

**LEGISLATIVE MONITORING
for January-February 2015**

Legislative act	Status (date of approval/ further consideration)	Short overview
LEGAL ACTS OF THE VERKHOVNA RADA OF UKRAINE		
<p><u>Law of Ukraine “On the 2015 State Budget of Ukraine” of 28 December 2014 No. 80-VIII</u></p>	<p>Entered into force on 1 January 2015</p>	<p>The Law approves budget appropriations, including:</p> <ul style="list-style-type: none"> - to the Ministry of Internal Affairs of Ukraine for counteracting illegal migration; - to the State Migration Service of Ukraine for governance and management of migration, citizenship, immigration and registration of individuals; performance of tasks and functions regarding citizenship, immigration and registration of individuals; contributions to the International Organization for Migration; - to the Ministry of Foreign Affairs of Ukraine for documenting Ukrainian citizens, creating and arranging the proper operation of information-telecommunications systems of the consular service; taking action to maintain relations with Ukrainians living outside Ukraine; - to the Administration of the State Border Guard Service of Ukraine for governance and management of state border protection, equipment and reconstruction of the state border and activities to install engineering facilities on the state border.
<p><u>Resolution of the Verkhovna Rada of Ukraine of 11 February 2015 No. 181-VIII “On the parliamentary hearings on the “Prospects of the introduction of visa-free travel for Ukrainian citizens by the EU”</u></p>	<p>Adopted on 11 February 2015</p>	<p>The Resolution provides for the parliamentary hearings on the outlined topic on 15 April 2015 on the eve of the Eastern Partnership Summit in Riga (21-22 May 2015).</p>
<p><u>Draft Law of Ukraine “On amending certain laws of Ukraine to enhance guarantees of the rights and freedoms of internally displaced persons”</u> (No. 2166 of 18 February 2015 , MP H.V.Lohvynsky, MP V.V.Patskan, MP A.I.Shkrum)</p>	<p>Registered on 18 February 2015</p>	<p>The Draft Law proposes amendments to the Laws of Ukraine “On the Freedom of Movement and Free Choice of the Place of Residence”, “On Guaranteeing the Rights and Freedoms of Internally Displaced Persons” and is aimed at enhancing the guaranties of the</p>

[Draft Law of Ukraine “On amending the Law of Ukraine “On the Citizenship of Ukraine” \(regarding dual citizenship\)](#)

(No. 2074 of 9 February 2015, MP V.Z.Rabinovych)

Sent to MPs for review on 11 February 2015

rights and freedoms of internally displaced persons, as well as simplifying the registration of such persons.

Among other things, the Draft Law extends the status of internally displaced persons to cover foreigners and stateless persons.

The Draft Law introduces amendments to the Law of Ukraine “On the Citizenship of Ukraine” aimed at regulating the procedure according to which Ukrainian citizens acquire the citizenship (nationality) of another country without losing Ukrainian citizenship and foreigners acquire Ukrainian citizenship without renouncing the citizenship of their country of origin.

[Draft Law of Ukraine “On amending certain legal acts of Ukraine on border issues”](#)

(No. 2070 of 9 February 2015, MP P.M.Pushkar, MP A.M. Levus, MP Y.V. Mamchur and others)

Registered on 9 February 2015

The Draft Law proposes to change the status of the Administration of the State Border Guard Service from that of a central executive authority that implements the state policy on state border protection to that of a specially authorized central executive body that shapes state policy on integrated border management and ensures its implementation. It is also envisaged that Ukrainian citizens can be involved in the protection of Ukraine’s state border by voluntary consent under the command of representatives of the State Border Guard Service.

[Draft Law of Ukraine “On amending the Civil Code of Ukraine” \(regarding the right to change the patronymic name\)](#)

(No. 2018 of 4 February 2015, MP V.V. Patskan, MP R.I. Horvat)

Registered on 4 February 2015

The Draft Law proposes to supplement Article 295 of the Civil Code of Ukraine with provisions that allow an individual to change not only their last name and (or) first name (as provided for by the current redaction of the article), but also their patronymic name. This is dictated by the need to implement the decision of the European Court of Human Rights of 16 May 2013 in the case of Garnaga v. Ukraine. The amendment would eliminate the shortcomings in the current legislation which were the reason for the said decision of the ECHR.

[Draft Law of Ukraine “On amending the Law of Ukraine “On the Citizenship of Ukraine” \(regarding a simplified naturalization procedure for certain categories of persons\)](#)

(No.1901 of 2 February 2015, MP O.V. Liashko, MP Y.V. Chyzhmar, MP V.I. Vovk, and others)

Registered on 2 February 2015

The Draft Law proposes amendments aimed at simplifying the naturalization procedure for individuals who:

1) defended the sovereignty, territorial integrity and independence of Ukraine and were involved in the counter-terrorist operation or military actions as members of volunteer battalions or

Draft Law of Ukraine “On the Police and police activities” (No. 1692-1 of 27 January 2015, MP V.V. Chumak, MP O.I. Syroid, MP O.S. Sotnyk, and others)

Registered on 27 January 2015

other territorial units that collaborated with the Armed Forces of Ukraine, bodies of the Ministry of Internal Affairs of Ukraine, and the Security Service of Ukraine;

2) were affected by violations of human rights in the territory of a foreign country because of their position or activities aimed at supporting the sovereignty, territorial integrity and independence of Ukraine.

The Draft Law provides for a comprehensive reform of the law enforcement bodies. Among other things, it proposes to create the Border Police with the following functions:

- prevention, detection, and suppression of administrative and criminal offenses, including in the sphere of illegal migration;
- border control and checking individuals, vehicles, and cargoes passing through the state border of Ukraine;
- forced return of foreigners and stateless persons, detained within controlled border areas during or after attempts at illegal border crossing, to the country of origin or a third country.

The Draft Law provides for a comprehensive reform of the law enforcement bodies. Among other things, it proposes to create the National Police with the following functions:

- control and supervision over compliance with the rules of registration and deregistration at the place of residence by Ukrainian citizens and state officials and over compliance with the rules of temporary and permanent residence in Ukraine, entry to, exit from and transit through Ukraine by foreigners and stateless persons;
- detention of persons, including foreigners and stateless persons, who are wanted by the law enforcement agencies of foreign states as suspects, indicted of a crime or convicts evading criminal punishment.

Draft Law of Ukraine “On the National Police” (No. 1692 of 12 January 2015, MP Yu.V. Lutsenko)

Registered on 12 January 2015

Draft Law of Ukraine “On amending certain legal acts of Ukraine to ensure the

Registered on 26 January 2015

The Draft Law proposes amendments to a number of legal acts in order to create favorable

[enjoyment of the constitutional rights of internally displaced persons](#)” (No. 1835 of 26 January 2015, MP A.V. Pomazanov)

[Draft Resolution of Verkhovna Rada of Ukraine “On the parliamentary hearings on the topic “Role, importance and effect of civil society on the formation of the ethnic policy of unity in Ukraine” \(4 March 2015 \)](#) (No. 1749 of 14 January 2015 , MP V.V. Patskan, MP H.M. Nemyria, MP O.B. Feldman and others)

[Draft Resolution of Verkhovna Rada of Ukraine “On the implementation of Resolution 2028 of the Parliamentary Assembly of the Council of Europe “The humanitarian situation of Ukrainian refugees and displaced persons” \(2015\)”](#) (No. 2163 of 17 February 2015, MP N.Y. Korolevska, MP S.V. Dunaiev, MP Yu.V. Liovochkina and others)

conditions to enable the internally displaced persons to exercise their constitutional rights and to improve their legal status. In particular, it is proposed to put internally displaced persons in the category of citizens who enjoy additional guarantees in employment facilitation and a priority right to receive housing, to simplify the employment of such persons as state officials etc. In addition, it is proposed to exempt internally displaced persons from the fee paid for reissuing lost identification documents and for the registration of the place of residence.

Signed on
5 February 2015

It is proposed to hold parliamentary hearings on the topic in order to thoroughly study the role, importance and effect of civil society on the formation of the ethnic policy of unity in Ukraine.

The Resolution is aimed at the practical implementation of the PACE recommendations outlined in Resolution 2028 (2015), namely:

1) to instruct the Government of Ukraine to approve a temporary simplified procedure of paying pension and all other types of welfare benefits to citizens residing in the temporarily uncontrolled territory through the respective bodies of the State Treasury Service of Ukraine, the Pension Fund of Ukraine and mandatory state social security funds located in the territories controlled by the Ukrainian government, without registering these citizens as internally displaced persons;

2) to instruct the Security Service of Ukraine to urgently simplify the Temporary procedure of controlling the passage of individuals, vehicles and goods along the confrontation line in Donetsk and Luhansk regions with regard to Ukrainian citizens in order to ensure the transparency, quickness and ease of passing the control procedures.

Registered on
17 February 2015

OTHER LEGAL ACTS

[Resolution of the Cabinet of Ministers of Ukraine of 28 January 2015 No. 34 “On](#)

Entered into force
on 10 February

The amendments are aimed at extending the standards for the provision of monthly targeted

[amending the procedures approved by resolutions of the Cabinet of Ministers of Ukraine No. 505 of 1 October 2014 and No. 509 of 1 October 2014](#)

2015

assistance and issuing certificates of registration to cover not only individuals displaced from the temporarily occupied territory and regions of the counter-terrorist operation but also those who were forced to leave their permanent place of residence in populated areas in territories where the public authorities temporarily do not exercise any or some of their powers.

[Resolution of the Cabinet of Ministers of Ukraine of 30 January 2015 No. 23 “On terminating certain provisions of the Agreement between the Government of Ukraine and the Government of the Russian Federation on visa-free travel of Ukrainian citizens and the citizens of the Russian Federation”](#)

Entered into force on 4 February 2015

Starting from 1 March 2015, the citizens of the Russian Federation will not be able to enter, transit, stay and travel across the territory of Ukraine based on a passport of a citizen of the Russian Federation or a birth certificate (for children up to 14 years of age) indicating citizenship of the Russian Federation. The only valid documents for such purposes are documents for foreign travel.

[Decree of the Cabinet of Ministers of Ukraine of 4 February 2015 No. 91-r “On signing the Protocol between the Cabinet of Ministers of Ukraine and the Government of the Slovak Republic on amending and supplementing the Agreement between the Government of Ukraine and the Government of the Slovak Republic on checkpoints on the common state border”](#)

Entered into force on 4 February 2015

The Agreement defines cases in which traffic through checkpoints on the common border may be stopped or restricted. These amendments make it possible to improve the operation of checkpoints in the light of the provisions of the Schengen Borders Code and to ensure growing passenger and vehicle traffic and comfortable conditions for the participants of international traffic.

[Decree of the Cabinet of Ministers of Ukraine of 11 February 2015 No. 94-r “On approval of the draft Agreement between the Cabinet of Ministers of Ukraine and the Government of the State of Israel on the employment of the family members of the staff of a diplomatic mission or consular office”](#)

Entered into force on 11 February 2015

The draft of the bilateral Agreement is approved in order to regulate the employment of the staff of diplomatic missions and consular offices.

[Decree of the Cabinet of Ministers of Ukraine of 25 February 2015 No. 195-r “On establishing the immigration quota for 2015”](#)

Entered into force on 25 February 2015

According to article 5 of the Law of Ukraine “On Immigration”, the immigration quota for 2015 is set with a breakdown into immigrant categories per region (a total of 6,225 persons) according to an annex to this regulation.

[Decree of the Cabinet of Ministers of Ukraine of 18 February 2015 No. 106-r “On the closure of checkpoints on the state border”](#)

Entered into force on 18 February 2015

An annex to the regulation establishes a list of checkpoints on Ukraine’s state border (in the territory of Luhansk, Donetsk, Chernihiv and Sumy regions) that are to be closed.

[Decree of the Cabinet of Ministers of Ukraine of 21 January 2015 No. 34-r “On approving plans, developed by the Ministry of Social Policy, for the implementation of certain legal acts of the EU”](#)

Entered into force on 21 January 2015

The acts that are planned to be implemented include Council Directive 2000/78/EC of 27 November 2000 which establishes a general framework for equal treatment in employment and occupation and prohibits discrimination on the grounds of religion or belief, disability, age, or sexual orientation. The implementation of this norm is one of the criteria of the Visa Liberalisation Action Plan.

[Decree of the Cabinet of Ministers of Ukraine of 21 January 2015 No. 50-r “On the temporary closure of checkpoints on the state border and a control point”](#)

Entered into force on 21 January 2015

An annex to the regulation approves two checkpoints on Ukraine’s state border and a control point (in the territory of Luhansk and Donetsk regions) that are to be closed.

[Decree of the Cabinet of Ministers of Ukraine of 18 February 2015 No. 251-r “On the organization of the development and the implementation of an action plan to install engineering facilities on the Ukrainian-Russian state border and in territories adjacent to the regions of the counter-terrorist operation and the Autonomous Republic of Crimea”](#)

Entered into force on 18 February 2015

The Administration of the State Border Guard Service, the Ministry of Internal Affairs, the Ministry of Infrastructure and other stakeholders among the executive authorities are instructed to develop a draft action plan by 30 March 2015.

[Protocol between the Administration of the State Border Guard Service of Ukraine and the Border Police Department of the Ministry of Internal Affairs of the Republic of Moldova on exchanging statistical and analytical information, signed on 20 November 2014](#)

Entered into force on 20 November 2014

The protocol establishes the procedure of exchanging statistical and analytical information between the border guard agencies of both countries and a list of data to be exchanged.

[Decree of the President of Ukraine of 7 February 2015 No. 61/2015 “On the temporary introduction of a visa-free regime for the citizens of the Republic of Macedonia”](#)

Entered into force on 21 February 2015

Visa-free entry to and transit through Ukraine is introduced from 16 March 2015 until 15 March 2018 for the citizens of the Republic of Macedonia if the period of their stay in Ukraine does not exceed 90 days.

The decision is adopted in order to develop and implement in practice the principles of good neighborly partnership relations between Ukraine and the Republic of Macedonia, to stimulate bilateral contacts in all areas and to confirm intentions of the two countries to continue cooperation for the liberalization of reciprocal travel for their citizens.

[Decree of the President of Ukraine of 14 February 2015 No. 85/2015 “On the decision of the National Security and Defense Council of Ukraine of](#)

Entered into force on 18 February 2015

According to the decision of the National Security and Defense Council of Ukraine, the Ministry of the Internal Affairs of Ukraine is instructed, inter alia, to increase control over

[25 January 2015 “On emergency measures to counteract the Russian threat and manifestations of terrorism supported by the Russian Federation”](#)

compliance with the procedure of registering the place of stay and residence by Ukrainian citizens, foreigners and stateless persons, primarily within Dnipropetrovsk, Donetsk, Zaporizhia, Luhansk, Mykolaiv, Odesa, Kharkiv and Kherson regions and the city of Kyiv.

[Order of the Ministry of Justice of Ukraine “On approval of Amendments to the Instruction on the implementation in Ukraine of the Convention on the Recovery Abroad of Maintenance” of 5 February 2015 No. 156/5, registered in the Ministry of Justice of Ukraine on 6 February 2015 under No. 138/26583](#)

Entered into force on 24 February 2015

The amendments take into account the practice of applications to foreign states submitted according to the Convention and processing applications from foreign applicants.

[Order of the Ministry of Justice of Ukraine “On amending the order of the Ministry of Justice of Ukraine of 17 June 2014 No. 953/5” of 19 February 2015 No. 225/5, registered in the Ministry of Justice of Ukraine on 19 February 2015 under No. 198/26643](#)

Entered into force on 3 March 2015

The amendments temporarily suspend or restore access to the State Civil Status Registration Register for users in certain populated areas in Donetsk and Luhansk regions.

[Order of the Ministry of Internal Affairs of Ukraine “On amending the Instruction on processing case materials on administrative offences by the officials of the State Border Guard Service of Ukraine” of 26 January 2015 No. 81, registered in the Ministry of Justice of Ukraine on 12 February 2015 under No. 139/26584](#)

Entered into force on 27 February 2015

The amendments are made in connection with the entry into force of the Law of Ukraine “On the Prosecutor’s Office”.

[Order of the Ministry of Social Policy of Ukraine “On approval of the Regulation on the State Employment Service” of 20 January 2015 No. 41, registered in the Ministry of Justice of Ukraine on 12 February 2015 under No. 141/26586](#)

Entered into force on 20 February 2015

The Order approves the Regulation on the State Employment Service, which is a centralized system of government institutions whose activities are guided and coordinated by the Ministry of Social Policy of Ukraine.