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Realization of social rights of Ukrainian citizens under martial law

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Abstract

A scientific analysis of the mechanism of realization of social rights of Ukrainian citizens in the conditions of martial law was carried out: for social protection, for housing, for a sufficient standard of living. The place of social rights in the system of human rights, their legal regulation and mechanisms for ensuring them are determined. It was concluded that there are such types of social protection of the family, childhood, maternity and paternity as social assistance, social services and social benefits. In addition, the general principles and legal regulation of family and child protection in Ukraine are defined, the main directions of transformations aimed at ensuring rights in the social sphere are described. In particular, the state guarantees of compliance with the rights, freedoms and legitimate interests of internally displaced persons displaced by war were analyzed. Finally, it was noted the presence of consolidated approaches to judicial practice in the field of family relations, in particular, in terms of the primacy of the principle of the best interests of the child.

Keywords: social rights; social protection; family relations; internally displaced persons; right to housing.

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Realización de los derechos sociales de los ciudadanos ucranianos bajo la ley marcial

Resumen

Se llevó a cabo un análisis científico del mecanismo de realización de los derechos sociales de los ciudadanos ucranianos en las condiciones de la ley marcial: para la protección social, para la vivienda, para un nivel de vida suficiente. Se determina el lugar de los derechos sociales en el sistema de derechos humanos, su regulación jurídica y los mecanismos para garantizarlos. Se concluyó que existen tipos de protección social de la familia, la infancia, la maternidad y la paternidad como la asistencia social, los servicios sociales y las prestaciones sociales. Además, se definen los principios generales y la regulación legal de la protección de la familia y la infancia en Ucrania, se describen las direcciones principales de las transformaciones destinadas a garantizar los derechos en la esfera social. En particular, se analizaron las garantías estatales de cumplimiento de los derechos, libertades e intereses legítimos de los desplazados internos por la guerra. Finalmente, se ha constatado la presencia de enfoques consolidados de la práctica judicial en el campo de las relaciones familiares, en particular, en cuanto a la primacía del principio del interés superior del niño.

Palabras clave: derechos sociales; protección social; relaciones familiares; desplazados internos; derecho a la vivienda.

Introduction

The problem of ensuring respect and observance of human rights is of great importance in the modern world and in Ukraine in particular. Ensuring human rights and freedoms is not only an internal matter, but the goal of the entire world community, for which the doctrines and standards of human rights and freedoms are a problem of a global nature. Human rights and freedoms are those universal legal values that are characterized by the establishment of uniform international legal standards in the field of protection of individual rights (Krasnov, 2004).

In the conditions of local armed conflicts and wars, which have recently been taking place in various parts of the world, the issues of development and protection of basic human rights and freedoms are becoming more and more important. Their aggravation is felt especially in the social sphere.

The peculiarity of social rights is that they are targeted and implemented in individual and collective forms. Ukraine, as a welfare state, is obliged to perform a social function: to protect people's work and health, to establish a guaranteed amount of wages, to provide state support for the family,

the elderly and persons with disabilities, to develop the system of social services, to establish state pensions, benefits and other guarantees of social protection.

Such a function of the state is aimed at mitigating and overcoming such difficulties of the current transitional period as poverty, deepening inequality and growing unemployment; on the stabilization of the standard of living of the population and a more even distribution of the weight of economic troubles between different groups of the population.

Special attention in this sector of issues and provisions should be paid to the implementation of constitutional social rights: the right to work (Article 43); for social protection (Article 46); for housing (Article 47); to a sufficient standard of living for oneself and one's family (Article 48); on health care, medical assistance and medical insurance (Article 49) (Constitution Of Ukraine, 1996).

In this regard, theoretical and practical questions related to the recognition and protection of social rights of citizens, and, first of all, of such a category as internally displaced persons, are topical issues of jurisprudence.

1. Methodology of the study

The study of mechanisms for ensuring the social rights of Ukrainian citizens under martial law is based on the use of the principle of the unity of theory and practice, forecasting the development of socio-political and legal processes based on the application of the method of scientific abstraction.

To achieve the goal and solve the tasks of the scientific article, the following methods of scientific research were used: the dialectical method (when studying the prerequisites for the formation and development of the system of social protection of citizens); historical-logical method (when studying the content and evolution of the «category social protection of the person»); system-structural (when studying the transformation of the system and structure, object-subject parameters of social protection of the population, determining the institutional and structural-functional characteristics of its components); analysis and synthesis (when studying trends and problems of social protection of the population, internally displaced persons, criteria and performance indicators of institutional protection mechanisms and mechanisms for ensuring a decent standard of living of socially vulnerable categories of the population).

The method of quantitative and qualitative comparisons (when assessing the state of social security of certain categories of persons); expert assessments and forecasting (when substantiating the strategic directions

of reforming the Institute of Social Protection of the Population, improving institutional mechanisms for providing social benefits to internally displaced persons); statistical and graphic methods (during processing and summarization of statistical data and their display in tables and diagrams).

The normative and legal acts of Ukraine, acts of international law and the work of scientists on the selected issues became the source and statistical base of the scientific article.

2. Analysis of recent research

Legal scholars and practitioners have conducted many studies devoted to social human rights, in particular in the comparative legal aspect with international standards (Krasnov, 2008; Shevchenko, 1998; Gretchenko, 2022a; ShevchenkoBitenska, 2015; Nikyforenko, 2015; Turuta, 2014; Yaryhina , 2019; Romanova, 2022; Lopushnyak, 2011, etc.). However, basic social rights as a separate phenomenon in the system of human rights in the new socio-economic realities in the conditions of war were not specifically investigated by branch sciences in Ukraine.

Due to the constant change in the socio-political situation, the imperfection of legal regulation, the branches of government, their interaction and functioning, which is connected with the war on the territory of Ukraine, recently the scale of violations of the right to social protection, to work, to housing, to sufficient standard of living, health care and quality medical care.

The purpose of this article is to determine the place of social rights in the system of human rights and freedoms, legislative regulation and mechanisms of their provision in the modern Ukrainian state.

Table. Introduction of state institutes of social insurance and social security in economically developed countries of the world

Types of social security	Great Britain	France	Italy	Germany	Canada	Sweden
	Years					
Pension insurance and provision	1908	1910	1919	1889	1927	1913
Social insurance in connection with illness	1911	1930	1943	1883	1971	1910

Assistance to families	1945	1932	1936	1954	1944	1947
Unemployment insurance	1911	1967	1919	1927	1940	1934
Medical insurance and provision of free medical care	1948	1945	1945	1880	1972	1962
Insurance against accidents at work	1906	1946	1898	1884	1930	1901

Source: authors' elaboration.

3. Results and discussion

After the signing in 2014 of the Association Agreement between Ukraine and the European Union, the European Atomic Energy Community and their member states, on the other hand, Ukraine confirmed the choice of the European vector of development, which should be the basis of the state policy of ensuring the fulfillment of obligations human rights issues. Also, according to the Guiding Principles of the United Nations, one of the main responsibilities of the state is to raise the level and quality of life of the population, care and concern for those who need help, in particular, families with children and children.

In view of the European integration, most spheres of life are being reformed in Ukraine, including the social protection of the population. The war in Ukraine actualized the need to increase social guarantees for such categories of persons as military personnel, war veterans, mothers and children, internally displaced persons, etc.

Reforming the sphere of social protection is impossible without improving or making corrections to national legislation in order to bring it into line with current international acts, since the perfection of the legal mechanism means its ability to provide for these needs (Turuta, 2014). At the same time, it should not be denied that it is a comprehensive approach to the implementation of state policy in this direction that will contribute to the quality provision of social and other state-guaranteed rights of citizens.

In this regard, we also share the point of view of some scientists that from the standpoint of state administration, when developing and adopting acts aimed at increasing the effectiveness of both state policy regarding children in Ukraine and its implementation, it is appropriate to use the term «social

and legal protection of children», which has two aspects: 1) social protection of children (provision of social assistance, pensions, social benefits, social services, etc.); 2) legal protection of children (Yaryhina, 2019).

3.1. Explanation of the terms used in the scientific article

One of the important directions of state policy in the field of social protection of the population is the establishment of appropriate social guarantees, which are the minimum amounts of wages, citizens' incomes, pensions, social assistance, amounts of other types of social benefits, determined by laws and other regulatory acts, established by law, which provide a standard of living not lower than the subsistence minimum.

We share the point of view of scientists who note (Lopushnyak, 2011) that the concepts of «social protection» and «social security» are not identical, since «social protection» is broader in scope and includes social insurance, social standards and population guarantees and social security as components.

Speaking about the content of the concept of «social protection», it is possible to state the existing variety of approaches to its interpretation both at the regulatory level and at the level of legal doctrine. In particular, the International Labor Organization defines social protection as general basic social support for all citizens, regardless of their contributions or the length of their work experience (92).

In the Resolution of the Board of the Pension Fund of Ukraine dated 03.03.2021 N° 8-1 «On the approval of the Procedure for the implementation of the experimental project for the implementation of the functions of the first phase of the Unified Information System of the Social Sphere», social protection is understood as the provision of social benefits, benefits, services, measures by social protection institutions and other guarantees provided for citizens by law, at the expense of state and local budgets, the Pension Fund of Ukraine, mandatory state social insurance funds, international technical assistance and other sources not prohibited by law (Queues Of The Unified Information System Of The Social Sphere, 2021).

Social protection, as a legal category, is also enshrined in the provisions of Art. 46 of the Constitution of Ukraine, which provides for the right of citizens to social protection, which includes the right to support them in case of total, partial or temporary loss of working capacity, loss of a breadwinner, unemployment due to circumstances beyond their control, as well as in old age and in other cases provided for by law (Constitution Of Ukraine, 1996).

Thus, the social protection of the population is a multifaceted system of economic, legal and social guarantees of realization of the most important social rights of every member of our society, regardless of their place of residence, work capacity, gender, age, interconnected with all legislative and executive decisions of different levels. In a broad sense, social protection is a system of organizational, legal and economic measures to ensure the basic social rights of a citizen in Ukraine

We believe that the types of social protection of the family, childhood, motherhood and parenthood should include: social assistance; social services (material assistance and social services); social benefits.

Analyzing the shortcomings and advantages of the understanding of social assistance by scientists and practitioners, we suggest that state social assistance, as one of the types of social protection of the family, childhood, motherhood and parenthood, should be interpreted in the following two aspects: as a type of social activity of authorized state and social bodies; as monetary payment and assistance in kind.

State social assistance, as one of the types of social protection of the family, childhood, motherhood and parenthood, should be understood as the type of social activity of authorized state and social bodies, which is aimed at ensuring an adequate standard of living for families with children, large families, single-parent and low-income families, orphans and children deprived of parental care, disabled from childhood and disabled children by making one-time, periodic or monthly payments in the amount determined by current legislation, with the aim of increasing their income level and overcoming or mitigating relevant social risks (poverty, orphanhood, disability, etc.), as well as difficult life situations in which the corresponding category of people found themselves.

Like any legal phenomenon, state social assistance to families with children, large families, single-parent and low-income families, orphans and children deprived of parental care, disabled from childhood and disabled children is endowed with its own characteristics, which should include such: address, target character; monetary and in-kind form; alimony character; mostly financing at the expense of the state budget in the form of subventions to local budgets (except for women regarding the payment of assistance in connection with pregnancy and childbirth; military servicemen and law enforcement agencies, etc. – at the expense of the relevant budgets); provision of state social assistance to certain categories of citizens, regardless of whether they have other income (child support for single mothers, support after the birth of a child, etc.); limitation of the appropriate duration of the payment of assistance.

The most widespread in science is the definition of social rights as those that provide a person with a decent standard of living and social security.

As the scientific literature emphasizes, today it is undeniable that for a person who does not have minimum social security and well-being, most political rights are an «empty place» (Turuta, 2014). Thus, social rights can be defined as the legally defined capabilities of a person, which determine his right to work, education, rest, normal working conditions, medical care, pension, etc.

States that seek to recognize them as democratic, legal and social have politically recognized and legally protected these rights, enshrining them at the constitutional level. In particular, the Constitution of Ukraine of 1996 contains a system of social rights of a person and a citizen, which include: 1) the right to work (Article 43), by which the state guarantees equal opportunities in choosing a profession and type of work, the right to a salary not lower than from defined by law; 2) the right to social protection (Article 46), i.e. the state guarantees the provision of sufficient funds or assistance to citizens who, due to objective circumstances, have completely or partially lost the opportunity to work and receive remuneration for work, as well as to families in connection with birth and upbringing of a child.

For this purpose, mandatory state social insurance, budgetary and other sources of social security are provided; a network of state, communal, and private institutions is created to care for disabled, internally displaced persons as a result of the war, etc.; 3) the right to housing (Article 47); 4) the right to a sufficient standard of living for oneself and one's family (Article 48), which includes sufficient food, clothing, and housing. Of course, disabled citizens (persons with disabilities, pensioners), families with children, single mothers and some other categories of low-income citizens are provided with state aid and benefits to equalize their incomes; 5) the right to health care, medical assistance and medical insurance (Article 49) (Constitution Of Ukraine, 1996).

3.2. General concept of family and childhood protection in Ukraine

The family, as a social phenomenon that has developed in society, is very important for every individual, and in society itself constitutes a generally recognized social value (Shevchenko, 1998), it is the main center of society and plays a key role in social development. The family has the right to comprehensive protection and support (Copenhagen Declaration On Social Development, 1995), and its protection is defined at the constitutional level (Part 1, Article 46) (Constitution Of Ukraine, 1996).

Social protection is one of the priority tasks of Ukraine, the purpose of which is to support people who have found themselves in difficult life circumstances, to raise and ensure the appropriate standard of living of both individual families and the population as a whole, by providing social

benefits, social and rehabilitation services, introduction of various benefits, compensations, establishment of guarantees, social work with families, children and youth, etc. (Burlaka, 2015).

The Constitution of Ukraine, the Family Code Of Ukraine and the Law of Ukraine «On the Protection of Childhood» determine the key principles of family relations and the priority of the best interests of the child: family, childhood, motherhood and parenthood are protected by the Constitution of the state; equality of rights and duties of father and mother in relation to their children, responsibility for non-fulfilment and evasion of parental duties; the main concern and the main duty of parents is to ensure the interests of their child; each parent has the same responsibility for the education, training and development of the child; parents or persons replacing them are responsible for violating the rights and limiting the child's legitimate interests in health care, physical and spiritual development, education, failure to fulfill and evasion of parental duties in accordance with the law (Constitution Of Ukraine, 1996; Family Code Of Ukraine, 2002; On Childhood Protection, Law Of Ukraine, 2001).

The defining characteristic of the social law of families with children and children is the property nature, which is manifested in the ability to receive material assistance and social services, if a certain difficult or extraordinary situation has arisen, in order to overcome it or reduce the degree of negative impact.

Today, problematic aspects of family disputes mainly concern such issues as: alimony obligations; participation in upbringing and education of the child; obstacles in communication with the child to a friend of the parents or other relatives; grounds and mechanisms for returning children taken abroad by one of their parents or another family member after 24.02.2022, evacuated and forcibly relocated children to the Russian Federation.

Emphasizing the grounds of family legal responsibility, it is expedient to emphasize that deprivation of parental rights over a child is an extreme measure of influence.

Considering the possibility of deprivation of parental rights, in the case of one of the parents staying in a temporarily uncontrolled territory and self-removal from participation in raising children and providing them with assistance, it should be noted that the residence of one of the parents in the uncontrolled territory of Ukraine destabilizes the socio-economic situation in such regions, the limited influence and control of the Ukrainian authorities on the situation and the impossibility of fully supporting residents in difficult circumstances can really affect the ability to properly fulfill parental duties.

It is important that, under such circumstances, the parents maintain understanding, ensure a break in ties, and take every possible action and

attempt to communicate with the child. Parents' evasion of their duties occurs when they do not take care of the child's physical and spiritual development, his education, preparation for independent life, and do not create conditions for him to receive an education. The mentioned factors, both individually and in combination, can be considered as evasion of raising a child only if the parents deliberately neglect their responsibilities.

In the conditions of war, a mechanism for providing social services to internally displaced persons (residential institutions for the social protection of the population, stationary branches of territorial centers of social services, centers for the provision of social services) has been developed at the state level in an emergency (crisis), which consists in the coordination of the services involved in this, to solve current issues regarding receiving clothes, food, transport, consulting services, psychological support, care (Sulima, 2022).

Also, in view of the state of war, the government simplified the criteria for the activities of social service providers. In particular, they can now engage workers and volunteers who do not have documents confirming their professional level. The government included volunteers in the circle of subjects who can identify persons in difficult life circumstances and those who need outside help (Sulima, 2022).

In our opinion, in the field of social protection, the following main directions of transformation aimed at ensuring rights in the social sphere should be outlined: the introduction of universal social assistance, to replace the extensive system of social payments, which will depend on the level of income and the composition of the household, and will guarantee the minimum necessary for life level, first of all, inoperable, which will ensure maximum addressability, simplified administration, digitalization and further verification; development of the Unified Information System of the social sphere with the aim of providing citizens with the accruals and payments of social benefits from the most affected regions thanks to a centralized mechanism; quick registration of internally displaced persons, remote registration of social benefits; implementation of active programs of employment and development of entrepreneurship, which will contribute to the gradual change of the status of persons from unemployed immigrants who receive social assistance to taxpayers who will create new jobs.

Given the requirements for the volume of relevant scientific research manuscripts, in the following subsections of the article we will focus on the scientific and practical analysis of individual rights of the family and child to social support, assistance and protection, as well as on social guarantees of internally displaced persons.

3.3. State guarantees of compliance with the rights, freedoms and legitimate interests of internally displaced persons

The introduction of martial law in Ukraine became a huge challenge for the social sphere, and the damage caused by the war - psychological, material, physical - is one of the factors that negatively affect life. First of all, those who are in difficult life circumstances cannot take care of themselves, who have lost housing, work, health, families with children. Currently, the number of people who need the help of social workers has increased significantly, which necessitates the prompt adjustment of the social services system (Sulima, 2022).

It is the duty of the state to create a financial base and organizational structures for citizens to realize their constitutional rights: to work and to social protection. All of the above is particularly relevant for citizens of Ukraine given the fact that today millions of citizens are considered internally displaced, and therefore need urgent social and legal protection (especially for families with children), support from the state.

We will pay attention to such important issues as the status of an internally displaced person, the order of its acquisition and accounting; legal aid, social support and compensation payments; rights and obligations of internally displaced persons. We will outline the legal guarantees and practices of ensuring the rights of children from among internally displaced persons, paying them state aid in case of displacement accompanied by persons who are not legal representatives, exercising the right to education and medical care of minors in conditions of martial law.

Particular attention should be paid to the legal principles and practice of registering citizens who have changed their place of residence in order to obtain the status of an internally displaced person (hereinafter referred to as IDP), the mechanism of issuing a certificate of IDP registration as a mandatory document for further implementation by individuals special powers based on acquired status.

To obtain an IDP certificate (an adult or a minor - in person, and a minor child, incapacitated person or a person whose legal capacity is limited - through a legal representative) submits an application for registration to: the unit for social protection of the population at state administrations; executive bodies of village, settlement, city councils; Center for the provision of administrative services - through the Diya Portal. Persons who, after the introduction of martial law by the Decree of the President of Ukraine dated February 24, 2022 № 64 «On the introduction of martial law in Ukraine», have the right to receive a certificate, have moved from the territory of the administrative-territorial unit in which hostilities are taking place and which is specified in the list, approved by the order of the Cabinet

of Ministers of Ukraine of March 6, 2022 N° 204 «On approval of the list of administrative-territorial units, on the territory of which assistance is provided to insured persons within the framework of the «eSupport» Program.

The legislation enshrines the rights of internally displaced persons, such as: family unity; assistance in finding and reuniting family members who have lost contact due to internal displacement; information about the fate and location of missing family members and close relatives; safe living conditions and health; reliable information about the existence of a threat to life and health in the territory of her abandoned place of residence; creation of appropriate conditions for her permanent or temporary residence and payment of the cost of utility services, assistance in moving her movable property and assistance in returning to her previous place of residence; provision of medicines and provision of necessary medical assistance; placement of children in preschool and general educational institutions; receiving social and administrative services at the place of stay; receiving humanitarian and charitable aid and a number of others (Gretchenko, 2022a).

Taking into account the regulatory and legal changes, the following people will be able to receive assistance for IDPs: citizens who have moved from the territories where hostilities are taking place, or those who are temporarily occupied or surrounded (blockade); citizens whose housing is destroyed or uninhabitable due to damage, and who have submitted an application for compensation, in particular through the Unified State Web Portal of Electronic Services.

The state has established a number of guarantees for the specified category of persons aimed at ensuring the realization of their basic social rights. In particular, in order to employ these persons and provide them with a decent standard of living, the state has established a special procedure for terminating an employment contract with an employer located in the occupied territory of Ukraine, as well as a simplified procedure for registering a person as unemployed and receiving appropriate assistance. Internally displaced persons are not subject to a probationary period when they are hired (On Ensuring The Rights And Freedoms Of Internally Displaced Persons. Law Of Ukraine, 2014).

Also, to support IDPs, employers can, under certain conditions, receive compensatory payments from the state for employing internally displaced persons. (Law of Ukraine «On Population Employment»)

It is worth emphasizing the importance of the list of documents for registering a child as an IDP as a prerequisite for the payment of state aid and other social guarantees.

The legal representative of an orphan child or a child deprived of parental care, officials who take measures to protect the rights of such a child, in the event of the need to confirm or check the child's personal data, may obtain relevant information based on a written request to the Ministry of Social Policy.

In the case of submitting an application for registration by a legal representative of the person on whose behalf the application is submitted, the following documents are additionally submitted: a document certifying the identity of the legal representative; a document confirming the person's authority as a legal representative, except in cases where the legal representatives are parents (adoptive parents); if necessary, a child's birth certificate (Gretchenko, 2022b).

In the case of submitting an application for registration of a minor child by the head of a children's institution, a health care institution or a social welfare institution for children to which the child is placed, by a guardian, custodian, adoptive parents or foster parents in the case of placement of a child in a family of citizens under guardianship, guardianship, foster family, family-type orphanage, relative (grandmother, grandfather, great-grandmother, great-grandfather, adult brother or sister, aunt, uncle) or stepfather, stepmother, in which the child lives (stays), additionally submit: document , certifying the identity of the applicant; documents confirming the family relationship between the child and the applicant; a document confirming the authority of a representative of a guardianship authority or the head of a children's institution, a health care institution, or a social protection institution for children in which the child is on full state support, and a document confirming the fact of the child's enrollment in such an institution. Also, a minor child has the right to independently apply for assistance.

3.4. Implementation of the right to housing by internally displaced persons

According to Art. 9 of the Law of Ukraine "On Ensuring the Rights and Freedoms of Internally Displaced Persons" (On Ensuring the Rights and Freedoms of Internally Displaced Persons. Law Of Ukraine, 2014) an IDP has the right to: create appropriate conditions for her permanent or temporary residence; payment of the cost of communal services, electricity and thermal energy, natural gas in places of compact IDP settlement at the appropriate rates; provision by authorities of the possibility of free temporary residence (on the condition that the person pays the cost of utility services) within six months from the moment the internally displaced person is registered; for large families, persons with disabilities, and the elderly, this term can be extended; assistance in returning to the previous place of residence.

Realization of the right to housing is carried out by: payment of IDP housing allowance; temporary accommodation (hotels, hostels, social centers, etc.); financial support to the owners of housing that provided temporary shelter to IDPs.

The mechanism for providing accommodation assistance to internally displaced persons is regulated by the Procedure approved by the Resolution of the CMU of March 20, 2022 N° 332 “Some issues of payment of accommodation assistance to internally displaced persons” (Mechanism For Providing Accommodation Assistance To Internally Displaced Persons, 2022).

IDPs who have the right to receive housing assistance include: citizens who have moved from territories where hostilities are taking place, or those who are temporarily occupied or surrounded (blockade); citizens whose housing is destroyed or uninhabitable due to damage, and who have submitted an application for compensation, in particular through the Unified State Web Portal of Electronic Services. Also, in accordance with Clause 11 of the Procedure, supplemented by Resolution of the Cabinet of Ministers N° 602 dated 17.05.2022), in case of illegal or repeated receipt of housing assistance by the IDP for a certain period, the amount of the paid assistance is returned by the person voluntarily or at the request of the social protection body.

The procedure for compensating costs for the temporary accommodation of internally displaced persons who moved during the period of martial law is approved by Resolution N° 333 of the Cabinet of Ministers of Ukraine dated March 19, 2022 (as amended by Resolution N° 490 of the Cabinet of Ministers of Ukraine dated April 29, 2022) (Resolution N° 331 Of The Cabinet Of Ministers Of Ukraine, 2022; Resolution N° 490 Of The Cabinet Of Ministers Of Ukraine, 2022).

An internally displaced person and members of his family are provided free of charge housing from the fund at the place of actual residence / stay within the territory of the authorized bodies for a period of up to one year with the possibility of extension for the next period in case of no changes in their status and if they have not acquired another place of residence.

The primary right to provision of housing from the fund is for: families with many children; families with children; pregnant women; persons who have lost their ability to work; persons of retirement age from among those whose housing was destroyed or became uninhabitable as a result of the armed aggression of the Russian Federation. In case of submission of documents containing false information, the internally displaced person is responsible according to the law (On The Legal Regime Of The Martial State, 2015).

The decision to include an IDP in the register of citizens who need housing for temporary residence, or to refuse to be included in such a register, is taken by the authorized body within one working day after the submission of the relevant application. The grounds for refusing to accept an IDP for registration of citizens who need housing for temporary residence are: failure to submit the necessary package of documents, except for cases when such documents were destroyed or damaged, which is confirmed by the corresponding statement of the citizen; submission of documents containing false information (Gretchenko, 2021).

It is appropriate to indicate the grounds for deregistration of an IDP: an internally displaced person's application for deregistration; a person's change of residence; cancellation of the IDP registration certificate if there are grounds provided for in part 1 of Article 12 of the Law of Ukraine "On Ensuring the Rights and Freedoms of Internally Displaced Persons"; failure to receive within 30 calendar days without valid reasons a warrant for moving into a residential premises or failure to notify within the same period of valid reasons that prevent her from receiving a warrant for moving into a residential premises; submission of notoriously unreliable information, which is the basis for taking an internally displaced person into the register of citizens who need housing for temporary residence (On The Legal Regime Of The Martial State, 2022).

It is important that being on the register of citizens who need housing for temporary residence is not a reason for denying an internally displaced person further acceptance of such a person on: social housing register; registration of persons who have the right to receive housing (soft loans for the construction and purchase of housing) under state housing programs for certain categories of persons defined by legislation; registration of persons who need improvement of living conditions; other types of accounting for housing.

Forced eviction of an IDP and her family members from the residential premises of the foundation is carried out only on the basis of a court decision. An IDP that does not fulfill the obligations stipulated by the law and the contract of use under the contract of use bears the responsibility provided by law (On the Legal Regime of The Martial State, 2022).

Summarizing what has been said, we note that further scientific discussions are needed on the issue of social support for families in difficult life circumstances, regarding the organization of care at home, placement of elderly citizens and persons with disabilities in boarding houses for elderly citizens.

Conclusions

The economic soundness and effectiveness of the social protection system, its focus on the needs of the most socially vulnerable categories of the population, in particular internally displaced persons, is included in the generally recognized international standards of a socially oriented state, and the level of availability of social services is one of the indicators of determining the quality of life. The main task of the social protection system of Ukraine should be to mitigate the negative impact of factors characteristic of social and economic reforms on the most socially vulnerable categories of citizens, which should include people with family responsibilities.

The system of social support for families with children needs transformation and active redistribution of resources from the provision of social assistance according to the principle of universality and uniformity to the provision of social assistance and services, which will contribute to the formation of citizens in an active life position. Such a model of social support should be flexible, universal and based on the principles of humanism and social consciousness of citizens.

We note the formation of established approaches of judicial practice in the field of family relations, where instead of the widespread «presumption in favor of the mother» or «equal rights and obligations of parents in relation to the child», priority is given to the principle of the best interests of the child. In view of this, we see the expediency of defining in the Law of Ukraine «On Childhood Protection» the basis (principle) of ensuring the best interests of the child, taking into account international standards, which provides for actions and decisions aimed at meeting the individual needs of the child in accordance with his gender, age, state of health self, life experience, developmental characteristics, family, ethnic and cultural belonging.

The main directions of transformations aimed at ensuring the rights of citizens in the social sphere are defined as: introduction of universal social assistance, which will ensure maximum targeting, simplified administration, digitization and verification; digitization and centralization of the social sphere system in order to provide citizens from the most crisis regions with social payments; implementation of active programs of employment and development of entrepreneurship.

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