

**LEGISLATIVE MONITORING  
for September 2014**

Legislative act	Status (date of approval/further consideration)	Short overview
<b>LEGAL ACTS OF THE VERKHOVNA RADA OF UKRAINE</b>		
<p><a href="#"><u><i>Resolution of the Verkhovna Rada of Ukraine of 2 September 2014 No. 1675-VII “On Recommendations of parliamentary hearings on the topic “Visa-free regime between Ukraine and the EU: Prospects and new opportunities for citizens of Ukraine”</i></u></a></p>	<p>Entered into force on 2 September 2014</p>	<p>The Recommendations take into account and systematize proposals voiced by MPs, central and local executive authorities and local self-government bodies and NGO representatives at the parliamentary hearings on 6 November 2013. The Recommendations are aimed at facilitating the earliest possible positive decision on Ukraine's transition to the second phase of the EU Action Plan on Visa Liberalisation for Ukraine.</p>
<p><a href="#"><u><i>Draft Law of Ukraine “On ratification of the Agreement between Ukraine and the Kingdom of Spain on the conduction of paid activities by family members who are dependants of diplomatic, consular, administrative and technical staff of diplomatic missions and consular offices” (No. 0097 of 3 September 2014, President of Ukraine)</i></u></a></p>	<p>Submitted by the committee for consideration on 16 September 2014</p>	<p>The Law needs to be adopted for the said Agreement to enter into force. The Agreement gives family members of the Ukrainian and Spanish diplomatic staff the right to carry out paid activities in the territory of Spain and Ukraine, respectively, in the same manner and on the same conditions as exist for the citizens of the host country after they prove their status according to the procedure established by this Agreement.</p> <p>The adoption and enactment of the Law will help family members of the diplomatic staff to exercise their right to work, improve their skills and take advantage of opportunities for further professional growth.</p> <p>Therefore, the Agreement will complement the guarantees provided to the diplomatic staff and their families by Article 37 of the Law of Ukraine “On Diplomatic Service”.</p>
<p><a href="#"><u><i>Draft Law of Ukraine “On amending the Law of Ukraine “On Refugees and Persons in Need of Complementary or Temporary Protection” (regarding the protection of Ukrainian citizens during an armed conflict)” (No. 5104 of 23 September 2014, MP P.M. Symonenko MP A.I.Martyniuk, MP P.S.Tsybenko,</i></u></a></p>	<p>Sent to MPs for review on 26 September 2014</p>	<p>Under this draft Law, citizens of Ukraine affected by an armed conflict in Ukraine will be awarded the status of persons in need of temporary protection. According to the sponsors of the draft Law, such status will enable this category to enjoy a number of benefits, guarantees and rights, including safe and healthy living conditions, free accommodation at</p>

MP S.V.Balandin)

[Draft Law of Ukraine “On amending Article 16 of the Law of Ukraine “On Legal Status of Foreigners and Stateless Persons” \(regarding diplomatic missions and consular offices of foreign states in Ukraine\)” \(No. 5095 of 22 September 2014, Cabinet of Ministers of Ukraine\)](#)

Sent to MPs for review on 24 September 2014

temporary shelters for internally displaced persons, assistance with transporting movable property provided to internally displaced persons, etc.

The Law is aimed at regulating the legal status of private domestic workers employed by the staff of diplomatic missions and consular offices of foreign countries in Ukraine, as well as that of persons who are employed under a labor contract and are not part of the staff of diplomatic missions and consular offices of foreign states in Ukraine. This is necessary because the Law of Ukraine “On the Employment of the Population” does not have provisions for their obtaining a permit to employ foreigners and stateless persons as domestic workers. This makes it impossible for this category of foreigners to obtain a temporary residence permit for the period of employment in Ukraine and leads to conflict situations at the diplomatic level.

#### OTHER LEGAL ACTS

[Resolution of the Cabinet of Ministers of Ukraine of 3 September 2014 No. 394 “On approval of the Rules for processing and issuing the returnee certificate and its form”](#)

Entered into force on 9 September 2014

The Rules determine the procedure of processing and issuing returnee IDs to foreigners and stateless persons regarding whom a decision on readmission has been made by the competent Ukrainian authorities in cases when it is impossible to obtain this kind of document in any other way from the competent authorities of the country of citizenship or the country of permanent residence of the person to be readmitted.

[Resolution of the Cabinet of Ministers of Ukraine of 10 September 2014 No. 433 “On approval of the Implementation Protocol between the Government of Ukraine and the Government of the Czech Republic to the Agreement between the European Community and Ukraine on the readmission of persons”](#)

Entered into force on 17 September 2014

This Implementation Protocol was signed on 21 October 2013 in Kyiv.

[Resolution of the Cabinet of Ministers of Ukraine of 23 September 2014 No. 487 “On approval of the model](#)

Will take effect on 1 January 2015

The Resolution approves the model Ukrainian diplomatic passport with a contactless electronic chip and the

[Ukrainian diplomatic passport with a contactless electronic chip and the technical description of its blank form”](#)

[Resolution of the Cabinet of Ministers of Ukraine of 23 September 2014 No. 486 “On approval of the model Ukrainian service passport with a contactless electronic chip and the technical description of its blank form”](#)

[Resolution of the Cabinet of Ministers of Ukraine of 23 September 2014 No. 482 “On amending the Rules of processing visas for entering Ukraine and transit through its territory”](#)

[Resolution of the Cabinet of Ministers of Ukraine of 17 September 2014 No. 458 “Certain issues regarding the use of funds on measures to ensure the development of state border facilities in 2014”](#)

[Resolution of the Cabinet of Ministers of Ukraine of 10 September 2014 No. 422 “On approval of the Agreement between the Cabinet of Ministers of Ukraine and the Government of the State of Kuwait on visa exemption for citizens who are holders of diplomatic, service or special passports”](#)

[Decree of the Cabinet of Ministers of Ukraine of 23 September 2014 No. 883-](#)

Will take effect on  
1 January 2015

Entered into force on  
7 October 2014

Entered into force on  
24 September 2014

Entered into force on  
17 September 2014

Entered into force on  
23 September 2014

technical description of its blank form.

It establishes that diplomatic passports issued before this Resolution’s entry into force are valid for the period for which they were issued.

The Resolution approves the model Ukrainian service passport with a contactless electronic chip and the technical description of its blank form.

It establishes that service passports issued before this Resolution’s entry into force are valid for the period for which they were issued.

The amendments are aimed at improving the procedure for processing visas and bringing the Rules in line with the existing laws.

UAH 235,047,400 in budget appropriations were disbursed pursuant to the Resolution. Initially these funds were earmarked in 2014 for the Ministry of Finance in a special fund of the state budget under program 3511650 “Implementation of the EU assistance programs”, the source of financing being the second tranche according to the Agreement on financing the program “Support for Border Management Sector Policy in Ukraine”. The funds were transferred to the Ministry of Internal Affairs under program 1002030 “Material and technical provision for the State Border Service of Ukraine and personnel maintenance” for the implementation of border security activities.

The Resolution approves the Agreement signed on 19 December 2013 in Kuwait City.

The draft Agreement was developed based on the results of the Chilean-Ukrainian

[r “On approval of the draft Agreement between the Government of Ukraine and the Government of the Republic of Chile on the terms of reciprocal travels of citizens”](#)

negotiations on visa liberalization between the two countries in terms of adaptation of migration and visa policy to EU standards. In particular, the provisions of Council Regulation No. 539/2001 of 15 March 2001 (as amended) include the Republic of Chile in the so-called “positive list” of countries whose nationals may cross the external borders of the EU without visas.

Under the draft Agreement, citizens of the parties may enter, exit, transit and stay in the territory of the other party for up to 90 days (in the territory of the Republic of Chile) and for up to 90 days within 180 days from the date of first entry (in the territory of Ukraine) without a visa if the purpose of the trip is not immigration, permanent residence or gainful activities.

[Decree of the Cabinet of Ministers of Ukraine of 11 September 2014 No. 829-r “On proposals regarding the use of personalized special economic and other restrictive measures”](#)

Entered into force on  
12 September 2014

Annexes 1-3 to the Resolution, which are marked “For official use only”, identify persons who are proposed to be banned from entering Ukraine over Russia’s aggression against Ukraine in the military, economic, energy and information sector; occupation of part of Ukraine’s territory, facilitation of terrorist activities in the territory of Ukraine, as well as violations of the rights and freedoms of Ukrainian citizens and the interests of society and the state, which creates real and potential threats to Ukraine’s national security, sovereignty and territorial integrity.

[Decree of Cabinet of Ministers of Ukraine of 17 September 2014 No. 847-r “On the implementation of the Association Agreement between Ukraine, of the one part, and the European Union, the European Atomic Energy Community and their Member States, of the other part”](#)

Entered into force on  
17 September 2014

The Resolution approves a comprehensive Action Plan to implement the Agreement which includes measures in the field of migration, international protection and border management.

[Decree of the President of Ukraine of 24 September 2014 No. 744/2014 “On the Decision of the National Security and Defense Council of Ukraine of 28 August 2014 “On urgent measures to defend Ukraine and strengthen its defense capacity”](#)

Entered into force on  
27 September 2014

The Decree brings into effect the Decision of the National Security and Defense Council of Ukraine which instructs, in particular, the Cabinet of Ministers of Ukraine to resolve, according to the established procedure, the issue of temporary closure of crossing points on Ukraine’s border with the Russian Federation for automotive, marine and

*Order of the Ministry of Justice of Ukraine “On certain issues in the operation of offices for civil registration” of 10 September 2014 No. 1517/5, registered in the Ministry of Justice of Ukraine on 11 September 2014 under No. 1119/25896*

Entered into force on  
16 September 2014

pedestrian traffic and terminate the passage of traffic through them; take measures to conduct unilateral demarcation of the state border of Ukraine with the Russian Federation and provide it with proper engineering facilities, including with the involvement of international technical assistance.

The Order provides that, considering the impossibility of exercising their authority due to the ongoing counter-terrorist operation and the fact that civil registers are kept in the area of this operation, offices for civil registration should apply norms that regulate their activities in connection with the temporary occupation of Ukraine’s territory as they carry out civil registration, enter changes into civil status acts, renew and invalidate them and reissue civil registration certificates.

*Order of the Ministry of Education and Science of Ukraine “On amending the Terms of admission to higher education institutions in Ukraine in 2014” of 4 September 2014 No. 983, registered in the Ministry of Justice of Ukraine on 9 September 2014 under No. 1100/25877*

Entered into force on  
19 September 2014

The amendments concern, in particular, certain aspects of receiving applications and documents, competitive selection and admission to higher educational institutions located in Donetsk and Luhansk Oblasts and pertain to persons residing in Donetsk and Luhansk regions.