

time without the consent of other shareholders. A company shareholder whose interest in the authorized capital is 50% or more may withdraw from the company only with the consent of other shareholders.” [2].

To conclude, the new Law, regulating the activities of limited liability companies and additional liability companies, has a positive influence on the operating them, in particular, due to the fact that the Law gives the companies an opportunity to resolve the majority of issues related to the company activities on its own, through anticipation in the memorandum of association. The new Law does not establish unambiguous rules. In fact, it allows the company’s shareholders to establish their own procedures and to find possible ways of resolving potential corporate conflicts. Now the shareholders of limited and additional liability companies should think how to regulate all the issues of the company’s activities in the memorandum of association in detail, using all the benefits provided for by the new Law.

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A REVIEW OF SOCIAL AND LEGAL PROTECTION POLICIES AIMED AT THE INTEGRATION AND ADAPTATION OF IDPS IN UKRAINE

Nowadays the situation with internally displaced persons (IDPs) and refugees in the world has reached a critical point. According to the Global Report on Internal Displacement it is estimated that there is a total of 40 million people living in internal displacement because of conflicts and violence as of the end of 2017, which is nearly twice the number of refugees

[6]. Most of these people, seventy-six percent, are concentrated in only ten countries, one of which is Ukraine. The problem arose in Ukraine as a result of annexation of the Crimean Peninsula by the Russian Federation and the beginning of an armed conflict in the East of the country in 2014. Armed conflicts are always a source of social and juridical problems, as they damage lives and rights of innocent people. Therefore, it is crucial to provide these people with all the necessary means that will lessen the damage and help them reestablish their lives. A person who was forcefully moved, first and foremost requires support from the state and local communities. It is the government's task to provide this support through effective policies both on national and local levels. The lack of political and legal solutions to the crises that cause displacement remains a fundamental barrier to durable solutions [1].

Firstly, it is important to identify who is an IDP. *Internally Displaced Persons (IDP)* - persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border [4].

IDPs are in a certain way similar to refugees but have their own peculiarities. There are two main characteristics of IDPs: coercive or involuntary character of movements, and movement happens within national borders. What differs an IDP from a refugee is that IDPs have not left their country thus, apart from in exceptional conditions they are displaced in countries where they are still citizens. 'Despite no specific international convention on the rights of internally displaced persons, the UN Guiding Principles on Internal Displacement restates the rights of IDPs that are implicit in the more general guarantees of existing international human rights and humanitarian law relevant to the internally displaced' [7]. What is more, IDPs have the same rights as other citizens of their country.

For a better understanding of challenges faced by IDPs in Ukraine it is important to note that IDPs definition provided in the Guiding Principles is more descriptive rather than a legal definition. It means that *it describes the factual situation and does not provide a special legal status or rights in the same way that recognition as a refugee does* [3]. This arises from the fact

that contrary to refugees who flee their home countries and as a result do not have state protection, IDPs are entitled to their rights as citizens of their country [3].

Internal displacement is an intimidating humanitarian challenge. Even though there are estimates for the number of displaced persons, it should be noted that counting the displaced is not easy due to the stigma of displacement. Unfortunately, it is often the case in Ukraine that people have troubles registering as IDPs because of lost documentation, bureaucratic challenges or even their own unwillingness ‘IDP (female, 44) from Donetsk Oblast, “We are not registered because the money we could get isn’t worth all the effort and time that could be used to work, not to sit in the queue”’ [5].

The problem of IDPs is not something new in Ukraine. A similar challenge was faced in 1986 after the Chernobyl disaster. Back then 162 000 people were displaced due to the contamination of the area. Despite this Ukraine has not managed to accumulate enough experience on how to deal with IDPs. Moreover, the nature of displacement in these two cases is different – one is a nuclear accident, the other – an armed conflict.

The annexation of the territory of Ukraine’s Autonomous Republic of Crimea by the Russian Federation in March 2014 and the start of the anti-terror operation in May 2014 in Luhanska and Donetska oblasts by the Ukrainian Government affected over 3.7 million people and led to massive displacement [2]. As a result, a new group of people has appeared in the Ukrainian society – internally displaced persons (IDPs) and the Ukrainian state has faced new challenges.

The first data about IDPs in Ukraine were released by the United Nations High Commissioner for Refugees (UNHCR) at the end of March 2014. Back then the number was mere 3 000 people from Crimea seeking asylum in mainland Ukraine. Unfortunately, during the next few months the number rapidly increased to 190 087 as of July 2014 due to the escalation of the conflict in the East of Ukraine. According to the data of departments of population social protection of oblasts and Kyiv city state administrations, the number of IDPs as of November 2018 is around 1.5 million persons which is around 3% of the total population. The accuracy of this number can be questioned due to the nature of internal displacement and various public policies.

Since 2014 and until now IDPs are facing a wide range of problems regarding their rights as the citizens of Ukraine. Even though they are protected by the constitution that guarantees their rights, so far policies aimed at resolution of their problems have not managed to adequately resolve the issue as they were mainly emergency measures that did not provide durable solutions. In 2015 the Cabinet of Ministers of Ukraine (CMU) issued Resolution № 1094 that approved “The Comprehensive State Programme for Support, Social Adaptation and Reintegration of Ukrainian Citizens Who Moved from the Temporarily Occupied Territory of Ukraine and Areas of Anti-Terrorist Operation to Other Regions of Ukraine for the Period until 2017”. However, this programme became irrelevant on January 1, 2018 and did not manage to bring long-term results. On 15 November 2017, a new policy was adopted “Strategy of Integration of Internally Displaced Persons and Implementation of Long-Term Solutions to Internal Displacement until 2020” and only a year later the CMU issued the order “About the approval of the implementation measures of the Strategy of Integration of Internally Displaced Persons and Implementation of Long-Term Solutions to Internal Displacement until 2020” (“Implementation Plan”) drafted by the Ministry of Temporary Occupied Territories and Internally Displaced Persons (MTOT).

All in all, despite having a focal point within the government structure in the form of MTOT the State still fails to deliver durable solutions that would help the displaced population in Ukraine.

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