

**LEGISLATIVE MONITORING
for November 2014**

Legislative act	Status (date of approval/further consideration)	Short overview
ACTS OF THE VERKHOVNA RADA OF UKRAINE		
<p><u>Law of Ukraine “On guaranteeing the rights and freedoms of internally displaced persons” of 20 October 2014 No. 1706-VII</u></p>	<p>Entered into force on 22 November 2014</p>	<p>The Law establishes guarantees of the rights, freedoms and legal interests of internally displaced persons (IDPs).</p> <p>It also contains a definition of an IDP – a Ukrainian citizen permanently residing in Ukraine who was forced to leave or of his/her own accord left his/her place of residence as a result of or in order to avoid the negative effects of an armed conflict, temporary occupation, pervasive violence, mass violations of human rights or natural or man-made emergency situations.</p> <p>Issues regulated by the Law include the following: protection against forced internal displacement and forced return to the previous place of residence; registration of IDPs; registration of IDPs’ place of residence; guaranteeing the right of IDPs to obtain documents confirming Ukrainian citizenship, identifying a person or his/her special status, etc.</p>
<p><u>Draft Law of Ukraine “On amending certain laws of Ukraine” (regarding permits issued to recruit workers who will further work for a different employer in Ukraine)</u> (No. 0951 of 27 November 2014, Cabinet of Ministers of Ukraine)</p>	<p>Registered on 27 November 2014</p>	<p>The Draft Law is aimed at implementing Article 39 of the Law of Ukraine “On the Employment of the Population” regarding permits that are issued by a central executive authority implementing state policy on the employment of the population (the State Employment Service of Ukraine) to employers which hire workers who will further work for a different employer under labor contracts. The Draft Law regulates the question of permits to engage in this type of business activity and harmonizes the permit issuing procedure with the requirements of the Law of Ukraine “On the System of Permits in the Business Sphere”.</p>
<p><u>Draft Law of Ukraine “On amending the Law of Ukraine “On the Ethnic Minorities in Ukraine”</u> (No. 1111 of 28 November 2014, MP Yu.V. Levchenko, MP O.I.</p>	<p>Sent to MPs for review on 11 December 2014</p>	<p>The Draft Law envisages the passage of a new redaction of the framework Law entitled “On the Ethnic Minorities in Ukraine and the Right to Identity” and amending the Law of Ukraine “On the Election of Members of the Supreme</p>

Osukhovsky, MP A.Yu. Illenko and others)

Council of the Autonomous Republic of Crimea, Local Councils and Village, Town and City Heads”.

The key novelties proposed in the Draft Law include the following:

- an improved definition of the concept “ethnic minorities”;
- a legislatively established list of ethnic minorities in Ukraine;
- the introduction of a legal mechanism for creating self-government bodies by ethnic minorities;
- a possibility for Ukrainian citizens to indicate their ethnicity in passports and civil registration certificates.

[Draft Law of Ukraine “On amending the Law of Ukraine “On Ukrainian Citizenship” \(regarding the act of voluntary forfeiture of Ukrainian citizenship\) \(No. 1114 of 28 November 2014, MP Yu.V. Levchenko, MP O.I. Osukhovsky, MP A.Yu. Illenko and others\)](#)

Registered on
28 November 2014

The Draft Law proposes to rule out multiple citizenships by adding a norm on automatic voluntary forfeiture of Ukrainian citizenship, which, thus, is a fulfillment of the single citizenship requirement contained in the Constitution of Ukraine. Moreover, the Draft Law reduces, from two years to one, the period during which a person may submit a document on forfeiting the citizenship of another state or states to the body authorized to issue Ukrainian passports.

[Draft Law of Ukraine “On amending the Law of Ukraine “On citizen participation in the protection of public order and the state border” \(regarding the use of weapons\) \(No. 1117 of 28 November 2014, MP M.I. Holovko, MP Yu.V. Levchenko, MP A.Yu. Illenko and others\)](#)

Registered on
28 November 2014

The Draft Law is designed to grant members of community formations tasked with the protection of public order and the state border the right to acquire and use cold steel weapons and firearms on the basis of a permission issued by an internal affairs body and to determine the procedure of using these weapons.

OTHER LEGAL ACTS

[Resolution of the Cabinet of Ministers of Ukraine of 5 November 2014 No. 613 “Certain issues concerning the introduction of the Ukrainian foreign passport with a contactless electronic chip”](#)

Entered into force
on 15 November
2014

The State Migration Service received UAH 150,035,600 for activities to build up the infrastructure of the Unified Information-Analytical Migration Management System, including arrangements for protected communications channels with the Service’s territorial bodies and equipping its territorial bodies and units with work stations for processing and issuing Ukrainian foreign

[Resolution of the Cabinet of Ministers of Ukraine of 5 November 2014 No. 637 “On making social payments to persons displaced from the temporarily occupied territory of Ukraine and regions of the counter-terrorist operation”](#)

Entered into force on 26 November 2014

passports with a contactless electronic chip.

The Resolution establishes that the granting and continuation of social payments to persons displaced from the temporarily occupied territory of Ukraine and regions of the counter-terrorist operation are made at the place of these persons’ registration as confirmed by a certificate issued according to the Procedure of processing and issuing registration certificates to persons displaced from the temporarily occupied territory of Ukraine or a region of the counter-terrorist operation, approved by Regulation No. 509 of the Cabinet of Ministers of Ukraine of 1 October 2014.

[Resolution of the Cabinet of Ministers of Ukraine of 12 November 2014 No. 610 “On approval of the Agreement between the Cabinet of Ministers of Ukraine and the Government of the Republic of Belarus on approval of the Regulation on the demarcation of the state border between Ukraine and the Republic of Belarus”](#)

Entered into force on 20 November 2014

The Regulation approves the Agreement signed on 30 July 2014 in Chernihiv. The Agreement establishes the procedure of marking the common state border and regulates the activities of a special Ukrainian-Belarusian Demarcation Commission. It envisages that during the demarcation of the Ukraine-Belarus border the parties will strictly adhere to the state border line defined by the Agreement on the State Border of 1997.

[Resolution of the Cabinet of Ministers of Ukraine of 12 November 2014 No. 622 “On approval of the blank form and technical description of the crew member identification document and the Procedure of its processing, issuing, exchange, sending, seizure, return to the state and destruction”](#)

Entered into force on 28 November 2014

The Resolution establishes the blank form and technical description of the crew member identification document with a contactless electronic chip and the Procedure of its processing, issuing, exchange, sending, seizure, return to the state and destruction. Such documents are scheduled to start being processed and issued on 1 January 2015 with the use of the State Information System for Registration and Documentation of Natural Persons.

[Resolution of the Cabinet of Ministers of Ukraine of 12 November 2014 No. 643 “On approval of the Procedure of granting and withdrawing the status of a person deported on ethnic grounds”](#)

Entered into force on 6 December 2014

The Resolution defines the procedure of granting and withdrawing the status of a person deported on ethnic grounds with regard to persons defined in part one of Article 4 of the Law of Ukraine “On the Restoration of the Rights of Persons Deported on Ethnic Grounds”.

[Decree of the Cabinet of Ministers of Ukraine of 5 November 2014 No. 1062-r “On approval of the draft Agreement between the Cabinet of Ministers of](#)

Entered into force on 5 November 2014

The Decree approves the draft bilateral Agreement. The Agreement being amended entered into force on 1 March 2009.

[Ukraine and the Government of the Kingdom of Denmark on amending the Agreement between the Cabinet of Ministers of Ukraine and the Kingdom of Denmark on visa facilitation”](#)

[Decree of the Cabinet of Ministers of Ukraine of 19 November 2014 No. 1119-r “On the redistribution of certain expenditures from the state budget earmarked for the Ministry of Foreign Affairs for 2014”](#)

Entered into force on 19 November 2014

As a result of redistribution of budget allocations for the Ministry of Foreign Affairs, the program “Documenting citizens and creating and maintaining the information-telecommunications systems of the consular service” received increased financing.

[Decree of the Cabinet of Ministers of Ukraine of 19 November 2014 No. 1129-r “On approval of the Agreement \(by exchange of notes\) between the Cabinet of Ministers of Ukraine and the Government of Romania to open an international crossing point on the Ukraine-Romania state border for ferry, passenger and cargo traffic between Orlivka \(Ukraine\) and Isaccea \(Romania\)”](#)

Entered into force on 19 November 2014

The Decree approves the said bilateral Agreement, thereby laying the contractual legal foundation for cooperation in ferry traffic between Ukraine and Romania. It is envisaged that the implementation of the Agreement’s provisions will help develop the transport and logistics infrastructure in southern Odesa region and enhance security standards of ferry passenger and cargo traffic between the two neighboring countries. Furthermore, the signing of this Agreement should help attract additional cargo traffic and strengthen trade and economic relations between Ukraine and Romania.

The Agreement will enter into force following an exchange of notes between Ukraine and Romania.

[Decree of the Cabinet of Ministers of Ukraine of 19 November 2014 No. 1130-r “On approval of the draft Second Protocol between the Cabinet of Ministers of Ukraine and the Government of the Republic of Poland on amending the Agreement between the Cabinet of Ministers of Ukraine and the Government of the Republic of Poland on the rules of local border traffic, executed on 28 March 2008 in Kyiv”](#)

Entered into force on 19 November 2014

The Decree approves the draft Protocol which envisages amendments to the said Agreement which regulates local border traffic on the Ukraine-Poland state border.

[Decree of the Cabinet of Ministers of Ukraine of 19 November 2014 No. 1140-r “On approval of the action plan to fulfill, in 2014, the National Action Plan to Implement the UN Convention on the Rights of the Child until 2016”](#)

Entered into force on 19 November 2014

The Decree provides for activities aimed at, among others, refugee children (regarding their integration) and the children of migrant workers (regarding prevention of trafficking in human beings).

[Decree of the President of Ukraine of 29 November 2014 No. 897/2014 “On the](#)

Entered into force on 29 November

Due to personnel changes in the state authorities, the personal composition of the

<u>new composition of the Commission on Citizenship under the President of Ukraine”</u>	2014	Commission on Citizenship under the President of Ukraine was updated. The Commission now includes, among others, Head of the State Migration Service T.V. Nikitina and First Deputy Head of the State Border Guard Service V.M. Servatiuk.
<u>Decree of the President of Ukraine of 17 November 2014 No. 885/2014 “On the appointment of O. Bliashenko Deputy Head of the State Border Guard Service of Ukraine”</u>	Entered into force on 17 November 2014	O. Bliashenko is appointed Deputy Head of the State Border Guard Service of Ukraine.
<u>Decree of the President of Ukraine of 17 November 2014 No. 886/2014 “On the appointment of V. Servatiuk First Deputy Head of the State Border Guard Service of Ukraine”</u>	Entered into force on 17 November 2014	V. Servatiuk is appointed First Deputy Head of the State Border Guard Service of Ukraine
<u>Decree of the President of Ukraine of 3 November 2014 No. 841/2014 “On the Regulation on the Presidential Commissioner for the Crimean Tatar People”</u>	Entered into force on 5 November 2014	The Presidential Commissioner for the Crimean Tatar people ensures that the President of Ukraine exercises his authority regarding the enforcement of the constitutional rights of the Crimean Tatar people as an indigenous people of Ukraine. The Decree lays down the main tasks and rights of the Commissioner.
<u>Decree of the President of Ukraine of 4 November 2014 No. 848/2014 “On amending Annex No. 2 to the Edict of the President of Ukraine of 21 March 2002 No. 277”</u>	Entered into force on 14 November 2014	The titles of the offices of First Deputy Head and Deputy Head of the State Border Guard Service of Ukraine are changed, and the offices of one First Deputy Head and Four Deputy Heads of the State Migration Service of Ukraine are eliminated.
<u>Decree of the President of Ukraine of 14 November 2014 No. 880/2014 “On the decision of the National Security and Defense Council of Ukraine of 4 November 2014 “On urgent national security measures”</u>	Entered into force on 18 November 2014	The Decree brings into force the decision of the National Security and Defense Council which, among other things, instructs the Administration of the State Border Guard Service of Ukraine to take additional measures to identify cases in which stamps affixed to confirm the crossing of Ukraine’s state border are from border crossing points which have been temporarily closed in accordance with the established procedure.
<u>Order of the Ministry of Justice of Ukraine “On terminating access to certain registers of the information system run by the Ministry of Justice of Ukraine” of 29 October 2014 No. 1801/5, registered in the Ministry of Justice of Ukraine on</u>	Entered into force on 4 November 2014	The Order temporarily terminates access to the Unified and State Registers of the information system run by the Ministry of Justice of Ukraine for users located in certain raions and populated areas in Luhansk and Donetsk regions. The Order, in particular, bans access

[30 October 2014 under No. 1361/26138](#)

[Order of the Ministry of Justice of Ukraine “On amending Order No. 953/5 of the Ministry of Justice of Ukraine of 17 June 2014” of 5 November 2014 No. 1847/5, registered in the Ministry of Justice of Ukraine on 6 November 2014 under No. 1403/26180](#)

Entered into force
on 21 November
2014

to the State Register of Civil Status Acts until the end of the counter-terrorist operation in eastern Ukraine.

In order to guarantee the protection of the rights and legal interests of natural persons in the area of state civil registration and in connection with the current sociopolitical situation in Luhansk region, state registration of civil acts, entering changes into civil registration records, restoration and cancellation of these records, reissue of civil status registration certificates and the provision of extracts from the State Register of Civil Status Acts are temporarily suspended in civil status registration bodies located in this region. The above actions are to be carried out by any civil status registration body located outside Luhansk region.

[Order of the Ministry of Justice of Ukraine “On approval of the Procedure of providing blank forms of state civil registration certificates to state civil status registration bodies in the chief directorates of justice subordinated to the Ministry of Justice of Ukraine and located in regions in which the counter-terrorist operation is being conducted” of 13 November 2014 No. 1904/5, registered in the Ministry of Justice of Ukraine on 14 November 2014 under No. 1448/26225](#)

Entered into force
on 28 November
2014

The Procedure regulates the issue of transfer of blank forms of state civil status registration certificates from the company that produces, stores and registers them to state civil status registration bodies of the chief directorate of justice in any other region when the state civil registration bodies cannot exercise their authority in the regions where the counter-terrorist operation is being conducted.

[Order of the Ministry of Education and Science of Ukraine “On approval of the Terms of Admission to higher education institutions of Ukraine in 2015” of 15 October 2014 No. 1172, registered in the Ministry of Justice of Ukraine on 4 November 2014 under No. 1390/26167](#)

Entered into force
on 21 November
2014

The Order addresses, in particular, certain special aspects of admission of foreigners and stateless persons and their studies in Ukraine’s higher education institutions.