



LEGISLATIVE MONITORING IN THE AREA OF MIGRATION AND BORDER MANAGEMENT for March 2017

| Legislative act or draft | Status (date of approval/further consideration) | Short overview |
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| Draft Law of Ukraine “On amending some legislative acts of Ukraine (concerning liability of Members of Ukrainian Parliament, members of village, regional, district, city, city district councils, village and city mayors, heads, civil servants and local self-government officials for acquisition of citizenship of other states)” (No. 6131-1 of 9 March 2017, C.Y. Rudyk) | Provided on 13 March 2017 | The proposed law envisages legal provisions to prevent persons holding citizenship of a different state(s) from entering public service or to terminate public service for such persons. |
| Draft Law of Ukraine “On amending the Tax Code of Ukraine (concerning ensuring housing rights of internally displaced persons)” (No. 6152 of 1 March 2017, O.V. Dolzhenkov) | Provided on 6 March 2017 | The draft proposes amendments to the Tax Code of Ukraine under which the amounts paid by a tax payer with the status of an internally displaced person for rent according to the rental contract shall be included in the tax reduction. It is expected that the adoption of this draft law will help improve housing conditions for IDPs, promote their housing rights, and the funds freed from realization of the right to tax reductions will become a significant resource for IDPs to help them pay for their accommodation (rental of accommodation). |
| Draft Law of Ukraine “On amending the Law of Ukraine “On Citizenship of Ukraine” (concerning realization of the right to change citizenship)” (No. 6175 of 13 March 2017, President of Ukraine) | A submission to revise the draft provided to the Committee on 11 April 2017 | The draft law is intended to improve the legal mechanism for termination of Ukrainian citizenship when a Ukrainian citizen voluntarily acquires citizenship of other state, and to prevent dual citizenship of persons who acquire citizenship of Ukraine. It is expected that, if adopted, the law will regulate the issue of how the Ukrainian citizens can exercise their constitutional right to change citizenship and will minimize cases of dual citizenship. |
| Draft Law of Ukraine “On amending the Law of Ukraine “On Citizenship of Ukraine” (concerning prohibition for persons empowered to perform functions of the state or local self-government to hold citizenship of another state, and regulating some aspects of the procedure on changing citizenship)” (No. 6175-1 of 15 March 2017, O.Y. Vilkul, Y.A. Boiko) | A submission to revise the draft provided to the Committee on 11 April 2017 | The draft law is intended to improve the legal mechanism for termination of Ukrainian citizenship and prevention of dual citizenship for persons categorized by the Law of Ukraine “On Anti-Corruption” as persons empowered to perform functions of the state or local self-government. |

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| <p>Draft Law of Ukraine “On amending some legislative acts of Ukraine concerning alignment of the Law of Ukraine “On Citizenship of Ukraine” with the Constitution of Ukraine as regards prevention of multiple (dual) citizenship” (No. 6178 of 14 March 2017, S.P. Melnychuk)</p> | <p>Provided on 16 March 2017</p> | <p>The draft law seeks to establish liability for failure to submit or untimely submission by a Ukrainian citizen of full legal age who voluntarily acquired foreign citizenship (nationality) of a correspondent written statement and copy of a document confirming acquisition of foreign citizenship (nationality).</p> |
| <p>Draft Law of Ukraine “On amending some legislative acts of Ukraine regulating dual citizenship” (No. 6178-1 of 27 March 2017, V.I. Baloha)</p> | <p>Provided on 30 March 2017</p> | <p>The draft law seeks to create mechanisms for dismissal and bringing to liability of responsible persons empowered to perform functions of the state or local self-government, who hold citizenship (nationality) of other states, and to legalize dual citizenship for citizens who do not hold such positions.</p> |
| <p>Draft Law of Ukraine “On amending some legislative acts of Ukraine concerning multiple (dual) citizenship” (No. 6178-2 of 29 March 2017, O.V. Bohomolets)</p> | <p>Provided on 31 March 2017</p> | <p>The draft law introduces a prohibition to hold citizenship of another state for persons empowered to perform functions of the state or local self-government, and removes the provision according to which the cost of termination of a foreign citizenship (nationality) exceeding half of the minimal wage established by the law of Ukraine at the time of acquiring Ukrainian citizenship is recognized as a reason for failure to obtain a document terminating foreign citizenship that is beyond such person’s control.</p> <p>The draft law also proposes to introduce an obligation of persons empowered to perform functions of the state or local self-government to report acquisition of citizenship (nationality) of another state and criminal liability for its violation.</p> |
| <p>Draft Law of Ukraine “On amending some laws of Ukraine concerning violations of the procedure regulating entry to and exist from the temporarily occupied territory of Ukraine” (No. 6206 of 16 March 2017, I.V. Friz, H.V. Lohvinsky)</p> | <p>Provided on 20 March 2017</p> | <p>The proposed law aimed to improve legal grounds to fight against violations of the procedure regulating entry to and exist from the temporarily occupied territory of Ukraine, ensure protection of the rights of the state, reduce smuggling and illegal carriage through the temporarily occupied territory of Ukraine or territory of Ukraine temporarily non-controlled by the Ukrainian government. These amendments will provide the law enforcement bodies with a legal basis to protect Ukraine’s interests in cases when the country’s legislation is violated by foreign sea vessels and aircraft travelling to the occupied and non-controlled territories of Ukraine.</p> |
| <p>Draft Law of Ukraine “On amending some legislative acts of Ukraine (concerning the obligation of officials to report citizenship (nationality) of another state(s)” (No. 6216 of 21 March 2017, Y.M. Makedon, R.Y. Demchak, O.P. Prodan and others)</p> | <p>Provided on 23 March 2017</p> | <p>The draft law is intended to legally establish the obligation of officials covered by the public law to report citizenship (nationality) of other states and liability for failure to report this information.</p> <p>This objective is proposed to be achieved by amending the anti-corruption and civil service legislation.</p> <p>The draft law proposes to amend the Criminal Code of Ukraine by introducing penalty for submission of</p> |

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| | | knowingly false information in a declaration concerning citizenship (nationality) of other state(s) and the Law of Ukraine “On Anti-Corruption”, making it a mandatory requirement to indicate holding of citizenship (nationality) of other state(s) in one’s declaration. |
| Draft Law of Ukraine “On amending Article 7 of the Law of Ukraine “On restoration of the rights of persons deported on the basis of their ethnicity” (No. 6228 of 23 March 2017, Cabinet of Ministers of Ukraine) | Provided on 27 March 2017 | The draft law seeks to provide legal regulation for the recovery of property or reimbursement of property value for deported persons whose property was ceased due to deportation and is located on the temporarily occupied territory of Ukraine or the territory of the Anti-Terrorist Operation. |
| Draft Law of Ukraine “On amending some laws of Ukraine (concerning the election rights of internally displaced persons and other domestically mobile citizens)” (No. 6240 of 27 March 2017, H.M Nemyria, M. Naiyem, S.P. Zalishchuk and others) | Provided on 30 March 2017 | The main objective of the draft law is to ensure the election rights of internally displaced persons and domestically mobile citizens. The proposed amendments to the Law of Ukraine “On the State Voters’ Registry” stipulate that voters will have the possibility to file a substantiated application to the body entrusted with maintenance of the State Registry to recognize an election address different from the registered place of residence. This possibility will apply to internally displaced persons and other domestically mobile citizens. |
| Resolution of the Verkhovna rada of Ukraine “On Recommendations of the Parliamentary Hearing on the topic “The Child’s Rights in Ukraine – Assurance, Adherence, Safeguards” of 22 February 2017 No. 1906-VIII | Entered into force on 22 February 2017 | Participants of the Parliamentary Hearing held on 12 October 2016 pointed to the worsening of the negative trends in ensuring and protecting the interests of children in Ukraine. In particular, the government significantly weakened its attention to protection of the rights of vulnerable groups of children such as orphans, children deprived of parental care, children affected by military actions and armed conflict, children in difficult life circumstances, children registered as internally displaced persons and children who are stateless persons, refugees, children of persons in need of subsidiary or temporary protection in Ukraine. One of the recommendations to the Cabinet of Ministers of Ukraine was to amend some legislative acts of Ukraine concerning the procedure for children’s travel abroad. |
| Resolution of the Cabinet of Ministers of Ukraine of 1 March 2017 No. 118 “On approval of the Rules for visa issuance for entry to and transit through the territory of Ukraine” | Entered into force on 16 April 2017 | The Resolution approves the new Rules for visa issuance for entry to and transit through the territory of Ukraine. The new developments include the following: the functionality enabling online submission of visa applications via the website of the Ministry of Foreign Affairs of Ukraine; an expanded list of states whose citizens can issue visas for business and tourism at Ukraine’s border crossing points; reduced period of visa issuance (for urgent cases – up to 5 working days; for standard cases – up to 10 working days); reduced fee for all |

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| | | <p>visa types down to 65 USD and single fee rate established for visa issuance at border crossing points; extended validity period for D type long-term visa (according to the new rules it will be issued as multi-entry visa for 90 days); abolished requirement to produce invitations to enter Ukraine for private or business purpose issued by the State Migration Service of Ukraine (however, the new Rules require that visas are issued on the basis of notarized invitation from a private individual or letter of invitation from a legal entity); the possibility to submit visa application package to the Ukrainian diplomatic mission abroad or to an external service provider in person, through lawful representative or by post; the possibility to conduct interviews with applicants via remote communication means that allow for visual identification of the applicant.</p> |
| <p><u>Resolution of the Cabinet of Ministers of Ukraine of 10 March 2017 No.129 “On amending the Procedure for engagement, utilization and monitoring of international technical assistance”</u></p> | <p>Entered into force on 18 March 2017</p> | <p>The adopted decision will help simplify the procedures and reduce the timelines for administrative service delivery in the area of international technical assistance and promote cooperation with donors of international technical assistance. Thus, changes in the procedure involve simplification of procedure concerning documentation submitted by donors for state registration of projects, and shorter period of administrative service delivery in relation to accreditation of implementers (legal entities – non-residents).</p> |
| <p><u>Resolution of the Cabinet of Ministers of Ukraine of 10 March 2017 No.137 “On amending the Resolution of the Cabinet of Ministers of Ukraine of 28 June 1997 No. 636”</u></p> | <p>Entered into force on 17 March 2017</p> | <p>The Resolution seeks to improve the procedure for filling out the machine-readable area, such as the machine-readable area in the passport of Ukrainian citizen in the form of a card, travel passport of Ukrainian citizen and crew member ID, entry in the machine-readable area about type of document and code of the issuing country. It also updates the list of documents that are produced/issued with mandatory completion of the machine-readable area by adding such documents as temporary residence permit, ID document of a person in need of subsidiary protection, travel document of a person who has been granted subsidiary protection, ID document of a stateless person for travelling abroad.</p> |
| <p><u>Resolution of the Cabinet of Ministers of Ukraine of 22 March 2017 No.165 “On approval of the Procedure for the use of funds allocated in the national budget to provide financial support to promoting the positive image of Ukraine and implement activities on maintaining liaison with Ukrainians who reside abroad”</u></p> | <p>Entered into force on 4 April 2017</p> | <p>The Procedure was designed with consideration of the international experience of operations of foreign policy institutions in other countries in the area of public diplomacy and strategic communication. This document will provide the necessary legal basis for financing of outreach and reputational projects and activities in the area of public diplomacy. Among other measures, it envisages financial support to communities of</p> |

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| | | foreign Ukrainians for conducting of research and educational activities aboard, such as forums, conferences and seminars with participation of foreign Ukrainians, refurbishment and equipment of premises used for the needs of foreign Ukrainians' communities, venues of Ukrainian culture, libraries, Ukrainian schools and classrooms (including Saturday and Sunday schools) abroad; printing of periodicals, production and broadcasting of TV and radio programmes, support of internet-based media of foreign Ukrainians' communities, publications on Ukraine-related topics in mass media outlets abroad, etc. |
| Regulation of the Cabinet of Ministers of Ukraine of 23 December 2016 No.1016-r "On experimental introduction of border and customs control process on the Intercity+ train" | Entered into force on 23 December 2017 | Control procedures will be carried out by the border guard and customs services en route the Intercity+ train "Kyiv – Lviv – Przemyśl" within the area from Lviv to Mostyska 2 and in reverse direction. This procedure will enable to cover the distance from Kyiv to Przemyśl in 6 hours and 20 minutes by reducing the time en route. |
| Regulation of the Cabinet of Ministers of Ukraine of 10 March 2017 No.147-r "On appointment of Y.M. Hrymchak as Deputy Minister for Temporarily Occupied Territories and Internally Displaced Persons" | Entered into force on 10 March 2017 | Y.M. Hrymchak was appointed as Deputy Minister for Temporarily Occupied Territories and Internally Displaced Persons. Y.M. Hrymchak has been employed in the Ministry as Advisor to the Minister since 25 October 2016. |
| Regulation of the Cabinet of Ministers of Ukraine of 1 March 2017 No.160-r "On establishment of immigration quotas for 2017" | Entered into force on 1 March 2017 | The Regulation establishes the upper limit for foreigners and stateless persons who will have the opportunity in 2017 to receive permanent residence permit from the State Migration Service of Ukraine, within the immigration quota. The approved immigration quota was defined by categories of immigrants and by the country's regions, according to the proposals of central and local authorities based on the analysis of the immigration process in the previous calendar year. |
| Regulation of the Cabinet of Ministers of Ukraine of 10 March 2017 No.174-r "On signing of the Agreement between the Cabinet of Ministers of Ukraine and the Government of the Republic of Turkey amending the Agreement between the Cabinet of Ministers of Ukraine the the Government of the Republic of Turkey on conditions of mutual travel of citizens" | Entered into force on 10 March 2017 | The Agreement stipulates that citizens of Ukraine and Turkey who hold passports in the form of an ID card with implanted contactless electronic chip will be able to enter, exit and stay on the country's territories on the visa-free basis. The duration of stay allowed for citizens of Ukraine and Turkey on the territories of these countries shall be up to 90 days during 180 days. |
| Regulation of the Cabinet of Ministers of Ukraine of 1 March 2017 No.123-r "On approval of the draft Agreement (in the form of exchange of notes) between the Cabinet of Ministers of Ukraine and the Government of the Republic of Latvia concerning paid engagement of family members of staff of diplomatic missions and consular institutions" | Entered into force on 1 March 2017 | The Agreement will grant the right, on the basis of reciprocity, to family members of Ukrainian and Latvian diplomatic staff to be engaged and receive compensation for such engagement on the territories of the Republic of Latvia and Ukraine, respectively, on conditions stipulated for citizens of the host country. Income received by family members of diplomatic staff of Latvia in Ukraine, and by family members of diplomatic staff of |

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| | | Ukraine in Latvia will be subject to general taxation rules. |
| Order of the Ministry of Social Policy of Ukraine “On amending the standards of social services provided to victims of human trafficking” of 14 December 2016 No.1531, registered with the Ministry of Justice of Ukraine on 17 January 2017 No. 62/29930 | Entered into force on 10 March 2017 | The adopted amendments are intended to correct the technical error in the text of the Standards and to define the procedure of cost calculation for respective social services. |
| Order of the Ministry of Internal Affairs of Ukraine “On approval of amendments to the Instruction for case files on administrative offence compiled by officials of the State Border Guard service of Ukraine” of 18 January 2017 No. 32, registered with the Ministry of Justice of Ukraine on 13 January 2017 No.203/30071 | Entered into force on 24 March 2017 | The adopted amendments are aimed to regulate some aspects of proceedings in administrative offence cases handled by officials of the State Border Guard service of Ukraine. The changes, among other measures, provide for the possibility to engage interpreters included in the Reference and Information Registry of Interpreters, maintained by the State Migration Service of Ukraine, and reduce the list of information items about a person to be specified in the ruling that imposes administrative penalty or closes a case on administrative offence. |
| Order of the Ministry of Culture of Ukraine “On Expert Council of the Ministry of Culture of Ukraine on Ethnic Policy” of 1 February 2017 No. 70, registered with the Ministry of Justice of Ukraine on 23 February 2017 No. 246/30114 | Entered into force on 24 March 2017 | The expert Council of the Ministry of Culture of Ukraine on Ethnic Policy is established for the purpose of carrying out close monitoring, analysis and evaluation of processes in the area of ethnic policy both in Ukraine and abroad, expert consultations and examination of problem issues related to implementation of public policy in the area of inter-ethnic relations and protection of ethnic minorities. A separate order of 17 March 2017 approved the composition of the Council. |