



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

Legislative act or draft	Status (date of approval/further consideration)	Short overview
<a href="#">Resolution of the Cabinet of Ministers of Ukraine of 16 November 2016 No. 1001 "On amending Resolution of the Cabinet of Ministers of Ukraine of 7 May 2014 No. 152"</a>	Entered into force on 29 December 2016	<p>By this Resolution, the Government aligned a number of its acts concerning documents certifying Ukrainian citizenship with the requirements set forth in the Law of Ukraine "On amending some legislative acts of Ukraine concerning documents that certify Ukrainian citizenship, a person's identity or special status, aimed at liberalization of EU visa regime for Ukraine".</p> <p>Upon adoption of this act, Ukrainian travel passports will be: issued by centres for administrative service delivery; issued for persons under 16 years of age for 4 years, and for persons of 16 and above – for 10 years; produced as a booklet only with contactless electronic chip; include an implanted contactless electronic chip containing, as mandatory requirement, digital images of fingerprints.</p>
<a href="#">Resolution of the Cabinet of Ministers of Ukraine of 28 December No. 1016 "On amending Resolution of the Cabinet of Ministers of Ukraine of 17 June 2009 No. 600"</a>	Entered into force on 11 January 2017	<p>The scope of the Procedure for sharing data about persons who while receiving unemployment benefits crossed the Ukrainian border or stayed abroad is extended onto internally displaced persons who travel abroad, to temporary occupied territory of Ukraine or to locations where the government temporarily ceased to exercise its authority. The purpose of this regulation is to enable structural units on social protection of population to obtain relevant information that should ensure proper control as regards social benefits for IDPs.</p>
<a href="#">Resolution of the Cabinet of Ministers of Ukraine of 28 December 2016 No. 1017 "Some issues of entry, exit and stay in Ukraine of foreigners and stateless persons engaged in the organization and conducting of the Eurovision Song Contest"</a>	Entered into force on 1 January 2017	<p>This Resolution specifies period of temporary stay in Ukraine for foreign nationals who arrive as part of preparation and conducting of the Eurovision Song Contest. It establishes that from 1 January to 15 June 2017 foreigners who enter Ukraine to perform organizational and technical assignments to prepare and conduct the Song Contest on the basis of respective invitations from the National Television Broadcaster shall not be subject to restrictions existing for the period of temporary stay.</p>

<p><a href="#">Resolution of the Cabinet of Ministers of Ukraine of 28 December 2016 No. 1028 “On amending paragraph 1 of Resolution of the Cabinet of Ministers of Ukraine of 5 November 2014 No. 637”</a></p>	<p>Entered into force on 4 January 2017</p>	<p>This Resolution introduces measures aimed to improve identification of pension recipients who are internally displaced persons. It is adopted to ensure timely payment of pension benefits to these persons. Moreover, it allows for identification of clients in institutions of the State Savings Bank of Ukraine, PJSC, before they receive, according to the established procedure, payment cards that at the same time serve as pension ID.</p>
<p><a href="#">Regulation of the Cabinet of Ministers of Ukraine of 30 November 2016 No. 1002-r “On approval of Concept for the development of a public health system”</a></p>	<p>Entered into force on 30 November 2016</p>	<p>The Concept envisages that the interests of health should be taken into consideration in all areas of public policy. Thus, the Concept should help identify public health functions performed by central executive authorities that develop and implement public policy, including in the area of population employment and labour migration, state border protection and customs.</p>
<p><a href="#">Regulation of the Cabinet of Ministers of Ukraine of 21 December 2016 No. 1045-r “On signing of the Side Agreement No. 3 (in the form of exchange of letters) between the Government of Ukraine and the European Union, represented by the European Commission, to the Financing Agreement for Joint Operational Programme Poland – Belarus – Ukraine for 2007-2013”</a></p>	<p>Entered into force on 21 December 2016</p>	<p>This Regulation will allow to conclude the Side Agreement with the European Commission extending the period of practical implementation of the Joint Operational Programme Poland – Belarus – Ukraine for 2007-2013 for one year up to 31 December 2017. The extension will enable to complete large-scale projects with the budget for Ukraine of over 10 million EUR. The funds will be channelled to the building and modernization of international automobile border crossing points at the Ukrainian-Polish border (Rava-Ruska, Ustyluh-Zosyn, Krakivets, Shehyni, and Yahodyn), development of modern IT infrastructure of border guard and customs units.</p>
<p><a href="#">Regulation of the Cabinet of Ministers of Ukraine of 21 December 2016 No. 1046-r “On signing of the Side Agreement No. 3 (in the form of exchange of letters) between the Government of Ukraine and the European Union, represented by the European Commission, to the Financing Agreement for Joint Operational Programme Hungary – Slovakia – Romania – Ukraine for 2007-2013”</a></p>	<p>Entered into force on 21 December 2016</p>	<p>This Regulation will allow to conclude the Side Agreement with the European Commission extending the period of practical implementation of the Joint Operational Programme Hungary – Slovakia – Romania – Ukraine for 2007-2013 for one year up to 31 December 2017. The extension will enable to complete large-scale projects with the budget for Ukraine of over 7 million EUR. The funds will be channelled to the building and modernization of international automobile border crossing points at the Ukrainian-Slovakian and Ukrainian-Hungarian border.</p>
<p><a href="#">Regulation of the Cabinet of Ministers of Ukraine of 21 December 2016 No. 1047-r “On signing of the Side Agreement No. 3 (in the form of exchange of letters) between the Government of Ukraine and the European Union, represented by the European Commission, to the Financing Agreement for the Joint Operational Programme Romania – Ukraine – Moldova for 2007-2013”</a></p>	<p>Came into force on 21 December 2016</p>	<p>This Regulation will allow to conclude the Side Agreement with the European Commission extending the period of practical implementation of the Joint Operational Programme Romania – Ukraine – Moldova for 2007-2013 for one year up to 31 December 2017. The extension will enable to complete successfully large-scale projects with the budget for Ukraine of over 12 million EUR.</p>

		<p>The funds will be channelled, <i>inter alia</i>, to the building and modernization of an international automobile border crossing point at the Ukrainian-Romanian border.</p>
<p><a href="#">Regulation of the Cabinet of Ministers of Ukraine of 28 December 2016 No. 1059-r "On changing the classification of the border crossing point at Sumy Airport"</a></p>	<p>Entered into force on 28 December 2016</p>	<p>Change of classification of the international border crossing point at Sumy Airport from "passenger" to "cargo-passenger" will enable to serve cargo carriage which has a role in the development of aviation sector in Sumy region. This should have a positive effect on the region's economic development.</p>
<p><a href="#">Regulation of the Cabinet of Ministers of Ukraine of 28 December 2016 No. 1060-r "On amending Regulation of the Cabinet of Ministers of Ukraine of 14 May 2015 No. 439"</a></p>	<p>Entered into force on 28 December 2016</p>	<p>An action plan is adopted for building the engineering infrastructure along the Ukrainian-Russian and Ukrainian-Moldovan border as well as territories adjacent to the Anti-Terrorist Operation areas and the Autonomous Republic of Crimea. The document is intended to increase security of unprotected segments of the Ukrainian-Russian and Ukrainian-Moldovan border; include new elements drawing on the experience of building engineering and technical infrastructure for other parts of the Ukrainian border; re-prioritize some works in light of the project pace and operational situation on the border; adjust the scope of works with the actual funding, in view of increasing costs of procuring equipment and supplies, as well as costs of work; re-calculate the costing of building the engineering and technical infrastructure along the state border due to the general increase of prices for services and supplies.</p>
<p><a href="#">Regulation of the Cabinet of Ministers of Ukraine of 28 December 2016 No. 1069-r "On signing the Side Agreement No. 1 between the Government of Ukraine and the European Commission acting on behalf of the European Union, to the Financial Agreement for the Framework Programme in support of EU-Ukraine Agreements of 15 August 2014 (ENPI/2013/024-446)"</a></p>	<p>Entered into force on 28 December 2016</p>	<p>The government adopted a regulation on two-year extension (up to 15 August 2021) of implementation of the Financing Agreement for the Framework Programme in support of EU-Ukraine Agreements of 8 August 2014. This Agreement extends the ongoing projects and launches new ones for the total amount of 21 million EUR. The assistance will be channelled to support implementation of the EU-Ukraine Association Agreement; implementation of the Comprehensive Institutional Building programme and support Ukraine's participation in the European Union programmes and agencies.</p> <p>The Comprehensive Institutional Building programme provides support to enhancing the Ukrainian Government's capacity in the area of migration and asylum.</p>
<p><a href="#">Regulation of the Cabinet of Ministers of Ukraine of 14 December 2016 No. 1077-r "On approval of the action plan for implementation of the National Qualifications Framework for 2016-2020"</a></p>	<p>Entered into force on 14 December 2016</p>	<p>One of the activities is application of the National Qualifications Framework in recognition of qualifications gained abroad in accordance with bilateral agreements with other countries on</p>

		<p>mutual recognition of qualifications, regulations governing recognition of qualifications gained abroad in Ukraine, and European guidelines. The activity will be implemented in 2018-2020.</p>
<p><a href="#">Regulation of the Cabinet of Ministers of Ukraine of 16 January 2017 No. 12-r "On transfer of the integral property complex of the state enterprise "Ukraine Printing Facility for Production of Secure Documents" under the authority of the Ministry of Economic Development and Trade"</a></p>	<p>Entered into force on 16 January 2017</p>	<p>The integral property complex of the state enterprise "Ukraine Printing Facility for Production of Secure Documents" is transferred from the National Bank of Ukraine under the authority of the Ministry of Economic Development and Trade.</p> <p>The Ukraine Printing Facility prints blank documents, including travel passports of Ukrainian citizens and passports of Ukrainian citizens in the form of ID cards.</p> <p>Since the Ministry of Economic Development and Trade is responsible for implementation of public policy in the area of administrative service delivery, this transition will facilitate better pricing policy in the area of administrative services, including passport issuance (according to the law, administrative fee includes the cost of blank document). It will also enable to define rationally the number of documents necessary for service provision.</p>
<p><a href="#">Regulation of the Cabinet of Ministers of Ukraine of 18 January 2017 No. 39-r "On appointment of D.V. Pimakhova as First Deputy Head of the State Migration Service of Ukraine"</a></p>	<p>Entered into force on 18 January 2017</p>	<p>Ms. Dina Pimakhova is appointed as First Deputy Head of the State Migration Service of Ukraine, from the date of actually starting to perform official duties for the period of five years, with remuneration according to the legislation, and probation period of six months.</p>
<p><a href="#">Order of the Ministry of Infrastructure of Ukraine "On amending the order of the Ministry of Transport of Ukraine of 27 September 1993 No. 322 "On approval of the Instruction on procedure of issuance, keeping and destruction of seaman's ID and List of maritime and inland ports of Ukraine captains of which have the right to issue seaman's ID" of 12 October 2016 No. 351, registered with the Ministry of Justice of Ukraine on 22 December 2016 No. 1681/29811</a></p>	<p>Entered into force on 13 January 2017</p>	<p>This legal act was intended to enable deregulation of certification of seamen, simplification of the existing procedures for issuance of seaman's ID and elimination of possibility of corruption in this area.</p> <p>The act significantly shortens the period of issuance by cancelling the requirement by which seamen (applicants) were to apply to the Security Service of Ukraine to verify information about clearance, access to state secret, and open criminal proceeding against the applicant, by defining clear procedural steps and timelines for submission of documents required for issuance or extension of validity of seaman's ID, and their processing by the respective office of the captain of the maritime port of Ukraine.</p> <p>Issuance of seaman's ID may be done through ITC systems.</p>

<p><a href="#">Order of the Ministry of Internal Affairs of Ukraine “On invalidating the order of the Ministry of Internal Affairs of Ukraine, State Committee on State Border protection of Ukraine of 29 July 2002 No. 723/435” of 14 November 2016 No. 1207, registered with the Ministry of Justice of Ukraine on 9 December 2016 No. 1597/29727</a></p>	<p>Entered into force on 6 January 2017</p>	<p>The order invalidated the Instruction that defined record-keeping by law enforcement and state border guard authorities as regards persons detained for violation of Ukrainian legislation on the state border and legal status of foreigners.</p>
<p><a href="#">Order of the Ministry of Internal Affairs of Ukraine “On approval of changes to the Procedure for use of contactless electronic chip implanted in the passport of Ukrainian citizen” of 16 November 2016 No. 1212, registered with the Ministry of Justice of Ukraine on 22 November 2016 No. 1510/29640</a></p>	<p>Entered into force on 27 December 2016</p>	<p>The changes envisage, in particular, that the use of a contactless electronic chip will not be restricted to verification of a person’s identity only; it may also be used as an electronic digital signature medium in cases stipulated by the law.</p>
<p><a href="#">Order of the Ministry of Internal Affairs of Ukraine “On approval of the Procedure for interaction between the Ministry of Internal Affairs of Ukraine with central executive bodies the activity of which is steered and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Internal Affairs of Ukraine” of 25 November 2016 No. 1250, registered with the Ministry of Justice of Ukraine on 22 December 2016 No. 1682/29812</a></p>	<p>Entered into force on 17 January 2017</p>	<p>The procedure defines organizational and procedural issues of interaction between the Ministry of Internal Affairs of Ukraine and the National Police of Ukraine, State Migration Service of Ukraine, Administration of the State Border Guard Service of Ukraine, State Emergency Service of Ukraine, the activity of which is steered and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Internal Affairs of Ukraine, in the process of development and implementation of public policy in respective areas.</p> <p>The previous document of 28 March 2013 regulated the interaction of the Ministry of Internal Affairs of Ukraine with the State Migration Service and Administration of the State Border Guard Service only.</p>
<p><a href="#">Order of the Ministry of Justice of Ukraine “On approval of changes to the Regulation on centres providing free secondary legal aid” of 22 December 2016 No. 3752/5, registered with the Ministry of Justice of Ukraine on 26 December 2016 No. 1696/29826</a></p>	<p>Entered into force on 3 January 2017</p>	<p>On the whole, these changes are intended to facilitate decentralization of powers and finance in the system of free legal aid provision.</p> <p>Among other proposed measures, it is established that local centres providing free secondary legal aid shall engage interpreters, according to the pre-defined procedure, to ensure provision of free secondary legal aid to entities of respective law, when they have no proficiency in the state language. Thus, interpreters should be provided for persons covered by the Law of Ukraine “On Refugees and Persons in Need of Subsidiary and Temporary Protection”, citizens of states with which Ukraine concluded respective international agreements on legal aid, as well as foreigners and stateless persons, under international treaties Ukraine is part of, when such treaties contain an obligation of participating states to provide free legal aid to certain groups of people.</p>
<p><a href="#">Protocol between the Administration of the State Border Guard service of Ukraine and State Border</a></p>	<p>Entered into force on 14 December 2016</p>	<p>The contact point is established in Zhytomyr, the Northern Regional Division of the State Border</p>

<p><a href="#"><u>Committee of Belarus on pilot contact point Zhytomyr-Pinsk, signed on 14 December 2016</u></a></p>		<p>Guard Service of Ukraine, from the Ukrainian side, and in Pinsk, within the Pinsk Border Detachment, from the Belarusian side.</p> <p>The purpose of the contact point is to enable information sharing between the Parties, and facilitate assessment of the situation on the common border between Ukraine and Belarus.</p>
<p><a href="#"><u>Order of the State Migration Service of Ukraine “On performance of corruption risk assessment” of 19 January 2017 No. 11/ar</u></a></p>	<p>Not subject to state registration</p>	<p>The order approves performance of corruption risk assessment at the State Migration Service of Ukraine and composition of the assessment commission, based on proposals regarding representatives of the public and experts to be included as members.</p>