had housing, land, and other kinds of loans. The conflict was not generally expected to become protracted and long-lasting. Meanwhile, non-fulfilment of the credential obligations resulted in the accumulation of various kinds of fines, fees, and penalties, which often grew bigger than the credit body. Evidence on the scope of the problem is limited, but some of the profile NGOs state that 30% of IDPs requesting legal aid have delinquent credits. In September 2014, the Parliament adopted Law No. 1669-VII ‘On Temporary ‘ATO’ Measures’, inter alia, freezing accumulation of fines and fees on the initial credit body. However, the Law connected this exemption with the ‘ATO’ period, which expired with the replacement of ‘ATO’ with the legal regime of Joint Forces Operation in April 2018. It also did not address interest, fines, and penalties related to side obligations under the credit agreements and the delinquency.

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4 For instance, the Draft Law’s Explanatory Note (as of Fall, 2019) refers to credits with a main body under 10,000 UAH resulting in debts over 350,000 UAH.


6 For more information, see DRC-DDG Legal Alert Issue 25: April 2018, Section 2.
**Recent Developments:** On 4 February 2021, the Parliament adopted in the first hearing Draft Law No. 2329 ‘Exempting IDPs From Negative Consequences of Non-Fulfilment of Their Obligations Under Loan Agreements’. The Draft Law refers to a problem of extensive debts accrued by IDPs under loan agreements, often mostly because of the additional penalties and hidden fees. Regarding such contracts, the Draft Law provides the following:

- Penalties and fees under loan agreements can only accrue until the loan maturity date when the final loan payment is due as per the agreement;\(^7\)
- Penalties and fees for non-fulfillment of borrower’s duties do not apply, as well as the inflation adjustment fees;
- Contractual rights under IDP credit agreements cannot be passed by the lender to other parties, including collectors.

These terms shall not apply in regards to IDPs who:

- Violated their credit duties before the start of ‘ATO’ on 14 April 2014;
- Concluded the agreement after the start of ‘ATO’ on 14 April 2014 but have not started to pay their fees as of the date of the final adoption of the Draft Law (currently, only adopted in the first hearing).

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\(^7\) In other terms, the lender will not be able to charge new fines after the maturity date – however, will retain the right to claim the delinquent principle, interest payment, and fines accrued before the credit maturity date.