



LEGISLATIVE MONITORING IN THE AREA OF MIGRATION AND BORDER MANAGEMENT for October 2015

Legislative act or draft	Status (date of approval/further consideration)	Short overview
Law of Ukraine “On the ratification of the Agreement between the Cabinet of Ministers of Ukraine and the Government of the Republic of Belarus on the procedure of crossing the Ukrainian-Belarusian state border by the residents of Rokytne district of Rivne region, Ukraine, and the Stolin district of Brest region, the Republic of Belarus” of 1 July 2015 No. 566-VIII	Entered into force on 26 July 2015	<p>The Agreement is aimed at preserving and developing economic, cultural and other traditional relations between the residents of border regions of Ukraine and the Republic of Belarus by creating favorable conditions for crossing the Ukrainian-Belarusian state border in local (simplified) border crossing points for the residents of border regions.</p> <p>The Ministry of Foreign Affairs of the Republic of Belarus notified the Ukrainian Party with Note No. 11-10/17654 of 12 August 2015 that the Belarusian Party does not intend to join this Agreement.</p>
Law of Ukraine “On the ratification of the Agreement between Ukraine and the Kingdom of Spain on the performance of paid activities by family members who are dependants of the diplomatic, consular, administrative and technical staff of diplomatic missions and consular institutions” of 16 September 2015 No. 693-VIII	Entered into force on 18 October 2015	<p>The Law will help the family members of the staff of diplomatic missions to exercise their right to labor, maintain their qualification level and receive opportunities for further professional growth.</p>
Draft Law of Ukraine “On external labor migration” (No.2330a of 10 July 2015, Cabinet of Ministers of Ukraine)	Sent to the President for signing on 11 November 2015	<p>The main purpose of the Draft Law is to establish legal standards and organizational foundations regarding the travel, employment and social protection of Ukrainian citizens working abroad and their family members. The Law establishes at the legislative level the equal rights of labor migrants and their family members.</p>
Draft Law of Ukraine “On amending article 9 of the Law of Ukraine “On the Citizenship of Ukraine” (regarding a simplified naturalization procedure for foreigners and stateless persons, doing military service in the Armed Forces of Ukraine) (No.2847 of 14 May 2015, MP I.Yu. Vinnyk, MP S.V. Pashynsky, MP Yu.V. Chyzhmar and others)	Adopted in the first reading on 6 October 2015	<p>The Draft Law proposes, inter alia, that for foreigners and stateless persons who are doing, in accordance with the procedure established by Ukrainian legislation, military service under contract in the Armed Forces of Ukraine, the term of uninterrupted legal stay in the territory of Ukraine is set at three, rather than five, years from the time their contract for military service in the Armed Forces of Ukraine becomes valid.</p>

		Another provision is that the naturalization requirement of obtaining an immigration permit does not apply to foreigners and stateless persons who are doing, in accordance with the procedure established by Ukrainian legislation, military service in the Armed Forces of Ukraine.
Draft Law of Ukraine “On amending certain legislative acts of Ukraine regarding the protection of the housing rights of internally displaced persons” (No. 3122-1 of 1 October 2015, MP N.Yu. Korolevska)	Sent to MPs for review on 7 October 2015	The Draft Law is aimed at solving the housing problems experienced by internally displaced persons by entitling them to receive, out of turn, apartments and detached houses from the social housing fund.
Draft Law of Ukraine “On amending certain legislative acts of Ukraine in connection with the passage of the Law of Ukraine “On the National Police” (No. 3225 of 5 October 2015, Cabinet of Ministers of Ukraine)	Law passed on 10 November 2015	The amendments are made, in particular, to the Law of Ukraine “On Local Self-Government in Ukraine” regarding facilitation provided to local self-government bodies and units of the central executive authorities implementing state policy on migration (immigration and emigration) to ensure compliance with the rules of the passport system.
Draft Law of Ukraine “On amending certain laws of Ukraine regarding documents that prove Ukrainian citizenship, the identity of a person or their special status aimed at the liberalization of the visa regime for Ukraine by the European Union” (No. 3224 of 5 October 2015, Cabinet of Ministers of Ukraine)	Submitted by the committee for consideration on 16 November 2015	The Draft Law is designed to make more specific the list of documents that prove Ukrainian citizenship, the identity of a person or their special status, with or without a contactless electronic chip; define the legal status of certain categories of persons; remove legal voids in the current legal regulation; bring the Law of Ukraine “On the Unified State Demographic Register and Documents That Prove Ukrainian Citizenship, the Identity of a Person or Their Special Status” into line with the current legislation and the current situation.
Draft Law of Ukraine “On amending the Tax Code of Ukraine regarding non-inclusion of bank money remittances from labor migrants in the total monthly (annual) taxable income” (No. 3370 of 29 October 2015, MP L.L. Denisova, S.M. Kaplin, N.V. Veselova and others)	Sent to MPs for review on 30 October 2015	Once passed, the Draft Law will make it possible to exempt remittances sent by labor migrants from outside Ukraine to support their immediate family from the individual income tax and the military duty. This will help increase the amount of money remitted by labor migrants to the territory of Ukraine via legalized channels.
Draft Law of Ukraine “On amending the Law of Ukraine “On Citizenship” regarding naturalization” (No. 3321 of 13 October 2015, MP V.V. Didych)	Sent to MPs for review on 19 October 2015	According to the proposed amendments, if two or more grounds for naturalization are present, the applicant will himself/herself choose the one to be applied.
Draft Law of Ukraine “On the list of administrative services” (No. 3319 of 12 October 2015, Cabinet of Ministers of Ukraine)	Sent to MPs for review on 19 October 2015	The Draft Law is aimed at ensuring transparency, legality and legal determinacy in the system of administrative services, particularly through the approval of an exhaustive list of administrative services, including in the area of migration (for example, issuing the foreign passport of a Ukrainian citizen, issuing invitation documents to

		Ukrainian citizens, foreigners and stateless persons, etc.).
Draft Law of Ukraine “On amending certain legislative acts of Ukraine regarding management of state enterprises that make blank forms of securities and documents and blank forms which require the use of special security features” (No. 3317 of 12 October 2015, Cabinet of Ministers of Ukraine)	Sent to MPs for review on 19 October 2015	The Draft Law is prepared pursuant to the instruction of the Cabinet of Ministers of Ukraine in connection with the letter of the National Bank of Ukraine regarding the return of Ukraina Securities Printing, a state-run enterprise, to the management domain of the Ministry of Finances of Ukraine.
Draft Law of Ukraine “On amending certain legislative acts of Ukraine in the area of state registration of civil status acts to bring them into line with the European standards” (No. 3272 of 8 October 2015, Cabinet of Ministers of Ukraine)	Sent to MPs for review on 13 October 2015	The Draft Law is aimed at improving the provisions contained in legislative acts, in particular regarding the introduction of the extraterritorial principle in the activities of the state civil registration bodies, simplifying the registration procedure and making registration as convenient as possible for people. For example, the Draft Law envisages that applications for the state registration of civil status acts can be submitted to a state civil registration body regardless of where the applicant resides.
Resolution of the Cabinet of Ministers of Ukraine of 16 September 2015 No. 755 “On amending Resolution No. 1025 of the Cabinet of Ministers of Ukraine of 10 November 2010”	Entered into force on 2 October 2015	The Resolution changes the model and description of the blank form of the death certificate. It also establishes that all of the remaining old-type blank forms of death certificates, approved by Regulation No. 1025 of the Cabinet of Ministers of Ukraine of 10 November 2010, are to be used by state civil registration bodies. Death certificates issued before this Resolution entered into force are valid and are not subject to replacement.
Resolution of the Cabinet of Ministers of Ukraine of 23 September 2015 No. 762 “On amending Resolution No. 823 of the Cabinet of Ministers of Ukraine of 25 August 2005”	Entered into force on 7 October 2015	The amendments pertain to certain special aspects of paying one-time benefits to orphaned children and children deprived of parental care upon reaching 18 years of age in the event that such children are displaced from the temporarily occupied territory of Ukraine, the region of the counter-terrorist operation or a populated area on the line of confrontation.
Resolution of the Cabinet of Ministers of Ukraine of 30 September 2015 No. 788 “On amending Resolution No. 1596 of the Cabinet of Ministers of Ukraine of 30 August 1999 and No. 637 of 5 November 2014”	Entered into force on 10 October 2015	The amendments pertain to certain special aspects of paying pensions, all types of social security and compensations and material provision to internally displaced persons.
Resolution of the Cabinet of Ministers of Ukraine of 30 September 2015 No. 794 “On amending point 1 of the annex to Resolution No. 65 of the Cabinet of Ministers of Ukraine of 1 March 2014”	Entered into force on 20 October 2015	The termination of furniture purchases with state budget funds, which was introduced as an austerity measure, does not apply to furniture to be installed in the temporary accommodation centers for refugees and the centers for the temporary stay of foreigners and stateless persons illegally staying in Ukraine.

<p>Decree of the Cabinet of Ministers of Ukraine of 30 September 2015 No. 1031-r "On amending the annex to Resolution No. 523 of the Cabinet of Ministers of Ukraine of 16 May 2014"</p>	<p>Entered into force on 4 October 2015</p>	<p>The Regulation transfers some administrative services previously provided by the State Migration Service of Ukraine, namely those connected with the processing of passport documents and registration of the place of residence and stay, to the centers for administrative services. Until proper technical provision is secured for the centers for administrative services, such services will be provided by the centers for administrative services or by the State Migration Service.</p>
<p>Decree of the Cabinet of Ministers of Ukraine of 7 October 2015 No. 1053-r "On approval of the Concept of the State Social Program to Counteract Trafficking in Human Beings until 2020"</p>	<p>Entered into force on 7 October 2015</p>	<p>The Program is aimed at preventing trafficking in human beings, increasing the effectiveness of the identification of traffickers and their facilitators and ensuring the protection of the rights of victims of trafficking, particularly child VoTs, and providing assistance to them.</p>
<p>Decree of the Cabinet of Ministers of Ukraine of 28 October 2015 No. 1149-r "On approval of the Concept of Integrated Border Management"</p>	<p>Will enter into force on 1 January 2016</p>	<p>The Concept is aimed at increasing the effectiveness of the implementation of state policy on state border security and implementing European standards for integrated border management regarding the following:</p> <ul style="list-style-type: none"> - ensuring the protection of the state border and the passage of persons, vehicles and cargoes across the state border according to the established procedure; conducting informational, operational and search activities; performing risk analysis and taking preventive actions; - agents of integrated border management carry out activities to prevent, identify and investigate cross-border crimes; - coordinating the activities of the competent state authorities to ensure the security and openness of the state border; - developing international, border and interdepartmental cooperation; - ensuring the proper functioning and improvement of the four-tier system to control the entry into and stay in Ukraine of foreigners and stateless persons.
<p>Decree of the Cabinet of Ministers of Ukraine of 7 October 2015 No.1087-r "On approval of the financial plan of Ukraina Securities Printing, a state-run enterprise, for 2016"</p>	<p>Entered into force on 7 October 2015</p>	<p>The Regulation approves the financial plan of Ukraina Securities Printing, a state-run enterprise, for 2016. This company produces the blank forms of documents that prove Ukrainian citizenship, the identity of a person or their special status and perform their personalization.</p>
<p>Decree of the Cabinet of Ministers of Ukraine of 13 October 2015 No.1068-r "On approval of the plan of top-priority measures to equip the state border along the coastline and ensure the protection of Ukraine's territorial waters within Donetsk, Zaporizhzhia, Kherson and</p>	<p>Entered into force on 13 October 2015</p>	<p>The plan envisages measures in such areas as early threat detection along the coastline, ensuring the protection of the coastline, timely interdepartmental information exchange, improving response to detected threats and</p>

Mykolaiv regions”		improving the system of control and security measures on the coastline.
Decree of the Cabinet of Ministers of Ukraine of 26 October 2015 No.1099-r “On creating a state institution, the Mykolaiv Center for the Temporary Stay of Foreigners and Stateless Persons Illegally Staying in Ukraine”	Entered into force on 26 October 2015	The Regulation approves the proposal of the State Migration Service of Ukraine to create a state institution, the Mykolaiv Center for the Temporary Stay of Foreigners and Stateless Persons Illegally Staying in Ukraine.
Order of the Ministry of Internal Affairs of Ukraine “On approval of Amendments to certain orders of the Ministry of Internal Affairs of Ukraine on the activities of the State Migration Service of Ukraine” of 1 October 2015 No. 1204, registered in the Ministry of Justice of Ukraine on 2 October 2015 under No. 1189/27634	Entered into force on 6 October 2015	The amendments concern the processing and issuing of the passport of a Ukrainian citizen and the registration of the place of residence or stay of natural persons, one of the reasons being the transfer of respective administrative functions to the centers for administrative services.
Order of the Ministry of Internal Affairs of Ukraine “On approval of Amendments to the Instruction on the processing of the materials of administrative cases by the officials of the State Border Guard Service of Ukraine” of 20 August 2015 No.994, registered in the Ministry of Justice of Ukraine on 9 September 2015 under No. 1089/27534	Entered into force on 2 October 2015	The amendments pertain to the form of the resolution imposing administrative punishment in the form of a fine.
Order of the Ministry of Internal Affairs of Ukraine “On declaring invalid Order No. 447 of the Ministry of Internal Affairs of 17 April 2015” of 27 August 2015 No.1028, registered in the Ministry of Justice of Ukraine on 14 September 2015 under No. 1101/27546	Entered into force on 9 October 2015	The Order invalidates Order No. 447 of the Ministry of Internal Affairs of 17 April 2015 “On approval of the technical descriptions of the blank forms of documents issued by MIA units” which approved the technical descriptions of the blank forms of documents issued by the units of the Ministry of Internal Affairs of Ukraine, including the blank forms of the national driver’s license which, under the Law of Ukraine “On the Unified State Demographic Register and Documents That Prove Ukrainian Citizenship, the Identity of a Person or Their Special Status”, is a document that proves the identity of a person and his/her special status regarding the right to drive vehicles.
Order of the Ministry of Internal Affairs of Ukraine, the Ministry of Foreign Affairs of Ukraine, the Ministry of Infrastructure of Ukraine, the Ministry of Finances of Ukraine and the Security Service of Ukraine “On approval of the Procedure of exchanging informational-analytical materials between the agents of integrated border management” of 1 September 2015 No. 1050/254/341/749/562, registered in the Ministry of Justice of Ukraine on 10 September 2015 under No. 1094/27539	Entered into force on 6 October 2015	The Procedure defines the organizational foundations for exchanging informational-analytical materials between the agents of integrated border management. Data exchange is carried out by the contact units at the interdepartmental level via a virtual contact analytical center. Its main objectives include the development of new approaches to integrated border management, exchange of non-classified statistical and analytical information on state border security within the terms and in the forms approved by the Parties; conducting joint analytical studies to evaluate threats and risks for border security and the effectiveness of integrated border management.

<p><u>Order of Ministry of Social Policy of Ukraine “On approval of report form No. 1-PA “Information on the number of citizens employed by economic agents providing intermediary employment services and hire workers for further employment by other employers in Ukraine” and the Procedure of its submission” of 7 August 2015 No. 815, registered in the Ministry of Justice of Ukraine on 9 October 2015 under No. 1225/27670</u></p>	<p>Entered into force on 30 October 2015</p>	<p>Section I of the report is filled out by economic agents that possess a license to carry out intermediary foreign employment activities. These agents indicate, among other things, the distribution of the citizens employed abroad in the report year by country. Section II is filled out by economic agents that provide domestic employment services. These agents indicate, among other things, the number of citizens employed in the report year with a breakdown by profession (position) and salary size. Section III of the report is filled out by economic agents that hire workers who will later do work for another employer. In this section, the agents indicate the number of citizens they referred for employment in the report year according to the contracts signed and the number of employers (including natural persons) for whom such persons worked in the report year.</p>
<p><u>Order of the Ministry of Justice of Ukraine and the Ministry of Foreign Affairs of Ukraine “On approval of the Instruction on the procedure of obtaining documents of social-legal nature for Ukrainian citizens, foreigners and stateless persons” of 21 September 2015 No. 1786/5/272, registered in the Ministry of Justice of Ukraine on 21 September 2015 under No. 1117/27562</u></p>	<p>Entered into force on 23 October 2015</p>	<p>The Instruction defines the procedure of obtaining documents of social-legal nature from both Ukraine and abroad for Ukrainian citizens permanently residing abroad, including those temporarily staying in the territory of Ukraine, as well as for foreigners, stateless persons and enterprises (institutions, organizations) located in Ukraine, diplomatic missions and consular institutions of Ukraine, the Department of Consular Service of the Ministry of Foreign Affairs of Ukraine and the representations of the Ministry of Foreign Affairs of Ukraine in the territory of Ukraine.</p> <p>The Instruction also establishes requirements for the provision of documents of social-legal nature by the archival institutions of Ukraine.</p>