

## LEGISLATIVE MONITORING IN THE AREA OF MIGRATION AND BORDER MANAGEMENT for April 2016

Legislative act or draft	Status (date of approval/further consideration)	Short overview
<a href="#">Law of Ukraine “On Amending Article 7 of the Law of Ukraine “On Guaranteeing the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine” with regard to guaranteeing the right to education” of 17 March 2016 No.1038-VIII</a>	Entered into force on 7 April 2016	Amendments have been made, in particular, to guarantee the right to education to foreigners and stateless persons permanently residing in Ukraine, persons granted refugee status in Ukraine, persons in need of complementary or temporary protection, and persons granted the status of a foreign Ukrainian legally staying in Ukraine and residing in the temporarily occupied territory. Higher education quotas are established for persons residing in the temporarily occupied territory of Ukraine, and the procedure of attestation is established to recognize the qualifications acquired by Ukrainian citizens and foreigners in the course of their studies in the temporarily occupied territory.
<a href="#">Law of Ukraine “On Amending the Law of Ukraine “On Counterintelligence Activity” of 29 March 2016 No. 1052-VIII</a>	Entered into force on 22 April 2016	The Law grants the right to carry out certain counterintelligence activities to internal and own security units in the State Border Guard Service of Ukraine.
<a href="#">Regulation of the Verkhovna Rada of Ukraine “On the Program of Activities of the Cabinet of Ministers of Ukraine” of 14 April 2016 No. 1099-VIII</a>	Entered into force on 19 April 2016	The Regulation approves the Program of Activities of the Cabinet of Ministers of Ukraine approved by Resolution No. 294 of the Cabinet of Ministers of Ukraine on 14 April 2016. The strategic tasks that the Cabinet of Ministers of Ukraine will be focused on include guaranteeing the rights and freedoms of internally displaced persons and Ukrainian citizens residing in the temporarily occupied territory of Ukraine and in the territory temporarily not controlled by the Ukrainian authorities in the region of the counterterrorist operation.
<a href="#">Regulation of the Verkhovna Rada of Ukraine “On the Recommendations of parliamentary hearings on the topic “Situation with guaranteeing the rights of internally displaced persons and Ukrainian citizens residing in the temporarily occupied territory of Ukraine and in the territory temporarily not controlled by the Ukrainian authorities in the region of the antiterrorist operation” of 31 March 2016</a>	Entered into force on 31 March 2016	In order to enhance the effectiveness of the legal and institutional influence that the Ukrainian state has on the assistance provided to internally displaced persons and Ukrainian citizens residing in the Autonomous Republic of Crimea and the region of the counterterrorist operation, the participants of the parliamentary hearings adopted a series of recommendations for the President, the Verkhovna

<p><a href="#">No. 1074-VIII</a></p>		<p>Rada, its committees, the Cabinet of Ministers, the Ministry of Social Policy, the Ministry of Education and Science, the Ministry of Internal Affairs and other state authorities.</p>
<p><a href="#">Draft Law of Ukraine “On amending certain legislative acts of Ukraine on ensuring the right of the bodies of the State Border Guard Service of Ukraine to permanent use of land plots for the installation of engineering facilities and maintenance of the state border” (No. 4037 of 8 February 2016, MP I.V. Friz and MP O.O. Matuzko)</a></p>	<p>Submitted by the committee for further elaboration on 12 April 2016</p>	<p>The draft law is aimed at creating conditions for the expeditious expropriation of land plots owned by natural and legal persons for subsequent installation of engineering facilities on the state border of Ukraine with the neighboring states, above all the Russian Federation. This measure is aimed at securing the performance of border protection tasks by way of legislative determination of the procedure and conditions for the expropriation of land plots for the construction and maintenance of border infrastructure objects by the bodies of the State Border Guard Service of Ukraine.</p>
<p><a href="#">Draft Law of Ukraine “On humanitarian assistance in crisis situations” (No. 4360 of 1 April 2016, MP O.Yu. Tretiakov, MP M.Yu. Burbak, MP Yu.B.R. Shukhevych and others)</a></p>	<p>Sent to MPs for review on 5 April 2016</p>	<p>The draft law lays down the legal, economic and organizational foundation for the implementation of state policy on humanitarian assistance in crisis situations, including the status of international humanitarian organizations and international humanitarian personnel.</p>
<p><a href="#">Draft Law of Ukraine “On amending certain laws of Ukraine on guaranteeing the rights of internally displaced persons” (No. 4471 of 19 April 2016, MP O.Yu. Vilkul, MP O.P. Bily, MP A.V. Halchenko and others)</a></p>	<p>Sent to MPs for review on 21 April 2016</p>	<p>The draft law is aimed at providing Ukrainian citizens who have been internally displaced an opportunity to exercise their constitutional electoral right.</p>
<p><a href="#">Draft Law of Ukraine “On amending certain legislative acts of Ukraine on reducing barriers to attracting foreign investments (regarding the cancellation of registration of foreign investments and amending the regulations on the employment and temporary stay of foreigners)” (No. 4541 of 28 April 2016, MP S.I. Kiral, MP R.S. Semenukha, MP D.Ye. Dobrodomov and others)</a></p>	<p>Sent to leadership for review on 28 April 2016</p>	<p>The text was not publicly accessible at the time of writing.</p>
<p><a href="#">Draft Law of Ukraine “On education” (No. 3491-d of 4 April 2016, MP O.O. Skrypnyk, MP V.M. Lytvyn, MP T.D. Kremin and others)</a></p>	<p>Submitted by the committee for consideration on 12 April 2016</p>	<p>The draft law regulates, inter alia, the issues of education for foreigners, including refugees, and international academic mobility.</p>
<p><a href="#">Resolution of the Cabinet of Ministers of Ukraine of 20 April 2016 No. 299 “Issues in the activities of the Ministry for the Temporarily Occupied Territories and Internally Displaced Persons”</a></p>	<p>Entered into force on 22 April 2016</p>	<p>The Resolution creates the Ministry for the Temporarily Occupied Territories and Internally Displaced Persons of Ukraine by merging the State Agency for the Restoration of the Donbas and the State Service for the Autonomous Republic of Crimea and Sevastopol.</p>
<p><a href="#">Resolution of the Cabinet of Ministers of Ukraine of 20 April 2016 No. 303 “On amending the Procedure of using funds earmarked in the state budget for the settlement and accommodation of deported Crimean</a></p>	<p>Adopted on 20 April 2016</p>	<p>Amendments are made, inter alia, in order to provide financial support to the Atlant-SV Television Company for the needs of the ATR T television channel which positions itself as the “first Crimean</p>

<a href="#"><u>Tatars and other nationalities deported from the territory of Ukraine</u></a>		Tatar channel”.
<a href="#"><u>Regulation of the Cabinet of Ministers of Ukraine of 20 April 2016 No.284-r “On approval of the draft Agreement between the Cabinet of Ministers of Ukraine and the Government of Romania on cancelling processing fees for long-term visas”</u></a>	Entered into force on 20 April 2016	The Regulation approves the draft of the respective Agreement.
<a href="#"><u>Resolution of the Cabinet of Ministers of Ukraine of 14 April 2016 No. 294 “On approval of the Program of Activities of the Cabinet of Ministers of Ukraine”</u></a>	Entered into force on 19 April 2016	The strategic tasks that the Cabinet of Ministers of Ukraine will be focused on include guaranteeing the rights and freedoms of internally displaced persons and Ukrainian citizens residing in the temporarily occupied territory of Ukraine and in the territory temporarily not controlled by the Ukrainian authorities in the region of the counterterrorist operation.
<a href="#"><u>Resolution of the Cabinet of Ministers of Ukraine of 30 March 2016 No.281 “On approval of the Regulation on the Ministry of Foreign Affairs of Ukraine”</u></a>	Entered into force on 22 April 2016	The Resolution is adopted pursuant to the Law of Ukraine “On the Central Executive Authorities” which stipulates that regulations on ministries and other central executive authorities are approved by the Cabinet of Ministers of Ukraine. The previous Regulation on the Ministry of Foreign Affairs of Ukraine was approved by an edict of the President of Ukraine. Among other things, the Ministry of Foreign Affairs participates in forming and implementing state policy on visas and migration; secures the processing and issuance of Ukrainian passports for travel abroad, including those containing contactless chips, by Ukraine’s diplomatic missions and consular institutions abroad; approves sample documents to be submitted for establishing Ukrainian citizenship, naturalization, document processing in the case of acquisition of Ukrainian citizenship, renunciation of Ukrainian citizenship, canceling decisions to grant Ukrainian citizenship, etc.
<a href="#"><u>Decree of the President of Ukraine of 29 March 2016 No. 120/2016 “On amending the Edict of the President of Ukraine of 27 March 2001 No. 215”</u></a>	Entered into force on 1 April 2016	The Procedure of proceedings on applications and submissions regarding Ukrainian citizenship and of implementing adopted decisions is amended in order to regulate the procedure of naturalization of persons doing military service under contract in the Armed Forces of Ukraine.
<a href="#"><u>Decree of the President of Ukraine of 6 April 2016 No. 129/2016 “On amending article 1 of the Edict of the President of Ukraine of 19 July 2005 No. 1107”</u></a>	Entered into force on 8 April 2016	Starting from 1 June 2016, visa-free entry to Ukraine is extended to citizens of Japan who have diplomatic passports, are on the staff of Japan’s diplomatic mission or consular institution in Ukraine and enter Ukraine in order to perform their official duties, as well as to members of their families.
<a href="#"><u>Order of the Ministry of Internal Affairs of Ukraine “On approval of the Procedure of using the</u></a>	Entered into force on 5 April 2016	The Procedure takes into account international standards and recommendations of the

<p><a href="#">contactless electronic chip implanted in the passport of a Ukrainian citizen” of 16 February 2016 No. 104, registered in the Ministry of Justice of Ukraine on 11 March 2016 under No. 372/28502</a></p>		<p>International Civil Aviation Organization (ICAO) and establishes the mechanism of operations undertaken to store data on the contactless electronic chip implanted in the passport of a Ukrainian citizen and lays down general requirements for the use of the said contactless electronic chip.</p>
<p><a href="#">Order of the Ministry of Education and Science of Ukraine “On approval of the Regulation on an individual form of education in general education institutions” of 12 January 2016 No. 8, registered in the Ministry of Justice of Ukraine on 3 February 2016 under No. 184/28314</a></p>	<p>Entered into force on 1 April 2016</p>	<p>The Order stipulates that an individual form of education can be introduced for persons who:</p> <ul style="list-style-type: none"> <li>- are foreigners or stateless persons (refugee children, children whose parents have applied for refugee status or complementary or temporary protection, and children of foreigners and stateless persons kept in migration accommodation centers);</li> <li>- reside in the area of armed conflict, in the temporarily occupied territory of Ukraine or in settlements in which the state authorities temporarily do not perform their duties or do so only in part (with the use of distance learning) pursuant to the Law of Ukraine “On Guaranteeing the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine”.</li> </ul>
<p><a href="#">Order of the Ministry of Internal Affairs of Ukraine “On approval of the Instruction on the procedure and amount of the financial reward paid to the servicemen of the State Border Guard Service of Ukraine and of the intelligence body of the State Border Guard Service Administration for direct participation in military conflicts or a counterterrorist operation and other activities in the conditions of a special period” of 18 March 2016 No.188, registered in the Ministry of Justice of Ukraine on 31 March 2016 under No. 488/28618</a></p>	<p>Entered into force on 22 April 2016</p>	<p>The Instruction defines amount of the said financial reward and the procedure of its payment.</p>
<p><a href="#">Order of the Ministry of Social Policy of Ukraine “On amending the forms of the application for the status of a victim of trafficking in human beings and the note on non-disclosure of data approved by Order No. 366 of the Ministry of Social Policy of 18 June 2012” of 25 March 2016 No.287, registered in the Ministry of Justice of Ukraine on 13 April 2016 under No. 542/28672</a></p>	<p>State registration on 13 April 2016</p>	<p>The said forms of the application and note have been updated in order to improve the mechanism of information exchange regarding victims of trafficking in human beings between structural divisions of local state administrations responsible for establishing VoT status and units for combatting trafficking crimes in the National Police of Ukraine.</p>
<p><a href="#">Order of the Ministry of Justice of Ukraine “On approval of the Model Regulation on units for registering civil status acts in the chief territorial directorates of justice of the Ministry of Justice of Ukraine in the Autonomous Republic of Crimea, oblasts, and the cities of Kyiv and Sevastopol” of 11 April 2016 No. 1079/5, registered in the Ministry of Justice of Ukraine on 12 April 2016 under No. 536/28666</a></p>	<p>Entered into force on 19 April 2016</p>	<p>Pursuant to the Model Regulation, the key tasks of the said units include contributing to the implementation of state policy on state registration of civil status acts, organization of the state registration of civil status acts, and forming the State Register of the Civil Status Acts of Citizens.</p>